

was a different national referral mechanism for children and youth, in which identified child victims received care outside of the MOI's program through publicly funded NGOs that provided shelter, food, clothing, and medical and psychological counseling. Those victims who enter the MOI program must cooperate with law enforcement; all victims are encouraged to cooperate with Czech authorities. Authorities provided victims with a 60-day reflection period, in which victims received care and determined whether to cooperate with law enforcement; victims with a medically recognized disability, including trauma, received an additional 30 days. Under the law, a victim cannot be deported during this period. Victims unwilling to cooperate with law enforcement were still eligible to receive services via NGOs, but these were located outside of the MOI's victim services program. However, to be eligible for these alternative short-term victim services, trafficking victims must reside legally in Czechia; victims not participating in the MOI program were ineligible for long-term assistance. The government provided medical care, psychological and crisis counseling, housing, legal representation, vocational training, and other specialized services to victims. Victims could voluntarily withdraw from victim services at any time.

The MOI funded the costs for the victim assistance program, and the Ministry of Labor and Social Affairs (MLSA) provided additional funding for actual day-to-day social services provided by NGOs. In 2016, the MOI allocated approximately 1.2 million koruna (\$47,914), comparable to the 1.18 million koruna (\$47,115) allocated in 2015. An international organization also received additional funding from the MOI for repatriation costs. Some experts noted a lack of funding for victim housing, especially female victims with more than one child, and a lack of expertise among counselors providing services. In 2016, the MOI changed how it provided services to victims. Rather than granting funds to multiple NGOs to provide services, the MOI released a tender inviting NGOs to submit bids; one NGO was selected to serve as the prime agent to manage victim services. NGOs and government stakeholders reported this new funding mechanism worked well.

During legal proceedings, victims were eligible to receive free legal aid. A witness protection law allows the government to conceal the identity of the witness, provides a new identity to the victim, and can assign bodyguards. Foreign victims who cooperated with investigators could receive temporary residence and work visas for the duration of the relevant legal proceedings. Upon conclusion of court proceedings, victims could apply for permanent residency; one victim received permanent residency in 2016, compared with no victims in 2015, and one in 2014. Victims had the legal option of seeking court-ordered compensation from their traffickers in both civil and criminal proceedings, although such restitution was rare as victims often feared retribution from their traffickers during criminal cases and could not afford attorney fees for a civil suit. To seek civil damages, the law requires a finding of criminal misconduct against the defendant. The government did not report any victims received compensation during the reporting period. There were no reports the government penalized identified victims for unlawful acts committed as a direct result of being subjected to trafficking. The MLSA created working groups focused on forced labor. The government-funded anti-trafficking training to 70 health practitioners and to 20 members of an international organization.

## PREVENTION

The government maintained prevention efforts. The MOI chaired

an inter-ministerial body that coordinated national efforts and approved the 2016-2019 national strategy in April 2016. A unit in the MOI served as the national rapporteur and prepared a comprehensive annual report on patterns and programs, which it released publicly. The government continued to fund an NGO-run hotline to identify victims of trafficking and domestic violence, which received approximately 600 calls in 2016. The law did not criminalize confiscation of workers' passports. MOI funding was also available to support trafficking prevention campaigns; the government-funded NGOs to conduct 60 public awareness and prevention campaigns across regions in Czechia. The new national action plan approved in April 2016 included a new focus on gathering data on trafficking vulnerabilities and, based upon the data, developing a list of recommendations to eliminate these risks. The government did not maintain a central database that would allow it to better analyze data about traffickers and victims. To increase foreign workers' awareness regarding their rights, the MLSA and the State Labor Inspection Office published information on its website in multiple languages about laws governing the employment of foreigners. The government did not make any efforts to reduce the demand for commercial sex acts or forced labor during the reporting period. The government provided anti-trafficking training for its consular and diplomatic staff, and military personnel participating in international peacekeeping efforts.

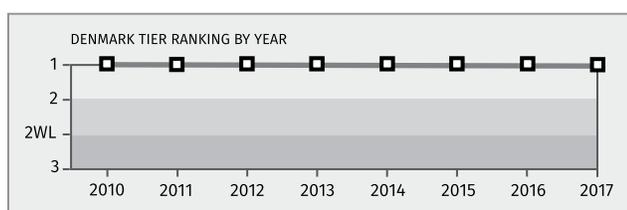
## TRAFFICKING PROFILE

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

## DENMARK: TIER 1

The Government of Denmark fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Denmark remained on Tier 1. The government demonstrated serious and sustained efforts by continuing to implement its 2015-2018 national action plan

against human trafficking and passing a spending resolution that increased funding through 2020 for counter-trafficking efforts. For the first time, the government offered trafficking victims temporary residence under section 9(c) of the Danish Aliens Act, which gives authorities the ability to stay deportation for victims to assist in an investigation. The government identified more trafficking victims and continued to fund victim service providers. Although the government meets the minimum standards, it continued to focus on foreign trafficking victims' illegal immigrant status, often incarcerating them while pending review of their status and repatriating non-EU resident victims to their countries of origin without proper screening. This impeded the ability of law enforcement to pursue traffickers and left victims vulnerable. Victim identification methods were convoluted and involved NGO partners too late in the process. In the last five years, only four victims had been granted asylum, despite the government officially identifying more than 400 victims; no victims were granted asylum during the reporting period.



## RECOMMENDATIONS FOR DENMARK

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

## PROSECUTION

The government maintained law enforcement efforts. Section 262(a) of the criminal code prohibits all forms of trafficking and prescribes punishments of up to 10 years imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities investigated 25 trafficking cases in 2016, an increase from three in 2015. The government initiated prosecutions of three trafficking suspects, compared with 58 in 2015, when the Danish National Police conducted two major anti-trafficking operations. The government reassigned a large number of police units to border security duties due to the refugee crisis, which hindered the number of officers available to conduct trafficking investigations. Courts convicted 17 traffickers in 2016 (16 in 2015), all of whom received the full prison sentences permitted by law. Sentences ranged from 3 years to 7 years, 11 months imprisonment. Experts reported few trafficking cases were brought to trial because of the lack of incentives for victims to participate in the investigation of their traffickers,

such as residence permits for victims. In 2016, however, the government offered a family of two trafficking victims (one adult and one minor) temporary residence under section 9(c) of the Danish Aliens Act, which the victims accepted. This was the first time the government implemented the 2013 amendment to the Aliens Act, allowing authorities to issue temporary residency to trafficking victims without legal status in Denmark assisting law enforcement and testifying in a trial. Authorities cooperated in one transnational investigation and began extradition proceedings against three individuals wanted for human trafficking violations in Romania. In February 2015, authorities arrested 26 individuals during a nationwide human trafficking sting. Ongoing investigations and court cases continued through the end of the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Police received instruction on trafficking at the police academy and again after their first year on the job.

## PROTECTION

The government maintained efforts to protect victims. Authorities identified 121 trafficking victims in 2016, compared with 93 victims in 2015. Eight of the identified victims were minors (five of sex trafficking, one of forced criminal activity, and two trafficked for "other" purposes), compared with six in 2015. Authorities did not identify any Danish trafficking victims in 2016. The government provided a list of indicators for police to reference for initial identification and procedures to guide officials in proactive victim identification. When police suspected they had a victim in custody, they called government anti-trafficking experts to assist in questioning and explain the victim's rights; each police district appointed a trafficking expert. NGOs noted the onus of victim identification remained on trafficking victims rather than officials' proactive identification. Government guidelines for identifying victims required shuffling victims between law enforcement and government agencies before referring them to NGOs. NGOs stated victim identification methods were convoluted and involved NGO partners too late in the process. NGOs contended authorities primarily treated trafficking victims as illegal immigrants subject to the justice system. The Danish Institute for Human Rights stated victims had been incarcerated pending review of their immigration status and as part of the process for identifying their traffickers. According to NGOs, the current laws and identification process incentivized police officers to treat victims as illegal immigrants. A third-party audit of the identification process revealed the government did not effectively disseminate current statistics and reports or manage its long-term planning.

Government-funded, NGO-operated facilities provided trafficking victims care services, including medical, psychological, and legal assistance; these facilities were dedicated to trafficking victims. The Danish Red Cross assisted unaccompanied children and child victims in another facility partially funded by the government. Victims could apply for compensation through a state fund and through civil suits against their traffickers; however, no victims pursued these in 2016. To help prevent trafficking victims from being penalized for crimes committed as a result of being subjected to trafficking, the director of public prosecutions distributed guidelines on the identification of victims and the withdrawal of charges against them to the police and prosecution service. Some observers reported increased willingness by prosecutors to drop charges against trafficking victims. The government did not implement efforts to provide alternatives to victims' removal, resulting in few protections for victims.

While the government reported asylum or humanitarian residence permits could be used as alternatives to removal for victims who lacked legal status in Denmark, trafficking victims could not qualify for these provisions or receive these protections solely on the basis of being subjected to trafficking crimes. The government required victims to prove they were persecuted in their home countries on the basis of Refugee Convention grounds. In 2016, the government offered a family of two trafficking victims (one adult and one minor) temporary residence under section 9(c) of the Danish Aliens Act, which the victims accepted. The government continued to offer trafficking victims a 120-day “extended time limit for departure” as part of its prepared return program for trafficking victims ordered to leave Denmark; the prepared return gave victims a specified period of time to receive services before their eventual deportation. Regional anti-trafficking experts, including the Council of Europe, emphasized this period does not refer to a period of reflection and recovery necessary to determine whether victims will cooperate in the investigation of their cases; rather it is a period of time the victims have to cooperate in their repatriation. During 2016, the Council of Europe criticized Denmark for failing to honor the required 120-day period of recovery and reflection prior to deportation of trafficking victims. In 2016, 12 trafficking victims accepted a prepared return (43 in 2015). Authorities deported victims without legal residency who did not accept a prepared return unless they were assisting in the prosecution of a trafficker. Some victims chose not to participate in the program, reportedly based on the perception it was merely a preparation for deportation. Victims’ debt bondage to their traffickers and lack of protection in their home countries served as significant deterrents from accepting the prepared return. The effective lack of alternatives to removal impeded the ability of law enforcement to pursue traffickers and left victims vulnerable to re-trafficking.

## PREVENTION

The government increased prevention efforts. The government allotted 88.3 million Danish Kroner (\$12.5 million) for its 2015-2018 national action plan for trafficking protection and prevention programs. In addition, parliament passed an omnibus social spending resolution in November 2016, which allocated 9.4 million Danish Kroner (\$1.33 million) to counter-trafficking efforts through 2020; this initiative included provisions for identification, outreach, and shelter. As part of the 2015-2018 national action plan, the government provided anti-trafficking training to police, diplomats, and other government personnel. The government conducted training for health service providers at clinics, shelters, and hospitals on how to identify trafficking victims and notify authorities. In May 2016, a government-assisted NGO launched a public exhibit focused on human trafficking and forced prostitution. Authorities posted guidelines for the hospitality sector to assist employers in the prevention of labor exploitation. Authorities conducted public information campaigns aimed at curbing demand for trafficking, provided public education about the signs of possible trafficking, and publicized through social media a hotline for reporting trafficking cases. Authorities continued to train tax and labor inspectors on labor trafficking indicators. The government did not take measures to reduce the demand for commercial sex.

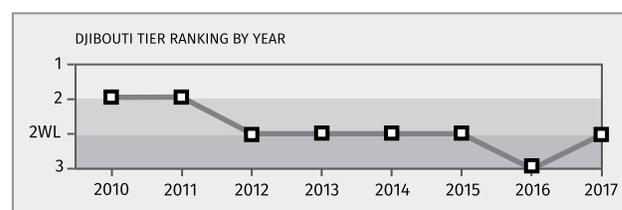
## TRAFFICKING PROFILE

As reported over the past five years, Denmark is primarily a destination and transit country for men, women, and children subjected to forced labor and sex trafficking from Eastern Europe,

Africa, Southeast Asia, and Latin America. Migrants are subjected to labor trafficking in agriculture, domestic service, restaurants, hotels, and factories through debt bondage, withheld wages, abuse, and threats of deportation. Unaccompanied migrant children are vulnerable to sex trafficking and forced labor, including theft and other forced criminality. Since 2009, 33 children have been identified as trafficking victims in Denmark: nine forced into pickpocketing, three into cleaning restaurants, six into forced criminal activity, 13 into sex trafficking, and two trafficking for uncategorized purposes. Copenhagen’s relatively small red-light district represents only a portion of the country’s larger commercial sex industry, which includes sex trafficking in brothels, bars, strip clubs, and private apartments. The rise in migrants, asylum-seekers, and refugees entering and transiting Denmark has increased the size of the population vulnerable to human trafficking.

## DJIBOUTI: TIER 2 WATCH LIST

The Government of Djibouti does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore, Djibouti was upgraded to Tier 2 Watch List. These achievements included increased investigations and prosecutions of trafficking cases and expanded trainings for law enforcement, prosecutorial, and judicial officials primarily on the 2016 anti-trafficking law. Officials partnered with an international organization to assist trafficking victims. Additionally, the government implemented a national identification and referral mechanism during the year—developed by an international organization—and continued to partner collaboratively with civil society stakeholders to organize diverse anti-trafficking awareness raising events throughout the year. The anti-trafficking working group met more than ten times during the year under the direction of the newly appointed national coordinator for anti-trafficking and anti-smuggling efforts. Despite these achievements, the government did not amend its anti-trafficking law, which does not incorporate the international law definition of trafficking, nor did it convict any traffickers after passing the law in March 2016. In addition, the government’s identification of potential victims remained sporadic and protective services largely insufficient. The government did not fully operationalize its national action plan to combat trafficking for the second consecutive year and the general lack of capacity and coordination among relevant government agencies continued to hinder progress in national anti-trafficking efforts.



## RECOMMENDATIONS FOR DJIBOUTI

Strictly enforce the anti-trafficking law through investigations and prosecutions of trafficking offenders; widely implement standardized procedures for government personnel to proactively identify potential victims and transfer them to care; expand protective services for victims, through partnerships

with NGOs or international organizations, and implement the protections mandated by the anti-trafficking law; amend the anti-trafficking law to comport with the international law definition, specifically to remove the requirement that the government prove that force, fraud, or coercion were used in cases of child sex trafficking, and repeal contrary provisions of existing laws; expand training for judges, prosecutors, and police on the distinctions between trafficking and migrant smuggling; compile and publicize data on convictions and sentences of trafficking offenders; implement the extended national action plan; institute a module on human trafficking as a standard component of the mandatory training program for new police and border guards; and develop and launch a nationwide anti-trafficking awareness campaign.

## PROSECUTION

The government modestly increased law enforcement efforts to combat trafficking, although some provisions of its anti-trafficking law remained inconsistent with international law. The 2016 Law No. 133, On the Fight Against Trafficking in Persons and Illicit Smuggling of Migrants, criminalizes all forms of trafficking; it prescribes penalties of five to 10 years imprisonment, and 20 when aggravating factors are present, which are sufficiently stringent and commensurate with those for other serious crimes, such as rape. However, contrary to the international definition, Law No. 133 requires the government prove that force, fraud, or coercion were used when children are subjected to sex trafficking. Law No. 111, Regarding the Fight Against Terrorism and Other Serious Crimes of 2011, remains in effect and also prohibits all forms of trafficking with the same problem regarding child sex trafficking, and prescribes penalties of 10 to 15 years imprisonment, which are also sufficiently stringent and commensurate with the penalty for other serious crimes. These two similar laws have some divergent definitions and penalties, which risk generating confusion and raising legal issues, making it difficult for law enforcement, prosecutorial, and judicial officials to effectively prosecute human traffickers.

During the reporting year, the government investigated nine trafficking cases, an increase from none the previous year. While the government reported prosecution of 10 suspected traffickers in seven cases, judges convicted all defendants for smuggling crimes due to insufficient evidence of exploitation. It did not initiate trafficking prosecutions or secure convictions in 2015. Two prosecutions, one of which commenced in 2012, remained ongoing from previous reporting periods. The government did not report any new investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses in 2016. In 2014, the government arrested five military officials for alleged trafficking crimes. However, the government reported they subsequently returned to their jobs and never appeared when summoned to court in 2015; this case was dismissed without criminal action during the reporting period.

To better delineate between trafficking and smuggling, more than 300 national police personnel attended an open discussion organized by Djibouti's National Police Chief in Djibouti's National Police academy and led by local experts on the differences between these crimes. During the reporting period, the Ministry of Justice (MOJ) coordinated a roundtable for approximately 80 officials and civil society stakeholders to socialize the 2016 anti-trafficking law and mechanisms to investigate potential trafficking crimes; for this event the government paid for promotional materials, the event facility, refreshments, and 300 printed booklets containing the anti-

trafficking law. In the bi-annual MOJ general assembly, the president of the Court of First Instance and State Prosecutor discussed effective application of the anti-trafficking law with judges and prosecutors. In collaboration with an international organization, the centrally-appointed regional governors of Tadjourah, Dikhil, and Obock hosted three separate trainings in their respective regions and each provided a venue for training sessions for roughly 40 participants from civil society and law enforcement focusing on the anti-trafficking law. In addition, the government provided in-kind contributions to support anti-trafficking trainings facilitated and funded by international organizations.

## PROTECTION

The government took steps to strengthen its victim protection infrastructure, but efforts to identify and provide protective services for trafficking victims were conducted on an ad hoc basis and remained largely insufficient. In December 2016, the government implemented a national identification and referral mechanism developed and funded by an international organization; however, it did not enact or routinely implement this mechanism during the reporting year, which likely left some individuals vulnerable to exploitation and potential re-victimization. Furthermore, the government granted authority to another international organization to conduct trafficking screenings of all transiting migrants. It partnered with this entity to provide water, food, and temporary shelter for an unknown number of potential trafficking victims in more than 200 cases reportedly involving indicators of trafficking; in 2015, the government did not identify or provide protective services to victims. Separately, an international organization referred nine potential victims to the national police; while investigations were ongoing, the victims remained under direct care of the organization. The *gendarmerie* continued its coordination with an international organization to transfer migrants, including potential trafficking victims, on an ad hoc basis to either medical facilities or the Migrant Response Center (MRC) in Obock—an office staffed and operated by an international organization along the route most heavily traversed by migrants from Somalia and Ethiopia en route to Yemen. In October 2016, the Ministry of the Interior provided this international organization with a building to create a second MRC after unprecedented migrant arrivals in Obock, a population vulnerable to trafficking. Djibouti remains without a shelter in which to house trafficking victims. The government also allocated an unspecified funding amount to local Djiboutian NGOs, which operated counseling centers and other programs that may have assisted trafficking victims during the year. The 2016 anti-trafficking law's provisions for establishment of victim assistance programs for trafficking victims, funded through asset seizure, remained unimplemented for the second consecutive year.

The 2016 anti-trafficking law established provisions allowing trafficking victims temporary residency during judicial proceedings and permanent residency as necessary as legal alternatives to removal to countries where they may face hardship or retribution; however, these provisions were not employed during the reporting year. Additionally, the 2016 law directs that necessary legal assistance and an interpreter be provided to victims; the government did not report providing such assistance during the reporting period. The government agency that assists refugee and disaster victims, the Ministry of Interior, the national *gendarmes* and police force, the Coast Guard, the Ethiopian embassy in Djibouti, and an international organization coordinated efforts to facilitate more than 1,000 voluntary returns of migrants, mainly Ethiopians, including 388

unaccompanied minors and 54 women, to their countries of origin in 2016. Some of these individuals reportedly encountered violence, coercion, or exploitation during their travels through multiple countries and, thus, may have been exploited in trafficking.

## PREVENTION

The government increased efforts to prevent trafficking. During the reporting year, the government extended its 2015 national action plan to combat trafficking through 2020 but did not fully operationalize it. The anti-trafficking working group met more than ten times during the year under the direction of the newly appointed national coordinator for anti-trafficking and anti-smuggling efforts; however, the general lack of capacity and coordination among relevant government agencies continued to hinder progress in national anti-trafficking efforts. The government-sponsored newspaper included numerous articles on trafficking and groups vulnerable to trafficking such as street children and refugees. In coordination with the government, an international organization sponsored a documentary and panel discussion on trafficking; various civil society organizations and officials from several ministries attended. In addition, the government and a local charity co-conducted anti-trafficking awareness raising activities in refugee camps across Djibouti. As part of the World Day against Trafficking, the government produced a three-part newspaper series on street children to raise awareness among the public about the plight of this vulnerable group. The government did not undertake significant efforts to reduce the demand for commercial sex acts. Through a train-the-trainer program, international experts provided Djiboutian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. English and Amharic language teachers at the Ministry of Foreign Affairs' training center for diplomatic personnel included information on trafficking and domestic servitude in their course material.

## TRAFFICKING PROFILE

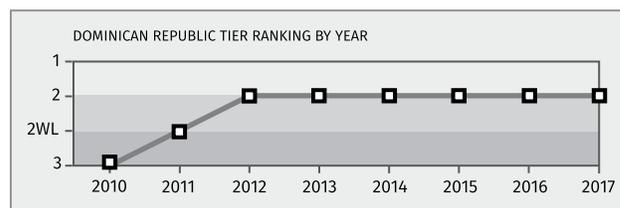
As reported over the past five years, Djibouti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking, although limited data on trafficking cases has complicated efforts to determine the full scope of the phenomenon. Men, women, and children, primarily from Ethiopia and Somalia, and to a lesser extent from Eritrea, transit Djibouti voluntarily en route to Yemen and other locations in the Middle East, particularly Saudi Arabia, to seek work. An unknown number of these migrants are subjected to forced labor and sex trafficking in their intended destinations. In 2016, more than 117,000 people embarked on the sea crossing from the Horn of Africa to Yemen, marking the highest annual total of the past decade. In addition to this unprecedented influx of migrants, the 2015 crisis in Yemen created a reverse flow of persons from Yemen to Djibouti. The government allowed over 30,000 people of diverse nationalities to enter freely and take refuge; some of them had endured various types of exploitation, possibly including trafficking, before their arrival in Djibouti. Given instability in Ethiopia's Oromia region that commenced in November 2015, more Ethiopians journeyed on foot from Ethiopia to Djibouti to either claim asylum with their families or continue onward to destination countries in the Gulf, thereby causing an uptick in refugee camp population; austere conditions in refugee camps made this group highly vulnerable to trafficking.

Djiboutian and migrant women and street children are vulnerable to domestic servitude or sex trafficking in Djibouti

City, the Ethiopia-Djibouti trucking corridor, and Obock, the main departure point for Yemen. Some migrants intending to be smuggled may be transported or detained against their will and subsequently subjected to trafficking and other forms of abuse in Djibouti. Smuggling networks, some of whose members are likely Djiboutian, sometimes charge exorbitantly high rents or kidnap and hold migrants, including children, for ransom in countries neighboring Djibouti. In addition, some migrant women reportedly were subjected to domestic servitude and forced prostitution in Djibouti. Traffickers based in Yemen or Saudi Arabia, who reportedly intend to exploit migrants or sell women into prostitution or domestic servitude upon their arrival there, sometimes pay these ransoms. Parents sometimes compel their children to beg on the streets as a source of familial income; children may also travel from foreign countries—including Ethiopia and Somalia—for begging in Djibouti. Children are also vulnerable to forced labor as domestic servants and, at times, coerced to commit petty crimes, such as theft.

## DOMINICAN REPUBLIC: TIER 2

The Government of the Dominican Republic does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, the Dominican Republic remained on Tier 2. The government demonstrated increasing efforts by prosecuting traffickers—including an allegedly complicit official, convicting traffickers, identifying victims, and launching a national anti-trafficking awareness campaign, which increased calls to the government hotline. However, the government did not meet the minimum standards in several key areas. The government did not report any new prosecutions or convictions for forced labor. It did not provide sufficient funds, training, or equipment to conduct law enforcement efforts or provide adequate victim protection or specialized services. It also did not take action to remedy gaps in law enforcement efforts identified by the attorney general's office review of 2010-2014 trafficking cases.



## RECOMMENDATIONS FOR THE DOMINICAN REPUBLIC

Vigorously prosecute and convict traffickers involved in forced labor and sex trafficking, including complicit government officials; fully implement protocols to identify adult and child trafficking victims, including in commercial sex, domestic servitude, and the agriculture and construction sectors, and refer them to protective services; adequately fund and train law enforcement, including on how to better identify victims of forced labor; amend the 2014 anti-trafficking law to remove the requirement to prove force, fraud, and coercion of sex trafficking victims under 18 years of age and consistent with international law; adequately fund and coordinate specialized services for adult and child trafficking victims; work with NGOs to provide adequate shelter and services to adult and child victims; address

the gaps identified in the attorney general's office review of 2010-2014 trafficking cases; screen for trafficking indicators among working children and undocumented or stateless persons at risk of deportation, including those of Haitian descent to identify victims and prevent re-trafficking; and conduct forced labor and sex trafficking awareness campaigns in Spanish and Creole.

## PROSECUTION

The government maintained law enforcement efforts by investigating, prosecuting, and convicting sex traffickers, but did not investigate, prosecute, or convict any labor traffickers. The 2003 Law on Human Smuggling and Trafficking (Law 137-03) prohibits most forms of trafficking in persons and prescribes penalties of 15 to 20 years imprisonment and fines—penalties sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, in contrast to the international definition of trafficking in persons, the law requires prosecutors to prove that a trafficker used the means of force, fraud, or coercion for sex trafficking of individuals under 18 years of age. It also defines trafficking more broadly to include forced marriage and illegal adoption without requiring that either marriage or adoption have exploitation as a purpose. Prostitution is legal, but promoting the prostitution of others is prohibited by article 334 of the penal code, which prescribes penalties of six months to three years imprisonment and fines. Article 25 of the Child Protection Code of 2003 prohibits the offering, delivering, or accepting, without regard to means used, anyone under 18 years of age for the purpose of sexual exploitation, forced labor, or any other purpose that demeans the individual, for remuneration or any other consideration, and prescribes a penalty of 20 to 30 years imprisonment and a fine. Prosecutors may use these provisions to charge and prosecute sex traffickers in addition to or instead of Law 137-03.

In 2016, the government initiated 25 investigations—23 for sex trafficking and two for forced begging—and prosecuted 40 alleged traffickers, compared with 15 investigations and prosecutions of 49 alleged traffickers in 2015. The government secured convictions of 13 defendants in seven cases, compared to 20 defendants convicted in seven cases in 2015; sentences ranged from five to 20 years imprisonment. The national police anti-trafficking unit, in cooperation with an NGO, planned and conducted investigations, which resulted in the arrest of six traffickers and identification of eight victims. The government, in cooperation with a foreign government, conducted two major operations resulting in the identification of 61 victims and the arrest of nine alleged traffickers, including an army official. Observers and prosecutors reported human and financial resource shortages impeded law enforcement efforts.

An attorney general's office review of 2010-2014 trafficking cases, conducted during the prior reporting period, revealed a number of gaps in law enforcement efforts: inadequate investigation resulting in a lack of evidence to prosecute; insufficient efforts to secure the cooperation of victims and families; and cases prosecuted under inappropriate provisions of the law. The government prosecuted a police officer for participating in a sex trafficking ring that involved child victims, but the officer was acquitted. The government cooperated with governments in the Caribbean, Europe, and Central and South America on investigations of transnational trafficking cases. The government offered anti-trafficking courses at the National Defense Institute, Police Institute, School of Justice, School of Public Ministry, Intelligence School of the Navy, and Judiciary School. Police recruits, prosecutors, judges, and court staff participated in trainings offered by NGOs.

## PROTECTION

The government increased slightly the identification of trafficking victims, but decreased other victim protection efforts and services. Authorities identified 157 sex trafficking victims—137 female and 20 male; 83 children and 74 adults—compared with 101 victims in 2015. The Attorney General's Anti-Trafficking Unit (ATU) coordinated with other government agencies, international organizations, and NGOs that provided trafficking victims temporary accommodation in shelters, psychological and legal assistance, reintegration, medical services, and support for higher education. However, NGOs reported these services were ad hoc, not well coordinated or specialized, and the government often returned child victims to their families without follow-up care or education about the risks of re-trafficking. The Ministry of Women through its Center for Orientation and Comprehensive Investigation provided victims shelter, limited legal services, and psychological assistance. The government provided short-term services to the 157 identified trafficking victims.

Government officials reported having protocols to identify and assist adult and child trafficking victims; however, authorities did not fully implement the protocols across all levels of government nationwide. The government encouraged victims to participate in investigation and prosecution efforts by offering all victims lodging and security in the courtroom and immigration relief for foreign victims. The ATU opened a shelter twice in 2016 to house 60 foreign national victims identified during law enforcement operations, but closed the shelter once the cases concluded due to a lack of long-term funding. The government lacked funding, trained personnel, and equipment to provide adequate victim protection. The anti-trafficking law contains victim protection provisions, including restitution; however, no victims obtained restitution in 2016, compared to at least one trafficking victim obtaining restitution in 2015. The government offered foreign victims identified in cases investigated during the reporting period the same services available to Dominican victims; however, most victims chose to return to their own countries, and only one victim accepted temporary residency in the country in 2016 before returning to her home country. There were no reports of victims being punished for unlawful acts committed as a direct result of being subjected to trafficking. Undocumented Haitian victims faced deportation and other penalties resulting from their irregular immigration status, increasing vulnerability to trafficking.

## PREVENTION

The government increased prevention efforts. The inter-institutional anti-trafficking and anti-smuggling commission met periodically to discuss ongoing commitments. The government published an annual report of its efforts under the 2009-2014 plan, which remained in effect. NGOs assessed government implementation efforts were uncoordinated and underfunded. In partnership with and with funding from an international organization, the government completed but will not publish a baseline study of the judicial system's handling of child sex trafficking cases. The government began to develop a new national anti-trafficking action plan. The government, in cooperation with an international organization, launched a national campaign to raise awareness of child sexual exploitation, including sex trafficking. NGOs reported prevention efforts did not target youth and students or Creole speakers, key vulnerable groups, and did not target social media often used by traffickers to recruit victims. The government operated a national hotline, which received 176 calls before the start of the national campaign and 324 after the campaign

launched; 493 of the 550 calls were trafficking-related, 61 of which led to new investigations. The government did not gather comprehensive data or statistics to help it gauge the effectiveness of anti-trafficking efforts.

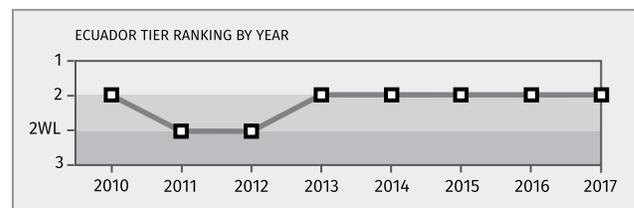
During the reporting period, the government extended the benefits of the National Regularization Plan to offer an additional year of legal residency status to approximately 240,000 beneficiaries. In addition, the government approved 55,000 birth certificates for documented individuals born in the country to immigrant parents and reissued about 20,000 birth certificates for those individuals. The government planned to offer permanent residency to 8,755 of the individuals who had not obtained birth certificates. These actions reduced the recipients' risk of statelessness and deportation and their vulnerability to trafficking. The government made efforts to reduce the demand for forced commercial sex by charging two tourists—an American and a Canadian—with child sexual exploitation and improved monitoring of tourist areas. The government maintained a national plan to reduce child sex tourism and a detection system for foreign travelers who are registered sex offenders in their countries. The government did not report efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic personnel.

### TRAFFICKING PROFILE

As reported over the past five years, the Dominican Republic is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Large numbers of Dominican women and children are subjected to sex trafficking in the Dominican Republic, the Caribbean, Europe, South and Central America, the Middle East, Asia, and the United States. Foreign national victims from the Caribbean, Asia, and South America are subjected to trafficking in the Dominican Republic. Commercial sexual exploitation of Dominican children by foreign tourists from the United States, Canada, and Europe, and by Dominican residents persists, particularly in coastal resort areas of the Dominican Republic. NGO research indicates sex trafficking of 15- to 17-year-old girls occurs in streets, in parks, and on beaches. Government officials and NGOs report an increase in Colombian and Venezuelan women brought to the country to dance in strip clubs who are subjected to forced prostitution. Traffickers lure Dominican women to work in night clubs in the Middle East, the Caribbean, and Latin America and subject them to sex trafficking. Dominican officials and NGOs documented cases of children forced into domestic service, street vending, begging, agricultural work, construction, and moving illicit narcotics. There are reports of forced labor of adults in construction, agricultural, and service sectors. Populations vulnerable to trafficking include women and girls, working children and street children, migrant workers, and undocumented or stateless persons of Haitian descent. Haitian women report smugglers often become traffickers for the purpose of sexual exploitation along the border, and observers note traffickers operate along the border with impunity and sometimes with the assistance of corrupt government officials who accept bribes to allow undocumented crossings. Unofficial border crossings remain unmonitored and porous leaving migrants, including children recruited to work in the agricultural and construction sectors, vulnerable to trafficking. NGOs report police complicity in areas known for child sex trafficking.

## ECUADOR: TIER 2

The Government of Ecuador does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous period; therefore, Ecuador remained on Tier 2. The government demonstrated increasing efforts by conducting more anti-trafficking law enforcement operations leading to an increased number of convictions, and by enacting a law to enhance assistance and protection efforts for trafficking victims and those vulnerable among migrant populations. However, the government did not meet the minimum standards in several key areas. Specialized services for victims were unavailable in most of the country and official complicity remained a challenge. For the fourth year in a row, authorities failed to approve the revised anti-trafficking plan, and government agencies lacked adequate resources to implement anti-trafficking efforts.



### RECOMMENDATIONS FOR ECUADOR

Strengthen the provision of specialized services for trafficking victims, including for adults, and increase funding for services, including for those provided by civil society organizations; increase efforts to hold criminally accountable public officials complicit in trafficking; amend anti-trafficking statutes for consistency with the international definition of trafficking and to make the prescribed penalties commensurate with other serious crimes such as rape and kidnapping; increase use of the national protocol for protection and assistance to trafficking victims, including identifying trafficking victims among vulnerable populations, such as LGBTI individuals, irregular migrants, and individuals in prostitution; increase anti-trafficking training for police officers, judges, labor inspectors, immigration officials, social workers, and other government officials, particularly to enhance victim identification; enhance data collection and interagency coordination; partner with civil society to finalize, resource, and implement the national anti-trafficking action plan; and take steps to retain expertise among members of the anti-trafficking unit such as extending their rotation period.

### PROSECUTION

The government increased law enforcement efforts. Article 91 of Ecuador's 2014 criminal code prohibits all forms of trafficking and prescribes penalties ranging from 13 to 16 years imprisonment. These penalties are sufficiently stringent, but not commensurate with those for other serious crimes, such as rape. Article 91 does not require the means of force, fraud, or coercion for sex trafficking of adults or for forced labor, and it includes all labor exploitation, child labor, illegal adoption, servile marriage, and the sale of tissues, fluids, and genetic materials of living persons. The criminal code allows for additional investigation techniques for trafficking, such as undercover investigations and wiretapping, and penalizes those who contract with workers using knowingly fraudulent or

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

The anti-trafficking and human smuggling police unit (ATU) reported arresting 56 suspected traffickers and conducting 52 anti-trafficking operations in 2016, an increase from 10 anti-trafficking operations in 2015 and 19 in 2014. Authorities reportedly prosecuted 18 cases of trafficking and convicted 40 traffickers, compared with 64 prosecutions and 31 convictions in 2015 and 95 prosecutions and 20 convictions in 2014. In 2016, the average sentence for trafficking crimes was 16 years. The ATU in Quito focused on cases involving adult victims, while police units for crimes against children investigated cases of child trafficking, sometimes in coordination with the specialized anti-trafficking police. The national organized crime prosecutorial unit in Quito handled trafficking cases in partnership with local prosecutors across the country. Limited resources, limited presence in parts of the country, inadequate victim services, bureaucratic delays, and the frequent rotation of specialized police hampered law enforcement efforts during the reporting period. Authorities did not report any new investigations into government complicity; however, NGOs indicated that corruption and official complicity of government officials in trafficking crimes continued and impacted victims and witnesses' willingness to report cases. Most complicity cases from prior years remained open, including the 2015 prosecution of a police officer for sex trafficking, the case of the three civil registry officials for falsifying and altering documents used by international traffickers, the 2013 prosecution of two active and two former police officers for their involvement in sex trafficking, and the 2012 investigation of a judge for trafficking-related complicity. Authorities provided 17 training events reaching 537 government officials, including staff from the attorney general's office and members of the public. An NGO and an international organization with foreign donor funding provided specialized training to law enforcement officials in the province of Sucumbios and Esmeraldas. The Ministry of Interior (MOI) provided mandatory specialized training as part of basic curriculum for all ATU officers; however, frequent rotations impede the development and retention of expertise.

## PROTECTION

The government decreased protection efforts. The government used the "National Unified Protocol for Integral Protection and Assistance to Victims of Trafficking" to refer victims. Authorities regularly referred victims to one of five government ministries responsible for victim assistance and referral, as well as NGOs who provided shelter and assistance. The government identified

and assisted 75 potential trafficking victims, a decrease from 117 potential child trafficking victims in 2015. NGOs identified and assisted an additional 75 potential trafficking victims, compared to 63 in 2015. It was unclear how many government- and NGO-identified cases involved trafficking as defined in international law given the overlapping trafficking-related criminal offenses. During the reporting period, observers reported authorities charged two trafficking victims as criminals rather than identify them as victims.

Authorities, in partnership with NGOs, continued to provide emergency services to trafficking victims, including legal, psychological, and educational support, in addition to shelter for underage female victims. Lack of specialized shelters, especially for adult victims of trafficking, continued to be a concern. Male victims had limited options for services through care centers providing ambulatory services. Police reported challenges finding shelters for trafficking victims, particularly outside the capital; as a result, police sometimes placed victims in non-specialized shelters. The government provided an unspecified amount of funding for shelters and services for trafficking victims. NGOs reported government funding decreased in 2016 compared to the year before. An NGO reported assisting a transgender victim from Colombia who was mistreated by police on both sides of the border and unable to find shelter until the NGO helped her return to Colombia.

The Office of the Prosecutor General continued to support a formal witness protection program (SPAVT) and provided immediate support to victims. During the reporting period, the SPAVT program assisted 47 victims, a decrease from 72 victims in 2015 and 66 victims and dependents in 2014. The government granted a 30-day reflection period allowing victims to receive SPAVT protection while deciding whether to participate in the penal process against their traffickers. Many victims chose not to participate in investigations due to fear of threats, inadequate protections in the SPAVT program, or lack of faith in the judicial system. It was unclear how many victims participated during the reporting period. NGOs reported victims often sought NGO-provided or private legal assistance due to the public defender providing limited and poor quality legal assistance to victims. Foreign victims were entitled by law to the same services as domestic victims, but in practice, NGOs reported the government treated foreign victims as irregular migrants violating immigration law rather than as crime victims. Young foreign victims lacking personal identification documents can be considered minors and therefore have access to specialized state care, shelters, and psychological and legal assistance. NGOs reported a lack of specialized health professionals and denial of medical services to victims without legal presence in the country. The MOI reported it had mechanisms to repatriate trafficking victims and Ecuadorian diplomatic and consular missions abroad had funding to provide food, lodging, and airplane tickets to Ecuadorian victims seeking repatriation; however, the government did not use these mechanisms during the reporting period. According to authorities, financial restitution was not available for trafficking victims. In January 2016, the government enacted the Human Mobility Law, which guaranteed the non-return of people to countries where their lives or relatives are at risk, including foreign victims of trafficking. Authorities reported they could grant temporary or permanent residency to foreign victims, but did not report how many foreign victims received residency in 2016. The mobility law prevented re-victimization and penalization of victims by establishing a registry of identified trafficking victims and assigning responsibilities to state agencies to provide protection

and reintegration in addition to prevention education. It was unclear if any of these requirements were implemented during the reporting period.

## PREVENTION

The government decreased prevention efforts. The MOI anti-trafficking sub-directorate coordinated anti-trafficking efforts, although civil society organizations continued to note a lack of coordination among government actors. During the reporting period, the government did not approve the revised version of the 2013-2017 national action plan and the interagency committee could not provide funding until its approval. Government agencies were required to dedicate their own resources for the implementation of the plan, which hindered anti-trafficking efforts. National authorities conducted awareness campaigns in public schools, including one in public schools reaching over 2,000 students. The criminal code prohibits sex tourism, but the government did not provide information on investigations, prosecutions, or convictions of child sex tourists in 2016. The mobility law requires the Ministry of Labor to register all cases of job placement abroad. Travel agencies were required to complete an online course on detecting trafficking victims in order to obtain a working license from the Ministry of Tourism. The government did not make efforts to reduce the demand for commercial sex. In July, the MOI and a university hosted a seminar on human trafficking trends and using social media to improve victim assistance. In September, authorities from Peru and Ecuador held a bi-national dialogue on human trafficking. The government did not provide anti-trafficking training for its diplomatic personnel.

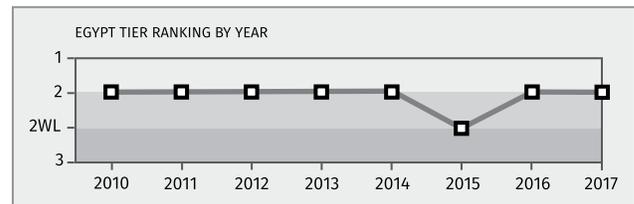
## TRAFFICKING PROFILE

As reported over the past five years, Ecuador is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Ecuadorian men, women, and children are exploited in sex trafficking and forced labor within the country, including in domestic servitude, forced begging, on banana and palm plantations, in floriculture, shrimp farming, sweatshops, street vending, mining, and in other areas of the informal economy. Indigenous and Afro-Ecuadorians, as well as Colombian refugees and migrants, are particularly vulnerable to human trafficking. Women, children, refugees, and migrants continued to be the most vulnerable to sex trafficking; however LGBTI individuals remain vulnerable to sex trafficking. Smugglers promising a better life confiscate documents, impose debts, and threaten or force into prostitution nationals of Cuba, Ghana, Cameroon, Nigeria, Chad, China, Pakistan, the Dominican Republic, Peru, Colombia, Venezuela and Haiti, in Ecuador. Ecuador is also a destination for Colombian, Peruvian, Dominican, Venezuelan, Mexican, Haitian, Paraguayan, and Cuban women and girls exploited in sex trafficking, domestic servitude, and forced begging. Haitians migrate through Brazil into Ecuador to seek jobs on banana plantations, where they are vulnerable to forced labor. Traffickers use Ecuador as a transit route for trafficking victims from Colombia, Cuba, Haiti, and the Dominican Republic. Traffickers recruit children from impoverished indigenous families under false promises of employment and subject them to forced labor in begging, domestic servitude, in sweatshops, or as street and commercial vendors in Ecuador or in other South American countries. Ecuadorian children are subjected to forced labor in criminal activity, such as drug trafficking and robbery. Traffickers threaten these children's families. Ecuadorian men, women and children are exploited in forced labor and sex trafficking abroad, including in the United States, Europe

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

## EGYPT: TIER 2

The Government of Egypt does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Egypt remained on Tier 2. The government demonstrated increasing efforts by creating three specialized courts to prosecute human trafficking cases, prosecuting a government official for alleged complicity in trafficking crimes, adopting a new national anti-trafficking action plan, and conducting several trafficking awareness campaigns and training programs that addressed various forms of trafficking. However, the government did not meet the minimum standards in several key areas. The government did not report what services, if any, it provided to the majority of the victims it identified. It did not provide shelter services specifically for trafficking victims. The government developed guidance on victim identification and referral procedures, but it did not begin to implement such procedures, and as a result, authorities continued to punish unidentified victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration violations.



## RECOMMENDATIONS FOR EGYPT

Improve efforts to proactively identify victims of all forms of trafficking and implement standard operating procedures (SOPs) for officials to use the national victim referral mechanism to identify and refer to protection services trafficking victims among vulnerable groups; ensure trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; provide and allocate adequate resources for protection services—including shelter—for victims of all forms of trafficking, including both Egyptian and foreign victims; increase investigations, prosecutions, and convictions of all forms of trafficking and adequately punish offenders, including complicit officials; increase training for all government officials, including judges in the specialized trafficking courts, on implementation of the anti-trafficking law and victim identification and referral procedures; provide a clear legal basis for NGOs to provide victim services; further extend employment protections to cover domestic workers; raise awareness of the specialized trafficking courts among judicial and law enforcement officials; encourage trafficking victims to

assist in investigations and prosecutions of their traffickers; and increase ongoing nationwide awareness campaigns.

## PROSECUTION

The government maintained its anti-trafficking law enforcement efforts. The 2010 anti-trafficking law prohibits all forms of human trafficking and prescribes penalties from three to 15 years' imprisonment and fines, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The child law prohibits sex trafficking and forced labor of children and prescribes sentences of at least five years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Articles 80 and 89 of the constitution prohibit sex trafficking, compulsory exploitation, and forced labor. In May and June 2016, the government created three specialized courts within existing appellate courts to prosecute human trafficking cases; however, the government did not report if any trafficking cases were tried in these courts during the reporting period. The government continued to conduct a nationwide data call to gather information on trafficking cases in 2016.

In 2016, the government investigated 23 cases of potential forced child labor, sex trafficking, and domestic servitude crimes, some of which were referred for prosecution; however, these cases also included perpetrators suspected of other crimes such as illegal adoption and organ trafficking, it was unclear how many of the 23 cases actually involved trafficking. This compares to 21 prosecutions in 2015. The government cooperated with the Jordanian government on a potential trafficking case involving the extradition of an Egyptian national; the case was pending at the end of the reporting period. The government reported convicting five Egyptians for trafficking crimes in 2016—compared to three traffickers convicted in 2015. All convicted in 2016 were sentenced to life imprisonment. Three other prosecutions ended in acquittal during the reporting period. The government reported the investigation and prosecution of a government employee complicit in human trafficking offenses. In December 2016, the Public Prosecutor referred to criminal court an Egyptian law enforcement official working in passport control at Cairo International Airport for his involvement with two Saudi Arabian nationals who allegedly operated a gang that fraudulently recruited Indonesian domestic workers to be exploited in Egypt; the three individuals were charged for human trafficking and bribery, and the case remained pending at the end of the reporting period. Some trafficking cases were settled out of court, resulting in a lack of adequate punishment for trafficking offenders. The Ministry of Justice's Center for Judiciary Studies continued to provide compulsory training on human trafficking for newly appointed prosecutors as a part of its curricula; the center also provided training for 84 judicial officials, in collaboration with an NGO. During the reporting period, the government provided 23 anti-trafficking trainings for 331 law enforcement, judicial, and military officials, an increase from 222 personnel trained in the previous reporting period. Additionally, the government provided in-kind support to an NGO that conducted a trafficking workshop in May 2016 for 31 judges covering international trafficking protocols and measures to combat trafficking, strategies to interview trafficking suspects and witnesses, and international cooperation to combat trafficking.

## PROTECTION

The government did not improve its weak protection services. The government's national anti-trafficking strategy, adopted

in October 2016, provides policy guidance to formalize SOPs to guide officials on proactive victim identification and protection, as well as guidance on operationalizing a National Victim Referral Mechanism. In December 2016, the General Prosecutor's Office began developing guidelines to train its staff on implementation of the SOPs. The national strategy and accompanying law on combating irregular migration includes guidance for officials to protect, rather than treat as criminals, irregular migrant children, a population vulnerable to trafficking. Through the government's anti-trafficking hotline, it identified 65 potential trafficking cases in 2016 among reported cases of child exploitation, organized begging, sexual exploitation, and summer marriages, a decrease from the 173 it identified in 2014 which is the government's most accurate victim identification figure in the last two years. Of the 65 identified victims, the National Council for Childhood and Motherhood (NCCM)—the government agency leading anti-trafficking efforts—referred eight victims to an unspecified government-run shelter or other protective service providers and 16 cases to the Prosecutor General for investigation, but it was unclear if these victims received protection services. The government did not report what protection services—if any—it provided to the other 41 identified victims. The government repatriated 453 Egyptian nationals from Italy in 2016, an unidentified number of which were identified as trafficking victims. Although Ministry of Manpower inspectors were trained to investigate employers suspected of child labor or trafficking crimes, it did not report identifying any potential trafficking victims or cases during routine inspections in 2016. The government continued to operate a telephone hotline to report trafficking abuses, which included live counseling and legal aid, as well as referrals to law enforcement and NGOs for victim assistance; the hotline received 85 calls during the reporting period. The government did not implement the national victim referral mechanism, which included the services provided by the national anti-trafficking hotline. Ineffective victim identification and referral procedures contributed to authorities punishing some victims for unlawful acts committed as a direct result of being subjected to human trafficking. Authorities continued to treat and punish some unidentified trafficking victims as criminal offenders, while foreign trafficking victims remained vulnerable to detention and deportation for illegal immigration or employment violations. The government did not have a policy in place to waive visa overstay fines for foreign trafficking victims that may have accrued during their exploitation. Foreign trafficking victims were not offered legal alternatives to removal to countries in which they faced hardship or retribution. The government reported that it could provide unspecified temporary residency status to trafficking victims, but it did not report if any victims received this status during the reporting period. The anti-trafficking law guarantees protection of witnesses of trafficking crimes, but the government did not report if it provided protection to any witnesses during the reporting period.

Continued funding constraints hindered NCCM's provision of adequate protection services to victims. The government did not provide shelter services specifically for trafficking victims in 2016, but the NCCM continued to operate a shelter jointly with an NGO that provided services to at-risk children, including potential male child trafficking victims. The government reported 5,590 children received services at this shelter in 2016, but it did not specify how many of them were trafficking victims. The Ministry of Health—with international assistance—continued to operate a medical recovery unit for foreign and Egyptian, male and female trafficking victims at a Cairo hospital; however, the government did not report if any

trafficking victims received assistance at this unit in 2016. The government continued to operate numerous facilities for victims of sexual and physical violence, but it did not report if these facilities assisted any trafficking victims during the reporting period. The government continued to rely on international organizations and civil society to fund victim assistance, and in some cases it publicly acknowledged and cooperated with NGOs in their efforts to provide assistance to victims, but it did not—in turn—provide financial assistance to these organizations, which affected their ability to offer protective services to victims. Moreover, Egypt's Law on Non-Governmental Organizations hindered legal approvals and registrations for NGOs operating in Egypt, thereby impeding their efforts to provide essential services to victims.

## PREVENTION

The government sustained efforts to prevent human trafficking. In October 2016, the government adopted a 2016-2021 national strategy to combat and prevent trafficking, which was approved by the Prime Minister; however, it did not allocate resources towards implementation of the plan. In November 2016, the national anti-trafficking committee merged with the national committee to combat and prevent irregular migration; this newly merged committee falls under the direction of the Prime Minister and is chaired by an ambassador seconded from the Ministry of Foreign Affairs. The government conducted 90 anti-trafficking public awareness campaigns, including educational events in schools, during the reporting period. In June 2016, the government hosted a regional conference that addressed migration, smuggling, and human trafficking issues affecting the Horn of Africa and Europe. The Ministry of Manpower reported that it conducted regular surprise labor inspections, including at worksites that employ foreign workers; it did not report, however, if it identified any potential trafficking victims through these inspections. The government did not make efforts to reduce the demand for forced labor or commercial sex acts, but it raised awareness of the problem of child sex tourism, specifically regarding "temporary" or "summer" marriages of girls for the purpose of commercial sex. The government provided anti-trafficking training for Egyptian troops before their deployment on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

## TRAFFICKING PROFILE

As reported over the past five years, Egypt is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Egyptian children are vulnerable to sex trafficking and forced labor in domestic service, street begging, and agricultural work. Individuals from Saudi Arabia and other Gulf countries purchase Egyptian women and girls for "temporary" or "summer" marriages for the purpose of commercial sex, including cases of sex trafficking, as well as forced labor; these arrangements are often facilitated by the victims' parents and marriage brokers, who profit from the transaction. Child sex tourism occurs primarily in Cairo, Alexandria, and Luxor. Egyptian men are subjected to forced labor in construction, agriculture, and low-skilled service jobs in neighboring countries. In 2016, there was a reported increase in Egyptian migrants, including unaccompanied children, arriving in Italy and Greece; these migrants are vulnerable to trafficking in the countries to which they migrate. In 2015, the media reported migrant Egyptian children, including unaccompanied minors, in Italy selling goods in marketplaces and streets, some of whom are vulnerable to sexual exploitation

and forced labor; the media also reported criminal networks force some Egyptian children in Italy into criminal activity.

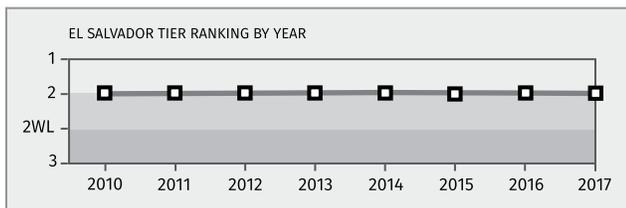
Men and women from South and Southeast Asia and East Africa are subjected to forced labor in domestic service, construction, cleaning, and begging. Foreign domestic workers—who are not covered under Egyptian labor laws—from Indonesia, the Philippines, Sri Lanka, Bangladesh, and Ethiopia are highly vulnerable to forced labor, experiencing excessive working hours, confiscation of passports, withheld wages, denial of food and medical care, and physical and psychological abuse. Women and girls, including refugees and migrants, from Asia, sub-Saharan Africa, and the Middle East endure sex trafficking in Egypt. Syrian refugees who have settled in Egypt remain increasingly vulnerable to exploitation, including forced child labor, sex trafficking, and transactional marriages of girls—which can lead to sexual exploitation, including sex trafficking, and forced labor. Irregular migrants and asylum-seekers from the Horn of Africa, who transit Egypt en route to Europe, are increasingly vulnerable to exploitation along this migration route. From 2011 to 2013, thousands of cases of forced labor and sexual servitude, smuggling, abduction, and extortion of African migrants in the Sinai Peninsula occurred at the hands of criminal groups. International organizations observed the flow of these migrants into the Sinai declined substantially in 2015, due in part to continued Egyptian military operations. Anecdotal reports suggest these criminal groups have relocated from the Sinai to Egypt's border with Libya, where migrants remain vulnerable to the same abuses, including trafficking. However, Israeli NGOs report that Bedouin groups in the Sinai resumed abuse—including trafficking crimes—against asylum seekers on a limited scale in 2015. According to victim testimonies, Bedouin groups forced approximately 61 Sudanese asylum-seekers to work in agriculture, tree lumbering, and marijuana growing; these groups physically abused the victims, including beatings and deprivation of food and water and extorted money from them for their release. On average, the Bedouin held the victims captive for one month before releasing them.

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## EL SALVADOR: TIER 2

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The Government of El Salvador does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous period; therefore, El Salvador remained on Tier 2. The government demonstrated increasing efforts by convicting an official who engaged in commercial sex with a trafficking victim, investigating more trafficking cases, prosecuting child sex trafficking crimes, and providing services to some girl victims. The government promulgated regulations to further implement the 2014 anti-trafficking law intended to strengthen its interagency anti-trafficking council. However, the government did not meet the minimum standards in several key areas. The government did not investigate and has never prosecuted any labor trafficking cases. The judicial system's overreliance on victim testimony contributed to victims facing threats of reprisal from traffickers, which undermined efforts to hold traffickers accountable. Services for adults, boys, and LGBTI victims were severely lacking. The government did not follow up on investigations of official complicity from previous years, constraining overall efforts to combat trafficking.



## RECOMMENDATIONS FOR EL SALVADOR

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

## PROSECUTION

The government slightly increased law enforcement efforts to combat child sex trafficking, but did not investigate any cases of forced labor or government complicity; authorities have never prosecuted a labor trafficking case. The Special Law Against Trafficking in Persons prescribes penalties of 10 to 14 years imprisonment for human trafficking crimes, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Although it prohibits all forms of human trafficking, the law defines trafficking inconsistently with international law: it treats force, fraud, and coercion as aggravating factors rather than essential elements of most trafficking crimes.

Similar to previous years, the government exclusively investigated and prosecuted sex trafficking crimes. In 2016, authorities investigated 55 sex trafficking cases, compared to 43 sex trafficking cases in 2015. Authorities prosecuted seven cases and convicted six sex traffickers in 2016, compared to eight cases and 19 sex traffickers convicted in 2015. Offenders convicted in 2016 received sentences ranging from eight to 10 years imprisonment. Despite evidence of force or coercion used by gangs to compel children to engage in illicit activities, authorities did not investigate or prosecute any such crimes as trafficking. Some officials, particularly judges, demonstrated a limited understanding of trafficking, which impeded efforts to hold traffickers accountable. During the year, the government provided anti-trafficking training to 2,718 government employees, including police, prosecutors, judges, labor inspectors, immigration officials, physicians, nurses, students, and teachers. The National Civil Police (PNC) Specialized Human Trafficking and Related Crimes unit comprises 32 persons in four groups that focus on trafficking,

human smuggling, sexual crimes, and special/international investigations. The PNC reported a need to increase staffing in order to deal with an accumulation of cases during 2016.

A government official was convicted for purchasing sexual services from a trafficking victim and received a sentence of five years imprisonment. The government did not provide any updates on two investigations from previous years, one involving several officials for the alleged purchase of sex acts from trafficking victims and a second involving a public official suspected of sex trafficking. It did not report any developments in a 2012 case of three prison guards arrested for facilitating sex trafficking or a 2009 investigation of trafficking-related complicity by the former head of the prosecutorial anti-trafficking unit.

## PROTECTION

The government maintained victim protection efforts. It provided assistance primarily to girls subjected to sex trafficking; services remained inadequate overall. Immigration officials continued efforts to identify possible trafficking victims in border regions; however, the government lacked formal procedures to identify trafficking victims among vulnerable groups, including individuals in commercial sex. In 2016, the government reported identifying 53 sex trafficking victims, an increase from 49 victims identified in 2015, but a decrease from 87 victims identified in 2014. Those identified included 18 women and 35 girls; 48 were Salvadoran and five were from other Latin American countries. Authorities did not identify any forced labor victims in 2016 or 2015, compared with three in 2014.

During the year, the government developed two immediate response teams to coordinate victim assistance and referral and formulated a protocol on the care of trafficking victims. The government maintained a budget of \$270,000 for victim assistance in 2016. The government offered no specialized services or shelter to boys, adults, or LGBTI victims, although NGOs and officials reported these populations needed shelter, rehabilitation, and mental health services. The government shelter for girl sex trafficking victims offered psychological and medical care to 15 victims in 2016. The government provided shelter in a Migrant Attention Center to three adult female victims identified by immigration officials, but 15 adult female victims did not receive services. Throughout the investigation and intake process, residents of the center were required to recount their trafficking experience multiple times to various government entities, highlighting a lack of interagency coordination and leading to re-traumatization. There were few long-term support or reintegration services available for victims, leaving them vulnerable to re-trafficking. Authorities made efforts to screen for trafficking indicators among Salvadorans returned from abroad and repatriated Salvadoran victims could be referred to services and the police to investigate their cases, but the government did not report doing so in 2016.

The judicial system's inexperience with trafficking cases, overreliance on victim testimony, and threats of reprisal from traffickers undermined the effectiveness of the judicial system's response to trafficking. Judges in criminal courts could order civil compensation awards in trafficking cases; however, victims had to work through the civil courts to receive payment. In 2016, no sentences included such compensation. The government reported having procedures to protect victims' identities in court and allow for victims to provide testimony via teleconference, but did not report using these procedures. Identified trafficking

victims generally were not charged, jailed, or penalized for unlawful acts committed as a direct result of being subjected to human trafficking. However, due to the lack of a formal mechanism to screen vulnerable populations, some unidentified victims may have been punished for such crimes. Furthermore, civil society organizations reported the government treated as criminals children forced to engage in illicit activity by criminal groups, rather than providing them protection as trafficking victims. The 2014 trafficking law provides foreign trafficking victims the right to seek residency status, which would allow them to work legally, but no victims had received such benefits.

### PREVENTION

The government slightly increased prevention efforts. The government promulgated regulations to further implement the 2014 law, specifically, to facilitate investigations of forced child labor cases and improve coordination between law enforcement and prosecutors. The anti-trafficking council, whose 2015 budget was roughly \$25,000, coordinated anti-trafficking activities and developed a national action plan for 2016-2019, which includes objectives related to prosecution of traffickers, protection of victims, prevention, and interagency coordination. The government did not report its 2016 budget. However, government entities continued to lack adequate funding to fulfill their responsibilities and interagency cooperation remained weak. While the 2014 law mandates an annual report on government efforts, the council had not yet published such a report. Government agencies partnered with NGOs to conduct campaigns using television, radio, and print media to warn the public against the dangers of labor and sex trafficking. An international organization reported the government formed a sub-commission to address migration policies that could facilitate forced labor, but this body did not report any related outcomes during the year. The government conducted 13 inspections for labor violations and forced labor involving 133 workers, but did not identify any instances of forced labor. In response to press reports highlighting working conditions in strip clubs, the Labor Ministry conducted an inspection of such a club, but did not publicize the results of the inspection. The government did not punish labor recruiters for illegal practices that contribute to trafficking or enforce labor migration policies that could decrease migrants' vulnerability to exploitation abroad. It did not report identifying, investigating, or prosecuting any cases of child sex tourism during the year. The government provided anti-trafficking training for its diplomatic personnel. The government provided anti-trafficking training to troops prior to their deployment abroad as part of international peacekeeping missions. Authorities did not report any specific efforts to reduce the demand for commercial sex acts or forced labor; however, highlighted the anti-trafficking law allows for the prosecution of those purchasing sexual services of a trafficking victim.

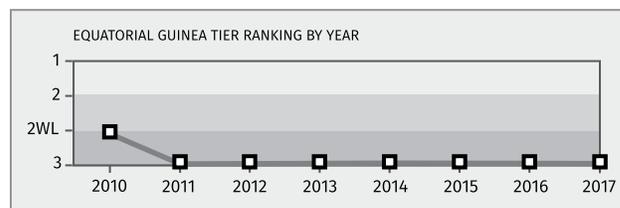
### TRAFFICKING PROFILE

El Salvador is a source, transit, and destination country for women, men, and children subjected to sex trafficking and forced labor. Women, men, and children are exploited in sex trafficking within the country; LGBTI persons, especially transgender individuals, are at particular risk. Salvadoran adults and children are subjected to forced begging and forced labor in agriculture, domestic service, and the textile industry. Some men, women, and children from neighboring countries—particularly Nicaragua, Guatemala, and Honduras—are subjected to sex trafficking, domestic servitude, or forced labor in construction or the informal sector. Traffickers use employment agencies

and social media to lure victims with promises of lucrative employment; one organization noted traffickers are increasingly targeting people in the regions of the country with high levels of violence and coercing victims and their families through threats of violence. Gangs subject children to forced labor in illicit activities, including selling or transporting drugs. Salvadoran men, women, and children are subjected to sex trafficking and forced labor in Guatemala, Mexico, Belize, and the United States. Media and government officials report organized criminal groups, including transnational criminal organizations, are involved in trafficking crimes. Some Salvadorans who irregularly migrate to the United States are subjected to forced labor, forced criminal activity, or sex trafficking en route to or upon arrival in the country. Some Latin American migrants transit El Salvador to Guatemala and North America, where they are exploited in sex or labor trafficking. Corruption, particularly within the judiciary, remained a significant obstacle to law enforcement efforts. In 2014, media reported several public officials—including legislators, political party officials, and a mayor—purchased commercial sex acts from trafficking victims. Prison guards and justice officials have been investigated for trafficking-related complicity.

## EQUATORIAL GUINEA: TIER 3

The Government of Equatorial Guinea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Equatorial Guinea remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including: investigating one potential trafficking case; adopting a national action plan to train government officials; increasing numbers of those targeted by awareness-raising; and conducting and funding two multi-day trainings to improve victim identification and case investigation techniques for all border and port officials. These steps demonstrate increased interest in addressing trafficking by the government; however, the government did not prosecute or convict any traffickers. It did not make efforts to develop standard operating procedures (SOPs) to identify or protect trafficking victims or prosecute traffickers. The government continued to deport undocumented migrants without screening them to determine whether they were victims of trafficking or referring them to assistance services.



### RECOMMENDATIONS FOR EQUATORIAL GUINEA

Use the 2004 anti-trafficking law to prosecute and convict traffickers including complicit officials; develop formal procedures to identify trafficking victims, especially among child laborers, undocumented immigrants, women in prostitution, and children exploited for commercial sex; train social workers, law enforcement, and immigration officials in the use of trafficking victim identification and referral procedures; dedicate more funding to shelter and protect trafficking victims, including male victims, and develop a formal system to refer victims to care; develop and implement SOPs for screening foreigners

before deportation to ensure trafficking victims are provided appropriate care and safe, voluntary repatriation; develop and implement procedures for law enforcement officials to systematically notify embassies when their nationals have been detained; revive the inter-ministerial anti-trafficking commission and dedicate resources to implement the national action plan to combat trafficking in persons; research the extent and nature of the crime within the country; launch a nationwide anti-trafficking public awareness campaign.

### PROSECUTION

The government made limited anti-trafficking law enforcement efforts. The 2004 Law on the Smuggling of Migrants and Trafficking in Persons prohibits all forms of trafficking and prescribes penalties of 10 to 15 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government investigated one suspect, who had allegedly purchased for sexual and labor exploitation three children from the Central African Republic (CAR). After initial arrest, officials released the suspect on bail and did not issue a formal charge by the end of the reporting period. The government did not maintain law enforcement statistics and, as in the previous year, did not report any prosecutions or convictions of suspected traffickers. General corruption and official complicity in trafficking-related offenses occurred. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Nonetheless, the government conducted two multi-day trainings to raise awareness about trafficking, as well as increase officials' ability to identify victims and investigate cases; 215 law enforcement officers, including all border and port officials, and other government officials participated in the trainings.

### PROTECTION

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

### PREVENTION

The government increased efforts to prevent trafficking. In May 2016, the government partnered with an international organization to train 600 community leaders on prevention of trafficking in persons. The government broadcasted these anti-trafficking trainings on television and radio programs, as well as on its official website, in an effort to raise awareness among the general public. The government approved a national action plan in April 2016 focused on training officials and awareness-raising campaigns and allocated \$762,000 to fund their anti-trafficking and anti-organized crime efforts. The government continued implementing regulations requiring all commercial sex establishments to register and provide contracts to their workers in an attempt to reduce the demand for commercial sex acts and exploitation in the sex industry. In October 2016, the Ministry of Labor implemented regulations for all companies to sign formal labor contracts with their employees in order to reduce vulnerability to labor trafficking. Using these new regulations, the general director of the national financial research agency and Ministry of Labor inspected an undisclosed number of Chinese-owned construction companies for labor violations. At the end of the reporting period, the investigations were ongoing. However, the Inter-Ministerial Commission to Combat Trafficking in Persons remained inactive. The government did not implement any programs to address forced child labor despite having 13 labor inspectors dedicated to documenting labor infractions. The government did not provide anti-trafficking training for its diplomatic personnel.

### TRAFFICKING PROFILE

As reported over the past five years, Equatorial Guinea is a source country for women and girls vulnerable to sex trafficking and a destination country for men, women, and children, who may be vulnerable to forced labor. The majority of trafficking victims are exploited in the cities of Malabo, Bata, and Mongomo, where construction and economic activity funded by oil wealth contribute to increases in the demand for labor and prostitution. However, lower oil prices and lower oil production in recent years have caused a deep contraction of the country's economy leading to a decreased government budget and reprioritized activities. Equatoguinean women are exploited in the sex trade in these cities, often by foreigners. Children from nearby countries—primarily Nigeria, Benin, Cameroon, Togo, and Gabon—may be subjected to forced labor as domestic workers, market laborers, vendors, and launderers. Women from Cameroon, Benin, and other neighboring countries are recruited for work in Equatorial Guinea and subsequently subjected to forced labor or forced prostitution. Significant numbers of Chinese women migrate to Equatorial Guinea for work or to engage in prostitution, and some are subject to passport confiscation, increasing their vulnerability to forced labor. Sub-contractor staff in the oil services and construction sectors from other parts of Africa, Asia, and the Americas may be subject to passport confiscation and, in some instances, may be vulnerable to forced labor. General corruption and complicity by government officials in trafficking-related offenses occurred during the reporting period.

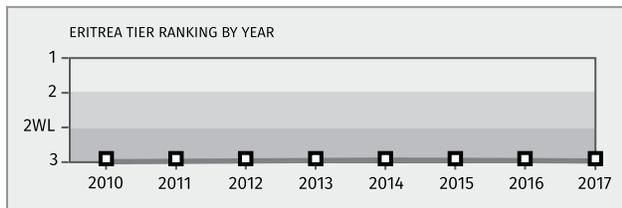
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## ERITREA: TIER 3

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The Government of Eritrea does not fully meet the minimum standards for the elimination of trafficking and is not making

significant efforts to do so; therefore, Eritrea remained on Tier 3. The government continued to subject its nationals to forced labor in its citizen militia and compulsory national service; many citizens are forced to serve for periods of indefinite duration under harsh conditions. While senior Eritrean officials claimed many Eritrean nationals are currently serving prison sentences in Eritrea for the crime of trafficking, the government did not report any trafficking investigations, prosecutions, or the identification and protection of any victims. Authorities continued to demonstrate a lack of understanding of the crime, regularly conflating it with transnational migration or smuggling.



### RECOMMENDATIONS FOR ERITREA

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

### PROSECUTION

The government maintained negligible anti-trafficking law enforcement efforts. Article 605 of the Eritrean Criminal Code prohibits trafficking in women and young persons for sexual exploitation, which is punishable by up to five years imprisonment; these penalties are sufficiently stringent, but not commensurate with punishments prescribed for other serious crimes, such as rape. Article 565 prohibits enslavement and prescribes penalties of five to 20 years imprisonment, which are sufficiently stringent. Labor Proclamation 118 of 2001 prohibits forced labor and child labor, but specifically excludes compulsory national and military service or other civic obligations from the definition of forced labor.

The government did not report investigating, prosecuting, or convicting suspected trafficking offenders during the reporting period. The government stated national security forces are empowered to investigate relevant crimes, including trafficking. It did not report providing any trafficking-specific training for judicial, prosecutorial, or law enforcement personnel; government-sponsored organizations incorporated anti-

trafficking information into regular programming during the previous reporting period. Officials continued to conflate transnational migration and human trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking; however, sources indicate Eritrean military officers remained complicit in trafficking offenses.

### PROTECTION

The government did not report any efforts to identify or protect trafficking victims. During the previous year, the government reportedly provided limited assistance to Eritrean female victims subjected to sex trafficking in Gulf states, but the specifics of these provisions were unknown. Eritrean officials had no procedures to identify potential trafficking victims among vulnerable groups, particularly Eritreans deported from other countries and those fleeing the country, primarily to Sudan, Ethiopia, and Djibouti; some of these nationals were vulnerable to being arrested, detained, harassed, or forcibly recalled into national service. The government did not report developing a systematic referral mechanism for referring identified trafficking victims to care. It did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

### PREVENTION

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

### TRAFFICKING PROFILE

As reported over the past five years, Eritrea is a source country for men, women, and children subjected to forced labor. To a lesser extent, Eritrean adults and children are subjected to sex and labor trafficking abroad. The government continues to subject its citizens to forced labor through the national policies and mandatory programs, which cause many citizens to flee the country and subsequently increases their vulnerability to trafficking abroad, primarily in Sudan, Ethiopia, and Libya. Proclamation 82 of 1995 requires persons aged 18 to 40 years to perform compulsory active national service for a period of 18 months—six months of military training followed by 12 months of active military and development tasks in military forces or in a government-run work unit, including the Eritrean defense forces. However, the 18-month timeframe is arbitrary and unenforced; many individuals are not demobilized from government work units after their mandatory period of service

but rather forced to serve indefinitely under threats of detention, torture, or familial reprisal. In 2012, the government instituted a compulsory citizen militia, requiring medically fit adults up to age 70 not currently in the military to carry firearms and attend military training or participate in unpaid national development programs, such as soil and water conservation projects. Working conditions are often harsh and sometimes involve physical abuse.

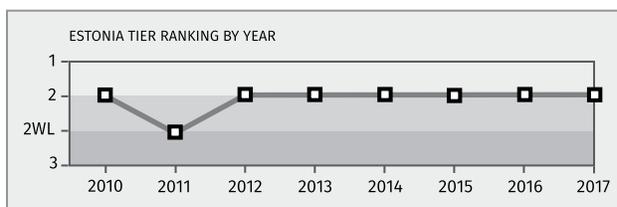
All 12th-grade students, including some younger than age 18, are required to complete their final year of secondary education at the Sawa military and training academy; those who refuse to attend cannot receive high school graduation certificates, attain higher education, or be offered some types of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

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

## ESTONIA: TIER 2

The Government of Estonia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period;

therefore, Estonia remained on Tier 2. The government demonstrated increasing efforts by opening the first fully state-funded center dedicated to treating victims of child abuse, including sexual violence and trafficking. Estonian authorities investigated, prosecuted, and convicted more trafficking cases and provided training on labor trafficking in each of its counties. However, the government did not meet the minimum standards in several key areas. In 2016, the government required police to initiate an investigation for presumed victims to receive trafficking-specific services, though general victim support services were available, including counseling and legal assistance. This requirement discouraged victims from coming forward and limited the publicly funded services available to trafficking victims.



## RECOMMENDATIONS FOR ESTONIA

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

## PROSECUTION

The government increased law enforcement efforts. Sections 133 and 175 of the penal code criminalize sex and labor trafficking and prescribe a maximum penalty of up to 15 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Section 133 criminalizes the use of force, threats, or other forms of coercion to make a person engage in prostitution, begging, criminal offenses, or other labor. Section 175 criminalizes trafficking as a person who influences a child (under the age of 18) to engage in a criminal offense, begging, prostitution; or the production of pornography. Police investigated 15 new cases under section 133 in 2016, an increase from four in 2015. Authorities also registered 59 crimes under section 175, most of which involved the same perpetrators and victims. In 2016, the government prosecuted 14 cases under section 133, an increase from three cases over the past three years. Authorities also began prosecutions in 32 cases under section 175. Courts convicted 11 traffickers under section 133 in 2016, nearly tripling its four convictions in 2015. Eight traffickers received prison sentences, which ranged from 16 months to five years. Courts also convicted eight individuals under section 175. The government provided training sessions for 45 law enforcement officials to facilitate cooperation on forced labor cases, but it did not provide training to the judiciary. All of Estonia's counties received training on labor trafficking, specifically on how to identify, investigate,

and improve cooperation between different organizations. Authorities cooperated in three transnational investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government maintained protection efforts. Per the Victim Support Act, a police report must be filed for presumed victims of trafficking to be eligible for government-funded, trafficking-specific services. This requires victims to divulge personal, traumatizing information early in their recovery, which serves as a disincentive for victims to come forward. A provision to the Victim Support Act passed during the reporting period allowed victims to receive services for up to 60 days before, during, or after criminal proceedings. Fourteen victims received government-sponsored assistance, compared with 16 in 2015. The government newly identified nine victims of which eight were victims of child sex trafficking and one was a male third-country-national victim of labor exploitation. In 2016, authorities identified one foreign child victim, who did not receive a temporary residency permit; in 2015, authorities identified two foreign victims and provided them temporary residence permits, accommodation, and education.

In 2016, the social security board allotted approximately €196,050 (\$206,590) on trafficking victims support, whereas the government allotted €86,000 (\$90,620) in 2015. In addition, the Ministry of Social Affairs provided approximately €99,000 (\$104,320) to an NGO providing support services to women in prostitution, some of whom may have been sex trafficking victims. In 2016, the government amended the Victim Support Act; further amendments are anticipated in 2017. Authorities placed unaccompanied children and child victims in alternative care facilities. The government opened the first fully state-funded, dedicated center for victims of child abuse, including sexual violence and trafficking; it provided psychological, physical, and social needs evaluations and services. Adult male victims had access to legal counseling and other services. A witness protection law allows trafficking victims to provide testimony anonymously, but it was unknown whether this has ever been applied in a trafficking case or whether victims had ever served as witnesses in criminal trials. Victims did not receive restitution in 2016.

## PREVENTION

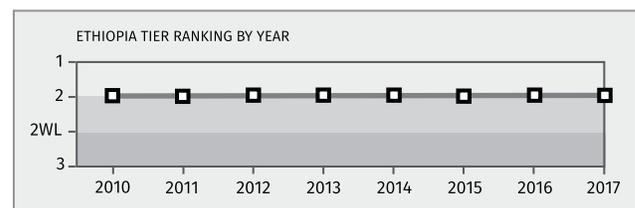
The government increased prevention efforts. Authorities ran multiple awareness campaigns targeting schoolchildren, specialists working with children, and labor workers, and in collaboration with IOM and an NGO, released a creative call, asking young people to produce trafficking-related videos and art work. Objectives for the 2015-2020 plan for reducing violence, including trafficking, included amending the Victim Support Act to provide trafficking victims with easier access to services. The anti-trafficking working group, with 35 government agencies and NGOs, continued to meet regularly and published an annual public report of its activities. The government provided an NGO with approximately €40,000 (\$42,150) to operate an anti-trafficking hotline; the hotline received 420 calls from individuals vulnerable to trafficking during the reporting period. The government provided anti-trafficking training for its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex acts and forced labor.

## TRAFFICKING PROFILE

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

## ETHIOPIA: TIER 2

The Government of Ethiopia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Ethiopia remained on Tier 2. The government demonstrated increasing efforts by assisting in the interception of more than 30,000 individuals vulnerable to trafficking and convicted 640 traffickers, an increase from 69 convicted during the previous year. The government made robust efforts to prevent and raise awareness on trafficking and trafficking-related crimes through its community conversations project and media campaigns, and trained government officials on various elements of the crime. However, the government did not meet the minimum standards in several key areas. It did not sufficiently address internal trafficking, including child sex trafficking. It remained without standard procedures for front-line responders to proactively identify trafficking victims among vulnerable intending migrants. For the second consecutive year, the government did not implement the revised overseas employment proclamation that provides for improved oversight of and more strenuously penalizes illegal recruitment.



## RECOMMENDATIONS FOR ETHIOPIA

Increase efforts to convict traffickers, including for trafficking within Ethiopia, and compile and publicize trafficking statistics; improve the investigative capacity of police throughout the country to increase prosecutions of internal child trafficking offenses; continue to implement and train law enforcement and judicial officials on the anti-trafficking proclamation; fully implement the 2016 national referral mechanism; partner with local NGOs to improve services available to trafficking victims, including allocating funding to enable the continuous operation of a government or NGO-run shelter; improve oversight of overseas recruitment agencies and implement the overseas employment proclamation, assign and train labor attaches, and investigate and prosecute illicit recruiters;

expand trafficking awareness training for labor officials who validate employment contracts or regulate employment agencies; improve screening procedures in the distribution of national identification cards and passports to prevent their fraudulent issuance to children; allocate appropriate funding for the deployment of labor attaches to overseas diplomatic missions to assist Ethiopians seeking work or employed overseas; and incorporate information on human trafficking and labor rights in Middle Eastern and other countries into pre-departure training provided to all migrant workers.

## PROSECUTION

The government increased its anti-trafficking law enforcement efforts; however, it continued to focus on transnational labor trafficking, with negligible investigation or prosecution of sex trafficking or internal forced labor cases. The 2015 Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants, No. 909/2015, criminalizes all forms of trafficking, prescribing penalties of 15-25 years imprisonment and a fine of 150,000 to 300,000 birr (\$6,696 to \$13,393), which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Employment Exchange Services Proclamation No. 632/2009, which governs the work of licensed labor recruitment agencies, remained unimplemented during the year.

In 2016, federal and regional justice officials investigated 1,392 potential trafficking cases and convicted 640 traffickers under the 2015 anti-trafficking law, a significant increase from 69 convictions in 2015; however, an unknown number fell outside the reporting period, and some cases in both years likely involved smuggling. A March 2015 investigation of two Ethiopian smugglers suspected of moving 38,000 Ethiopians, potentially including trafficking victims, to South Africa and the Middle East for unknown purposes, remained open. Financial and capacity constraints continued to impede data compilation by regional police, and poor communication and coordination between the regions and the federal government also hindered effective law enforcement efforts. The government continued to partner with international organizations to conduct and fund trainings for regional and federal government personnel on the anti-trafficking proclamation and on victim-centered investigative skills for detecting trafficking crimes. The government provided space, technical and logistical support for two trainings conducted by an international organization; these trainings targeted approximately 35 police, prosecutors, and judges. Another international organization, in partnership with the government, facilitated two workshops for 61 labor inspectors and other relevant officials on how to combat child trafficking. During the year, in Bahir Dar, approximately 60 regional officials attended a government-organized training on child trafficking, and an Ethiopian delegation traveled to the Philippines to learn best practices for curbing child trafficking. The government did not report any investigations, prosecutions, or convictions of public officials allegedly complicit in human trafficking offenses.

## PROTECTION

The government maintained modest efforts to protect trafficking victims. The national committee to coordinate anti-trafficking efforts, chaired by the deputy prime minister, was fully operational during the year; however, the government did not report if the Council of Ministers issued the implementing regulations to the anti-trafficking proclamation pertaining to protective services for victims. The government continued to

partner with international organizations and NGOs to provide services to victims; although it did not allocate funding to these entities, it provided some in-kind support, including land, facilities, staff, and other logistical services on an ad hoc basis. The 2009 charities and societies proclamation, which prohibits organizations receiving more than 10 percent of their funding from foreign sources from engaging in activities that promote human rights, restricted some NGOs' ability to provide protective services to trafficking victims. The government lacked standard procedures for front-line responders to identify trafficking victims among vulnerable outbound populations. In 2016, federal and regional governments intercepted approximately 30,000 persons in the border areas of Ethiopia, the vast majority of whom were intending to depart for work in Gulf states and other African countries, and many were minors—a population vulnerable to trafficking; however, an unknown number were intercepted outside of the reporting period. The government continued to jointly operate two migration response centers in Afar and Metema with an international organization. The government operated child protection units in Addis Ababa and several major cities; staff was trained in assisting vulnerable children, including potential trafficking victims. Police and civil service transport workers—trained to recognize child trafficking victims—referred the majority of intercepted children to local shelters. Two NGOs in Addis Ababa provided comprehensive reintegration services, familial reunification, medical care, mental health counseling, legal counsel, food and housing, and vocational training to more than 900 women and child victims repatriated after enduring trafficking; these NGOs operated without any governmental funding or in-kind support. The government's assistance to repatriated victims improved. During the year, the government, in collaboration with an international organization, repatriated more than 3,700 Ethiopian trafficking victims from Djibouti, Egypt, Malawi, Mozambique, Yemen, Oman, Tanzania, Zambia, Zimbabwe, and Saudi Arabia. The government provided victim identification services and sometimes negotiated discounted air fares for returnees. Some Ethiopian missions in the Gulf states had shelters for trafficking victims on respective mission compounds.

In 2016, the government, in conjunction with an international organization, finalized a national mechanism for referring repatriated trafficking victims to social services; although it is in effect, reports suggest implementation is still nascent. While officials reported encouraging victims in some cases to assist in the investigation and prosecution of their traffickers, the number of victims who took an active role in these processes was unknown and it was unclear whether they were afforded legal assistance or other support to facilitate their doing so. The 2015 anti-trafficking proclamation extends to trafficking victims protections outlined under the Witness and Whistleblowers Protection Proclamation (No. 699/2010); it mandates extensive protection from prosecution for acts committed as a result of being subjected to trafficking. Ethiopian law does not provide alternatives to the deportation of foreign victims to countries where they may face hardship or retribution. There were no reports the government detained, jailed, fined, or otherwise penalized victims for unlawful acts committed as a direct result of being subjected to human trafficking in 2016, although the government housed some victims at police stations who were waiting to provide testimony in their respective trafficking cases.

## PREVENTION

The government maintained robust efforts to prevent trafficking.

In 2016, Parliament approved a second National Human Rights Action Plan, spanning 2016-2020, which included various activities to curb trafficking, including a media campaign and increased efforts in urban centers to assist women and child victims. However, the government did not report allocating specific funding for the action plan. The attorney general's office, in conjunction with an international organization, organized a workshop for 80 members of the national media to increase awareness of the anti-trafficking proclamation. Local and regional state governments, employing community conversations as an awareness-raising mechanism, continued to host and facilitate hundreds of sessions throughout the country, reaching hundreds of thousands of Ethiopians. Officials produced television and radio public service announcements and interviews to elevate the public's awareness of the dangers of trafficking, which, in addition to the general public, strategically reached religious and traditional leaders, elders, and media personnel.

The government maintained its 2013 ban on the recruitment of low-skilled domestic workers to the Middle East, which it intended to keep until the establishment of all bilateral work agreements with destination countries and the enactment and implementation of a revised employment exchange proclamation. While the employment exchange proclamation came into effect in the previous reporting period, allowing for greater oversight of private employment agencies, placement of labor attaches in Ethiopian embassies, and establishment of an independent agency to identify and train migrant workers, it was largely unimplemented during the reporting period. Officials worked with approximately 100 private employment agencies, licensed to send workers abroad, to ensure the agencies understood their obligations under the revised overseas employment proclamation. In adherence to the proclamation, the government, in conjunction with an international organization, began training awareness-raising facilitators in specific migration prone localities on how to provide pre-employment and pre-departure training for potential migrant workers. In 2016, the government was still in negotiation with Saudi Arabia and the UAE on bilateral employment agreements; Ethiopia had such agreements in place with Qatar, Kuwait, and Jordan. These agreements require signatories to commit to ethical recruitment, legal remedies against those who violate the law, and equal protection of Ethiopian workers, to include equal wages for equal work, reasonable working hours, and leave time. Memoranda remained in place with neighboring African countries—particularly Djibouti, and on an ad hoc basis with Kenya and Sudan—aim to provide joint border management to include repatriation assistance for trafficking victims; however, workers' rights are not explicitly addressed. While the government reported conducting thousands of scheduled and random labor inspections, it did not report any suspension of licenses of labor recruitment agencies or employers for labor law violations.

Ethiopian officials continued efforts to implement a 2012 law requiring registration of all births nationwide; however, the lack of a uniform national identity card continued to impede implementation of the law and allowed for the continued issuance of district-level identity cards, whose dispersion is subject to fraud. The government made limited efforts to reduce the demand for commercial sex acts, forced labor, or child sex tourism during the reporting period. The government continued to include anti-trafficking training as a basic training requirement for its diplomatic personnel. A foreign donor and facilitator provided Ethiopian troops with anti-trafficking

training prior to their deployment abroad on international peacekeeping missions.

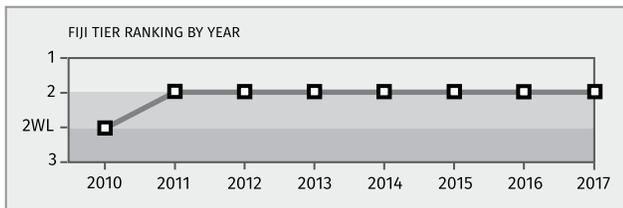
## TRAFFICKING PROFILE

As reported over the past five years, Ethiopia is a source and, to a lesser extent, destination and transit country for men, women, and children subjected to forced labor and sex trafficking. Scarce economic opportunities and dire poverty coupled with familial encouragement compels thousands of Ethiopians, including a substantial percentage of minors, to transit, primarily via Djibouti or Somalia, to Yemen and onward to Saudi Arabia; to illegally cross the southern border into Kenya and further south into Tanzania with a final destination of South Africa; or, less commonly, to travel through Sudan and Libya with the hope of crossing the Mediterranean and ultimately reaching Europe. Reports suggest that along these three main routes, irregular Ethiopian migrants who began their journeys voluntarily are subsequently vulnerable to sexual exploitation or forced labor in transit countries and in their intended destinations. The Ethiopian government's 2013 ban on domestic worker employment in Gulf states remained in effect at the end of the reporting period, but irregular labor migration to these countries continued to be a significant problem resulting in increased vulnerability to trafficking. Saudi Arabia remains the primary destination for irregular migrants; reportedly, over 400,000 Ethiopians reside there. Saudi officials regularly deport Ethiopians in large numbers, and many of the deportees reported instances of sexual exploitation. Many Ethiopian women working in domestic service in the Middle East are subjected to severe abuses, including physical and sexual assault, denial of salary, sleep deprivation, passport confiscation, and confinement. Ethiopian women who migrate for work or flee abusive employers in the Middle East are also vulnerable to sex trafficking. Ethiopian men and boys migrate to the Gulf states and other African nations, where some are subjected to forced labor. An international organization claims that unrest in the Oromia region during the reporting period resulted in an uptick in ethnic Oromo migrants fleeing to Djibouti. Previous reports suggested district-level officials accepted bribes to alter ages on identification cards, allowing children to acquire passports without parental consent and enabling minors to leave the country for work.

An international organization assesses that most traffickers are small local operators, often from the victims' own communities, but that well-organized crime groups are also responsible for irregular migrants becoming highly susceptible to trafficking. Labor recruiters target young people from Ethiopia's vast rural areas with promises of a better life. Although reports remain anecdotal, the severe drought in 2015-2016 may have resulted in an increase in internal trafficking. Girls from Ethiopia's impoverished rural areas are exploited in domestic servitude and commercial sex within the country, while boys are subjected to forced labor in traditional weaving, construction, agriculture, and street vending. Addis Ababa's central market is the site of numerous brothels, where some young girls are exploited in commercial sex. Ethiopian girls are exploited in domestic servitude and commercial sex in neighboring African countries, particularly Sudan. Ethiopian boys are subjected to forced labor in Djibouti as shop assistants, errand boys, domestic workers, and street beggars, in addition to forced criminality. Child sex tourism continues to be a problem in major hubs, including Addis Ababa, Bahir Dar, Hawassa, and Bishoftu; reports identify mostly Ethiopian-born perpetrators, including members of the diaspora, with known links to local hotels, brokers, and taxi drivers.

## FIJI: TIER 2

The Government of Fiji does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Fiji remained on Tier 2. The government demonstrated increasing efforts by identifying nine trafficking victims, investigating five trafficking cases, prosecuting three alleged traffickers, and conducting awareness campaigns targeted at children, parents, and Fijians working overseas. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers or proactively implement formal victim identification or referral procedures. Despite reporting an increase in child sex trafficking, the government only identified one victim.



### RECOMMENDATIONS FOR FIJI

Increase efforts to investigate and prosecute trafficking offenses and convict and punish traffickers; develop and strengthen formal procedures for proactive victim identification, especially among vulnerable groups, such as foreign migrant workers on fishing vessels, those allegedly involved in prostitution, and exploited children; institute additional trainings for law enforcement, immigration officers, and labor inspectors on victim identification and protection; designate a government agency responsible for coordinating victim services; enhance efforts to provide access to interpretation services and legal, medical, and psychological assistance to victims; make efforts to allow identified trafficking victims to work and earn income while assisting with investigations; increase dissemination of anti-trafficking awareness campaigns directed at both families that may send children to live in cities and clients of prostitution; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government maintained modest law enforcement efforts but did not convict any traffickers for the second year in a row. The 2009 Crimes Decree includes provisions that prohibit all forms of trafficking. The prescribed penalties of up to 25 years imprisonment and possible fines of up to 100,000 Fijian dollars (\$48,239) are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. The police anti-trafficking unit investigated five new cases (the same number as in 2015); four involved labor trafficking and one child sex trafficking. Two cases investigated in 2015 were closed due to insufficient evidence and three remained under investigation. The government initiated prosecutions of three alleged traffickers in two cases during the reporting period, compared to none in 2015. In one case, the defendant allegedly confiscated the passport of a Filipino man he recruited to work at his business. In the second case, two defendants allegedly confiscated the passport of a Bangladeshi man they brought to Fiji under false promises of work and demanded payment for it to be

returned; it was unclear if this case involved exploitation in forced labor. The government provided information to New Zealand authorities to assist in the investigation of a Fijian national who was subsequently prosecuted and convicted of subjecting 15 Fijians to forced labor in New Zealand. During the reporting period, a Fijian court overturned the convictions of four men convicted in 2013 for trafficking offenses. The government continued to fund anti-trafficking training for new police recruits. The police anti-trafficking unit did not dedicate adequate resources to trafficking investigations and training, and prosecutors often did not respond to police requests for guidance on trafficking cases in a timely manner. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

### PROTECTION

The government maintained modest efforts to identify and protect victims. The police anti-trafficking unit identified nine trafficking victims, a decrease from 13 victims identified in 2015. Eight victims were foreign nationals subjected to labor trafficking. Despite reporting an increase in the number of male and female victims of child sex trafficking, officials identified only one victim during the reporting period. The foreign victims were referred to government safe houses prior to returning to their country of origin and police did not pursue additional support for the child victim after the victim withdrew from the case. Police officials reported using informal guidelines to identify potential trafficking victims, but did not conduct training for labor inspectors on these guidelines as was done in the past. Authorities did not proactively identify victims of trafficking among vulnerable populations, such as women in prostitution and crew members who transit through Fijian ports on board vessels. The lack of proactive screening may have resulted in punishment of unidentified trafficking victims for actions they took as a direct result of being subjected to trafficking. Further, there is no legal alternative to foreign victims' removal to countries in which they would face retribution or hardship. The government did not develop a mechanism to refer victims to services systematically, an objective in its national anti-trafficking action plan.

The government apportioned funds to operate safe houses for trafficking victims, asylum-seekers, and migrants awaiting deportation. Four children's homes operated by the government were available to shelter victims younger than 21 years of age. Trafficking victims were eligible to apply for government legal aid and receive basic medical care. The government made available accommodation, medical care, interpreters, and allowances for basic necessities. However, officials reported the absence of a government agency responsible for connecting victims to services which limited the government's anti-trafficking efforts. In addition, because the government did not offer them permanent residency status, foreign victims were unable to work while assisting with investigations. Victims had the right to file for civil remedies, but none took advantage of that legal right.

### PREVENTION

The government maintained modest efforts to prevent trafficking. Although the government has the authority to do so, it did not punish labor brokers involved in fraudulent recruitment during the reporting period. The police anti-trafficking unit began investigating a travel agency that allegedly facilitated the trafficking of 15 Fijians in New Zealand. The police anti-trafficking unit continued public awareness campaigns aimed at

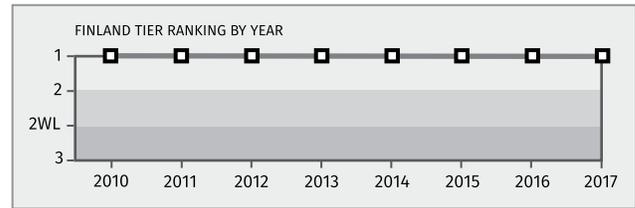
children and parents. Immigration and labor officials conducted awareness programs targeted at Fijians who work overseas to prevent labor exploitation. The government did not make efforts to reduce the demand for commercial sex acts, forced labor, or child sex tourism. The government did not provide anti-trafficking training to Fijian military personnel prior to their deployment abroad as part of international peacekeeping missions. The government provided anti-trafficking training to its diplomatic personnel. Fiji is not a party to the 2000 UN TIP Protocol; however, during the reporting period parliament initiated a review of a convention that would allow Fiji to accede to the Protocol.

### TRAFFICKING PROFILE

As reported over the past five years, Fiji is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Fijian women and children are subjected to sex trafficking and domestic servitude abroad or in Fijian cities. Family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels have allegedly exploited Fijian children in sex trafficking. Some Fijian children are at risk of human trafficking as families follow a traditional practice of sending them to live with relatives or families in larger cities, where they may be subjected to domestic servitude or coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees. Women from China, Thailand, Malaysia, and other East Asian countries are deceptively recruited by the lure of legitimate jobs in their home countries or while visiting Fiji, sometimes by Chinese criminal organizations, and then exploited in illegal brothels (posing as massage parlors and spas), local hotels, private homes, small and informal farms and factories, and other rural and urban locations. Fijian adults working overseas, including in Australia and New Zealand, are vulnerable to forced labor, particularly in the construction and agriculture industries. Workers from other Asian countries are subjected to forced labor on fishing vessels that transit through Fiji or board fishing vessels from Fiji ports and waters. They live in poor conditions, accrue significant debts, and work for little or no compensation on foreign fishing vessels, mainly China and Taiwan-flagged, in Pacific waters. South Asian and East Asian men are fraudulently recruited to work in Fiji and find themselves in conditions of forced labor upon arrival.

## FINLAND: TIER 1

The Government of Finland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Finland remained on Tier 1. The government demonstrated serious and sustained efforts by developing and publishing a new national action plan for 2016-2017 and allocating funds for its implementation. The government identified significantly more victims than in the previous reporting period; investigations, prosecutions, and convictions also increased. Although the government meets the minimum standards, courts continued to issue weak sentences for convicted traffickers, several of whom did not serve time in prison. Law enforcement pursued some trafficking cases under non-trafficking statutes, which affected victims' access to services and residency benefits. Victim identification among asylum-seekers remained a challenge and authorities applied laws and guidelines governing residency eligibility inconsistently, in some cases refusing entry to asylum-seekers despite trafficking indicators.



### RECOMMENDATIONS FOR FINLAND

Vigorously investigate and prosecute sex and labor trafficking cases using the trafficking statute and impose sufficiently stringent sentences on convicted traffickers; develop and implement a national referral mechanism and train officials in its use to identify potential sex and labor trafficking victims proactively, especially children, and refer them to services to which they are legally entitled; offer all victims appropriate housing and specialized care and consistently notify them of available resources; increase the number of prosecutors, judges, and police that specialize in trafficking cases and consider creating specialized law enforcement units; train investigators, police, immigration officials, prosecutors, labor inspectors, and judges on applying the trafficking law and respecting victims' rights; institute a formal witness protection program to encourage greater victim participation in the criminal justice process; increase efforts to reduce the demand for forced labor; and expand worker protection laws to include seasonal workers on commission.

### PROSECUTION

The government increased law enforcement efforts. Law 1889-39 of the penal code prohibits all forms of trafficking in persons and prescribes sentences of up to six years imprisonment (up to 10 years for aggravated trafficking) with the possibility of additional fines—penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government continued to use laws against pandering, discrimination, and usury, among others, to investigate and prosecute some suspected traffickers; the penalties for these crimes are generally far less severe than those for trafficking crimes. The government reported initiating 74 investigations of trafficking cases in 2016 (including at least 16 labor and 35 sex trafficking cases), compared with 32 cases in 2015 (including at least 19 labor and 12 sex trafficking cases). The national rapporteur noted, however, the quality of investigations conducted throughout the country varied from region to region. Authorities initiated prosecution of four cases (two labor and two sex trafficking) involving eight suspected traffickers in 2016 (four in 2015). Finnish courts convicted six traffickers (four for labor and two for sex trafficking) in 2016 (four in 2015). In those cases, the courts issued sentences of one year's imprisonment (suspended); 15, 12, and 12 months imprisonment (all suspended); 26 months imprisonment; and 11 years imprisonment.

Police officers in each of the 11 regions served as a national network of anti-trafficking experts and trainers and met twice annually to share best practices. The government provided annual training for prosecutors. Law enforcement and border guard personnel received anti-trafficking instruction as part of their basic training; law enforcement personnel receive additional trafficking awareness training throughout their careers. The government designated four special prosecutors from different regions to handle serious crimes including trafficking cases. GRETA's most recent report, however, recommended

further specialization among law enforcement, prosecutors, and judges to increase the government's capacity to investigate and prosecute trafficking offenses. NGOs recommended law enforcement agencies create specialized anti-trafficking units. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

## PROTECTION

The government increased protection efforts. The government provided both direct care and funding for third-party care through an asylum reception center that coordinated the national victim assistance system. Police were required to refer potential victims to the national assistance system immediately upon identification, where they were eligible for emergency assistance. The center offered shelter and psychological, medical, and legal assistance to identified victims. The staff of the reception center was empowered to identify and authorize emergency care for most victims, even when law enforcement authorities did not identify a person as a trafficking victim; however, victims subjected to trafficking within Finland must have law enforcement pursue their cases specifically as trafficking crimes in order to continue receiving services through the national victim assistance system beyond the initial emergency. There were no shelters specifically for trafficking victims. In 2016, the government allocated €815,800 (\$859,642) to the national assistance system, compared with €540,000 (\$569,020) in 2015. Local municipalities provided additional funding for victim services for Finnish citizens. The government increased its funding for one NGO providing trafficking victim services and training for Finnish authorities. The national victim assistance system admitted 130 potential trafficking victims in 2016 (86 women and 44 men, of whom 21 were children); most were exploited prior to their arrival in Finland, many as migrants seeking asylum. Some admitted to the assistance system were victims of forced marriage or organ trafficking, crimes that fall outside the U.S. definition of trafficking. The assistance system admitted 52 victims in 2015 (of whom none were children). Authorities used a series of written guidelines to assist in victim identification and referral to care and to ensure protection of victims' rights. Despite these measures, law enforcement and immigration officials noted victim identification remained a core challenge for the government; the increase in asylum applicants since 2015 continued to strain the government's capacity to identify potential victims among the migrant population and may have resulted in refusal of entry for some particularly vulnerable individuals. The January 2017 reorganization of the Finnish Immigration Service (FIS) integrated the national assistance system with the agency's overall operations; FIS assumed responsibility for asylum investigations, making it the primary actor in identifying trafficking victims among asylum-seekers. There were no reports the government penalized victims for unlawful acts committed as a direct result of being subjected to human trafficking. NGOs reported the law allowing authorities to refuse entry into Finland to persons suspected of engaging in prostitution may have resulted in penalizing unidentified sex trafficking victims and deterred some victims from seeking help from authorities. NGOs continued to advocate further training for officials, especially social service and healthcare providers, on victim identification and protection. The government created a working group in the Ministry of Social Affairs and Health to improve coordination between healthcare professionals on support and assistance for victims.

The government encouraged victims to assist in the prosecution

of their alleged traffickers. Courts had the authority to conceal witnesses' identities for their protection in cases involving severe criminal offenses, including trafficking, and police could place victims in temporary safe locations; however, there was no formal witness protection program. Finnish law allows foreign victims a six-month reflection period during which they can receive care and assistance while considering whether to assist law enforcement. Victims may receive renewable temporary residence permits, which are valid for six to 12 months and allow victims to seek employment. The FIS estimated it provided three victims with a reflection period in 2016. The government offered continuous residence permits to six victims in particularly vulnerable positions in 2016 (nine in 2015). Authorities provided temporary residence permits to four victims of trafficking and renewed five permits. In instances where victims do not possess a national passport, the government may grant a temporary alien passport, although GRETA noted victims whose cases were prosecuted under non-trafficking laws, such as pimping, were often treated solely as witnesses rather than victims, which affected their access to residence permits. The national rapporteur conducted a case study of victims of Nigerian origin to evaluate the application of laws governing residence permits for trafficking victims; the study found FIS did not consistently grant residency to asylum-seekers with trafficking indicators due to a lack of sufficient guidelines.

## PREVENTION

The government increased prevention activities. The national anti-trafficking coordinator developed and published a new national action plan for 2016-2017. The plan included provisions to create a national referral mechanism for victim identification and assistance, as well as nine specific areas of focus spanning efforts for prosecution, protection, prevention, and partnerships. The government allocated €525,000 (\$553,214) for implementation and related programs, including trainings, awareness campaigns, victim support services, and research. The national coordinator also maintained a government-wide coordination structure of trafficking prevention offices within each ministry and engaged regularly with NGOs. The Non-Discrimination Ombudsman, in her capacity as the National Rapporteur on Trafficking in Human Beings, published an annual report on trafficking in Finland as part of the ombudsman's larger annual report. The national rapporteur also used its case study of victims of Nigerian origin to improve anti-trafficking cooperation with Italy. The government conducted a three-month awareness campaign against trafficking and smuggling aiming to reach smuggled migrants and trafficking victims and contributed funding and free airtime with the national broadcaster for an international organization's anti-trafficking campaign. The national assistance system maintained a hotline and website in multiple languages exclusively for trafficking victims. In response to the vulnerability facing berry pickers, who were not covered under worker protection laws, the government conducted assessments of berry industry companies to prevent labor exploitation and required companies to agree to a general code of conduct. In September, law enforcement authorities opened an ongoing investigation into possible labor violations by companies that hire berry pickers. The government assigned law enforcement personnel to its embassies to assist in trafficking prevention and victim identification during the visa application process. Finland's laws against child sex tourism have extraterritorial reach, although the government did not investigate or prosecute any perpetrators during the reporting period. The government did not make efforts to reduce demand for commercial sex acts or forced labor. The

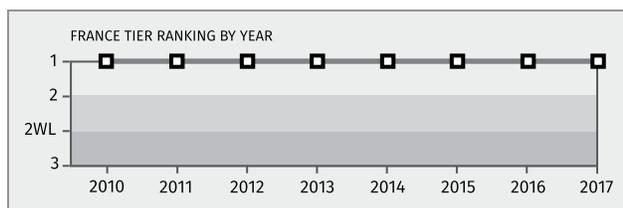
government provided anti-trafficking training to its diplomatic personnel and to its troops prior to their deployment abroad as part of international peacekeeping missions.

### TRAFFICKING PROFILE

As reported over the past five years, Finland is a transit, destination, and limited source country for women and girls subjected to sex trafficking and for men and women subjected to forced labor. Forced labor victims originate primarily in Eastern Europe, West Africa, and Asia. Foreign-born workers and immigrants are especially vulnerable; many victims arrive in Finland legally and are exploited in the construction, restaurant, agriculture, metal, and transport industries, and as cleaners, gardeners, and domestic workers. Authorities reported a surge in potential trafficking victims among asylum-seekers, including a rise in the number of individuals who were exploited prior to their arrival in Finland. Law enforcement note most labor trafficking involves small-scale operations in businesses such as restaurants and massage parlors, rather than larger criminal syndicates. Seasonal berry pickers, many of whom are Thai, are especially vulnerable to labor exploitation. Most work on commission and, because they are not considered employees under Finnish law, are not covered by worker protection laws governing minimum wage and maximum working hours. Female sex trafficking victims originate primarily in Eastern Europe, Southeast Asia, and West Africa, especially Nigeria; many were exploited in other countries, arriving in Finland after fleeing their traffickers. Finnish women and children, mostly girls, are increasingly vulnerable to sex trafficking. Although pimps cannot legally operate in Finland, they are able to operate from abroad using threats of violence, debt leverage, and other forms of coercion. In its 2015 report, GRETA highlighted forced begging and forced criminality as emerging problems.

## FRANCE: TIER 1

The Government of France fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, France remained on Tier 1. The government demonstrated serious and sustained efforts by identifying more victims and allocating more funding to victim care services, as well as creating specialized care centers for child victims of trafficking. It also significantly increased its confiscation of assets from traffickers. Although the government meets the minimum standards, the government did not provide anti-trafficking training for its diplomatic personnel. Law enforcement officers regularly screened individuals in prostitution for trafficking indicators, but were less consistent in screening potential labor trafficking victims.



### RECOMMENDATIONS FOR FRANCE

Strengthen victim protection for child victims of forced begging

and theft; train all incoming law enforcement officers to screen all individuals in prostitution for trafficking indicators; improve victims' access to restitution; offer all victims appropriate housing to which they are entitled under the law; continue outreach to potential victims in the labor sectors and identify forced labor; standardize residence permit issuance policies; screen all women and children arrested for soliciting or theft for trafficking indicators; and provide anti-trafficking training or guidance to diplomats.

### PROSECUTION

The government increased law enforcement efforts. Article 225-4 of the penal code prohibits all forms of trafficking and prescribes maximum penalties of between seven years and life imprisonment for trafficking offenses. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The government arrested 253 suspected traffickers, prosecuted 231 suspected traffickers, compared with 278 in 2015; and convicted 75 traffickers, compared with 83 in 2015. The government did not report complete sentencing data but confirmed several cases in which traffickers received dissuasive sentences during the reporting period. For instance, in April 2016, the government sentenced 10 Romanian citizens to between eight months and seven years imprisonment for sex trafficking and ordered eight traffickers to pay €170,000 (\$179,140) in fines. In October, the government obtained a conviction of one man for sex trafficking, for which he was sentenced to two years imprisonment and another man to six years. In November, a court sentenced eight Bulgarian nationals to between two and six years imprisonment for child sex trafficking. In January 2017, a court sentenced nine Romanian nationals to up to five years imprisonment for sex trafficking.

During the reporting period, the Ministry of Interior's Central Office for Combating Human Trafficking (OCRTEH), a specialized body of law enforcement trained to combat human trafficking, trained 25 law enforcement officers as specialists in investigating trafficking networks. During the reporting period, OCRTEH regularly trained magistrates on human trafficking and participated in operational and strategic exchanges with EUROPOL and INTERPOL. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. NGOs reported law enforcement officers regularly screen individuals in prostitution for trafficking indicators, but were less consistent in screening potential victims of labor trafficking.

### PROTECTION

The government increased protection efforts. The government identified 1,118 sex trafficking and aggravated pimping victims in 2016, compared to 712 in 2015. The victims identified in 2016 included 323 French, 202 Chinese, 114 Nigerian, 104 Romanian, and 375 were other nationalities. The government had a formal procedure for identifying victims and an NGO-run referral mechanism. The Ministry of Social Affairs, the Ministry of Health, and the City of Paris provided funding for the Ac-Se system, an NGO-managed network of 50 NGO-run shelters assisting adult victims of sex and labor trafficking. Ac-Se assisted 82 trafficking victims in 2016, compared with 92 in 2015, by providing them with shelter, legal, medical, and psychological services. Seventy-nine were victims of sex trafficking, two of labor trafficking, and one was forced to commit a petty crime. Seventy-three percent of those victims were Nigerian. The government repatriated eight victims to

multiple countries. The government increased Ac-Se's budget from €170,000 to €220,000 (\$179,140 to \$231,820) for 2017. Local governments provided French language classes to victims, and some victims could qualify for subsidized housing and job training programs. The government provided victims €350 (\$370) as an initial stipend, and €100 (\$110) per month thereafter. The central and municipal governments also partially funded the operation of a shelter in Paris and a small number of emergency apartments external to the Ac-Se system. The Mission for the Protection of Women against Violence and the Fight Against Human Trafficking (MIPROF) signed a pilot convention in October 2016 with an NGO, the Paris regional court, the Paris police, the Paris City Hall, and the Paris city council that will provide several places of accommodation in Paris dedicated to sex trafficking victims. MIPROF signed another pilot convention in June 2016 with an NGO, the Paris regional court, the Paris police, the Paris City Hall, the Paris Bar Association, the MOJ, and the Inter-ministerial Committee for the Prevention of Delinquency and Radicalization (CIPDR) that will provide training on identifying, integrating, educating, and housing child victims of trafficking. The convention provided additional secure accommodation for child trafficking victims. The care centers are run by child welfare services and provided access to health care, schooling, and rehabilitation and were equipped with specialized staff trained by MIPROF to educate and rehabilitate child trafficking victims. During the reporting period, 45 child trafficking victims benefitted from the special care centers. The government continued to operate a hotline for children in abusive situations, including trafficking. In 2015, hotline operators received 16 calls related to modern slavery. Ac-Se operated a separate hotline during the reporting period. In 2016, Ac-Se operators referred 82 trafficking cases for additional Ac-Se assistance, which assisted 76 individuals, including six children. The MOJ partnered with Ac-Se to train front-line responders, including labor inspectors and social workers, on the identification and referral of trafficking victims.

The government had an NGO-run referral program to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provided short-term care. A June 2016 law on organized crime and terrorism extended and strengthened the witness protection program for witnesses and their relatives in cases involving organized crime, including human trafficking. The April 2016 Law to Strengthen the Fight Against Prostitution allows the criminal trials for trafficking or aggravated pimping to be heard in private at the victim's request. NGOs reported children arrested or detained for soliciting or theft were not always screened for trafficking indicators by law enforcement officials. The law provides for a 30-day reflection period for identified victims, regardless of whether they choose to cooperate with law enforcement or not; however, some authorities were not familiar with the reflection period and did not offer it. Victims were eligible for temporary residence permits, regardless of whether they cooperated with police investigations. Trafficking victims were also eligible for international protection under refugee status or subsidiary protection status in cases where victims had a credible fear of retaliation, including from public authorities in their country of origin, if returned. Victims were eligible to receive restitution through the Crime Victims Compensation Program. In October, a labor court found in favor of five undocumented Moroccan workers in a civil case against their employer, awarding the plaintiffs between €20,000 (\$21,070) and €50,000 (\$52,690) in back-pay, paid leave, and damages for forced labor in a sawmill. The compensation request process often took several years to complete, and many victims had requests in progress.

## PREVENTION

The government increased prevention efforts. In April 2016, the government passed the Law to Strengthen the Fight Against Prostitution, which penalizes purchasers of commercial sex, thereby reducing the demand for commercial sex. The government did not report investigating or prosecuting any cases of child sex tourism. In July, the government, in coordination with NGOs, launched a public awareness campaign on sex tourism during the Euro 2016 soccer championship that took place in France. The government funded programs through airlines and tourism operators describing the penalties for child sex tourism and funded poster and pamphlet campaigns by NGO partners to reduce the demand for child sex tourism. The Ministry of Foreign Affairs researched and reported on indicators of child sex tourism abroad and monitored increases in the crime. Tourism and hospitality students in France were obligated to take coursework on preventing child sex tourism. The government continued to fund a regional technical advisor on trafficking to the UNODC and OSCE. The French government provided anti-trafficking training to all peacekeeping troops prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

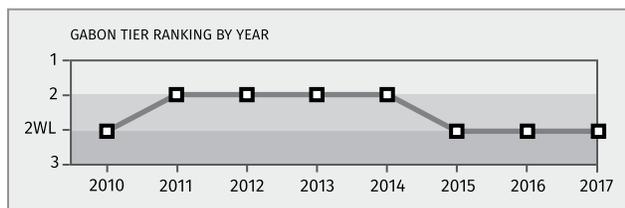
## TRAFFICKING PROFILE

As reported over the past five years, France is a destination, transit, and a limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims from Eastern Europe, West and North Africa, Asia, and the Caribbean are subjected to sex trafficking and forced labor. Sex trafficking networks controlled by Bulgarians, Nigerians, Romanians, Chinese, and French citizens force women into prostitution through debt bondage, physical force, and psychological coercion, including the invocation of voodoo and drug addiction. The number of children exploited in commercial sex has increased in recent years. Children are forced to commit crimes, mainly petty theft, often as part of larger criminal networks. Traffickers force children living in migrant camps in northern France to commit crimes, including facilitating smuggling to the United Kingdom. Migrants from Africa and the Middle East, particularly women and children, were vulnerable to sex and labor trafficking in Calais. Some migrants who could not pay their smugglers are held in debt bondage. Reports indicate children, primarily from Romania, West and North Africa, and the Middle East, are victims of sex trafficking in France. The Government of France estimates the majority of the 30,000 people in France's commercial sex trade, about 90 percent of whom are foreign, are likely trafficking victims. Online-advertised prostitution organized by Russians and Bulgarians has increased, along with classified ads posted by organized networks controlled by Romanians, Bulgarians, Nigerians, and Brazilians; trafficking victims are likely involved in activities described in these ads. Roma and unaccompanied minors in France are vulnerable to forced begging and forced theft. Women and children are subjected to domestic servitude, mostly in cases in which families exploit relatives brought from Africa to work in their households. Trafficking networks have expanded to operate in large towns outside of Paris, including Lille, Marseille, Chartres, Toulouse, and Nice. Trafficking of male victims for sex and labor trafficking has increased, with males comprising approximately 28 percent of trafficking victims in France. Nigerian trafficking networks use migrant and drug trafficking routes through Libya and Italy to transport girls to France. Chinese victims often enter France on short-term student or tourist visas. Unaccompanied children that illegally

migrated with their parents to the overseas French Department of Mayotte were vulnerable to trafficking when their parents were deported.

## GABON: TIER 2 WATCH LIST

The Government of Gabon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying and providing care to child trafficking victims, initiating trafficking prosecutions, and conducting awareness-raising campaigns. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not convict any traffickers or enact a proposed amendment to criminalize adult trafficking for the fourth consecutive year, and it decreased funding for victim shelters. The inter-ministerial child trafficking committee, which coordinates national anti-trafficking efforts, remained without sufficient funds to fulfill its mandate. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Gabon was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore, Gabon remained on Tier 2 Watch List for the third consecutive year.



### RECOMMENDATIONS FOR GABON

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

### PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Existing laws do not criminalize all forms of human

trafficking. Law 09/04 to Prevent and Combat Child Smuggling criminalizes selling children, subjecting them to debt bondage, and bringing them into the country and unlawfully employing them, and prescribes penalties of a "custodial sentence" and a fine of 10 to 20 million West African CFA francs (FCFA) (\$16,084-\$32,168). Title 1, article 4 of the Gabonese labor code criminalizes forced labor and prescribes penalties of one to six months imprisonment or a fine of 300,000 to 600,000 FCFA (\$483-\$965). Neither law appears to provide sufficiently stringent sentences that reflect the serious nature of the offense. Penal code article 261 criminalizes adult and child sex trafficking and prescribes penalties of two to five years imprisonment and a fine. Law 21/63-94 also prohibits forced prostitution of adults and prescribes penalties of two to 10 years imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. For the fourth consecutive year, the government did not pass the 2013 draft amendment to law 09/04 to criminalize the trafficking of adults and explicitly criminalize sex trafficking.

Only the high court is authorized to hear trafficking cases because it is a crime equivalent to murder; however, the high court was backlogged with cases and did not routinely meet, in part because of a shortage of funding. In addition, as a result of a lack of training and widespread corruption, the prosecutorial judges tasked with investigating trafficking cases often did not investigate cases brought to their attention, creating significant obstacles to prosecuting trafficking crimes. The government reported investigating and prosecuting eight individuals for child labor trafficking, a decrease from 16 investigations and 11 prosecutions in the previous reporting period. Judges subsequently dropped all of the investigations and prosecutions initiated during the reporting period. The government did not convict any traffickers for the fourth consecutive year. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, there were reports corruption and official complicity in trafficking crimes remained significant concerns. Judges were vulnerable to corruption by alleged traffickers and often failed to advance or dismissed trafficking cases. There were also allegations a Gabonese diplomat posted to the United Kingdom exploited a worker in domestic servitude. During the reporting period, the inter-ministerial committee conducted a two-day training for immigration law enforcement agents on identifying and investigating trafficking cases. Data on anti-trafficking law enforcement efforts was limited, in part due to poor communication among ministries. In contrast with previous years, the government did not report working with foreign law enforcement on trafficking cases.

### PROTECTION

The government maintained modest protection efforts. Officials identified at least 15 child labor trafficking victims and referred all 15 to social services, compared with identifying 20 victims and referring 14 to social services in 2015. The government continued to fund and run two shelters, and provided an unknown amount of funding and in-kind support—including funding for social workers, medical support, psycho-social services, legal assistance, tuition, and food and furniture vouchers—to two NGO-run shelters offering services to orphans and street children vulnerable to trafficking. Nonetheless, NGOs that assisted trafficking victims relied primarily on donations from churches and private companies to finance their services, and some government workers used personal funds to assist victims. There continued to be a lack of shelter space to accommodate all trafficking victims, and for the third

consecutive year the government decreased funding to NGOs that provided shelter and services to victims. Male and female victims received the same services, as did foreign and domestic trafficking victims. There were no government or NGO-run shelters specifically designated for adult victims, but some allowed child trafficking victims to remain after they reached 18 years of age. Some shelters could have also provided shelter and services to adults, although it is unclear if law enforcement referred any adults to such facilities during the reporting period. In practice, authorities permitted adult male victims to leave shelters unchaperoned but not adult female victims, reportedly for their safety. Shelter and services were available to repatriated Gabonese victims, but it is unknown if any victims received these services during the reporting period.

The Ministry of Family and Social Development, in coordination with foreign embassies, assisted in the repatriation of four foreign trafficking victims. Authorities reported that a lack of cooperation with source-country governments, including agreement on who should fund the repatriation of foreign trafficking victims from Gabon, greatly lengthened the repatriation process; foreign trafficking victims remained in Gabonese centers on average between six months and three years before repatriation. If victim repatriation was not an option, the Ministry of Social Affairs could provide a victim with immigration relief and resettle them in Gabon, but it is unknown if any victims availed themselves of this legal alternative or had knowledge of this option during the reporting period. The government encouraged victims to cooperate when authorities needed their testimony for the prosecution of alleged traffickers. Prosecutors, police, and magistrates routinely took victims' testimonies at the time of the arrest of the suspected traffickers or identification of the victim, which is not considered the most effective nor a victim-centered approach. While the government has sought restitution for trafficking victims in the past, there were no reports this occurred during the reporting period. Victims can file civil suits against their traffickers, but there were no known cases of such action, in part due to victims' poverty and lack of knowledge of the option. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of being subjected to trafficking; however, due to the lack of focus on identifying adult trafficking victims, some victims may have remained unidentified in the law enforcement system.

## PREVENTION

The government maintained modest prevention efforts. Through its local vigilance committees in nine provincial capitals, the inter-ministerial child trafficking committee continued to investigate child trafficking offenses and raise awareness of trafficking, but insufficient funding severely hampered its efforts. The government drafted and validated a 2016-2017 action plan to combat child trafficking; however, resource constraints prevented the inter-ministerial committee from implementing most action items within the plan, and the plan did not include actions to address adult trafficking. Local vigilance committees conducted two information campaigns in local languages to inform potential victims about available assistance and warn potential traffickers of the legal penalties for child trafficking. Unlike in previous years, the government did not partner with multilateral organizations and governments of source countries to combat trafficking. The government did not make any discernible efforts to reduce the demand for commercial sex acts. The government, with foreign donor support, provided anti-trafficking training to 450 Gabonese troops prior to their deployment abroad on an international peacekeeping mission in

the Central African Republic (CAR). The government continued investigating 16 Gabonese peacekeepers formerly deployed to CAR that allegedly sexually exploited civilians during the previous reporting period, including purchasing commercial sex from underage girls exploited in sex trafficking. The government did not provide anti-trafficking training for its diplomatic personnel.

## TRAFFICKING PROFILE

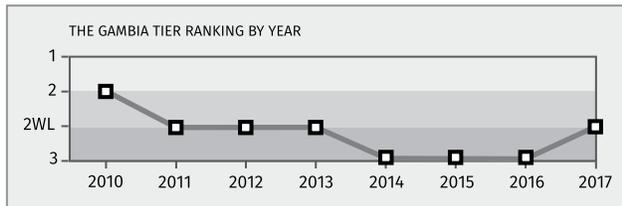
As reported over the past five years, Gabon is primarily a destination and transit country for West and Central African men, women, and children subjected to forced labor and sex trafficking and—to a lesser extent—a source country for children subjected to forced labor and sex trafficking. Boys are forced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

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## THE GAMBIA: TIER 2 WATCH LIST

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The Government of The Gambia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore, The Gambia was upgraded to Tier 2 Watch List. These achievements included identifying and providing services to the first internal trafficking victims identified in four years; training law enforcement and border officials on identifying and referring cases of trafficking for investigation; and convicting and sentencing one trafficker to life imprisonment—its first reported conviction for a trafficking-related offense in four years. Despite these efforts, the government did not have formal procedures to identify trafficking victims and refer them to care; it did not complete any prosecutions or secure any convictions under the amended 2007 Trafficking in Persons Act, even though NGOs brought cases of child sex trafficking to law enforcement's attention; nor did it prosecute or convict any complicit officials. Additionally, the National Agency Against Trafficking in Persons (NAATIP) remained without sufficient funding and resources to coordinate inter-ministerial anti-trafficking efforts and investigate trafficking offenses nationwide.



## RECOMMENDATIONS FOR THE GAMBIA

Vigorously investigate, prosecute, and convict traffickers—including allegedly complicit government officials and child sex traffickers—with sufficiently stringent sentences; train law enforcement and prosecutors to investigate and prosecute all types of trafficking, and ensure they have the resources to do so; develop standard procedures for identifying trafficking victims, including those among vulnerable populations, and referring them to care, train government officials on such procedures, and ensure no victims are detained before referred to services; significantly increase awareness of trafficking among the general public, including of child sex trafficking and how to report cases; increase funding and training for social workers to ensure trafficking victims, including those outside the capital, receive adequate social services; provide adequate funding and resources to NAATIP to ensure effective implementation of the anti-trafficking national action plan; amend the labor law to extend its protections to domestic workers; and improve data collection and public reporting on victim identification and law enforcement efforts.

## PROSECUTION

The government modestly increased anti-trafficking law enforcement efforts. The 2007 Trafficking in Persons Act, as amended in 2010, criminalizes all forms of trafficking and prescribes penalties of 50 years to life imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The 2005 Children's Act also prohibits child trafficking—although it does not include forced labor in its definition of trafficking—and prescribes a penalty of life imprisonment. Other articles of the 2005 Children's Act also criminalize child sex trafficking offenses with penalties of 10 years imprisonment. The 2003 Tourism Offenses Act criminalizes child sex trafficking, prescribing a penalty of 10 years imprisonment. The penalties in both the 2005 and 2003 acts are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape.

The government investigated, prosecuted, and convicted one trafficker under the 2005 Children's Act and continued, from previous reporting periods, three labor trafficking investigations under the 2007 trafficking act, compared with one investigation, one prosecution, and zero convictions for trafficking offenses the previous reporting period. A judge sentenced one convicted trafficker to life imprisonment for rape under the 2005 Children's Act. The trafficker, a Scandinavian child sex tourist, sexually exploited two Gambian girls in exchange for paying their schooling fees. A judge adjourned indefinitely the prosecution of four defendants charged with exploiting 59 women in Lebanon and Kuwait initiated in a previous reporting period because three of the suspects remained at large. Despite identifying 40 children as potential forced begging victims, officials did not report investigating any suspects in connection with those cases.

NAATIP trained 60 security personnel, including police and immigration officers, on the 2007 trafficking act and how to report suspected trafficking cases to NAATIP for investigation;

however, authorities acknowledged law enforcement and judicial personnel continued to lack adequate training to investigate and prosecute trafficking offenses. NGOs reported alleged child sex traffickers and child sex tourists to law enforcement but claimed police would not provide updates on the cases, calling into question if law enforcement were investigating such cases. Due to a lack of training on human trafficking, authorities investigated and prosecuted some potential sex trafficking cases as rape. Despite reports of official complicity, the government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

Additionally, law enforcement officials acted with impunity, and corruption remained a problem. The government collaborated with two foreign governments on transnational trafficking investigations during the reporting period.

## PROTECTION

The government increased efforts to protect trafficking victims. The government identified and referred to services two sex trafficking victims and 40 child potential forced begging victims. The lack of formal identification procedures likely resulted in victims remaining unidentified in the law enforcement system. The Department of Social Welfare (DSW) operated a shelter for trafficking victims, abandoned children, and victims of domestic violence, as well as a drop-in center for street children; these facilities cared for the 40 child potential forced begging victims during the reporting period, including assistance with repatriation and family re-integration. The government provided two million dalasi (\$45,455) to the shelter and paid the salaries of eight nurses and 30 other staff members. The shelter offered 24-hour services to children, adults, males, and females; authorities did not allow victims to leave without a chaperone. The shelter could assist Gambian victims exploited abroad after repatriation, and it reported providing initial screening, psychological counseling, and victims' assistance funds to support vocational training for 10 victims repatriated by an international organization during the reporting period. The government referred the two child sex trafficking victims to an NGO shelter for care. Shelters were concentrated around the capital, leaving some victims in rural areas without access to assistance. In addition, many shelters lacked social workers trained to assist trafficking victims. NAATIP trained law enforcement and social services personnel on victim identification. The government maintained an electronic child protection database, which included information on trafficking cases. The 2007 trafficking act allows foreign victims to obtain temporary residence visas for the duration of legal proceedings, but the government did not offer any other legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution. Victims could file civil suits against their traffickers, although there were no reports that any such cases were filed during the year. There were reports police detained potential child trafficking victims in the course of investigations.

## PREVENTION

The government made uneven prevention efforts. The government allocated 1.84 million dalasi (\$41,818) to NAATIP in 2016 for salaries and administrative costs; this was insufficient to fund law enforcement training, investigations, and prevention activities, however, so NAATIP continued to rely on donors for additional support. In consultation with NGOs, NAATIP updated the government's national action plan to cover 2016-

2020 and began implementation. In 2017, the government began disbursing to NAATIP approximately 160,000 dalasi (\$3,636) monthly for the plan's implementation. NAATIP officials traveled to key border posts to sensitize civil society groups, security personnel, government officials, and local communities on human trafficking and the need to report suspected cases directly to NAATIP. The Ministry of Education continued to encourage reputable Quranic school teachers, called *marabouts*, to educate students and not force them to beg by providing monthly cash transfers and food rations to 17 schools that it verified did not employ forced begging. The ministry also provided science, math, and English teachers to these Quranic schools to broaden their curriculums. It estimated 1,000 children were benefitting from the program. The government did not have effective policies to regulate foreign labor recruiters and penalize them for fraudulent recruiting. The 2015 draft MOU between the Gambian government and Lebanon to improve the regulation of labor recruiters and law enforcement cooperation remained pending at the close of the reporting period. Domestic laborers are not protected under the national labor law, rendering such workers vulnerable to exploitation.

In collaboration with NGOs, the Gambian tourism board continued to raise awareness of child sex trafficking within the tourism industry. Authorities continued to enforce the 2005 ban on unattended children in resort areas. DSW continued to operate five neighborhood watch groups to monitor urban areas near tourist resorts for possible cases of child abuse or child sexual exploitation, and it provided group members with allowances and cell phone credits; however, none of these efforts led to the arrest of any suspected traffickers or child sex tourists. The government also maintained posters at the international airport and in tourist areas to warn of the dangers of trafficking, including child sex tourism, and the criminal penalties for such offenses. The government did not make efforts to decrease the demand for forced labor. The government provided anti-trafficking training to Gambian troops before their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

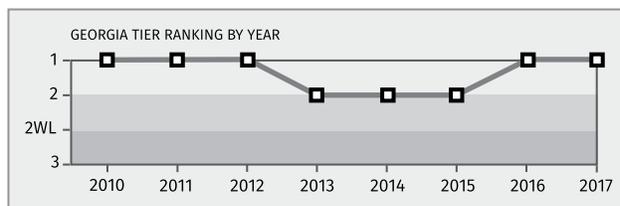
**TRAFFICKING PROFILE**

As reported over the past five years, The Gambia is a source and destination country for women and children subjected to forced labor and sex trafficking. Within The Gambia, women, girls, and—to a lesser extent—boys are subjected to sex trafficking, forced labor in street vending, and domestic servitude. Women and children from West African countries—mainly Senegal, Sierra Leone, Liberia, Ghana, Nigeria, Guinea, Guinea-Bissau, and Benin—are recruited for commercial sexual exploitation in The Gambia. The majority of these victims are subjected to sexual exploitation by child sex tourists, primarily from Britain, Germany, Scandinavia, the Netherlands, and Canada. Poor families may encourage their children to endure such exploitation for financial gain. In recent years, sex traffickers are increasingly hosting child sex tourists in private residences outside the commercial tourist areas of Banjul, making the crime harder for law enforcement to detect. Traffickers have allegedly exploited Sierra Leonean boys and girls as “cultural dancers” in The Gambia. Observers believe organized sex trafficking networks use European and Gambian travel agencies to promote child sex tourism. Many Gambian boys attend Quranic schools in The Gambia, Guinea-Bissau, and Senegal, and some corrupt *marabouts* force their students into begging and street vending. Gambian children have been identified as forced labor victims

in neighboring West African countries, including Ghana and Senegal. Gambian Women are subjected to forced labor and sex trafficking in Middle Eastern countries, including United Arab Emirates, Kuwait, and Lebanon. Finnish authorities identified Gambians in forced labor and sex trafficking during the reporting period.

**GEORGIA: TIER 1**

The Government of Georgia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Georgia remained on Tier 1. The government demonstrated serious and sustained efforts by adopting the 2017-2018 national action plan and continuing proactive investigations and screening of vulnerable populations for trafficking indicators. The government implemented a child referral mechanism expanding the pool of actors participating in proactive victim identification and provided free identification documents to vulnerable street children. The government continued to provide comprehensive care for all identified victims and conducted robust awareness campaigns. Although the government meets the minimum standards, authorities did not increase anti-trafficking law enforcement efforts and identified fewer victims. The labor inspectorate continued to operate with an unclear mandate and restricted ability to investigate employers. Victim identification remained weak for children in exploitative situations on the street, such as those subjected to forced begging and criminality, and for individuals working in vulnerable labor sectors.



**RECOMMENDATIONS FOR GEORGIA**

Vigorously investigate, prosecute, and convict traffickers under article 143; improve efforts to proactively identify trafficking victims, particularly street children and Georgian and foreign victims in vulnerable labor sectors; increase law enforcement capacity to investigate complex cases; further incorporate the labor inspectorate in anti-trafficking efforts with established roles and responsibilities; improve measures to guarantee victims' access to compensation, including asset seizure, informing victims of their rights to compensation, and legal assistance; increase transparency of the inter-ministerial trafficking coordination council; fully implement the law that provides street children with free government identification; create integrated, interagency strategies for reducing vulnerability and countering forced begging; and continue awareness-raising campaigns about the existence of human trafficking, legal recourse, and available protection services, targeted at vulnerable groups.

**PROSECUTION**

The government maintained anti-trafficking law enforcement efforts. The Law on Combating Trafficking in Persons and article

143 of the criminal code prohibit all forms of trafficking and prescribe penalties ranging from seven to 20 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law defines trafficking broadly and includes illegal adoption without the purpose of exploitation. The government investigated 16 new cases, compared to 17 in 2015. Of these, 11 were sex trafficking cases, four were forced labor cases, and one case involved both, compared to 11 sex trafficking cases and six forced labor cases in 2015. The government prosecuted one defendant for sex trafficking and one defendant for forced begging, compared to two defendants for sex trafficking and one defendant for forced begging in 2015. The government convicted a total of one trafficker for forced labor, compared to three traffickers in 2015. The trafficker received a sentence of one year and six-month imprisonment for forced labor of her child. The government maintained several specialized units including the Anti-Trafficking and Illegal Migration Unit (ATIMU) within the Central Criminal Police Department, an anti-trafficking unit within the Tbilisi police, and an anti-trafficking taskforce in Batumi. Four mobile inspection units within ATIMU inspected 83 organizations involved in prostitution and the labor inspectorate inspected 99 private companies resulting in one criminal investigation for labor trafficking. Experts reported the government continued to develop capabilities to investigate trafficking cases but required additional advanced training for complex cases involving money laundering, organized crime, and digital evidence. The government reported the inability to conduct anti-trafficking law enforcement efforts within the breakaway territories of Abkhazia and South Ossetia.

Prosecutor General's Office's Victim-Witness Coordinators (VWCs) provided counsel to victims during the initial stage of trafficking investigations through the end of the court proceedings. Investigators contacted VWCs to speak with victims, offering counsel and information on government assistance programs prior to and after interviews with investigators. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. Observers confirmed there were no cases of complicity in trafficking by public servants. The government trained 22 labor inspectors on forced labor issues. The government separately trained police officers, law enforcement trainers, prosecutors, and judges on various trafficking issues. The government provided legal assistance to the Turkish National Police.

## PROTECTION

The government maintained protection efforts. The government identified three victims, compared to nine in 2015. All three victims were female sex trafficking victims, compared to six female sex trafficking victims and two male and one female forced labor victims in 2015. The government allocated 269,215 lari (\$101,209) to the anti-trafficking shelters in Tbilisi and Batumi and other victim assistance programs, compared to 271,000 lari (\$101,880) in 2015.

Law enforcement and the Permanent Group officially identified victims: law enforcement granted "statutory victim" status for victims who participated in investigations and the Permanent Group assessed and officially recognized victims who declined to participate in investigations. The Permanent Group comprises a five member board of NGO and international organization representatives and is required by statute to convene and assess a potential victim within 48 hours. A multi-disciplinary national referral mechanism (NRM) provided standard

operating procedures for identifying and referring victims to services. The government implemented a new child referral mechanism, which expanded the list of actors responsible for victim identification efforts of children, including schools, medical providers, art academies, and sports institutions. ATIMU mobile units screened 375 individuals working at organizations involved in prostitution for indicators of trafficking. Authorities also screened for trafficking indicators amongst 2,213 foreign nationals deported from Georgia and 442 Georgians deported from Turkey. These screening efforts resulted in eight trafficking investigations, one prosecution, and the identification of a victim. The government provided all police cadets victim identification training and trained border police on victim identification at border crossings and airports. The government trained 16 VWCs on the NRM and standard operating procedures. Observers reported the NRM worked effectively and demonstrated strong cooperation between law enforcement and victim assistance agencies; however, victim identification of children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors remained inadequate.

The government operated two specialized shelters and provided medical aid, psychological counseling, legal assistance, child care services, and a one-time financial payment of 1,000 lari (\$376) to victims. The government-run shelters accommodated all three of the statutory victims identified in 2016. The government-run shelters staffed a nurse, social worker, lawyer, and psychologist and offered separate sections for males, females, and children. The government chaperoned victims when leaving the shelter but victims could request to leave the shelter unchaperoned. The government provided equal services for domestic and foreign victims. The government reported foreign trafficking victims were eligible for temporary, one-year residence permits; one statutory victim received a residency permit in 2016. The law prohibits detaining, arresting, incarcerating, fining, or otherwise penalizing trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking; and no such acts were reported in 2016. The government reported it encouraged victims to assist law enforcement with investigations and prosecutions, although their assistance was not required to receive government protection or shelter services; three statutory victims assisted law enforcement. Victims can pursue financial restitution through civil suits; however, no trafficking victims have ever received restitution from their trafficker. Observers highlighted the failure to freeze and seize criminal assets as an obstacle to pursuing restitution from traffickers.

## PREVENTION

The government increased trafficking prevention efforts. The Inter-Agency Council on Combating Trafficking in Persons (TIP Council) approved the 2017-2018 national action plan. The TIP Council monitored implementation of the 2016 national action plan but did not provide public assessments. The TIP Council created an NGO working group to further integrate NGOs in anti-trafficking efforts. The government disseminated approximately 35,000 leaflets on various trafficking issues at border crossings, tourism information centers, metro stations, and public service halls throughout the country. Government officials funded and participated in an increased number of television, radio, and print media programs to raise awareness. The government organized anti-trafficking information meetings in villages and towns in nearly every region of Georgia, presenting to more than 1,100 audience members from different target groups, including primary school and university students, minorities, IDPs, and journalists. The government continued

to fund an anti-trafficking hotline operated by police from the anti-trafficking division and another hotline operated by the State Fund that received calls from trafficking victims. In 2016, the anti-trafficking hotline received calls from 114 persons and the state fund hotline received 116 calls, which led to the identification of no victims and initiation of 18 investigations.

The government continued to fund, in partnership with the EU, and develop a system to support the rehabilitation and re-socialization of children living and working on the street. The government provided 49,000 lari (\$18,421) to a local NGO that presented the most effective plan to identify homeless children and map their locations during nonworking hours. In June 2016, the government approved legislation authorizing free government identification documents to street children allowing them to receive government services and assistance, including health and education services for children who are undocumented foreign citizens. The Law on Labor Migration regulates the operation of labor recruitment agencies; however, the labor inspectorate continued to have an unclear mandate due to a lack of substantive labor laws and unclear authority to conduct unannounced inspections. The government, in cooperation with foreign law enforcement, interviewed 117 Georgians employed outside of the country to screen for labor exploitation. The government demonstrated efforts to reduce the demand for commercial sex and forced labor. A number of teenage girls alleged they were sexually abused by peacekeepers, including Georgian troops, posted in the Central African Republic; it was unclear whether trafficking crimes may have occurred. The government conducted a comprehensive investigation by speaking with victims and witnesses and announced there was no evidence of sexual abuse by Georgian peacekeepers; however, the government did not yet release the final report. The government provided anti-trafficking training for its diplomatic personnel and its armed forces prior to deployment as peacekeepers.

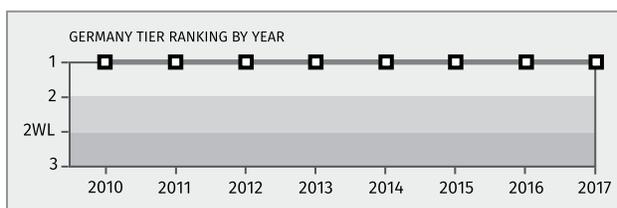
## TRAFFICKING PROFILE

As reported over the past five years, Georgia is a source, transit, and destination country for women and girls subjected to sex trafficking and men, women, and children subjected to forced labor. Women and girls from Georgia are subjected to sex trafficking within the country, in Turkey, and, to a lesser extent, in China and the United Arab Emirates. Georgia is also a transit country for women from Central Asia exploited in Turkey. Women from Azerbaijan and Central Asia are subjected to forced prostitution in the tourist areas of the Adjara region and in saunas, strip clubs, casinos, and hotels. The majority of identified trafficking victims are young, foreign women seeking employment. Georgian men and women are subjected to forced labor within Georgia and in Turkey, United Arab Emirates, Egypt, Cyprus, and Iraq. Georgian, Romani, and Kurdish children are subjected to forced begging or coerced into criminality in Georgia. No information was available about the presence of human trafficking in the separatist regions of Abkhazia and South Ossetia; however, the government and NGOs consider IDPs from these occupied territories particularly vulnerable to trafficking.

## GERMANY: TIER 1

The Government of Germany fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during

the reporting period; therefore, Germany remained on Tier 1. The government demonstrated serious and sustained efforts by passing stronger criminal statutes on labor and sex trafficking and identifying significantly more labor trafficking victims. Although the government meets the minimum standards, weak sentences for trafficking convictions, with only 26 percent of convicted traffickers serving prison time, undercut efforts to hold traffickers accountable. The impact of the criminal statute revisions was yet to be realized given the recent date of implementation. Government-funded counseling centers or youth welfare organizations provided assistance to approximately one-third of victims identified, and just under half of identified victims did not receive specialized care. Efforts to identify and assist labor trafficking victims and prosecute and convict labor traffickers remained inadequate given the scope of the problem.



## RECOMMENDATIONS FOR GERMANY

Sentence convicted traffickers to punishments proportionate to the severity of the crime; increase efforts to address labor trafficking through proactive identification of victims and public awareness campaigns on criminal code reforms; increase the number of victims provided government-funded services; increase the capacity of prosecutors and courts to minimize delay in bringing cases to trial; standardize victim assistance measures and cooperation with civil society across the 16 federal states, including on labor trafficking victim assistance; extend more specialized care based on trafficking victims' specific needs; expand longer-term residence permit eligibility for victims; and conduct awareness campaigns targeting beneficiaries of forced labor and clients of the commercial sex industry.

## PROSECUTION

The government maintained law enforcement efforts. The criminal code prohibits all forms of sex and labor trafficking under sections 232 and 233, respectively. Punishments prescribed in these statutes range from six months to 10 years imprisonment and are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Amendments to the criminal statutes on both labor and sex trafficking went into effect in October and include forced begging and forced criminal behavior and stronger penalties in cases in which the victims are under the age of 18 (where as the law had earlier applied only to victims under the age of 14), and also impose penalties on persons knowingly engaging trafficking victims as a purchaser of commercial sex. Section 233, however, posed significant challenges for law enforcement and judicial officials due to its complex wording and scope of application. As a result, prosecutors often charged suspected perpetrators with offenses that were easier to prove than coercion in labor and sex trafficking, or reduced charges through the use of plea bargains. For sex trafficking the law does not require proof of force or coercion to prosecute perpetrators if the victim who is induced to engage in prostitution is under age 21. Statistics on criminal convictions provided by the government did not include cases involving trafficking when a trafficker was tried

and convicted for a different criminal offense with a longer sentence. This may have lowered the reported number of trafficking offenses recorded, as well as the number of traffickers convicted on a different charge. Government statistics indicated convicted traffickers frequently avoided imprisonment, creating potential safety problems for trafficking victims, weakening deterrence, and undercutting efforts of police and prosecutors.

The government reported actions against sex trafficking in 2015, the most recent year for which comprehensive statistics were available. Police identified 573 suspected sex traffickers, an increase from 507 identified in 2014, 25 percent of whom were German citizens. State and federal authorities completed 364 pre-trial sex trafficking investigations in 2015, a slight decline from 392 in 2014 and 425 in 2013. Authorities prosecuted 89 defendants for sex trafficking in 2014, a decline from 105 prosecutions in 2014. Courts convicted 72 sex traffickers in 2015, compared to 79 in 2014 and 77 in 2013, with less than 30 percent serving prison time. Most convicted traffickers received lenient prison sentences under a provision in the criminal code allowing suspension of prison sentences under two years, particularly for first-time offenders. Of the 72 sex trafficking convictions, 12 received only a fine or other non-incarceration penalty, 45 were sentenced to two years or less, and 42 of those received suspended sentences. In total, only 19 sex traffickers were sentenced to actual prison time, 16 serving sentences between two and five years, and three serving less than two years.

For labor trafficking, police identified 24 suspected labor traffickers in both 2015 and 2014. The government investigated 19 cases in 2015, an increase from 11 in 2014. Authorities prosecuted 12 alleged labor traffickers in 2015, compared with 17 in 2014. Courts convicted five of these offenders, compared with eight convicted in 2014. Three received a suspended sentence and two received prison terms. Of the 77 combined convictions for labor and sex trafficking, 13 were against persons between age 18 and 21, considered juveniles under German law. Juvenile cases are tried under a separate system, in which case the court has discretion to examine the offender's degree of maturity and the type of offense committed relative to the maturity level. Prosecution within the juvenile system allows a wider range of sentences other than incarceration. Authorities seized assets in only a few investigations, totaling €512,000 (\$539,520) in 2015. Prosecutors must prove seized assets were direct proceeds of trafficking, a difficult burden to meet.

Although sex trafficking cases were frequently led by prosecutors with experience assisting victims through trial processes, labor trafficking cases were mostly assigned to financial or economic crime sections with less experience with trafficking or victim-centered prosecutions. Police, prosecutors, and some NGOs also noted a decrease in specialized knowledge, especially as cases moved to trial. NGOs and officials reported mixed experiences with the judiciary; while some judges were sensitive to victims' trauma, others subjected victims to repeated testimonies or made insensitive statements about their experiences. According to NGOs, the duration of the average criminal investigation remained too long, sometimes years, and police in many jurisdictions lacked sufficient staff to process the workload in a timely manner. Judges were sometimes unfamiliar with special considerations in trafficking cases and were not required to take training on trafficking crimes and victim-centered procedures. The German Judicial Academy continued annual anti-trafficking training to prosecutors and judges covering the sexual exploitation of women and children in connection with cross-border crime, with 27 persons receiving training in 2016.

The Federal Criminal Police organized specialized seminars to educate investigating officers and prosecutors on trafficking. Both federal and state-level police collaborated with EUROPOL and several foreign governments, including Romania, Bulgaria, and Nigeria, to investigate trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government maintained victim protection efforts. Authorities identified 416 sex trafficking victims in 2015, a decrease from 557 in 2014 (the decline explained in part due to a single case in 2014 with 110 victims). Government-funded counseling centers or youth welfare organizations provided assistance to approximately 36 percent of victims identified, while 48 percent did not receive specialized care, and there was no information on the remaining 16 percent of victims. The government asserted many victims did not receive counseling due to their lack of interest, return home, or return to prostitution. Of identified sex trafficking victims, 20 percent were under age 18 and 34 percent were between 18 and 21 years old.

The government identified 54 labor trafficking victims, a significant increase from 26 in 2013, with one-third in the agricultural sector and one-fourth in the construction sector. One investigation in Saxony-Anhalt involved 18 Romanian citizens found living and working in the agriculture industry under precarious conditions with wages withheld, following recruitment by a licensed recruiter.

Thirteen of the 16 states had formal cooperation agreements with trafficking counseling centers, but not all of these agreements addressed labor trafficking. NGOs, funded in part by the government, operated counseling centers in 45 cities, providing or facilitating shelter, medical and psychological care, legal assistance, vocational support, and other services, largely for adult female sex trafficking victims, estimated at 90 percent of the total victims identified. Some counseling centers dealt specifically with boys, although NGOs reported the availability of adequate and secure accommodation was insufficient in some parts of the country. The government mandated counseling centers to provide services to both labor and sex trafficking victims, although many solely provided services to female sex trafficking victims, and the centers were generally less experienced with labor trafficking. There was no comprehensive or long term support available for children and male trafficking victims. Trade union-affiliated and migrant counseling centers coordinated with trafficking NGOs to offer support to labor trafficking victims. The federal government-funded an umbrella organization responsible for NGO-run counseling centers, and many state governments provided significant supplemental funding for victim support.

The government offered undocumented victims a reflection period of three months to decide if they would testify in court. Only those victims who agreed to testify were allowed to remain and work in Germany beyond the reflection period, which was limited to the duration of the trial. Victims who faced injury or threats to life or freedom in their countries of origin or in cases of humanitarian hardship could apply for residence permits. Family members were eligible for residency in certain circumstances. State interior ministries circulated instructions on completing an application for humanitarian residence permits for victims, and NGOs confirmed the application system seemed to work in practice. However, the law still gives some discretion

to authorities before approval, and a perceived uncertainty hindered the willingness of some victims to identify themselves and in turn testify against suspected traffickers. Since most labor and sex trafficking victims were either German or EU citizens and did not require permits to remain in Germany, authorities asserted this was not a large scale concern; however, NGOs cited that some non-German or non-EU victims remained fearful of coming forward given the uncertainty of application approval, although NGOs also confirmed there were no known denials of a residency application in these situations. Subject to certain requirements victims may join criminal trials as joint plaintiffs, entitled to free legal counsel and pursuit of civil remedies; however, victims often had difficulty obtaining compensation in practice. The law entitles victims to an interpreter and a third-party representative from a counseling center to accompany them to all interviews. The law also exempts trafficking victims from criminal prosecution for minor crimes committed during the course of their trafficking; however, prosecutors anecdotally cited cases where victims were given small or suspended fines for crimes such as narcotics possession. An NGO also noted that police often raised the issue of legal status in Germany when questioning trafficking victims, which was counterproductive in gaining victims' cooperation for further investigation.

## PREVENTION

The government maintained efforts to prevent trafficking. The government did not prioritize labor trafficking as highly as sex trafficking, but continued to increase efforts to assess and address labor trafficking through a partially federally funded labor alliance conducting research, raising awareness, and providing victim identification training. The federal-state working group on trafficking in persons disseminated best practices, provided input and evaluation on the government's anti-trafficking efforts, and collaborated with anti-trafficking coordination bodies at state and local levels. The federal-state working group against labor trafficking, formed in 2016, held working group meetings in April and June. In October, the labor ministry presented a first draft strategy to combat labor trafficking based on input from these meetings, which included recommendations to establish a national rapporteur, improve coordination within the federal government, and establish a national coordinating service point for labor trafficking issues. The government continued, however, to debate the need for a national rapporteur given existence of other interagency and state-federal coordination anti-trafficking entities.

Working with NGOs, the government co-funded and implemented various public awareness campaigns during the reporting period. The Federal Agency for Migration and Refugees (BAMF) trained officials on identifying victims among asylum-seekers, and implemented standard procedures for handling and reporting suspected trafficking cases among the growing number of petitioners for asylum. Recommendations in a BAMF-funded study on "Flight and Trafficking—Support Structures for Women and Minors," released in December, included improving the system of identification of vulnerable asylum-seekers, increasing personnel in counseling centers trained in trafficking issues, expanding support for care of minors, and researching why victims from some countries have a much higher rate of seeking assistance. The government, in cooperation with an NGO, continued to hold informational events and annual in-person interviews with domestic workers employed by embassies in Berlin without the presence of their employers, advising them of their rights and anti-trafficking laws.

The federal criminal police continued to publish an annual

report on trafficking in Germany, describing law enforcement efforts, victim trends, and challenges in addressing the crime, and in November the government published its report on human rights, including national and international counter-trafficking efforts. The government continued to fund a hotline for women affected by violence, including female trafficking victims. The hotline was available in 15 languages, and provided counseling in 86 trafficking-related cases in 2015, a 50 percent increase from 2014. The government did not make efforts to reduce the demand for commercial sex or forced labor. However, a new law published in October 2016 slated to go into effect in July 2017, strengthens protections for persons in prostitution, including registration of those employed in commercial sex and requiring background checks on brothel management employees. Law enforcement collaborated with foreign officials to investigate German citizens' participation in child sex tourism, and a German citizen was convicted in Germany in April to four years in prison for sexual abuse of minors in Cambodia. The government did not provide anti-trafficking training for its diplomatic personnel, but did so for troops prior to deployment on international peacekeeping missions. The Ministry of Foreign Affairs funded six anti-trafficking programs in source countries in 2016, including victim identification and prevention campaigns in South America, training of law enforcement and border protection forces in sub-Saharan Africa, and capacity building on trafficking prevention in the Middle East and North Africa.

## TRAFFICKING PROFILE

As reported over the past five years, Germany is a source, transit, and destination country for women, children, and men subjected to sex and labor trafficking. Most identified sex trafficking victims in Germany are European, primarily Bulgarians, Romanians, and Germans, although victims also come from most other regions of the world, particularly Nigeria and other parts of Africa. Most sex trafficking victims are exploited in bars, brothels, and apartments. Labor trafficking victims are predominantly European, including Bulgarians, Poles, and Romanians, as well as Afghans, Pakistanis, and Vietnamese. Victims of forced labor are exploited on construction sites and in agriculture, hotels, meat processing plants, seasonal industries, restaurants, and diplomatic households. Romani and foreign unaccompanied minors are particularly vulnerable to trafficking, including forced begging and coerced criminal behavior. The large influx of migrants during the 2015 and 2016 refugee crises continues to place a significant strain on government resources at all levels and among agencies responsible for combating trafficking. This impacted the overall capacity to screen and identify potential trafficking victims among irregular migrant arrivals, and these irregular migrants and refugees remain vulnerable to sex and labor trafficking. Several foreign governments also reported German citizens engaged in sex tourism abroad.

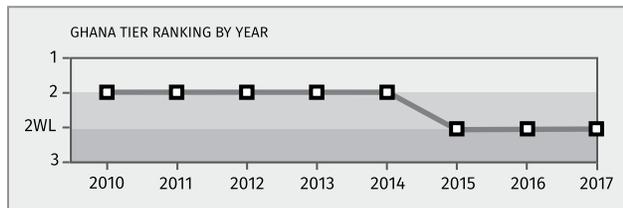
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## GHANA: TIER 2 WATCH LIST

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The Government of Ghana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by providing protection services to more child trafficking victims, raising awareness, developing agreements with other governments to prevent cross-border sex and labor trafficking of Ghanaian citizens, and collaborating with international organizations and NGOs to develop and begin implementation of victim

identification and referral procedures and a national action plan. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not convict any traffickers under the anti-trafficking law; insufficient resources for investigation and prosecution led to inadequate evidence collection and hindered prosecution efforts. Victim protection services remained limited, and the lack of systematic data collection hindered efforts to monitor, analyze, and report on anti-trafficking efforts. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Ghana was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore, Ghana remained on Tier 2 Watch List for the third consecutive year.



## RECOMMENDATIONS FOR GHANA

Increase the number of traffickers held accountable for their crimes by providing sufficient support for police and immigration service investigators and prosecutors, and attorney general prosecutors to effectively investigate and prosecute sex trafficking and labor trafficking offenses using the anti-trafficking act; increase government support for comprehensive trauma-informed care and reintegration services for children in government-operated shelters, including child sex trafficking victims; implement the national plan of action against trafficking with dedicated resources, including funding and implementation of the human trafficking fund; provide protection and assistance services for adult trafficking victims; increase efforts to ensure attorney general prosecutors review human trafficking case dockets and lead the prosecution of human trafficking cases; provide advanced training to law enforcement on evidence collection in trafficking cases and to prosecutors and judges on pursuing cases under the anti-trafficking act; fully implement systematic procedures for law enforcement, social welfare personnel, and labor inspectors to proactively identify trafficking victims among vulnerable populations and refer them to protective services; develop and implement systematic methods of collecting and reporting data on investigations, prosecutions, victims identified by enforcement and protection agencies, and assistance provided; and increase efforts to investigate and prosecute recruitment agencies suspected of participating in human trafficking of Ghanaian migrant workers.

## PROSECUTION

The government maintained modest anti-trafficking law enforcement efforts. The 2005 Human Trafficking Act, amended in 2009 to align its definition of human trafficking with the 2000 UN TIP Protocol, criminalizes all forms of trafficking, essentially tracking international law in defining the crime as the use of force, fraud or coercion for the purpose of exploitation, to include forced labor and prostitution. It also provides that a defendant will be guilty of the crime of sex trafficking of a child if the child is induced to engage in prostitution without regard to the use of force, fraud or coercion. The Human Trafficking Act

prescribes penalties of a minimum of five years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The 2015 regulations for this Act provide specific guidance on sentencing depending on the circumstances; in general the term is not less than five years and not more than 25 years, but if a parent, guardian or other person with parental responsibilities facilitates or engages in trafficking, they are liable to a fine or a term of imprisonment of not less than five years and not more than 10 years, or both. By allowing for a fine in lieu of imprisonment, this prescribed punishment is not commensurate with those for other serious crime, such as rape.

The government did not report comprehensive statistics on its anti-trafficking law enforcement efforts during the reporting period January 1-December 31, 2016. The Ghana police service (GPS) anti-human trafficking unit (AHTU) reported conducting 118 investigations of potential trafficking crimes, compared with 238 investigations in 2015; of these, 114 were for labor trafficking and four for sex trafficking. The Ministry of Employment and Labor Relations (MELR) investigated three licensed recruitment agencies for suspected human trafficking during the reporting period and referred two cases to the AHTU for further investigation. The Ghana Immigration Service (GIS) reported investigating 20 cases of suspected cross-border trafficking, compared with 10 cases in 2015; of these, 18 cases involved suspected labor trafficking, one alleged sex trafficking, and another both sex and labor trafficking. The GPS reported initiating prosecutions against seven defendants, compared with 21 defendants in 2015. The GIS reported preparing for prosecution the case of one defendant in a case involving three Ghanaian children intercepted before being sent to Cameroon for suspected labor trafficking. The GPS also reported prosecuting at least 17 labor trafficking cases and three sex trafficking cases initiated in prior years that remained pending before the courts; many of these cases were reportedly stalled and an unknown number of pending cases were dismissed due to a lack of evidence, inability to locate the alleged perpetrator, or victims' reluctance to testify. The attorney general's (AG) department reviewed 217 open investigations of the Greater Accra AHTU and determined many cases were inadequately investigated and recommended only five cases for prosecution by state attorneys; however, these cases were not brought to trial during the reporting period. As in the previous reporting period, the government reported no convictions under the anti-trafficking act in 2016; however, the government reported seven convictions for offenses using other statutes that resulted in lesser penalties. For example, prosecution of a trafficker for the labor exploitation of a 15-year-old boy working on a fishing boat without pay on Lake Volta resulted in a sentence of a fine of 720 cedis (\$170). A reported lack of evidence resulted in reduced charges in a case in which the government convicted and sentenced to two months imprisonment two traffickers for the forced prostitution of a Nigerian woman. In addition, the GPS reported four convictions for labor trafficking but did not report information about sentencing. Despite continued reports of general corruption and bribery in the judicial system as well as interference with police investigations of suspected trafficking, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

For the fourth year, the AHTU did not receive operating funds and relied on donor support for logistics, equipment, and facilities for identified adult victims. AHTUs in some regions did not have personnel assigned throughout the reporting period. The GIS also reported a lack of financial support and

inadequate facilities for anti-trafficking activities. The AG's office also reported a shortage of prosecutors. The government supported a specialized anti-trafficking training for 25 border security and law enforcement officers, trained officers assigned to the new anti-trafficking airport taskforce, and provided in-kind support for a donor-funded training for investigators and prosecutors during the reporting period. New recruits in the GIS and the GPS received training on trafficking-related topics as part of their basic training.

## PROTECTION

The government maintained modest efforts to identify and assist victims. The human trafficking fund, established by the 2005 Human Trafficking Act to finance protection efforts, continued to be unfunded for the fifth consecutive year and agencies responsible for victim identification and assistance reported a continued lack of funds to support services for both children and adults. The government did not report comprehensive statistics on the number of trafficking victims it identified or assisted. The AHTU reported identifying 121 potential victims, of whom 112 were victims of labor trafficking and nine of sex trafficking, compared with 112 victims reported identified in 2015. Most identified victims were adults; 28 were children. The GIS identified 42 potential trafficking victims, including 19 at airports, border crossings, and GIS offices, and 23 repatriated from Saudi Arabia and Kuwait, most of whom were young adult females and seven of whom were potential child labor trafficking victims. The Ministry of Foreign Affairs and Regional Integration (MFA) facilitated the repatriation of Ghanaian trafficking victims identified abroad by liaising with the victims' families, private donors, and the government in the destination countries. Private citizens and NGOs continued to take primary responsibility for funding the return of Ghanaians trafficked abroad. NGOs working in cooperation with local social service workers and police identified and assisted 102 child trafficking victims, 61 boys and 41 girls. With support from donors, the Department of Social Welfare provided medical, legal, and psycho-social services for 31 child victims of labor trafficking, nine boys and 22 girls, in a shelter for abused children in Osu, and referred 76 child victims of labor trafficking, 66 boys and 10 girls, to private shelters in the Central Region. Of these 107 children, 75 were reintegrated with their families and 32 remained in the shelter at the end of the reporting period. Five foreign national children received psycho-social and legal assistance in the Osu shelter. The shelter in Osu provides short-term care and has a maximum capacity of 30 children. This shelter is co-located with a juvenile correctional facility with no structural barrier protecting the victims from criminal offenders, is in serious disrepair, and lacks security. The government provided the salaries of the Osu shelter staff and approximately 3,710 cedis (\$880) for shelter operations; the shelter also relied on support from donors and internally generated funds to help feed, clothe, and provide care for trafficking victims. Numerous NGOs, without government support, continued to provide shelter and comprehensive care to child victims of forced labor; few services were available for child sex trafficking victims. The government did not provide shelter or other services for adult victims of trafficking. The GIS and AHTU reported they did not have the means to provide shelter or to effectively protect witnesses. Ghanaian law permits victims of trafficking to pursue restitution by filing a civil suit. No such suits were reported; however, the government reported that some Ghanaian victims received unpaid wages from foreign employers after the victims reported their case to authorities.

The government collaborated with international organizations

and NGOs to develop formal procedures to identify and refer victims and began implementing these mechanisms during the reporting period. GIS deployed some officers with training on the indicators of trafficking to field offices, including at the border. Foreign victims may seek temporary residency during the investigation and prosecution of their cases and, with the interior minister's approval, permanent residency if deemed to be in the victim's best interest; no victims sought temporary or permanent residency during the year. The GIS supported the repatriation of an adult sex trafficking victim to Nigeria in coordination with a Nigerian anti-trafficking agency. There were no reports victims were penalized for unlawful acts committed as a direct result of being subjected to trafficking; however the GIS reported placing one trafficking victim in a detention facility due to a lack of budgetary resources or government-run shelter for adult victims.

## PREVENTION

The government increased anti-trafficking prevention efforts. The government supported three meetings during the year of the Human Trafficking Management Board (HTMB), the inter-ministerial committee responsible for advising the Ministry of Gender, Children, and Social Protection on anti-trafficking policy, promoting prevention efforts, and facilitating the rehabilitation and reintegration of trafficking victims. HTMB did not receive sufficient personnel and government funds to fulfill its mandate to conduct monitoring and evaluation, data collection, and research relating to trafficking. The HTMB Secretariat developed and distributed a template for collecting and reporting governmental anti-trafficking activities; however, reliable data collection for analysis and reporting of anti-trafficking enforcement and protection activities continued to be lacking. With support from an international organization and with input from stakeholders, the government drafted a National Plan of Action for the Elimination of Human Trafficking in Ghana, 2017-2021, which remained pending final approval. The action plan includes activities under four objectives aligned with the four-P paradigm: prosecution, protection, prevention, and partnership. The government allocated 1.5 million cedis (\$355,450) toward the implementation of the plan in 2017, including 500,000 cedis (\$118,480) for the human trafficking fund. The local government authorities in 20 communities in two regions partnered with an NGO to conduct community-level training on child trafficking prevention and identification and appropriate care for child trafficking victims. The government did not fulfill its commitment to increase its resources devoted to combating child trafficking as it had committed to do as part of its partnership with a foreign donor. In response to continued reports of sex and labor trafficking, as well as serious physical abuse of Ghanaian women recruited for domestic and hospitality jobs in the Middle East, the MFA, Ministry of the Interior, MELR, GIS, GPS, and the HTMB Secretariat participated in radio and television programs to raise awareness of fraudulent recruitment agencies and advise prospective job seekers to avoid unlicensed agencies. The MELR increased the number of registered recruitment agencies from 22 to 44 and widely publicized the list of these agencies. The government also signed an MOU with the Government of Jordan to formalize labor recruitment between the two countries and provide support for repatriation of Ghanaian trafficking victims identified in Jordan. Ghana and Cote d'Ivoire also signed a cooperation agreement on the fight against cross-border child trafficking and the worst forms of child labor. The government made no efforts to decrease the demand for forced labor or for commercial sex acts. The government relied on foreign donors to provide anti-trafficking training to Ghanaian troops prior

to their deployment abroad on peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

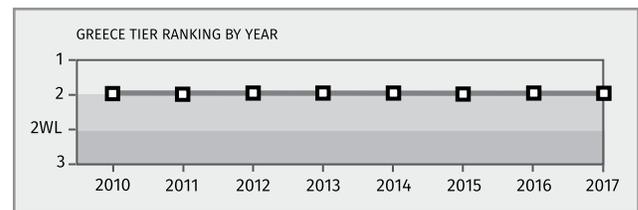
### TRAFFICKING PROFILE

As reported over the past five years, Ghana is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The exploitation of Ghanaians, particularly children, within the country is more prevalent than the transnational trafficking of foreign nationals. Ghanaian boys and girls are subjected to forced labor within the country in fishing, domestic service, street hawking, begging, portering, artisanal gold mining, quarrying, herding, and agriculture. Donor-funded research focused on the fishing industry on Lake Volta indicated that more than half of the children working on and around the lake were born in other communities and many of these children are subjected to forced labor, not allowed to attend school, given inadequate housing and clothing, and are controlled by fishermen through intimidation, violence, and limiting access to food. Boys as young as five years old are forced to work in hazardous conditions, including deep diving, and many suffer water-born infections; girls perform work on shore such as cooking, cleaning fish, and preparing fish for market, and are vulnerable to sexual abuse. A study of the prevalence of child trafficking in selected communities in the Volta and Central Regions indicated that children from nearly one-third of the 1,621 households surveyed had been subjected to trafficking, primarily in fishing and domestic servitude. Child trafficking in the fishing industry is often facilitated by parents who receive a payment and organized traffickers who target vulnerable communities; girls exploited in domestic servitude are often sent via relatives or middlemen to work in harsh conditions. Ghanaian girls, and to a lesser extent boys, are subjected to sex trafficking in Ghana. Sex trafficking of Ghanaian girls has been reported in the Greater Accra, Ashanti, Central, Volta, and Western regions. As part of a ritual to atone for sins of a family member, Ghanaian girls are subjected to servitude that can last for a few months or several years. Ghanaian girls and young women from the rural northern regions move to urban centers throughout Ghana to seek work as porters; they are at risk for sex trafficking and forced labor.

Ghanaian women and children are recruited and sent to the Middle East, West Africa, and Europe for forced labor and sex trafficking. Unscrupulous agencies arrange transport of Ghanaians seeking employment in Europe through neighboring African countries, where they are subjected to sexual exploitation and held involuntarily by traffickers who extort funds from the victims. Licensed and unlicensed agencies recruit young Ghanaian women for domestic service or hospitality industry jobs in countries in the Middle East. After their return, many of them report being deceived, overworked, starved, abused, molested, and/or forced into prostitution. Ghanaian men are also recruited under false pretenses to go to the Middle East, where they are subjected to domestic servitude and forced prostitution. In recent years, a few Ghanaian men and women were identified as victims of forced labor in the United States. Women and girls voluntarily migrating from Vietnam, China, and neighboring West African countries are subjected to sex trafficking in Ghana. Citizens from West African countries are subjected to forced labor in Ghana in agriculture or domestic service. Ghana is a transit point for West Africans subjected to sex trafficking in Europe, especially Italy and Germany. Corruption and bribery in the judicial system hinder anti-trafficking measures.

## GREECE: TIER 2

The Government of Greece does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Greece remained on Tier 2. Despite Greece's economic crisis and the influx of refugees and migrants to the country, which placed a significant strain on government resources, the government demonstrated increasing efforts by operationalizing a national referral mechanism and organizing working groups to establish roles and responsibilities for relevant actors. The Office of the National Rapporteur on Human Trafficking continued to coordinate government wide anti-trafficking efforts, including the annual anti-trafficking awareness festival, attended by more than 6,000 people. The Anti-Trafficking Unit (ATU) continued proactive victim identification efforts and maintained excellent cooperation with NGOs. However, the government did not meet the minimum standards in several key areas. The government decreased investigations, prosecutions, and convictions. The government conducted inadequate or hasty screening procedures and vulnerability assessments at migrant entry points and camps. No victims to date have received compensation or received restitution from their traffickers. Court proceedings took years, hindering cooperation from victims and key witnesses.



### RECOMMENDATIONS FOR GREECE

Vigorously investigate, prosecute, and convict traffickers, including officials complicit in trafficking; increase efforts to identify trafficking victims among vulnerable populations and refer them to specialized services; provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions; establish formal procedures for the national referral mechanism, including formalizing NGO and international organization services into the mechanism; train first responders on victim identification and the national referral mechanism; strengthen specialized services including shelter and psycho-social support for adult male and child victims; employ witness protection provisions already incorporated into law to further encourage victims' participation in investigations and prosecutions; allocate adequate funds towards a compensation fund and inform victims of their right to compensation; and draft a national action plan for combating trafficking.

### PROSECUTION

The government decreased law enforcement efforts. Law 3064/2002 and Presidential Decree 233/2003 prohibit both sex trafficking and forced labor and prescribe punishments of up to 10 years imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Police investigated 25 cases involving 97 suspected traffickers, compared to 32 cases in 2015. Of these,

18 were sex trafficking cases and seven forced labor cases (26 sex trafficking cases and six forced labor cases in 2015). The government prosecuted 32 defendants (117 in 2015), 25 of these for sex trafficking and seven for forced labor (97 for sex trafficking and 20 for forced labor in 2015). The government convicted nine traffickers (34 in 2015). Sentences ranged from 10 to 15 years imprisonment plus fines from €10,000 (\$10,540) to €100,000 (\$105,370). The courts issued suspended sentences in 19 cases. Observers reported court proceedings could take years, hindering cooperation from victims and key witnesses. Observers reported lawyers went on strike from January 2016 to June 2016, which halted or slowed all court proceedings. Severe budgetary constraints stemming from Greece's seven-year financial crisis continue to impact police efforts.

The Hellenic Police Unit maintained an ATU within the organized crime division composed of two units in Athens and Thessaloniki that investigated trafficking and 12 smaller units across municipalities investigating trafficking and also organized crime related offenses. ATU officers continued to use advanced investigative techniques and regularly inspected brothels, bars, and massage parlors. NGOs continued to report excellent cooperation with the ATU. The government trained front-line officers, including border police and coast guard, on trafficking issues and the ATU provided regular seminars and presentations at the police academy on trafficking; however, observers reported non-specialized law enforcement and government officials lacked an understanding of how emotional control or psychological coercion can be used to gain consent from a victim. The government prosecuted two police officers involved in an organized criminal group that sexually exploited women. One was charged with membership in an organized criminal group, sexual exploitation, and "breach of faith and abuse of power," and the other with "breach of faith and abuse of power" and customs law violation. The government extradited three suspected traffickers to Switzerland and prepared extradition for two individuals to Mexico and Albania. In March 2017, the European Court of Human Rights ruled that Greece failed to protect 23 Bangladeshi laborers on a strawberry farm near the town of Manolada in a forced labor case in 2013. The court found Greece to be in violation of article 4 § 2 of the European Convention on Human Rights and ordered Greece to pay out more than half a million euro for neglecting their exploitation.

## PROTECTION

The government slightly increased victim protection efforts. Police identified 46 trafficking victims, compared to 57 in 2015; 26 were subjected to sex trafficking, including five children, and 20 to forced labor, including 11 children (34 to sexual exploitation, including four children, and 23 to forced labor in 2015). Eleven victims were Greek and 35 were foreign citizens. The government was unable to determine how much funding was spent exclusively on victim protection, and NGOs expressed concerns regarding government funding shortfalls caused by Greece's seven-year economic crisis and fiscal measures imposed as part of its international bailout.

First responders followed standard operating procedures for identifying victims. Observers reported NGOs and the ATU conducted the majority of proactive victim identification efforts. The government, separately and in cooperation with international organizations and NGOs trained law enforcement, immigration officers, social service workers, labor inspectors, and health workers on identifying trafficking victims, including potential victims among refugees and migrants; however,

observers reported inadequate or hasty screenings procedures and vulnerability assessments at migrant entry points and camps. NGOs reported a lack of proactive identification efforts among vulnerable unaccompanied children. For example, observers reported unaccompanied children, particularly from Afghanistan, engaged in survival sex in Athens and were extremely vulnerable to trafficking. Public prosecutors officially certify victims, which entitles them to a residency and work permit; potential victims without this recognition had access to equal support and assistance. Public prosecutors officially certified four victims.

The government operationalized a national referral mechanism and organized working groups to establish roles and responsibilities among law enforcement, government agencies, and NGOs. The government, in cooperation with NGOs, provided shelter, psychological support, medical care, legal aid, and reintegration support. Despite excellent cooperation with the ATU, NGOs reported law enforcement generally demonstrated reluctance to refer victims to NGO-run support services due to a lack of formalized referral procedures incorporating NGOs. Observers reported a lack of specialized shelters for trafficking victims; only one NGO-run shelter provided shelter specifically for female trafficking victims. The government provided shelter and general support services to trafficking victims through two agencies: (1) the General Secretariat for Gender Equality operated 19 shelters and 40 counseling centers for female victims of violence and (2) the National Social Solidarity Center operated two long-term shelters, one of which had an emergency section, an emergency shelter, and two social support centers for vulnerable populations in need of assistance. Observers reported victims in rural areas had little access to support services and were often accommodated in police stations, hospital wards, or received no assistance. Male victims could be accommodated in an NGO-run shelter for sexually exploited men or short-term government shelters for asylum-seekers or homeless persons. Child victims were sheltered in government-run shelters, NGO shelters, and facilities for unaccompanied minors, but were not housed in specialized facilities for trafficking victims. The government signed a cooperation agreement with three NGOs to house, protect, and assist vulnerable women and children, including trafficking victims, and allocated three buildings to use as shelters. The government trained police on preventing child trafficking and protecting unaccompanied minors. The government did not detain, jail, incarcerate, fine, or otherwise penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

The government provided victims with a reflection period so they could determine if they wanted to cooperate in investigations. The government did not provide funding for travel and other expenses to attend court hearings; however, NGOs provided some victims with legal support and funding for travel expenses. The law also provides for the presence of mental health professionals when victims are testifying and the use of audiovisual technology for remote testimony, but many courts lacked the capabilities to deploy these resources and many judges continued to require victims to appear in court. The law provides for witness protection to victims during trial; however, observers reported no trafficking victims have received full witness protection privileges to date, while authorities stated no victims requested such protection. Observers reported traffickers may have paid bribes to repatriated trafficking victims to preclude them from testifying. Official victim status provided foreign victims one-year, renewable residence and work permits. Victims who did not apply for official recognition

could receive a residence and work permit by applying for asylum on humanitarian grounds; the government issued 23 residence permits to female trafficking victims in 2016. Observers reported the process to receive residence permits took time but the government granted victims a temporary document that prevented deportation or detention. The law entitles victims to file civil suits against traffickers for compensation; however, no victims to date have received compensation or received restitution from their traffickers. The government reported trafficking victims have never applied for compensation.

**PREVENTION**

The government maintained efforts to prevent trafficking. The government had no national action plan exclusively for anti-trafficking efforts. The Office of the National Rapporteur on Human Trafficking (ONRHT) continued to coordinate government wide anti-trafficking efforts despite lacking sufficient resources. The government monitored anti-trafficking efforts and provided assessments to foreign governments, NGOs, and international organizations; however, the government did not make assessments publicly available. The government reinstated the parliamentary sub-committee on trafficking issues and held the first meeting in June. The development of a national database for trafficking statistics remained pending during the reporting period. The government organized and funded its second national two-day anti-trafficking awareness festival, attended by more than 6,000 people. ONRHT reported, after the festival, that the hotline and police received an increase in calls reporting trafficking offenses, including clients of prostitution reporting possible trafficking victims within brothels. The government organized a series of annual anti-trafficking seminars for civil servants. The government provided airtime for free public service announcements by NGOs and government agencies on trafficking issues. The government continued efforts to reduce the demand for commercial sex and forced labor. The government provided anti-trafficking guidance for its diplomatic personnel and manuals on identifying trafficking victims to facilitate granting visas.

**TRAFFICKING PROFILE**

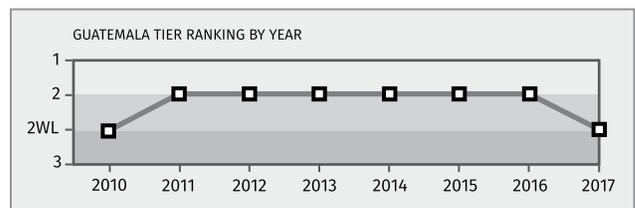
As reported over the past five years, Greece is a destination, transit, and, to a very limited extent, source country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Some women and children from Eastern and Southern Europe, South Asia, Nigeria,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

During the reporting period, Greece continued to experience a wave of migration from the Middle East, Africa, and Asia, consisting of a mix of asylum-seekers, potential refugees, economic migrants, and populations vulnerable to trafficking, among others. One international organization estimated Greece

received more than 170,000 migrants and asylum-seekers in 2016; some of these individuals, such as unaccompanied children and single women, are highly vulnerable to trafficking. Unaccompanied children, primarily from Afghanistan, engage in survival sex and are vulnerable to trafficking. Recruiters target migrants in refugee camps from their own countries. Most migrants and asylum-seekers are believed to rely on smugglers at some point during their journey and in some instances are forced into exploitation upon arrival in Greece.

**GUATEMALA: TIER 2 WATCH LIST**

The Government of Guatemala does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by re-launching the Inter-Institutional Committee Against Trafficking, developing a work plan, implementing revised inter-institutional protocols for victim protection, increasing the number of prosecutors in its anti-trafficking unit, and expanding outreach to indigenous persons. The government also convicted a former government official. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government prosecuted and convicted significantly fewer defendants; identified fewer trafficking victims in 2016 and referred fewer than half of identified victims to shelters. At least 41 children died and more were injured when a fire broke out in a government-managed shelter already facing accusations of abuse and neglect for failing to properly provide for more than 700 children, including trafficking victims. The quality and availability of specialized victim services remained uneven due to a lack of services for adult and male victims. The number of department-level anti-trafficking committees, which identified trafficking cases and conducted prevention activities, significantly declined. Therefore, Guatemala was downgraded to Tier 2 Watch List.



**RECOMMENDATIONS FOR GUATEMALA**

Review shelter standards and operations in shelters providing for child trafficking victims nationwide and address overcrowding, abuse, and neglect; improve access to and quality of specialized services for all victims, including for male victims; increase efforts to hold government officials criminally accountable for complicity in trafficking; increase efforts to investigate, prosecute, and convict child sex tourists and others engaged in sex trafficking of children; strengthen implementation of the inter-institutional protocol for the protection and attention to victims of human trafficking; amend legislation to permit adults access to open shelters and enhance comprehensive services and witness protection; investigate and prosecute trafficking offenses, with increased focus on suspected cases of forced labor and domestic servitude; increase training for judges, who under Guatemalan law have the sole responsibility to refer victims to care, and ensure all victims are referred to appropriate care

facilities; as part of developing a cadre of specialized prosecutors and judges outside of the capital, increase training to law enforcement and criminal justice officials so that forced labor and sex trafficking cases are investigated and prosecuted as trafficking according to the international definition of trafficking; provide reintegration and witness protection support to victims; allocate and disburse funding for specialized victim services, including those administered by NGOs; sustain efforts to identify trafficking victims, particularly among vulnerable populations, such as working children, returning migrants, individuals in the sex trade, and children apprehended for illicit gang-related activities; and target prevention activities toward the most vulnerable populations, including indigenous communities.

## PROSECUTION

The government decreased law enforcement efforts to prosecute and convict sex and labor traffickers. The anti-trafficking law of 2009 prohibits all forms of trafficking and prescribes penalties from eight to 18 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. However, in contrast to the international definition, the law establishes the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime and defines illegal adoption without the purpose of exploitation as a form of human trafficking. The government initiated investigations of 243 complaints of trafficking-related offenses in 2016, compared with 280 investigations in 2015, and prosecuted 43 defendants in 39 separate trafficking-related cases, compared with 105 defendants in 28 separate cases in 2015. These cases included suspects prosecuted for trafficking, including individuals who solicited or patronized a person for the purpose of a commercial sex act, as well as illegal adoption. Authorities secured 13 convictions in 2016, compared with 39 in 2015, with sentences ranging from eight to 24 years imprisonment. The government convicted a former government official of sex trafficking and sexual abuse of a child and imposed a sentence of 22 years imprisonment and sentenced the child's mother to 24 years imprisonment for human trafficking and crimes against a minor.

Anti-trafficking police and prosecutors' capacity to conduct investigations outside of the capital, while improved, continued to be limited by inadequate funding and training; however, the government designated additional funds for 2017 to open prosecution branches in Quetzaltenango, Puerto Barrios, and Flores. Specialized courts, including a specialized 24-hour court in Guatemala City, continued to hear trafficking and gender-based violence cases. Some judges, especially in the interior, lacked adequate training to apply forensic evidence in prosecutions. Officials did not identify any cases of forced criminal activity. Guatemalan officials trained 100 prosecutors and paralegals on trafficking indicators and identifying trafficking victims, among other topics. Guatemalan authorities also held training sessions for labor inspectors, and businesses to enhance identification and prosecution efforts.

## PROTECTION

The government significantly decreased efforts to identify and protect victims. The government and NGOs identified 484 trafficking victims in 2016, a significant decrease from 673 victims in 2015, and reported data did not specify the types of trafficking involved in those cases. Of the 484 victims identified, at least 395 were women and girls, compared with a total of 456 in 2015; and 89 victims of trafficking were men

and boys, a decrease from 174 in 2015. The Secretariat against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) revised and implemented the inter-institutional protocol for the protection and attention to victims of human trafficking (the protocol) in 2016 and published a compendium of resources to assist law enforcement agencies, judges, and social workers in identifying victims of trafficking, and included checklists, contact information and resource guides. While some government officials continued to implement a protocol to identify potential forced labor victims during labor inspections, NGOs expressed concern the labor ministry did not proactively look for indicators of forced labor, including in the agricultural sector where workers are particularly vulnerable to forced labor. The government did not report how many children were identified and removed from forced child labor in 2016 compared with at least 135 children removed from forced child labor in 2015.

Guatemalan law requires judges make all referrals to public or private shelters. In 2016, judges referred 256 victims to shelters, a slight increase from 249 referrals in 2015 but less than half of all victims identified. Judges at times referred child victims to their families, leaving some vulnerable to re-trafficking, as family members often were involved in their exploitation. Repatriated victims could be referred to services, but authorities typically did not screen for indicators of trafficking among the large numbers of Guatemalans returned from abroad, including unaccompanied migrant children. The government continued funding three government shelters, as well as NGOs that provided specialized services, mostly for child trafficking victims. The three government-run shelters housed 77 trafficking victims (74 minors and three adults) in 2016, compared to 153 in 2015. While SVET shelters were widely recognized among experts in civil society as superior to the government-run options that existed previously, the quality and availability of specialized victim services remained uneven due to a lack of services for adult and male victims. SVET made several improvements in its shelters in 2016, including adding a computer lab for residents' use; increasing job training opportunities for victims; and implementing a "single-file" system which provided comprehensive tracking for each victim's case information, needs, and services. Secretariat of Social Welfare shelters provided basic services, including food and housing, and more advanced services, such as healthcare, vocational education, and therapy.

In March 2017, at least 41 girls died and more were injured when a fire broke out in an overcrowded government-managed shelter for children. A court had previously ordered authorities to improve conditions at the shelter, which housed more than 700 children, including trafficking victims, despite having a capacity of 400 residents; and faced accusations of maltreatment, including lack of adequate clothing, abuse by staff, and lack of adequate food for the children in its care. Residents set fire to mattresses to protest living conditions and physical and sexual abuse and some were unable to escape because they were held under lock and key. During the aftermath of the fire, one re-housed resident of a SVET shelter for victims of sexual abuse and trafficking disappeared, and in publicizing that disappearance, the government mistakenly revealed the confidential location of a secure shelter, risking the safety of all residents of the shelter. NGOs, international organizations, and the UN reported assisting in efforts to rehouse children, recommended the government redirect the budget for this shelter to other government agencies and NGOs caring for the children, and called for investigations into the shelter's management, which faced allegations of corruption and neglect.

The families of the deceased planned to file a suit against the government for their losses. Guatemala's president called for a restructuring of the country's shelter system. Three government officials face charges of abuse of power, noncompliance with their duties, and maltreatment of minors.

The former government-run shelter for women closed in December 2015; the government planned to cut funding for 2017 to the only trafficking-specific NGO-run shelter for adult women and two non-trafficking specific NGO-run shelters that did not provide comprehensive services for victims. The human rights ombudsman responded by putting the shelter under a management plan and transferring children to small shelters. NGO shelter operators expressed concern for victims' safety upon being discharged from shelters. They cited insufficient ongoing case management and reintegration services in government shelters, leaving some victims vulnerable to re-victimization or retaliation from traffickers—particularly those whose cases involved organized crime groups or public officials. The government ran 15 centers in the country's interior, which provided non-residential reintegration assistance to child trafficking victims and families but not specialized services. The government had no specialized shelters for male victims.

Authorities encouraged victims to assist in the investigation and prosecution of traffickers and made options available for private testimony; 161 crime victims, including some victims of trafficking, received such legal and psychological support from NGOs and the public ministry in 2016 compared to an unspecified number in 2015. Victims residing in government facilities did not receive adequate legal support or witness protection. Prosecutors cited the lack of appropriate protection options for adult victims as an impediment to pursuing prosecutions in cases involving adults. Judges may order restitution when sentencing traffickers, and victims also had the right to file civil claims for compensatory damages and harm suffered as a result of being subjected to trafficking; seven victims received restitution in 2016 compared to none in 2015 and 10 in 2014. There were no reports that the government detained, fined, or otherwise penalized identified victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government, however, did not recognize children forced to engage in criminal activity as trafficking victims; officials acknowledged some of these victims may have been prosecuted or otherwise treated as criminals. Guatemalan law provided legal alternatives to the removal of foreign victims who may face hardship or retribution upon return to their home countries, but all known foreign victims opted for repatriation. Foreign victims had the same access to care as domestic trafficking victims. The government repatriated six Guatemalan trafficking victims identified in other countries.

## PREVENTION

The government slightly increased its prevention efforts. SVET continued to oversee the interagency anti-trafficking commission and coordinate government efforts against trafficking and gender-based violence. Officials oversaw 11 departmental networks in the interior of the country, down from 23 in 2015, which identified trafficking cases and conducted prevention activities; network activities decreased from 2015 due to political instability. The government conducted a wide range of initiatives to educate potential victims, the public, government officials, and tourists about the dangers, causes, and consequences of trafficking, including by launching the "Blue Heart" campaign, the first Central American country to do so. Authorities ran prevention campaigns on trafficking awareness and sex tourism

targeting students, visitors to hospitals, activists, airport security officials, tourist police, and businesses. As part of the code of conduct for the prevention of child sex tourism, SVET provided training to 32 businesses across the country, reaching a total of 2,195 individuals. The government did not make discernible efforts to reduce the demand for commercial sex acts nor investigate suspected sex tourists who purchased commercial sex with children. The government worked with NGOs and international partners to launch a campaign to prevent fraudulent recruitment of migrant workers and worked with the private sector to promote policies to exclude products made with forced labor in efforts to reduce the demand for forced labor. The government provided anti-trafficking training to its diplomats and to Guatemalan troops prior to their deployment abroad on international peacekeeping missions.

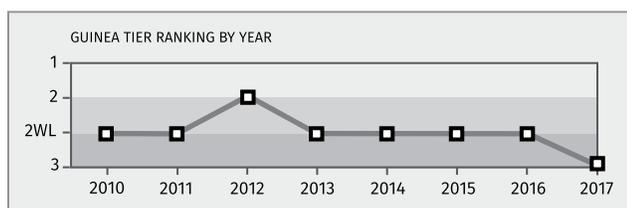
## TRAFFICKING PROFILE

Guatemala is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Guatemalan women, girls, and boys are exploited in sex trafficking within the country and in Mexico, the United States, Belize, and other foreign countries. Commercial sexual exploitation of Guatemalan children by foreign tourists from Canada, the United States, and Western Europe, and by Guatemalan residents persists. Women and children from other Latin American countries and the United States are exploited in sex trafficking in Guatemala. Government studies of past cases suggest women recruited victims while men ran criminal organizations. Guatemalan men, women, and children are subjected to forced labor within the country, often in agriculture or domestic service, and in the garment industry, small businesses, and similar sectors in Mexico, the United States, and other countries. Domestic servitude in Guatemala sometimes occurs through forced marriages. Indigenous Guatemalans are particularly vulnerable to labor trafficking. Guatemalan children are exploited in forced labor in begging and street vending, particularly within Guatemala City and along the border with Mexico. Child victims' family members often facilitate their exploitation. Criminal organizations, including gangs, exploit girls in sex trafficking and coerce young males in urban areas to sell or transport drugs or commit extortion. Some Latin American migrants transiting Guatemala en route to Mexico and the United States are subjected to sex trafficking or forced labor in Mexico, the United States, or Guatemala. Police, military, and elected officials have been placed under investigation for paying children for sex acts, facilitating child sex trafficking, or protecting venues where trafficking occurs.

## GUINEA: TIER 3

The Government of Guinea does not fully meet the minimum standards for the elimination of trafficking and did not demonstrate overall increasing efforts compared to the previous reporting period. Although Guinea meets the criteria for Tier 2 Watch List, because it has been on Tier 2 Watch List for four years, it is no longer eligible for that ranking and is therefore ranked Tier 3. The government took some steps to address trafficking, including prosecuting and convicting the first trafficking-related case since 2014, although none of the perpetrators served prison time; repatriating two groups of Liberian trafficking victims identified in the country; providing funding to the Office for the Protection of Gender, Children, and Morals (OPROGEM), the police unit responsible for trafficking investigations; and

implementing some objectives of its 2016 anti-trafficking national action plan. The government passed a new penal code in 2016 that explicitly criminalizes debt bondage; however, it includes provisions allowing judges to prescribe fines in lieu of prison time in trafficking sentences. The government continued to rely on underfunded NGOs to provide all victim assistance, and although authorities intercepted 74 potential trafficking victims allegedly en route to exploitation in Quranic schools, it did not investigate any traffickers in connection with these cases. Despite the prevalence of forced begging in Quranic schools, Guinean authorities have never prosecuted a *marabout*—a Quranic school teacher—for forced begging. Although there were ongoing reports of official corruption and alleged complicity in trafficking cases, the government did not investigate any officials for alleged participation in or facilitation of trafficking crimes



## RECOMMENDATIONS FOR GUINEA

Vigorously investigate, prosecute, and convict suspected traffickers, including complicit officials and *marabouts*, and prescribe sufficiently stringent sentences; expand victim care by increasing financial or in-kind support to NGOs that provide victim services; train magistrates and prosecutors in the lower courts on the trafficking articles in the 2016 penal code; develop systematic procedures for victim identification and referral to services; train police, border officials, labor inspectors, and magistrates on such procedures, as well as case investigation techniques; enact legislation limiting the ability to prescribe fines in lieu of prison sentences and to increase prescribed penalties for forced prostitution; regularly convene the national anti-trafficking committee (CNLTP) and provide it with sufficient resources, including an operational budget, to fulfill its mandate effectively; increase efforts to raise public awareness of trafficking, including internal child forced labor, forced begging in Quranic schools, and adult trafficking; provide OPROGEM the resources and training necessary to regulate recruitment agencies and investigate cases of fraudulent recruitment; harmonize provisions and penalties both within the penal code and with the children's code; amend the definition of trafficking in article 323 of the penal code to conform with the 2000 UN TIP Protocol; update the 2016 national action plan and allocate resources for its implementation; and enhance collaboration and information-sharing among government agencies involved in combating human trafficking.

## PROSECUTION

The government maintained minimal law enforcement efforts. In October 2016, the government revised its penal code to criminalize trafficking in persons. It also moved the jurisdiction for human trafficking cases from the high court to the country's lower courts, which may expedite the prosecution process. The 2016 penal code newly criminalized debt bondage but decreased the minimum terms of imprisonment for trafficking crimes and included provisions allowing for fines in lieu of imprisonment. The 2012 penal code prescribed a minimum of

five years imprisonment for trafficking crimes, whereas the 2016 penal code allows for fines alone as the minimum sentence. Article 323 of the 2016 penal code criminalizes the recruitment, transportation, harboring, or receipt of a person by means of violence, threats of violence, or other forms of coercion for the purposes of exploitation. "Exploitation" is defined as in order to commit pimping, sexual aggression, or sexual assault; holding a person in slavery; forced labor; forced begging; organ removal; and forced criminality. With minors, defined in other legislation as younger than age 18, means of violence or coercion are not needed to prove trafficking. Trafficking of adults is penalized by three to seven years imprisonment and/or a fine of 500,000 to 10 million Guinean francs (\$54-\$1,084) and child trafficking (article 324) by five to 10 years imprisonment and/or a fine, which is sufficiently stringent but, with regard to sex trafficking, not commensurate with penalties prescribed for other serious crimes, such as rape. Additional articles in the penal code separately criminalize forced begging, debt bondage, and forced prostitution but provide differing, insufficiently stringent penalties. Article 117 of the criminal procedural code authorizes judges to suspend prison sentences if they find "mitigating" circumstances. Penalties that allow for a fine in lieu of imprisonment are not adequate to deter the crime. The trafficking provisions in the penal code also cover some crimes that are not considered trafficking in the 2000 UN TIP Protocol. The government began but did not finish harmonizing the 2010 child protection code with the 2016 penal code, so magistrates could also prescribe insufficiently stringent penalties for child trafficking offenses using provisions in the 2010 code. Article 386 of the 2010 code prohibits child trafficking and prescribes sufficiently stringent penalties of three to 10 years imprisonment, but articles 388, 389, and 402 provide reduced sentences—with some penalties consisting of fines only—for facilitators of trafficking, parents or guardians complicit in trafficking, and forced begging, all of which are inconsistent with the 2016 penal code.

The government initiated five potential trafficking investigations, prosecuted four alleged traffickers, and convicted three under the 2010 child protection code, compared with one investigation and no prosecutions or convictions the previous reporting period. Border police arrested four individuals in Boko for facilitating the transportation of children to a Quranic school in Senegal, where they allegedly would have faced forced begging. The judge reclassified the case from child trafficking to transporting a minor across the border without authorization and convicted three individuals—the driver and two of the children's parents. These were the government's first convictions for trafficking-related offenses since 2014. The judge sentenced the parents and the driver to six months imprisonment and a fine but suspended the prison sentences, which negated the deterrent effect of these law enforcement measures. The Guinean embassy in Cairo identified several Guinean women exploited in domestic servitude in Egypt. CNLTP arrested one of the alleged recruiters in Conakry but he was later released; it is unclear if the case was dismissed or if he was released on bail pending a trial. One court reported initiating two trafficking investigations—one of which could have been the previous case—but did not provide details. Authorities intercepted four suspected traffickers and four potential victims en route to Kuwait, where the girls allegedly would have been exploited in sex trafficking; the investigation was ongoing at the end of the reporting period. The government also continued one investigation from the previous reporting period involving 14 alleged traffickers, including three *marabouts*. Law enforcement intercepted four additional groups of more than 74 potential victims reportedly destined for forced begging or forced labor in

Quranic schools and removed the children but did not initiate any investigations into the drivers or suspected traffickers. Furthermore, while it directed its attention towards intercepting potential child trafficking victims, the government did not make efforts to address internal child forced labor in mining, domestic servitude, or sex trafficking. The government did not report any investigations, prosecutions, or convictions of officials complicit in human trafficking; however, corruption among law enforcement and the judiciary—suspected to be especially prominent among labor inspectors, customs directors, and heads of police stations—allegedly impeded anti-trafficking efforts.

The government allocated 256 million Guinean francs (\$27,751) to OPROGEM during the reporting period to facilitate trafficking case investigation and victim transportation to NGOs for care. This was the first time the government disbursed funds to OPROGEM specifically to assist with trafficking cases, although the amount was insufficient to cover even the unit's basic operating costs. CNLTP funded training for Guinean and Sierra Leonean border officials on identifying trafficking victims and joint transnational trafficking investigations. Lack of general knowledge of trafficking and the trafficking provisions of the 2016 penal code persisted among government officials, especially judges and prosecutors in lower courts, because the government did not provide training or plan how to effectively shift authority for trafficking crimes to the lower courts.

## PROTECTION

The government maintained minimal efforts to protect trafficking victims. The government identified 107 potential trafficking victims, an increase from 48 potential victims the previous reporting period. Border police intercepted six children allegedly en route to forced begging in Quranic schools and returned the children to their parents; the judiciary later convicted the same parents of facilitating their children's transportation to alleged exploitation but suspended the terms of imprisonment. In August 2016, authorities intercepted a caravan of 11 children in Koundara—the same town where 48 potential trafficking victims were intercepted the previous reporting period—allegedly en route to exploitation in Quranic schools, but it was unclear if officials conducted any investigations or referred the children to services. Officials also intercepted three caravans of Liberian and Sierra Leonean children also allegedly destined for exploitation in Quranic schools, and the Ministry of Security coordinated and financed the repatriation of the Liberian victims. The government continued to rely on NGOs and foreign donors to finance and provide all shelter and victim services, and it did not provide funding or in-kind support to these NGOs. Due to a lack of funding, two of three NGO shelters closed during the reporting period. The government referred child trafficking victims to NGOs on an ad hoc basis, and some OPROGEM officials brought victims to their private homes until space became available in NGO shelters.

The government did not encourage trafficking victims to participate in the investigations or prosecutions of their traffickers; reports indicated victims and their parents were reluctant to file claims against traffickers due to a lack of confidence in the justice system. The 2016 penal code allows NGOs to become plaintiffs on behalf of victims. Articles 392-396 of the child protection code provide that child victims, including trafficking victims, have the right to legal representation and a ministry-appointed guardian but, due to the lack of financial and human resources, these services were not available. While it is possible for victims to obtain restitution from the government and file civil suits against their traffickers, victims lack the

funding for and knowledge of the process, so none received restitution during the reporting period. The government did not have policies to provide temporary or permanent residency to victims from countries where, if repatriated, they would face hardship or retribution. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of being subjected to trafficking; due to a lack of formal victim identification procedures, however, some unidentified victims may have been penalized for such crimes.

## PREVENTION

The government demonstrated a modest increase in efforts to prevent trafficking. CNLTP continued to meet sporadically, but not all members consistently attended meetings and the committee lacked coordination and communication. CNLTP did not have an operational budget, but the president enacted a decree in February 2017 making it eligible to receive a budget; it is unclear when CNLTP will receive any funding. Although the absence of a budget hindered CNLTP's efficacy in overseeing national anti-trafficking efforts, it still implemented some activities outlined in its 2016 action plan. As one of the plan's objectives, CNLTP and the Ministry of Social Action—in partnership with youth organizations and NGOs—funded and led two anti-trafficking awareness campaigns. The first, a media campaign, sensitized communities to trafficking in persons; the second campaign sensitized local communities between Conakry and the Senegalese border on the dangers of migration and how to identify vulnerable children and migrants, including trafficking victims. The government had policies to regulate foreign labor recruiters and hold them civilly and criminally liable for fraudulent recruitment, but OPROGEM had neither the resources nor the trained personnel to implement such policies. The government did not take any tangible steps to reduce the demand for forced labor or commercial sex acts. The government, in partnership with foreign donors, provided Guinean troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. It did not provide training for its diplomatic personnel.

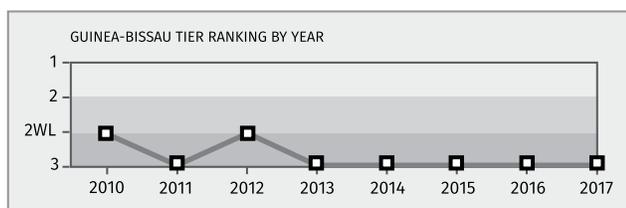
## TRAFFICKING PROFILE

As reported over the past five years, Guinea is a source, transit, and—to a lesser extent—destination country for men, women, and children subjected to forced labor and sex trafficking. Women and children are the most vulnerable to trafficking. In Guinea, trafficking victims are more often Guinean citizens than foreign migrants, and children more so than adults. Parents send girls to intermediaries who subject them to domestic servitude and sex trafficking, sometimes in motels and restaurants in Conakry; boys are forced to beg, work as street vendors and shoe shiners, labor in gold and diamond mines, and work in herding, fishing, and farming. Some government entities and NGOs allege that within Guinea, forced labor is most prevalent in the mining sector. Men, women, and children are subjected to forced labor in agriculture. Reports indicate children are sent to the coastal region of Boke for forced labor on farms. Children from villages in Middle and Upper Guinea may be more vulnerable to trafficking due to the region's lack of schools and economic opportunities. Some traffickers take children with parents' consent under the false pretenses of providing an education and exploit them in forced begging in Senegalese and Bissau-Guinean Quranic schools or forced labor in West African gold mines. Bissau-Guinean boys are forced to beg in corrupt Guinean Quranic schools. Guinean children are exploited in forced labor in Cote d'Ivoire. Guinea is a transit country for West African children subjected to forced labor in

gold mining throughout the region. A small number of girls from neighboring West African countries migrate to Guinea, where they are exploited in domestic service, street vending, and—to a lesser extent—sex trafficking. Thai and Chinese women have been subjected to forced prostitution in Guinea. Guinean women and girls are subjected to domestic servitude and sex trafficking in West Africa, Europe, and the Middle East, as well as the United States. Guinean women are fraudulently recruited for domestic work in Egypt by Guinean-Egyptian trafficking networks and exploited in prostitution. There have been reports some Guinean men marry Guinean girls, take them to Angola, and sell the girls to local brothels while they work in diamond mines. Authorities identified Guinean forced labor victims in Finland during the reporting period. Guinean boys are exploited in commercial sex in the Netherlands. In 2016, an international organization reported a sharp increase in Guineans—including unaccompanied minors—migrating to North Africa and Europe, many of whom use smugglers and are vulnerable to trafficking. More than 13,000 Guineans arrived in Italy alone in 2016, compared with 1,195 registered arrivals of Guineans in all of Europe in 2015.

## GUINEA-BISSAU: TIER 3

The Government of Guinea-Bissau does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Guinea-Bissau remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking. The Inter-Ministerial Steering Committee on Trafficking reconvened and drafted two action plans to assist Bissau-Guinean students—known as *talibes*—exploited by Quranic school teachers—called *marabouts*—in Senegal, and it partnered with an NGO and an international organization to repatriate some of those victims. The government continued to allocate modest funding to an NGO that provided shelter and repatriation assistance to trafficking victims. While working-level officials made some efforts to address trafficking in persons, however, a lack of dedicated resources and high-level engagement stymied anti-trafficking action for the fifth consecutive year. The president's dismissal of two governments during the reporting period created a near vacuum of governance and a steady turnover of top officials in law enforcement and social service ministries. The government did not investigate, prosecute, or convict any traffickers; identify any trafficking victims; or investigate reports of child sex tourism. Guinea-Bissau has never prosecuted or convicted a trafficker.



## RECOMMENDATIONS FOR GUINEA-BISSAU

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including *marabouts* who subject boys to forced begging and hotels that facilitate child sex tourism in the Bijagos; increase funding for NGOs to ensure all identified victims—especially *talibes*—are repatriated and receive services,

minimizing the potential for re-trafficking, and increase efforts to coordinate repatriations of such victims with the Government of Senegal; train judicial personnel on the 2011 anti-trafficking law; develop an effective national anti-trafficking program through regular meetings of the anti-trafficking committee and allocation of funding for its activities; develop formal written procedures to identify and refer trafficking victims to services, and train law enforcement on such procedures; significantly increase efforts to raise awareness of human trafficking, especially forced begging and child sex trafficking; hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged trafficking offenses and efforts to interfere with ongoing investigations; and in collaboration with NGOs, allocate adequate space and facilities for a victim shelter in Bissau.

## PROSECUTION

The government maintained minimal law enforcement efforts. Public Law 12/2011 prohibits all forms of human trafficking and prescribes penalties of three to 15 years imprisonment and the confiscation of any proceeds from the crime. The 2009 child code prohibits all forms of child forced labor and sex trafficking and prescribes penalties of three to 10 years imprisonment and the confiscation of any proceeds from the crime. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government did not use these or other laws to prosecute trafficking cases during the reporting period. For the second consecutive year, the government did not report any investigations, prosecutions, or convictions for trafficking offenses; the government has never prosecuted or convicted a trafficker.

The government did not provide specialized training to law enforcement on investigating and prosecuting trafficking crimes. The Judicial Police provided general child protection training to new members of its Women and Children Brigade, a 10-person unit charged with investigating crimes against women and children, including trafficking. The unit possessed only one vehicle and did not receive an operating budget, so it remained highly concentrated in Bissau; this impeded its investigation of child forced begging cases in eastern regions and reports of child sex trafficking in the Bijagos. 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 concerns, inhibiting law enforcement action during the reporting period. Observers reported some police and border guards might have accepted bribes from traffickers.

## PROTECTION

The government made minimal efforts to identify and protect victims. It did not report identifying any trafficking victims during the reporting period and relied on NGOs to provide all victim services; such assistance was available to both domestic and foreign victims. The government continued to contribute five million West African CFA francs (\$7,998) annually to an NGO that cared for at least 155 trafficking victims during the reporting period. The NGO's two facilities were still so severely overcrowded and underfunded, however, that some shelter volunteers used their own homes to house victims temporarily. Shelter was only available for child victims, and there were no trafficking-specific services. In Bissau, NGOs reported both law enforcement officials and their own staff left identified forced begging victims with their exploitative *marabouts* because there were no shelters available.

The government did not provide protective services to the more than 310 Bissau-Guinean boys forced to beg in Quranic schools in Dakar whom Senegalese authorities and NGOs identified in 2016. Despite a dearth of resources, the inter-ministerial committee partnered with an international organization to develop a short-term proposal to assist some of these victims. The Institute of Women and Children (IMC), an NGO, and an international organization implemented the plans—which an international organization funded—and repatriated 34 *talibes* during the reporting period. A Bissau-Guinean NGO provided repatriation, emergency services, and family reunification to an additional 121 of the 310 victims. Because it lacked the finances and staff to provide extended rehabilitation and family monitoring, the NGO returned all exploited *talibes* to their families, even if the parents were complicit in their child's exploitation.

There were no means by which victims could obtain restitution from the government or file civil suits against their traffickers. There were no legal alternatives to removal to countries in which victims would face hardship or retribution. There was no evidence the government detained, fined, or otherwise penalized trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking; due to the absence of written procedures to identify trafficking victims, however, it was possible some were inadvertently penalized.

## PREVENTION

The government increased efforts to prevent trafficking. In contrast with previous years, the inter-ministerial committee—which is headed by IMC and includes government agencies, NGOs, and religious groups—met several times during the reporting period, primarily to draft short-term and long-term proposals to repatriate and sustainably reintegrate exploited Bissau-Guinean *talibes* identified in Senegal. While the government worked in partnership with donors to implement the short-term proposal, the long-term proposal was not funded, and weaknesses remained in the government's overall response to addressing transnational trafficking of Bissau-Guineans and development of an effective national anti-trafficking program. IMC, the Ministry of Justice, and an NGO began drafting a plan to provide free birth registration to all trafficking victims repatriated from Senegal in 2016; however, the plan was not completed during the reporting period. The government had a 2015-2018 national action plan to address trafficking, led by IMC, and made some efforts to implement it during the reporting period. Individual ministries worked with NGOs and civil society groups to raise awareness of trafficking among ministry officials, regional governors, and religious leaders, and to strengthen partnerships on anti-trafficking efforts across the region. The government provided some basic funding for the plan on an ad hoc basis.

IMC and the Ministry of Tourism developed a code of conduct against sexual exploitation in the tourism sector to increase public awareness of child sexual exploitation in Bissau and the Bijagos and encourage hotels to combat these crimes. The government approved the code in August 2016 but did not take tangible steps to implement it. The national assembly provided office space and technical support to the National Children's Parliament, a youth organization that conducted an awareness-raising campaign on child sex tourism during the height of the tourist season in the Bijagos. The labor inspectorate, housed within the Ministry of Labor, Civil Service and Public Administration, did not receive regular funding from the government and lacked resources to investigate violations nationwide. The government did not make efforts to reduce

the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel.

## TRAFFICKING PROFILE

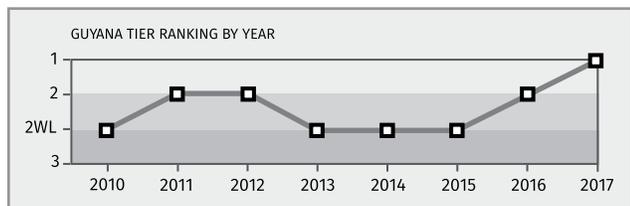
As reported over the past five years, Guinea-Bissau is a source country for children subjected to forced labor and sex trafficking and a destination for West African boys exploited in forced labor, including forced begging. The extent to which adults are subjected to forced labor or forced prostitution is unclear. Many Bissau-Guinean boys attend Quranic schools led by *marabouts*. Some corrupt *marabouts* force their students to beg and do not provide an education. Unscrupulous *marabouts* force rural Bissau-Guinean boys to beg in cities, including Bissau's Afia neighborhood. The traffickers are principally men from the Bafata and Gabu regions—often former *talibes* or men who claim to be working for a *marabout*—and are generally well-known within the communities in which they operate. *Marabouts* increasingly force Guinean, Gambian, and Sierra Leonean boys to beg in Bissau. Corrupt *marabouts* exploit Guinea-Bissau's weak institutions and porous borders to transport large numbers of Bissau-Guinean boys to Senegal—and to a lesser extent Mali, Guinea, and The Gambia—for forced begging in Quranic schools. Bissau-Guineans, primarily from Bafata and Gabu, made up at least 310 of the 838 trafficking victims identified in Dakar, Senegal, between July and November 2016. NGOs in Guinea Bissau report many repatriated *talibes* are extremely vulnerable to re-trafficking.

Bissau-Guinean boys are forced into street vending in Guinea-Bissau and forced to labor in the agricultural, mining, and street vending sectors in Senegal, especially in the southern cities of Kolda and Ziguinchor. West African boys are forced to harvest cashews during Guinea-Bissau's annual harvest, and some are recruited for work in the harvest but instead forced to beg. Bissau-Guinean girls are forced into street vending and domestic work in Guinea and Senegal. During the reporting period, a Bissau-Guinean woman living in Luxembourg transported her niece to Luxembourg with false documents and forced her to work in a restaurant. Bissau-Guinean girls are recruited by female Senegalese trafficking networks for modeling jobs or traveling football clubs but then subjected to sex trafficking in Senegal. Bissau-Guinean girls are exploited in sex trafficking in bars, nightclubs, and hotels in Bissau.

Bissau-Guinean girls from the Bijagos—and to a lesser extent mainland girls and boys—are exploited in child sex tourism in the Bijagos, an archipelago off the coast of Guinea-Bissau that is far from the mainland and largely devoid of government and law enforcement presence. Although the extent of the problem is unknown, it is widely acknowledged among civil society, NGOs, and mid-level government officials. In most cases, French-nationals own hotels on the islands and use Bissau-Guinean middlemen to exploit island girls aged 13-17 years old for European child sex tourists, including French and Belgians. International sources report these same hotel owners provide jobs and significant support to the island community, wielding influence that can deter victims from notifying law enforcement. Poor families may encourage their children to endure such exploitation for financial gain. Bissau-Guinean men from the mainland fuel local demand for commercial sex on the islands. There were reports of official complicity in human trafficking among island officials and in the judiciary. Guinea-Bissau's judicial system lacked sufficient human and physical capital to function properly, and corruption remained pervasive.

## GUYANA: TIER 1

The Government of Guyana fully meets the minimum standards for the elimination of trafficking. The government made key achievements during the reporting period; therefore, Guyana was upgraded to Tier 1. The achievements included approving the 2017-2018 national action plan for combating trafficking in persons; increasing the number of investigations, prosecutions, and convictions; and identifying and assisting more victims for the second year in a row. Although the government meets the minimum standards, it did not increase protection and services for victims outside the capital or provide adequate protection and shelter for child and male victims.



### RECOMMENDATIONS FOR GUYANA

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

### PROSECUTION

The government increased its law enforcement efforts. The Combating Trafficking of Persons Act of 2005 prohibits all forms of trafficking and prescribes sufficiently stringent penalties ranging from three years to life imprisonment. These penalties are commensurate with those prescribed for other serious crimes, such as rape. The Ministry of Social Protection was the lead agency responsible for coordinating trafficking efforts and overseeing the Anti-Trafficking Unit (ATU). In May, the ATU added three new officers responsible for planning and executing the unit's site visits and victim-extraction exercises. The government's inter-ministerial taskforce, which included representatives from several agencies and a specialized anti-trafficking NGO, coordinated a number of successful police operations. In 2016, the government reported 19 trafficking investigations, 19 prosecutions, and two convictions; compared to 15 trafficking investigations, seven prosecutions, and one conviction in 2015, and seven investigations, four prosecutions, and one conviction in 2014. The court sentenced one convicted trafficker to three years imprisonment and required a restitution payment to the victim; it required the second trafficker only to pay restitution, a penalty inconsistent with the law and one that the anti-trafficking taskforce appealed. The appeal remained pending at the end of the reporting period. The government did

not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Authorities confirmed that the police officer who was convicted of sex trafficking in 2015 was terminated from his position in the police force; however, his case's appeal was still pending at the end of the reporting period. An international organization provided three training sessions for government officials on investigation and prosecution of trafficking offenses. The government did not provide in-kind support for these trainings.

### PROTECTION

The government increased victim identification efforts, but victim assistance remained insufficient, especially in areas outside the capital and for male victims. The ATU, in coordination with the Guyana police force, developed identification procedures that field officers used informally during the reporting period pending their formal review and approval from the taskforce. The government reported identifying 98 trafficking victims in 2016 (80 for sex trafficking and 18 for labor trafficking), compared with 56 in 2015. An NGO reported the government referred 40 victims to shelter and psycho-social services in 2016, compared with 17 victims in 2015. The government signed a MOU with an anti-trafficking NGO during the previous reporting period committing public funding to the NGO-run shelter for the provision of enhanced psycho-social services to adult female trafficking victims referred by the government. Despite this commitment, the government did not fund this shelter during this reporting period. The government provided 13 million GYD (\$63,415) to another NGO that provided housing and counseling services to victims of gender-based violence, including an unknown number of trafficking victims. There were no adequate public or private shelters for male or child trafficking victims, despite the government's commitment, made in early 2016, to open and partially fund a shelter for male victims. Child trafficking victims were placed in non-specialized shelters, and child victims identified in rural areas were placed in holding cells overnight without food before being transferred to the capital for shelter. Male victims were offered voluntary placement in homeless shelters.

The government encouraged victims to assist in the investigation and prosecution of their traffickers. Guyanese law protects victims' identities from being released to the media; however, NGOs reported open court trials re-traumatized victims and exposed their identity to members of the public. Victims were allowed to leave shelters during their stay; however, they were strongly encouraged to stay in shelters until trials concluded or be chaperoned. NGOs provided protection and counseling for victims during their stay. Guyanese law protects victims from punishment for crimes committed as a result of being subjected to trafficking and provides foreign victims with relief from deportation. The government granted one victim of trafficking temporary residence and legal employment in Guyana. The government did not report whether it facilitated or funded the repatriation of Guyanese nationals victimized abroad; however, it offered shelter, medical care, and psycho-social assistance to victims upon their return. In July, with funding from a foreign government and an international organization, 105 officials and some NGO representatives received victim identification and protection training over a six-day period. In December, the government-funded training for 37 officials on victim identification and assistance.

### PREVENTION

The government maintained efforts to prevent trafficking. The

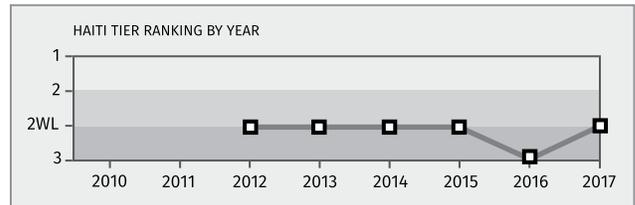
anti-trafficking inter-ministerial taskforce remained active and met monthly. During the reporting period, the government finalized, released, and began implementing the 2017-2018 anti-trafficking national plan of action. In February, the First Lady of Guyana organized a two-day meeting with other Caribbean countries to discuss gender-based violence, including trafficking. The government conducted a variety of awareness-raising activities, including a flash-mob targeting school children to educate on human trafficking and how to report suspicious activities. Authorities participated in various events surrounding the annual Gold Miners Week including facilitating several anti-trafficking awareness sessions focused on the mining and logging sectors outside the capital. The government operated a trafficking hotline but did not report how many calls it received. The government did not make efforts to reduce the demand for commercial sex acts. During the reporting period, authorities conducted approximately 1,000 impromptu labor inspections in the capital and the interior. The government did not provide anti-trafficking training for its diplomatic personnel.

### TRAFFICKING PROFILE

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

## HAITI: TIER 2 WATCH LIST

The Government of Haiti does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore, Haiti was upgraded to Tier 2 Watch List. These achievements included strengthening partnerships between the government's inter-ministerial anti-trafficking commission (TIP Commission) and international organizations; increasing investigations and prosecutions, and obtaining the first three convictions under the 2014 anti-trafficking law; creating a post-Hurricane Matthew emergency working group to address human trafficking, providing training to government officials in the three most affected departments, and opening a temporary national 24-hour hotline for trafficking victims; and committing resources for the work of the TIP Commission. Despite these achievements, Haiti's cabinet ministers and key government ministries did not prioritize anti-trafficking efforts in Haiti; and the justice system lagged behind in prosecuting cases, which impaired efforts to prosecute traffickers and protect victims.



### RECOMMENDATIONS FOR HAITI

Vigorously investigate, prosecute, and convict traffickers, including those responsible for domestic servitude and child sex trafficking; prioritize the development and implementation of a new national anti-trafficking action plan and increased long-term funding for trafficking victim assistance; train police, prosecutors, and judges in all departments of Haiti on trafficking; in partnership with NGOs, adopt and employ formal procedures to guide officials in proactive victim identification and referral to appropriate shelters and services; implement measures to address the vulnerabilities leading to child domestic servitude, including protecting child victims of neglect, abuse, and violence; draft and enact a child protection law with specific protections for child trafficking victims; and educate the Haitian public about children's rights to education and freedom from slavery to counteract tolerance of child domestic servitude.

### PROSECUTION

The government increased anti-trafficking law enforcement efforts and secured its first three trafficking convictions during the reporting period. The 2014 anti-trafficking law (No. CL/2014-0010) prohibits all forms of human trafficking by criminalizing sex trafficking, forced labor, and the intentional retention of identity documents or passports for the purpose of committing trafficking-related offenses. The law criminalizes those who knowingly obtain the sexual services of a trafficking victim. The law applies to trafficking offenses committed both within and outside of Haiti. The law prescribes penalties of seven to 15 years imprisonment and a fine ranging from 200,000 to 1.5 million gourdes (\$3,009 to \$22,570), which is sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. It provides for increased penalties of up to life imprisonment for human trafficking committed with aggravating circumstances, such as if the victim is a child or the trafficker is a public official.

During the reporting period, the government investigated six potential new trafficking cases, initiated three new prosecutions involving 11 defendants, including a government official, and obtained three trafficking convictions, including that of a former government official. In the previous reporting period, the government reported four new investigations, two prosecutions, and no convictions. Sentences ranged from five to seven years imprisonment and fines of 82,150 to 1.2 million gourdes (\$1,236 to \$18,056). The government provided 946 members of the Haitian national police with three hours of human trafficking and smuggling training. However, NGOs reported government personnel in some provinces lacked training on the anti-trafficking law and its implementation, resulting in lesser charges and informal arrangements to dispose of cases. The government cooperated with officials in The Bahamas and Chile to facilitate victim protection and prosecution of two trafficking cases involving Haitian nationals.

## PROTECTION

The government maintained minimal efforts to identify and assist trafficking victims. The government did not systematically track data regarding victim identification. However, reported cases suggest the government identified at least 43 potential trafficking victims during the course of six potential new investigations. An international organization reported 20 Haitian and 17 foreign victims were subjected to forced labor between 2014 and 2016. In 2016, Haitian officials removed children, including some trafficking victims, from vulnerable situations and referred them to appropriate care. The government placed child trafficking victims in shelters on a provisional basis prior to their placement in a recently developed foster care program. One government ministry estimated it identified “hundreds” of child domestic servants in situations with trafficking indicators, but these estimates could not be correlated with existing investigations or prosecutions.

The 2014 anti-trafficking law tasked the TIP Commission to develop standard operating procedures to guide officials in the identification and rehabilitation of trafficking victims; required the government to provide protection, medical, and psycho-social services to victims; and created a government-regulated fund to assist victims. The government worked with an international organization during the reporting period to draft standard operating procedures for victim identification and referral; however, it had not finalized and implemented these procedures. The government did not dedicate funding for victim assistance or provide any specialized services for adult or foreign victims. Government officials referred child trafficking victims to its social welfare agency, which did not have funding for their care. Instead, the agency referred child victims to government-registered residential care centers that, due to a lack of resources, provided short-term medical and counseling services, family tracing, pre-return assessments, and some support for the families receiving these victims. The ministries of labor and social welfare lacked staff and resources to inspect worksites for indicators of forced labor. The government did not have a formal program to assist victims who returned to Haiti, but did refer victims to international and non-governmental organizations. Authorities worked closely with the U.S. Coast Guard to receive Haitian migrants who have attempted to leave by boat in an effort to reach The Bahamas or the United States, to screen unaccompanied children and to facilitate their re-integration with family members. The law provides temporary residency during legal proceedings for foreign victims of human trafficking, as well as access to legal counsel, interpretation services, and permanent residency in Haiti if the victim so chooses; however, the government has not provided these services and would be unlikely to have the financial resources to implement them. The law also protects victims from liability for crimes committed while being trafficked, but there was no information regarding whether this provision was used.

## PREVENTION

The government slightly increased efforts to prevent trafficking. The Haitian president committed a small amount of resources (\$140,000) for anti-trafficking efforts; however, the resources were not used for assistance to trafficking victims. International donors continued to provide the majority of funding. Donors assisted the government in making progress in the areas of prosecution, protection, and public awareness; however, coordination among donors and the government remained weak. The 2015-2017 national action plan remained in place; however, the TIP Commission no longer regarded it as a guiding

document. In early 2017, the TIP Commission engaged an international donor to assist in developing a new national action plan for 2017-2022. The TIP Commission established a post-Hurricane Matthew emergency working group to address human trafficking, trained government officials in the three most affected departments, and launched a temporary national 24-hour hotline for trafficking victims accompanied by an awareness campaign. The government also launched a campaign via television and radio called “I am better with my family” to curb the practice of child domestic servitude and encourage parents to keep their children at home. The government managed a social services hotline and received an estimated 50 calls related to children in domestic servitude; but this data could not be verified.

Since the Government of the Dominican Republic’s June 2015 deadline for registration of migrant workers in that country, the Haitian government coordinated efforts with international organizations and NGOs to receive Haitian expellees. However, the continued dysfunction of the Haitian civil registry system and weak consular capacity to provide identification documentation left many Haitians at risk of remaining undocumented in the Dominican Republic and subject to deportation—recognized risk factors for vulnerability to trafficking. The government issued regulations requiring adults with a Haitian passport to have written government authorization to cross the border with any child to prevent child trafficking; however, reports indicated many adults with children crossed with foreign passports to avoid this requirement. Haiti does not have effective laws or policies to regulate foreign labor recruiters or prevent fraudulent recruiting. The 2014 anti-trafficking law includes sanctions for individuals who knowingly procure commercial sex acts from trafficking victims, but authorities had not prosecuted anyone for this crime. The government did not provide anti-trafficking training for its diplomatic personnel.

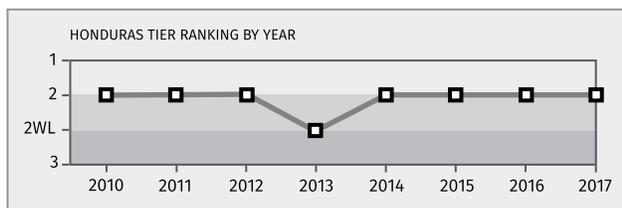
## TRAFFICKING PROFILE

As reported over the past five years, Haiti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most of Haiti’s trafficking cases involve children in domestic servitude who often are physically abused, receive no payment for services rendered, and have significantly lower school enrollment rates. A December 2015 joint government and international organization report on children in domestic servitude found one in four children do not live with their biological parents and estimated 286,000 children under age 15 work in domestic servitude. The report recommended the government put measures in place to prevent exploitation, including domestic servitude; protect at-risk children and victims of neglect, abuse, violence, or exploitation, including sex trafficking and forced labor; and draft and enact a child protection law. A May 2015 UN report documented members of its peacekeeping mission in Haiti sexually exploited more than 225 Haitian women in exchange for food, medication, and household items between 2008 and 2014. A significant number of children flee employers’ homes or abusive families and become street children. Female foreign nationals, particularly citizens of the Dominican Republic and Venezuela, are particularly vulnerable to sex trafficking and forced labor in Haiti. Other vulnerable populations include children in private and NGO-sponsored residential care centers; Haitian children working in construction, agriculture, fisheries, domestic work, and street vending in Haiti and the Dominican Republic; internally displaced persons including those displaced by Hurricane Matthew and the 2010 earthquake; members of female-headed, single-parent families, and families with many

children; Haitians living near the border with the Dominican Republic; Haitian migrants, including those returning from the Dominican Republic, Brazil, Mexico, the United States, or The Bahamas; and LGBTI youth often left homeless and stigmatized by their families and society. Haitian adults and children are vulnerable to fraudulent labor recruitment and are subject to forced labor, primarily in the Dominican Republic, other Caribbean countries, South America, and the United States.

## HONDURAS: TIER 2

The Government of Honduras does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Honduras remained on Tier 2. The government demonstrated increasing efforts by prosecuting a higher number of suspected traffickers; identifying, referring, and assisting more sex trafficking victims; approving a national action plan for 2016-2022; issuing implementing regulations for its trafficking law; and approving a budget for the Inter-institutional Commission to Combat Commercial Sexual Exploitation and Trafficking in Persons (CICESCT). However, the government did not meet the minimum standards in several key areas. There were no prosecutions for the recruitment of children for forced criminal activity or of officials complicit in trafficking. There were limited services available for adult victims, and services for victims identified outside the capital were even more limited. The lack of witness protection programs discouraged victims from cooperating in the criminal justice process and left them vulnerable to re-trafficking.



### RECOMMENDATIONS FOR HONDURAS

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

### PROSECUTION

The government maintained law enforcement efforts. The 2012 Honduran anti-trafficking law prohibits all forms of trafficking, prescribing penalties ranging from 10 to 15 years imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, in contrast to the international definition, the law establishes the use of force, deceit, or intimidation as aggravating factors rather than essential elements of the crime and defines illegal adoption without the purpose of exploitation as a form of human trafficking. The government published regulations implementing the law in January 2017, which provided guidance on how to properly enforce the mandates of the CICESCT. The CICESCT, with funding and assistance from a foreign government, evaluated the 2012 law and issued a number of recommendations, including amending the law to include the means of force, deceit, or intimidation as essential elements of the crime; improving victim assistance by compensating victims; and providing additional financial, logistical, and technical resources for service provision.

The government reported investigating at least 41 cases of suspected trafficking and initiating prosecution of 41 suspects in 11 cases for sex trafficking. It convicted nine traffickers in eight cases, including one case of forced labor, compared with initiating prosecution of 24 suspects in nine cases and 13 convictions in the previous reporting period. In 2016, convicted offenders were fined and received sentences ranging from six to 15 years imprisonment, compared to 10 to 15 years imprisonment in 2015. Civil society organizations reported concerns that traffickers were often prosecuted for lesser crimes with lower penalties, such as pimping. Widespread impunity for all crimes, including trafficking in persons and corruption, remained a challenge. While the government convicted two complicit officials in 2015, it did not report any prosecutions or convictions of government employees complicit in human trafficking offenses in 2016. Authorities investigated several cases in which a gang appeared to force victims to engage in criminal activity. In the one case brought to trial, authorities found enough evidence to bring charges for sex trafficking.

A lack of adequate human and material resources limited the effectiveness of investigators and prosecutors. Authorities cooperated on trafficking investigations with officials from Belize, Brazil, Costa Rica, El Salvador, Guatemala, Mexico, Panama, and the United States. The government, including the CICESCT, provided anti-trafficking training to local anti-trafficking committees; justice system, immigration, labor, and health officials; NGOs; and businesses. Police and prosecutors also received training on investigating and prosecuting organized crime, including trafficking in persons, from a foreign government. NGOs funded by international donors delivered anti-trafficking training to students, parents, teachers, church communities, women's groups, journalists, and local officials, often with support from the government's anti-trafficking commission.

### PROTECTION

The government increased efforts to identify, refer, and assist sex trafficking victims; however, authorities remained largely dependent on NGOs to fund and provide services. The CICESCT's "immediate response team" used protocols for identifying and referring sex trafficking victims, but Honduran authorities lacked systematic procedures to identify forced labor victims. The immediate response team, which included a full-time coordinator and a trained psychologist, worked

with government ministries and civil society organizations to coordinate services for immediate victims—including food, shelter, and health screenings—as well as referrals to longer-term support services. It operated a dedicated hotline for reporting cases of trafficking, which screened 80 individuals and responded to more than 60 calls. The government identified 111 victims, provided immediate support to 93 victims (including 73 Hondurans and 20 foreign nationals in Honduras and 18 Honduran victims in Mexico, Belize, and Guatemala), and provided longer-term support to 39 victims. Local anti-trafficking committees provided longer-term support to five victims, helping them to open small businesses. The government identified LGBTI victims in 2016. NGOs identified and assisted 40 victims in 2016. The government and NGOs assisted 48 victims identified in previous years. The foreign ministry assisted 18 Honduran nationals who were victims of sex and labor trafficking through its diplomatic missions in Belize, Guatemala, and Mexico; these victims included two women and one child, while the age and gender of the others were not reported. Of the 111 victims identified within the country and 19 Honduran victims identified abroad, 94 were reunited with their families and received limited long-term support, 22 remained housed in shelters, one foreign victim was repatriated, and 13 Honduran victims remained in other countries. Honduran consular officers in Mexico helped 13 Honduran victims obtain humanitarian visas to remain in Mexico. The government provided repatriation assistance to five Honduran victims.

There were limited services available for adult victims, and services for both adults and children outside the capital were even more limited. International donors and NGOs continued to fund and provide the majority of services for victims. In 2015, the government created a new mechanism to provide trafficking victims greater access to existing social services, although the impact of this initiative was not yet clear. The government continued to provide a small grant of 371,460 lempiras (\$15,870) to an NGO that operated the country's only specialized shelter for girl victims of sexual abuse and sex trafficking. Adult victims were typically placed in shelters for victims of various forms of abuse; such shelters had neither the capacity nor the specialized resources to provide appropriate care for trafficking victims. There were increased, but still limited, long-term support and reintegration services for victims, most of whom remained vulnerable to re-trafficking. Authorities made efforts to screen for indicators of trafficking among the large numbers of Hondurans returned from abroad, including unaccompanied migrant children. The government encouraged victims to assist in investigations and prosecutions, but the lack of adequate victim and witness protection programs, exacerbated by a slow trial process and the fear of retaliation by traffickers, led some victims—particularly adults or those victimized by criminal groups—to decline to cooperate. There were no reports of identified victims being penalized for unlawful acts committed as a result of being subjected to human trafficking. However, officials acknowledged that many children forced to engage in illegal activities by criminal groups were not properly identified, and thus may have been treated as criminals instead of victims. NGOs noted the criminal justice system sometimes re-victimized both child and adult victims due to a lack of sensitivity by some officials, a lack of protective services, and restrictions on movement imposed on adult victims. The government enabled some child victims to provide testimony via pre-recorded interviews, but the necessary equipment was not always operational. Honduran law allows foreign victims to receive temporary or permanent residency status, including authorization to work; the government did not report that any

victims received such benefits in 2016.

## PREVENTION

The government maintained its prevention efforts. The government provided the CICESCT with a budget of 2.2 million lempiras (\$96,140), but officials reported that these funds were insufficient for the CICESCT to fulfill its mandate. The CICESCT continued to work with a network of 19 local interagency anti-trafficking committees. With both government and donor funding, authorities organized and participated in activities to raise awareness about the dangers of trafficking, including through television, radio, and printed materials. The government provided training and materials to members of local interagency committees and conducted awareness-raising sessions at schools and other public institutions. CICESCT approved the 2016-2022 national action plan to guide the government's anti-trafficking activities, which it drafted in consultation with stakeholders in early 2016. Although the government issued a decree in 2015 requiring job placement companies to charge fees to employers and not employees, it did not provide information on its efforts to enforce these requirements. Authorities conducted campaigns to raise awareness of child sex tourism among members of the tourism sector and local officials, but did not report convicting any individuals for purchasing sex acts from trafficking victims, compared to three convictions in 2015. The government did not make efforts to reduce the demand for forced labor, but did mandate that tourism-focused businesses sign a code of conduct to reduce trafficking and sanction businesses that facilitate exploitation. The government provided anti-trafficking training for its diplomatic personnel.

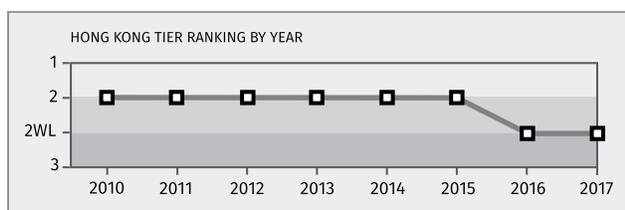
## TRAFFICKING PROFILE

As reported over the past five years, Honduras is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor; to a much lesser extent, it is a destination for women and girls from neighboring countries subjected to sex trafficking. Honduran women and children are exploited in sex trafficking within the country and in other countries in the region, particularly Mexico, Guatemala, El Salvador, Belize, and the United States. LGBTI Hondurans are particularly vulnerable to sex trafficking. Honduran men, women, and children are subjected to forced labor in street vending, domestic service, and the informal sector in their own country, and forced labor in other countries, particularly Guatemala, Mexico, and the United States. Children from indigenous and Afro-descendant communities, particularly Miskito boys, are vulnerable to forced labor, including on fishing vessels; children living on the streets are vulnerable to sex and labor trafficking. Criminal organizations, including gangs, exploit girls for sex trafficking, force children into street begging, and coerce and threaten young males to transport drugs, commit extortion, or commit acts of violence, including murder; this occurs primarily in urban areas, but one NGO reported an increase in gang activity in rural areas. During the year, there were continued reports of children subjected to sex trafficking on the streets of large cities, particularly the country's economic capital of San Pedro Sula, under the guise of street begging or vending. Honduras is a destination for child sex tourists from Canada and the United States. Some Honduran migrants to the United States are subjected to forced labor, forced criminal activity, or sex trafficking en route or upon arrival. Latin American migrants transit Honduras en route to northern Central America and North America, where some are exploited for sex trafficking and forced labor. During the year, there was one investigation by authorities into a report of child

sex trafficking victims being brought into prisons and exploited by prisoners, raising concerns over the potential complicity of prison authorities. Overall corruption remained a challenge for law enforcement efforts. Prosecutors reported that some local police provided protection to brothel owners or tipped them off about impending raids, and security officials have been involved in child sex trafficking.

## HONG KONG: TIER 2 WATCH LIST

The Government of Hong Kong does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by implementing new victim identification guidelines and increasing screenings of vulnerable individuals to identify more potential trafficking victims. The government penalized some unscrupulous employment agencies and adopted legislation that will add the possibility of prison sentences for operators of such agencies. The government established guidelines on whole-of-government anti-trafficking procedures, investigated more trafficking cases, granted some victims visa fee waivers to encourage their assistance in legal proceedings, and took steps to increase awareness of the rights of foreign domestic workers and responsibilities of their employers. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government prosecuted only five cases of labor exploitation with indicators of trafficking, and Hong Kong's laws do not criminalize all forms of trafficking, resulting in cases of forced labor being prosecuted under lesser crimes with sentences insufficiently stringent to deter trafficking crimes; only three offenders convicted for trafficking-related crimes received prison sentences over a year. The government identified a relatively low number of victims compared to the known scale of the problem and charged unidentified victims with crimes committed as a direct result of being subjected to human trafficking. The government did not adequately address its policies creating vulnerabilities for foreign domestic workers or conduct public awareness campaigns targeted at preventing sex trafficking. Therefore, Hong Kong remained on Tier 2 Watch List for the second consecutive year.



## RECOMMENDATIONS FOR HONG KONG

Enact a comprehensive anti-trafficking law that criminalizes all forms of trafficking, including sex trafficking and forced labor without trans-border movement, in accordance with the definitions set forth in the 2000 UN TIP Protocol; increase efforts to proactively identify sex and labor trafficking victims among vulnerable populations—such as mainland Chinese and foreign migrants, domestic workers, and women and children in prostitution—and refer them to protection services; cease penalization of victims for non-violent crimes committed as a result of being subjected to trafficking; vigorously prosecute suspected labor traffickers and recruiters, especially those who

exploit foreign domestic workers; increase legal protections for populations vulnerable to trafficking; enforce new penalties to penalize employment agencies that charge excessive fees to vulnerable populations, particularly foreign domestic workers; increase protective services available specifically for trafficking victims; increase efforts to consult with civil society on anti-trafficking policies; make labor tribunals more effective through improved translation services, better access to counsel, and anti-trafficking training for judges; grant foreign victims permission to work and study while participating in judicial proceedings against their traffickers; remove requirements that foreign domestic workers must depart Hong Kong within two weeks of quitting or being let go from their positions to renew their visas; expand existing guidelines or adopt an anti-trafficking action plan with resources committed to implementation; provide legal alternatives to foreign victims who may face hardship or retribution in their home countries; and increase public awareness campaigns and trainings to educate police, labor inspectors, prosecutors, judges, and the public on human trafficking as defined by international standards.

## PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Hong Kong law does not criminalize all forms of human trafficking—for example, it does not include forced labor—and the government relies on various provisions of laws relating to prostitution, immigration, employment, and physical abuse to prosecute trafficking in persons crimes. Section 129 of the crimes ordinance, which criminalizes “trafficking in persons to or from Hong Kong,” requires transnational movement and does not require the use of force, fraud, or coercion, and is therefore inconsistent with the 2000 UN TIP Protocol. Section 129 prescribes penalties of up to 10 years imprisonment, which is sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. Section 130 of the crimes ordinance criminalizes the harboring, controlling, or directing of a person for the purpose of prostitution and prescribes penalties of up to 14 years imprisonment. Section 131 criminalizes procuring a person to engage in commercial sex acts and prescribes penalties of up to 10 years imprisonment. The government amended the prosecution code—an administrative handbook to guide prosecutors in building criminal cases—in 2013 to include the 2000 UN TIP Protocol’s definition of trafficking; the security bureau, which is responsible for coordinating and implementing the government’s overall anti-trafficking efforts, adopted the same definition at the working level in 2016. There was no parallel change in the criminal laws, however, and trafficking investigations and criminal prosecutions of trafficking-related crimes remained low compared to the scope of the problem. In December 2016, the Hong Kong Court of First Instance ruled that the government was required to increase victim protections, expand procedures to prosecute traffickers, and expand existing trafficking laws, including by enacting a comprehensive anti-trafficking law.

The government reported investigating 15 cases with elements of trafficking (six in 2015), initiating prosecutions of seven employers of exploited foreign domestic workers and five alleged sex trafficking suspects (17 prosecutions in 2015), and obtaining convictions of 32 offenders under various statutes (eight in 2015) in 2016. The government reported obtaining convictions of five employers of foreign domestic workers for crimes such as assault and inflicting bodily harm but it was unclear if these cases included the elements of human trafficking consistent with the international definition. Courts sentenced one of these employers to eight months imprisonment and a

fine of 40,000 Hong Kong dollar (HKD) (\$5,160), and others were sentenced to probation or fines. The government reported obtaining 28 convictions on offenses related to sex trafficking, including sections 129, 130, and 131 of the crimes ordinance. The government reported 18 offenders received immediate custodial sentences, and reported sentencing only three to prison terms exceeding one year. Prosecutors sometimes used victims' receipt of unlawfully low wages or their acceptance to work outside of their contracts under duress as evidence that victims violated their immigration status, instead of as evidence of abuse and prosecuted victims for immigration violations. While victims could go to labor tribunals to attempt to claim back wages, poor translation services, lack of trained defense attorneys, the inability to work while awaiting a decision, and judges' inexperience with forced labor cases sometimes impaired victims attempts at restitution; the cases of two exploited domestic workers identified in 2016 were settled in labor tribunals, but it was unclear if the victims received compensation from their employers. In an effort to improve the efficacy of labor tribunals, the government increased the number of available translators and provided victims with the right to counsel.

Authorities trained approximately 1,000 police, immigration, labor, justice, and customs officials on human trafficking awareness, victim identification, and the investigation of trafficking cases. The labor department introduced a training module on labor laws protecting against child labor and exploitation of foreign domestic workers for new employees. The immigration department's victim identification training was incorporated into training courses for new employees at all law enforcement agencies, and the customs and excise department added a training requirement for new employees covering international human trafficking trends and analysis. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government maintained efforts to protect victims. In 2016, authorities identified 36 trafficking victims (16 in 2015), including 16 victims of sex trafficking and 20 victims of labor exploitation (11 sex and two labor trafficking victims in 2015). Although the government had a policy to refer all identified victims to services, it was unclear what specific services were provided to victims identified during the reporting period. In July 2016, the government introduced a new victim identification and referral mechanism for police and immigration officials to screen vulnerable populations and refer potential victims to services. The government also expanded the scope of vulnerable persons to be screened to include foreign domestic workers, legal and illegal migrant workers, as well as recognition form holders (generally refugees, asylum, and torture claimants). After a pilot period, the police, immigration, and customs departments fully implemented the identification and referral mechanism, and labor officials initiated a pilot of the mechanism before the end of the reporting period. The government conducted 9,099 screenings of vulnerable individuals, compared to 7,133 screenings in 2015. The government developed an "aide memoire" outlining a whole-of-government anti-trafficking strategy and issued guidelines for inter-departmental cooperation for the handling of trafficking cases. The government subsidized six NGO-run shelters, and operated three government-owned shelters to serve victims of violence, abuse, or exploitation, including trafficking victims. These shelters provided temporary accommodation, counseling, and access to public hospital

medical and psychological services to local and foreign victims, regardless of gender or age. Some government-funded shelters were specifically equipped to provide services and protection to child victims. Government-subsidized centers operated 24-hour hotlines, which were available for trafficking victims to receive crisis support counseling and assistance with referral to authorities or services. Local NGOs praised existing government services but reported concern authorities did not consult civil society when developing new identification guidelines and reported a need for more consistency in victim identification across the government.

Economic barriers to reporting and victims' fears of being penalized for low-level immigration violations discouraged victims from self-identifying, seeking assistance, or leaving employment where they suffered exploitation. For example, the government's policy of requiring foreign domestic workers to return home within two weeks and renew their visa in order to work for a new employer in Hong Kong deterred trafficking victims from leaving exploitative employment as it imposed a prohibitive cost on changing their employer. The government reported a new policy allowing exploited foreign domestic workers to pursue new employment visas without having to leave the country in criminal, civil, and administrative cases; the government granted this approval to 22 workers in 2016. In response to concerns over the safety of domestic workers, the government banned employers from requiring them to clean outside high-rise windows and added worker safety clauses to standard employment contracts. The government encouraged victims to participate in the investigation and prosecution of traffickers, including by offering financial assistance to victims residing overseas to enable them to return to Hong Kong as witnesses and establishing a policy to offer visa fee waivers to trafficking victims, as well as foreign domestic workers determined to be victims of illegal conduct; the government granted 130 visa fee waivers in 2016. This allowed some trafficking victims to work during pending prosecutions; however, the government did not have a statutory policy allowing all victims to work while participating in trials that were sometimes lengthy, which deterred victims from cooperating with authorities or leaving exploitative employment. As a result, many victims opted to repatriate immediately or were deported. The government's new guidelines state that victims should not be prosecuted for crimes committed as a direct result of being subjected to trafficking. However, NGOs and victims reported the government sometimes prosecuted unidentified victims for crimes committed as a direct result of being subjected to human trafficking, such as violating their labor contracts, using forged identity documents given to them by recruitment agencies or employers, prostitution, drug trafficking, and immigration violations, and that victims often pled guilty to these charges to facilitate expeditious deportation. For example, one victim forced to carry drugs into Hong Kong was sentenced to 25 years imprisonment on drug trafficking charges, according to court records. The government's public defender service collaborated with an NGO to provide training to defense lawyers to assist in the identification of victims not previously identified by front-line personnel. Hong Kong does not allow trafficking victims who are foreign domestic workers to receive permanent residency status for cases in which repatriation may constitute a risk of hardship or retribution in the victim's home country; other victims of trafficking may be eligible to receive permanent residency status depending on their visa status upon entry to Hong Kong.

## PREVENTION

The government maintained efforts to prevent trafficking; however, the government did not fully mitigate the vulnerabilities facing foreign domestic workers or conduct campaigns to raise awareness of or prevent sex trafficking. An interdepartmental working group led by the security bureau, established in 2010 and expanded in 2016 to include the police, immigration, customs and excise, labor, and social welfare departments, continued to meet. The government began drafting a national action plan to combat trafficking in 2013, but still had not announced the formal adoption or implementation of the plan by the close of the reporting period. The government reported funding NGOs that operated hotlines available to assist trafficking victims. The government increased efforts to improve both the public's and workers' awareness of the rights of foreign domestic workers and the responsibilities of employers including by publishing simplified information leaflets that it required employment agencies to distribute; developing separate web information portals for employers and employees in multiple languages; erecting electronic workers' rights information kiosks in public areas; working with the Philippine and Indonesian consulates in Hong Kong to provide information briefings to newly arriving domestic workers regarding their rights; and publishing translated versions of standard employment contracts in additional foreign languages. The government continued placing advertisements in newspapers, distributing information packets and screening videos on employment rights in popular gathering areas for foreign domestic workers, and distributing anti-trafficking pamphlets in five languages to foreign domestic workers at the airport, through their consulates, and in Filipino and Indonesian language newspaper advertisements. NGOs reported employment agencies and employers often seized these packets.

NGOs reported fines and penalties for employment agencies exploiting foreign domestic workers were too light and did not act as a deterrent for unscrupulous agencies. In February 2017, the government introduced legislation that will increase the penalties for operating an employment agency without a license or overcharging workers to include up to three years imprisonment and increase potential fines from no more than 50,000 HKD (\$6,450) to 350,000 HKD (\$45,130). The government increased regular and unscheduled labor inspections of employment agencies in 2016 to 1,800, compared to 1,300 in 2015. The government began to require employment agencies to comply with a newly instituted "code of practice" covering statutory requirements and standards for Hong Kong-based employment agencies. In 2016, the government reported convicting five employment agencies for charging workers excessive fees, and three for unlicensed operations. The commissioner for labor revoked the licenses of five additional employment agencies on suspicion of overcharging foreign domestic workers. Despite praising the government's efforts to prosecute some unscrupulous employment agencies, NGOs encouraged the government to increase efforts to improve inspections to better identify errant agencies and further prevent exploitation of vulnerable domestic workers. The government reported efforts to reduce the demand for commercial sex and forced labor. The government did not provide anti-trafficking training to its officials posted overseas.

## TRAFFICKING PROFILE

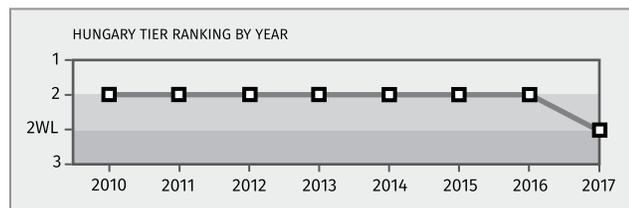
As reported over the past five years, Hong Kong is primarily a destination, transit, and to a much lesser extent, a source territory for men, women, and children subjected to forced labor and sex trafficking. Victims include citizens from mainland

China, Indonesia, the Philippines, Thailand, and other Southeast Asian countries as well as countries in South Asia, Africa, and South America. Approximately 351,000 foreign domestic workers, primarily from Indonesia and the Philippines, work in Hong Kong; some become victims of forced labor in the private homes in which they are employed. An NGO report released in 2016 estimated as many as one in six foreign domestic workers is a victim of labor exploitation. Employment agencies generally charge job placement fees in excess of legal limits, which may lead to situations of debt bondage of workers in Hong Kong. The accumulated debts sometimes amount to up to 80 percent of workers' salaries for the first seven to eight months of employment. A 2013 survey found 58 percent of the more than 3,000 workers surveyed experienced verbal abuse in the home, 18 percent physical abuse, and six percent sexual abuse. Some workers are unwilling to report abusive employers for fear of losing their jobs and being unable to repay their debts; some employers or employment agencies illegally withhold passports, employment contracts, or other possessions until the debt is paid. Domestic workers have also reported working 17-hour days, receiving less than minimum wage, experiencing physical or verbal abuse and confinement in the employer's home, and not receiving a legally required weekly day off. A government policy, mandating foreign domestic workers depart Hong Kong within two weeks of quitting or losing their job, discourages domestic workers from seeking assistance. Some foreign domestic workers sign contracts to work in Hong Kong, but upon arrival are sent to work in mainland China or the Middle East. Separately, criminal syndicates or acquaintances sometimes lure women to Hong Kong from the Philippines, South America, and mainland China using false promises of lucrative employment and subsequently force them into prostitution to repay money owed for passage to Hong Kong. Traffickers sometimes psychologically coerce sex trafficking victims by threatening to reveal photos or recordings of the victims' sexual encounters to their families. "Compensated dating" continues to facilitate commercial sexual exploitation of Hong Kong children and make them vulnerable to trafficking.

## HUNGARY: TIER 2 WATCH LIST

The Government of Hungary does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by amending its criminal code to allow for the seizure of assets held by traffickers, conducting training of prosecutors and judicial personnel, cooperating with foreign law enforcement on joint trafficking investigations, and increasing funding for public awareness and anti-trafficking efforts. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Investigations, prosecutions, and convictions decreased significantly from the previous reporting period. Services for victims remained scarce, uncoordinated, and inadequate. Specialized services for child victims (including shelter) did not exist and law enforcement arrested and prosecuted children exploited in sex trafficking as misdemeanor offenders, including sentencing 12 children to imprisonment based on their exploitation in sex trafficking. Shortcomings in security and services at state care institutions for children and in the identification of child trafficking victims remained widespread, resulting in high vulnerability of children and their re-victimization under state protection during and after their time in these facilities. The government also continued to have

significant deficiencies in its victim identification and referral systems, as well as a comprehensive and reliable database on trafficking cases. Therefore, Hungary was downgraded to Tier 2 Watch List.



## RECOMMENDATIONS FOR HUNGARY

Screen all individuals in prostitution for trafficking indicators and protect adults and children from punishment for crimes committed as a result of trafficking, including prostitution; increase provision of specialized victim services and provide sufficient funding to NGOs to offer victim care; increase law enforcement and judiciary efforts to investigate, prosecute, and convict the perpetrators of all forms of trafficking under the trafficking in persons law; take steps to prevent trafficking of vulnerable children residing in state-run child care institutions and individuals who leave these institutions; increase identification of and assistance for child victims exploited within Hungary; increase victim-centered training of law enforcement, prosecutors, and social workers; bolster protection for victims who face serious harm and retribution from their traffickers, including by developing longer-term care options to improve reintegration; enhance the collection and reporting of reliable law enforcement and victim protection data; bring the anti-trafficking law in line with international law by more precisely defining exploitation and requiring fraud, force, or coercion as elements of the core offense of adult trafficking; amend Hungarian law to extend trafficking provisions for everyone under 18 involved in prostitution regardless of the level of consent; increase efforts to raise awareness of trafficking among the general public and in at-risk populations.

## PROSECUTION

According to statistical indicators, the government decreased law enforcement efforts against human trafficking, although data on these efforts was unreliable and efforts to address trafficking of children remained weak. Article 192 of the 2013 criminal code prohibits many forms of human trafficking, but is overly broad because it does not require the use or threat of force or fraud to prove the basic offense of trafficking in persons, instead establishing force, the threat of force, or fraud as aggravated elements resulting in enhanced penalties under article 192(3). The law defines exploitation as the abuse of power for the purpose of taking advantage of a victim. Prescribed penalties range from one to 20 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. Article 193 of the criminal code also prohibits forced labor, with sentences ranging from one to eight years imprisonment, while article 203 penalizes profiting from child prostitution, with penalties of up to eight years imprisonment. In October 2016 parliament amended the Criminal Code to authorize the seizure of assets from convicted human traffickers.

Law enforcement data remained unreliable, making it difficult to assess efforts. In 2016, police terminated 25 investigations, compared to 62 investigations in 2015 and 20 investigations in 2014. Of the 25 investigations, 21 were of forced labor and

four were unspecified cases of trafficking. Officials prosecuted seven individuals (two for forced labor in 2016 and five for sex trafficking in 2017), compared to 18 in 2015 and 18 in 2014. Courts convicted seven traffickers in 2016 (22 in 2015 and 10 in 2014); two convictions were for sex trafficking and five were for forced labor. For the sex trafficking convictions, courts sentenced the traffickers to six years in one case and two years and four months imprisonment in the other case. For the forced labor convictions, one perpetrator received five years imprisonment for forced labor and another crime (cumulative sentence); one perpetrator received two years and six months of imprisonment for forced labor; one perpetrator received three years imprisonment for forced labor and another crime (cumulative sentence); one perpetrator received 12 years imprisonment for forced labor and other crimes (cumulative sentence); and one perpetrator received 10 years imprisonment for forced labor and other crimes (cumulative sentence). Although the 2012 criminal code removed a requirement that trafficking include a commercial transaction, reportedly judges continued to seek this evidence. National police generally limited their investigations to transnational trafficking cases, and local police to investigations of internal cases; NGOs criticized local police for lack of sensitivity toward trafficking victims. Observers raised concerns law enforcement regularly underreported trafficking offenses.

Anti-trafficking experts reported police categorized children between the ages of 14 and 18 as “juveniles” instead of children and under Hungarian law this allows the courts to impose punishment for crimes and misdemeanors instead of treating them as victims, particularly in prostitution related offenses, and police generally failed to identify or remained reluctant to investigate certain trafficking cases involving child victims, including vulnerable children in state-run care institutions. There were no reported investigations, prosecutions, or convictions for official complicity; some observers, however, expressed concerns about potential police protection of suspected traffickers. There were no standard trainings on trafficking provided for law enforcement professionals and only ad hoc training courses were conducted. During the reporting period, national police cooperated with their counterparts from Belgium, France, Austria, and the Netherlands on joint investigation teams pursuing sex trafficking cases. The national prosecutor’s office organized training for 195 regional prosecutors on data collection, police investigations, victim identification, and indictments on trafficking cases. The judicial office organized trafficking training at the national and regional level for 840 judicial personnel. Officials extradited 52 foreign nationals accused of trafficking to other European countries. The government began to develop a new digital data collection system to gather victim-related statistical information.

## PROTECTION

The government maintained insufficient protection efforts, as specialized services for child victims (including shelter) did not exist and law enforcement arrested children exploited in commercial sex as misdemeanor offenders, including sentencing 12 children to imprisonment based on their involvement in commercial sex. The victim assistance service of the Office of Justice identified nine victims (five males and four females, including two minors), compared with eight victims in 2015. Of these, three were victims of forced labor in the construction industry, five of forced prostitution and one of domestic servitude. The victims received the following care services: one person received information on legal assistance, four persons received financial aid, and three persons received psychological

assistance. The national crisis management and information service registered 23 victims (10 men and 13 women), compared with 27 in 2015. Fourteen of the 23 victims received shelter. The national bureau of investigation identified one victim and Hungarian embassies abroad identified a total of 11 victims. Therefore, in total, the government identified 44 victims during the reporting period. NGOs reported assisting approximately 143 trafficking victims—77 female victims, 26 male victims, 40 minors (including indirect victims).

The government did not adequately identify victims among vulnerable populations, such as adults and children exploited in commercial sex, adults who previously lived in and children living in government-run institutions, and unaccompanied minors seeking asylum. In addition, the government did not effectively screen unaccompanied minors to identify potential trafficking victims. The government decree on the trafficking victim identification mechanism listed the institutions responsible for identifying victims, the questionnaire to be completed with suspected victims, and procedural protocols. There was, however, a lack of clear legal definition and unified professional standards for identifying trafficking victims, as well as a lack of widespread dissemination of identification protocols among front-line responders. In early 2017, the government enacted a new asylum detention law that requires mandatory detention of all asylum-seekers until the final decision is issued in their cases; without proper screening, this may result in the detention of trafficking victims. During the reporting period, however, the government allocated 7 million forints (\$23,830) to improve the screening of trafficking victims among third country nationals and asylum-seekers.

All victims were eligible for government-provided financial support, psychological services, legal assistance, witness care, access and referral to a shelter, however, victims were only eligible for state compensation if the crime was violent, committed deliberately, and caused serious damage to the victim's health. Victim assistance services remained scarce, uncoordinated, and inadequate, and risk re-victimizing the victim. Authorities did not report how many trafficking victims received state-ordered restitution in 2016. Experts also criticized the government's lack of harmonized guidelines on protective services for victims, noting the referral system was ineffective. Two government-funded, NGO-run shelters reported providing care for 64 victims (62 in 2015) during the reporting period, including 28 women (including one minor) and 11 adult men, as well as 25 dependent children accompanying adult victims. In addition, other NGOs provided housing for 40 female trafficking victims identified during the reporting period, nine male victims, two minor victims, as well as 12 dependent children. In 2016, the Ministry of Human Capacities developed a unified service protocol and set minimum standards for its human trafficking shelters. NGOs, however, noted a lack of trained staff, funding, and available accommodations and services, particularly for long-term needs such as reintegration. The government could provide Hungarians repatriated as trafficking victims with various victim support services and accommodation in shelters. These services, however, were insufficient because they did not provide victims with housing beyond six months and appropriate services for long-term reintegration were lacking. The Office of Justice issued a new protocol to provide practical guidance to local officials on the kinds of information to be provided to trafficking victims and guidance on avoiding secondary victimization.

Child victims could receive general care through the child protection system, but this system had insufficient staff or

resources to provide tailored care or security, leaving victims vulnerable to being re-trafficked. Experts criticized the lack of assistance and specialized shelters for child trafficking victims. The government recognized repatriation of child victims is provided by state authorities but there were no appropriate reintegration facilities for children; secondary victimization of children was common. In 2016, the government set up a professional working group, including NGOs and relevant government agencies, to focus on research, protection, prevention, and victim assistance regarding child sex trafficking in state care institutions.

The government provided 19 million forints (\$64,681, the same as 2015) to two NGO-run shelters in 2016 that could reserve a total of 16 beds for trafficking victims. Victims generally were not allowed to leave the shelters unless accompanied by a chaperone. Authorities provided 2 million forints (\$6,809, the same as 2015) to another NGO to support its shelters providing services to trafficking victims. The government provided 1.5 million forint (\$5,106) to support the operation of the national crises management and information telephone service, which can be used for reporting trafficking. There was a lack of sufficient funding for victim assistance services.

NGOs continued to report that authorities sometimes penalized adult and child sex trafficking victims treated as criminals as opposed to victims; reportedly courts ruled to reimburse the victims for the criminal penalties they received. Furthermore, authorities penalized 88 children, including 85 girls and three boys, for prostitution offenses; 42 children received a warning, 17 received a fine, 12 received prison sentences, 13 were sentenced to community service work, three were sentenced to confiscation, and there was no information on the penalty of one child. The government has consistently failed to implement a 2011 EU directive requiring individuals under 18 years of age involved in prostitution be considered as trafficking victims regardless of consent.

Foreign victims could receive a 30-day reflection period to decide whether to assist law enforcement, during which they were eligible for temporary residence permits during legal proceedings against their traffickers. The government did not issue any temporary residence permits, permanent resident permits, or exemptions from deportation for trafficking victims during the reporting period. NGOs remained concerned about inadequate government protection for victims who testified against traffickers; no victims participated in the witness protection program during the reporting period.

## PREVENTION

The government increased prevention and coordination efforts. The government had an anti-trafficking coordinator who chaired the national coordination mechanism, an entity including government actors and civil society organizations. Coordination among these entities remained uneven. The government had a 2013-2016 anti-trafficking national strategy. Experts criticized the national strategy for not providing a clear definition of trafficking victims, not focusing on vulnerable populations such as child or Roma victims, and inadequate training of law enforcement officials; some were also concerned that officials did not encourage victims to avail themselves of victim services. According to experts, the government's training of labor inspectors remained inadequate. The government did not release regular reports assessing its anti-trafficking efforts, but operated a government and social media site that provided information on government activities related to combating

human trafficking.

The government contributed 25 percent of the funding for six trafficking-related projects awarded by the EU, worth a total of 137 million forints (\$466,383). Half of this funding, 70 million forints (\$238,298) went to an international organization to conduct a social media public awareness campaign on sex and labor trafficking. In addition, an international organization received 14 million forints (\$47,660) to establish a victim transnational referral mechanism between Hungary and Switzerland. The national police received 20 million forints (\$68,085) to provide trafficking awareness training for 600 police officers and front-line practitioners. The immigration and asylum office received 7 million forints (\$23,830) to improve the screening of trafficking victims among third country nationals and asylum-seekers. The Ministry of Justice received 18 million forints (\$61,277) to design a new digital platform to collect statistical information on trafficking victims across the government and NGOs. The national police received eight million forints (\$27,234) to set up regional coordination mechanisms in prevalent trafficking regions in the country.

Authorities continued multiple awareness campaigns on human trafficking for NGOs and government agencies involved in victim identification, as well as to teenagers, students, educational institutions, and foster homes. The government continued its labor trafficking awareness campaign to advisors, young adults, and NGOs connected to the European Employment Service Network (EURES) regarding safe employment abroad, and also to local and national labor departments. Human trafficking prevention programs, however, continued to lack a systematic approach, coherence, and cooperation among actors.

The government initiated modest efforts to reduce the demand for sex trafficking and forced labor. The government disseminated among its domestic tour operators the global code of ethics of the UN world tourism organizations and information on criminal sanctions within domestic law to sensitize tour agencies on child sex tourism. The government had no authority to impose fines or punishment on a foreign labor exchange agency that commits trafficking offenses, but it can inform the relevant foreign government if a problem arises. For the first time in 2016, 30 consular diplomats-in-training participated in a trafficking awareness session; existing Hungarian consular staff was also trained on human trafficking.

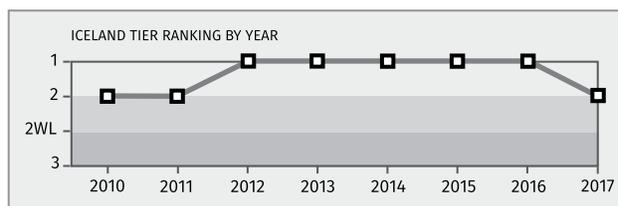
## TRAFFICKING PROFILE

As reported over the past five years, Hungary is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. Vulnerable groups include Hungarians in extreme poverty, undereducated young adults, Roma, asylum-seekers and unaccompanied minors, and homeless men. Hungarian women and children are subjected to sex trafficking within the country and abroad, mostly within Europe—with particularly high numbers in the Netherlands, France, Belgium, Germany, Italy, Ireland, Austria, Switzerland, and the United Kingdom. Hungarian men and women are subjected to forced labor domestically and abroad, including in the United Kingdom, the Netherlands, Belgium, Ireland, Austria, Germany, and Canada. During the reporting period, press and NGOs also cited Turkey, Spain, United Arab Emirates, Australia, Iceland, and Sweden as other sex and labor trafficking destination countries for Hungarian women, girls, men, and transgender persons. NGOs have reported a new phenomenon of selling disabled victims for sex trafficking. Hungarians, particularly Romani women and girls and those

from state care institutions, are exploited in sex trafficking in large numbers in Austria by Hungarians of Roma and non-Roma origin. A large number of Hungarian child sex trafficking victims exploited within the country and abroad come from state-provided childcare institutions and correctional facilities, and traffickers recruit them upon leaving these institutes. Hungarian women lured into sham marriages to third-country nationals within Europe are reportedly subjected to forced prostitution. There are strong indicators labor trafficking of Hungarian men in Western Europe has intensified in agriculture, construction, and factories. Trafficking victims from Eastern European countries transit Hungary en route to Western Europe. Hungary is a transit country for asylum-seekers and illegal migrants, some of whom may be or may become trafficking victims. Within the country, Romani children are exploited in forced begging, child sex trafficking involving both girls and boys, and forced petty crime.

## ICELAND: TIER 2

The Government of Iceland does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made significant efforts to meet the minimum standards during the reporting period by opening a center offering free comprehensive services to victims of abuse, including trafficking, and establishing specialized teams to investigate trafficking and educate government employees on the crime. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. The government did not prosecute or convict any suspected traffickers for the sixth consecutive year and decreased investigations of suspected traffickers. Therefore, Iceland was downgraded to Tier 2.



## RECOMMENDATIONS FOR ICELAND

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

## PROSECUTION

The government maintained law enforcement efforts, but did not prosecute and convict any suspected traffickers for the sixth consecutive year. Article 227a of the criminal code criminalizes both sex trafficking and forced labor and prescribes penalties of up to 12 years imprisonment; these are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Law enforcement reported 16 investigations in 2016, compared with 23 investigations in 2015. The government has not reported prosecuting or convicting any trafficking cases since 2010. Police authorities reported one cooperative international investigation during the year, compared with two in 2015. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The police established a special investigative unit dedicated to combating trafficking and prostitution, and a special email address for tips or inquiries about possible human trafficking cases. The police college curriculum included instruction on victim identification and investigation of trafficking cases.

## PROTECTION

The government decreased efforts to identify trafficking victims and refer victims to care facilities, but increased efforts to shelter and provide services to victims. The government identified four victims in 2016 (four in 2015). All four victims were subjected to forced labor. Authorities referred one victim to care facilities for assistance. In December 2016, the government renewed its two-year agreement to provide funding for an NGO-run domestic abuse shelter to provide emergency shelter to female trafficking victims and their children. The 2017 state budget allocated 71 million krona (\$629,042) to the domestic abuse shelter. In 2016, the state budget allocated 70.6 million krona (\$625,498) to the shelter, compared with 65.1 million krona (\$576,770) for 2015. The Ministry of Welfare provided the shelter with an additional 350,000 krona (\$3,101) for the provision of services for trafficking victims. The shelter maintained a team of specialists to manage cases involving possible trafficking victims. Victims had access to free legal, medical, psychological, and financial assistance, whether or not they stayed at the shelter or cooperated with authorities. Municipal social service agencies provided services and financial assistance to trafficking victims, and the welfare ministry reimbursed the municipalities for all associated expenses. In 2016, the government refunded 22.3 million krona (\$197,572) to municipal governments for expenses related to “foreign citizens in distress,” which may have included trafficking victims. The government allocated 71 million krona (\$629,042) in the 2016 state budget to a separate NGO offering psychological services to victims, compared with 65.5 million krona (\$580,314) in 2015. The government in collaboration with several NGOs opened a center offering free comprehensive services to abuse victims, including trafficking victims, as a two-year pilot project. There were no shelter services or specialized care available for male victims, though they could access general social services and receive referrals to NGOs providing food, shelter, legal advice, and healthcare. Municipal and state child protection services were responsible for assisting unaccompanied children, including child trafficking victims.

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

most likely to come into contact with trafficking victims. The directorate of immigration had written procedures to identify trafficking victims and provide them with information and resources, including during the interview process for asylum-seekers. Immigration and police officers maintained a pocket checklist to identify potential victims and inform them of available services. NGOs stated these procedures worked effectively in practice. Witness protection for trafficking victims was not mandated by law, but the government provided it in practice. Victims could file civil suits against traffickers or seek restitution from the government, but no victims did during the reporting period. Prior to January 2017, any foreign trafficking victim could obtain a six-month residence permit; temporary residence permits issued after that date were valid for nine months. An additional one-year renewable residence permit was available to victims who cooperated with law enforcement or who may have faced retribution or hardship in their home countries; however, victims with either temporary residence permit could not apply for a permit to work legally in the country. The government issued one temporary residence permit in 2016. Trafficking victims have left the country pending investigations because they were legally unable to work or obtain permanent residence permits. There were no reports authorities detained, fined, or jailed victims for illegal acts committed as a result of being subjected to trafficking.

## PREVENTION

The government increased efforts to prevent trafficking. The directorate of labor (DOL) established a three-member team to respond to suspected trafficking cases and educate government employees on trafficking and identifying possible victims. DOL monitored the operations of companies that hired foreign “posted workers” by reviewing hiring contracts, checking paychecks against bank statements showing payout of wages, and conducting targeted visits to talk to employees and supervisors. The government reported developing a 2017 action plan to replace its 2013-2016 plan. The government held 30 sessions on victim identification and assistance for approximately 2,000 government and municipal specialists in law enforcement, welfare services, healthcare services, labor, and education. In May 2016, the government organized a public symposium on trafficking issues, focusing on forced labor. Throughout the reporting period, the government demonstrated efforts to reduce the demand for commercial sex acts and forced labor. The government included anti-trafficking language in its code of conduct for diplomatic personnel but provided no trafficking-specific training.

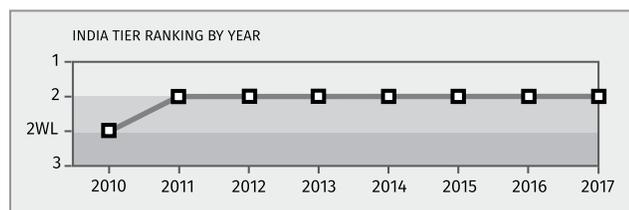
## TRAFFICKING PROFILE

As reported over the past five years, Iceland is a destination and transit country for women subjected to sex trafficking and men and women subjected to labor trafficking. Women from Eastern Europe, the Baltics, and South America are subjected to sex trafficking, often in nightclubs and bars. Men and women from the Baltics, Eastern Europe, South America, and East Asia are subjected to forced labor in construction, tourism, and restaurants. Foreign “posted workers” are at particular risk of forced labor as the traffickers pay them in their home countries and contract them to work for up to 183 days in Iceland to avoid taxes and union fees, limiting tax authorities’ and union officials’ ability to monitor their work conditions and pay. Traffickers also subject women to domestic servitude, forced labor, and sex trafficking and men to forced labor; NGOs note these cases are rarely reported to the police. Traffickers reportedly exploit the visa-free regime in the Schengen Zone

and the European Economic Area to bring victims to Iceland for up to three months and move them out of the country before they must register with local authorities..

## INDIA: TIER 2

The Government of India does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, India remained on Tier 2. The government demonstrated increasing efforts by increasing the number of victims identified, investigations completed, and traffickers convicted, as well as its budget for shelter programs for female and child trafficking victims. The government adopted an action plan for children, which included plans to prevent child trafficking and protect child victims. However, the government did not meet the minimum standards in several key areas. Overall victim identification and protection remained inadequate and inconsistent and the government sometimes penalized victims through arrests for crimes committed as a result of being subjected to human trafficking. The government's conviction rate and the number of investigations, prosecutions, and convictions was disproportionately low relative to the scale of trafficking in India, particularly with respect to bonded and forced labor. Despite reports of officials complicit in trafficking, the government did not report investigating such allegations.



### RECOMMENDATIONS FOR INDIA

Increase prosecutions and convictions for all forms of trafficking, including forced and bonded labor, and of officials allegedly complicit in trafficking, respecting due process; establish and fully resource anti-human trafficking units (AHTUs) in all districts, including by providing additional dedicated, trained staff and by clarifying the mandate of AHTUs; develop and implement standard operating procedures (SOPs) to harmonize victim identification and referral, and train officials on their use; address jurisdictional issues in the investigation of suspected traffickers and use of testimony when trafficking crimes cross state lines; cease the penalization of trafficking victims; protect victim confidentiality and privacy, including on government-issued identification documents; develop and adopt a national action plan to combat trafficking; improve central and state government implementation of protection programs and compensation schemes to ensure trafficking victims receive benefits, release certificates, and compensation funds; take steps to eliminate all recruitment fees charged to workers; promptly disburse government funding for shelters and develop monitoring mechanisms to ensure quality of care; continue to increase the transparency of government efforts to combat trafficking and provide disaggregated data on efforts to criminally investigate, prosecute, and punish sex and labor trafficking; provide funding for states to establish fast-track courts that deal with all forms of human trafficking; and provide

anti-trafficking training or guidance for diplomatic personnel to prevent their engagement in or facilitation of trafficking crimes, and to provide personnel the tools to identify and assist trafficking victims in their work.

### PROSECUTION

The government increased law enforcement efforts, although investigations, prosecutions, and convictions remained low for the scale of human trafficking in India. Section 370 of the Indian Penal Code (IPC) prohibits slavery, servitude, and most forms of sex trafficking and prescribes penalties ranging from seven years to life imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Section 370 does not define the "prostitution of children" younger than age 18 as an act of human trafficking in the absence of coercive means, as required by the 2000 UN TIP Protocol, although other statutes criminalize the "prostitution of children." Section 370 criminalizes government officials' involvement in human trafficking, prescribing sentences up to life imprisonment. Bonded labor is specifically prohibited under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, which prescribes sufficiently stringent penalties of up to five years imprisonment, and the Bonded Labor System (Abolition) Act (BLSA), which prescribes penalties of up to three years imprisonment that are not sufficiently stringent. The Child Labor (Prohibition and Regulation) Act, the Juvenile Justice Act, and other provisions of the IPC prohibit many forms of forced labor; however, these provisions were unevenly enforced and their prescribed penalties are not sufficiently stringent, allowing for only fines or short prison sentences in some cases. The government frequently used the Immoral Traffic Prevention Act (ITPA) and various provisions of the IPC, which have sufficiently stringent penalties, to prosecute sex trafficking. During the reporting period, the government drafted new anti-trafficking legislation, sought public comment, and revised the draft; the bill remained under review by the Cabinet, awaiting introduction to parliament at the end of the reporting period.

During the reporting period, the national crimes record bureau (NCRB) issued the 2015 Crime in India Report, the most recent law enforcement data available. In 2015, police investigated 4,203 trafficking cases, including 3,363 cases of sex trafficking, 77 cases of bonded labor, and 763 trafficking cases under article 370 where further case details were not published to clearly categorize the cases between sex or labor trafficking. This was an increase from the investigation of 3,056 trafficking cases in 2014, including 2,604 cases of sex trafficking, 46 cases of bonded labor, and 406 cases under article 370. During 2015, the government completed the prosecutions of 2,387 traffickers, including 2,180 alleged sex traffickers, 16 alleged labor traffickers, and 191 traffickers under article 370, compared with the completion of prosecution of 2,596 alleged traffickers in 2014. In 2015, courts convicted 815 traffickers and acquitted 1,556 individuals with an additional 16 persons discharged. This was an increase from 577 traffickers convicted in 2014, 1,990 persons acquitted, and 29 persons discharged. The acquittal rate decreased from 77 percent in 2014 to 65 percent in 2015. The courts' convictions under the BLSA remained notably low at only four in 2015, although bonded labor offenders may also be convicted under the Prevention of Atrocities Act and those statistics were not reported. The government did not report sentences for convictions. Indian media commented the figures reported by the NCRB did not reflect the large scale of human trafficking crimes in India, as many cases were not registered by police or were settled at the complaint stage. Inconsistent

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

In December 2015, the Supreme Court directed the government to establish an organized crime investigative agency by December 2016 to investigate human trafficking cases and rescue and rehabilitate victims; the establishment of such an agency was pending the passage of the draft anti-trafficking bill, although the Ministry of Home Affairs (MHA) had allocated 832 million Indian rupee (INR) (\$12.3 million) to fund the agency. AHTUs continued to serve as the primary investigative force for human trafficking crimes. At the beginning of the reporting period, of the more than 600 districts, 226 had active AHTUs; it is unknown if additional AHTUs were established during the reporting period. State and local governments partnered with NGOs and international organizations to train AHTU officers. Some NGOs reported significant cooperation with AHTUs on investigations and police referral of victims to NGOs for rehabilitation services. However, others noted some AHTUs continued to lack clear mandates, which created confusion with other district- and state-level police units and impeded their ability to proactively investigate cases. Coordination across states remained a significant challenge in cases where the alleged trafficker was located in a different state from the victim—jurisdictional barriers prevented confessions from one state being used as evidence in another. NGOs noted some police offices were overburdened, underfunded, and lacked the necessary resources, such as vehicles and computers, to combat trafficking effectively. Some police used AHTU resources and personnel for non-trafficking cases. NGOs noted prosecutors and judges did not have sufficient resources to properly prosecute and adjudicate cases.

Official complicity in human trafficking occurred at varying levels of government. The government did not report comprehensive data on investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. In May 2016, a member of the Goa legislative assembly was arrested under IPC Section 370 for allegedly purchasing a girl from her mother and raping her; both the legislator and the girl's mother were released on bail, and at the end of the reporting period, the Goa police continued to investigate the case. However, media also reported allegations of a few complicit officials whom the government did not investigate and who remained in government. Some corrupt law enforcement officers reportedly protected suspected traffickers and brothel owners from law enforcement action, received bribes from sex trafficking establishments and sexual services from victims, and tipped off sex and labor traffickers on forthcoming raids. There were no reports of investigations into such cases of complicity.

## PROTECTION

The government increased efforts to protect victims. The government did not provide comprehensive information on the number of trafficking victims it identified. However, the NCRB reported the government's identification of at least 8,281 victims in 2015 compared with 6,216 victims in 2014. Of the victims identified in 2015, 5,407 were subjected to sex trafficking, 426 were subjected to bonded labor, and 2,448 were victims identified in relation to a case investigation under article 370 and not further categorized into victims of sex or labor trafficking. A 2009 MHA non-binding directive advises state officials to use SOPs for proactive victim identification and referral to protection services; however, it is unclear if

all 29 states employed such SOPs. In 2016, the Ministry of Women and Child Development (MWCD) published SOPs for cases of missing children, mandating the transfer of cases not resolved within four months to an AHTU. MWCD and MHA implemented TrackChild, a system to identify missing children nationally. MWCD continued to support the national Childline hotline, an emergency phone service for children in need of assistance, including child victims of forced labor and sex trafficking. State- and district-level law enforcement continued to carry out operations to rescue and rehabilitate missing and exploited children, some of whom may have been subjected to forced labor or sex trafficking. Some state- and district-level law enforcement actively partnered with NGOs to identify, rescue, and provide rehabilitation services to victims; however, other police officers undertook rescue operations without further investigating or charging suspects. In other cases, police arrested and charged alleged traffickers, but in some cases some of the alleged traffickers posted bail and while awaiting trial purportedly intimidated witnesses and subjected new victims to trafficking.

MWCD continued to fund NGO and government-run shelter and rehabilitation services for women and children through the *Ujjawala* program, specifically for female sex trafficking victims, and the *Swadhar Greh* program, for women in difficult circumstances. The central government's budget for the *Ujjawala* program increased from 180 million INR (\$2.65 million) in 2015-2016 to 240 million INR (\$3.54 million) in 2016-2017 and the *Swadhar Greh* budget increased from 500 million INR (\$7.37 million) to 900 million (\$13.3 million). NGOs continued to report the number of government shelters was insufficient and overcrowding compromised victim rehabilitation. Both government- and NGO-run shelters faced shortages of financial resources and trained personnel, particularly of counselors and medical staff. NGOs relied primarily on donor contributions to provide victim services, although some received government funds. The disbursement of government funding to NGOs was sometimes delayed for multiple years and corruption reportedly drained some resources intended for victim care. Some victims waited months for transfer from temporary "transit homes" to shelters that provide long-term care due to shortages of government funds, shelter staff, or police escorts. Child victims were placed in private shelters or in government juvenile justice homes, some of which may have housed child victims with children accused of crimes. Children largely received the same government services as adults.

In May 2016, the central government revised its program for the rehabilitation of bonded laborers to increase compensation and include female sex trafficking and child forced labor victims to receive compensation and assistance. Government-authorized compensation increased from 20,000 INR (\$295) to 100,000 INR (\$1,470) per adult male victim and 200,000 INR (\$2,950) per adult female or child victim. Authorized-compensation increased to 300,000 INR (\$4,420) for cases of bonded or forced labor involving transgender and disabled persons or sex trafficking of women and children. In contrast to the previous iteration of the program, the central government fully funded the compensation without matching funds from state governments; however, the release of compensation to victims was contingent on administrative and court processes that may take several years to conclude. At the end of the reporting period, it was unclear if information on the revised program had been disseminated to local officials for implementation and if any victims had received the increased compensation. Rescued bonded laborers are entitled to "release certificates" enabling them to receive government-funded services. Many victims

received certificates at or soon after their rescue, especially in areas where there was significant coordination between the government and NGOs. Others experienced lengthy delays before obtaining the certificates. During the reporting period, the Tamil Nadu government identified 282 bonded laborers and provided them immediate compensation of 1,000 INR (\$14.75), rice, and household commodities; the government also enrolled 83 former bonded laborers in the revised central government program for compensation and provided four households with land. Other than bonded labor victims, adult male trafficking victims did not receive care or funding from the government. Victims had access to government hospitals for emergency medical services, although long waiting lists made it difficult to obtain surgery and other procedures and NGOs often had to pay for victims' emergency medical treatment.

Foreign victims received the same access to shelters and services as Indian nationals. Government policy on foreign victims dictated their return to their country of origin at the earliest possible time. Authorities detained foreign sex trafficking victims to government aftercare homes until repatriation, sometimes as long as four years, and did not permit them to work in the local economy. The repatriation of foreign victims could take years due to a number of constraints, including some victims' lack of identity documents. NGOs stated children who could not identify their home state or country were unable to be returned to their families or place of origin. The governments of India and Bangladesh reportedly continued to implement their 2015 MOU on human trafficking, which included coordination on repatriation; Bangladeshi victims were typically repatriated within 21 days. To protect both Indian and foreign national victims during trial, prosecutors may request the victim be permitted to testify by video or behind a screen, the proceeding be closed to the media and public, and irrelevant and potentially harmful questions be barred; it is unknown if these protections were used for trafficking victims during the reporting period.

MHA guidelines to all state governments encouraged police not to charge victims for crimes committed while subjected to human trafficking, including foreign women and child victims for immigration violations. However, in certain cases, the government continued to penalize victims as a result of inconsistent identification and screening efforts, including sex trafficking victims who were prosecuted for prostitution and foreign trafficking victims charged with immigration violations. In 2014, the government began denying travel of trafficking victims and their family members, including by confiscating the passports of Indians who received a visa from a foreign government indicating the person was a trafficking victim in the foreign country or was a family member of a victim. The government revised this policy in 2015 to allow these victims and their families to renew their passports and travel if documentation of the victim's trafficking experience was provided and the Indian government determined the person to be a trafficking victim. However, some victims continued to cite lengthy delays, requests from the government for private or otherwise sensitive information, and inconsistent application of the policy when attempting to renew their passports. In 2016, the government stamped the passports of some recipients of the foreign government's visas, for both trafficking victims and their eligible family members, identifying them as trafficking victims involved in a particular investigation, civil, or criminal case. While the stamp requested authorities permit the visa holder to travel without hindrance, some NGOs familiar with this practice noted it made some victims fearful of reprisal and penalization and served as a deterrent to victims interacting with authorities.

## PREVENTION

The government maintained overall efforts to prevent human trafficking. The government did not have a national action plan to combat trafficking; however, in January 2017, MWCD launched the national plan of action for children, which included plans to prevent and protect children from all forms of trafficking and to conduct research and analysis. The central advisory committee to combat trafficking of women and children for commercial sexual exploitation is the government's lead authority on trafficking issues; it is unknown if the committee met during the reporting period. Some state governments had state-level action plans, taskforces, and MOUs to combat trafficking. MWCD and Ministry of Railways increased the number of railway stations hosting NGO staff to provide immediate support to unaccompanied children, who may be missing, abandoned, or runaways and are vulnerable to exploitation, including trafficking. In December 2016, the President launched an NGO campaign to end child labor, child trafficking, and violence against children. The government continued to publicly award civil society members for their work against human trafficking. Some state governments conducted anti-trafficking awareness campaigns or made in-kind contributions to NGO-run campaigns.

The government registered foreign recruitment agencies and Indian migrant workers through the eMigrate online system. MEA provided counseling and other resources to those considering migrant work at five resource centers in Chennai, Gurgaon, Hyderabad, Kochi, and Lucknow; it also administered a welfare fund in 43 Indian missions globally and provided shelter to migrants in distress in several countries in the Middle East. In October 2016, India and Bahrain signed an agreement to increase cooperation on organized crime, including human trafficking, and in January 2017, India and the United Arab Emirates signed a MOU to enhance prevention of human trafficking and the recovery and repatriation of trafficking victims. MEA funded the repatriation of Indian victims abroad through its mandatory insurance reserves, foreign employer security deposit policies, and receipts from overseas consular fees. The government permitted licensed foreign employment recruiters to charge migrant workers up to 20,000 INR (\$295) for recruitment fees and costs; however, observers stated migrant workers were frequently charged more than the maximum and obtained loans to pay the recruiters, thereby increasing their debt and vulnerability to labor exploitation. The government prohibited the role of unregulated and unregistered sub-agents; however, sub-agents continued to operate widely with impunity. MEA worked with the central bureau of investigation to address cases of recruitment fraud and trafficking allegations and frequently revoked recruitment licenses. Within India, some states regulated aspects of the informal labor sector, including the Jharkhand government, which passed legislation in November 2016 requiring employment placement agencies to be licensed and prohibiting recruitment fees for domestic work.

In November 2016 the government began a process of demonetization, removing 500 and 1,000 INR notes (\$7.37 and \$14.75) from circulation as legal tender. Some NGOs commented sex trafficking was temporarily reduced until other forms of payment were established—some NGOs reported a resultant increase in other methods of payment including online payments. Other NGOs stated workers in the informal economy, including brick kiln workers, were at times paid in void currency notes or were not paid at all due to cash shortages—both situations subsequently increased the workers' vulnerability to debt bondage and forced labor. In February 2017, the national human rights commission held a two-day

seminar on the prevalence of bonded labor and challenges to its elimination. The government provided for the reimbursement of 450,000 INR (\$6,640) per district for a census of bonded labor in its May 2016 revision of the bonded laborers rehabilitation program. Despite India being a destination for child sex tourism, the government did not report measures to reduce child sex tourism. The government also did not report efforts to reduce the demand for commercial sex acts or forced labor. The Indian military conducted training on trafficking for its personnel before deployment on peacekeeping or similar missions. The government did not provide information about any anti-trafficking training provided to its diplomatic personnel.

## TRAFFICKING PROFILE

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

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

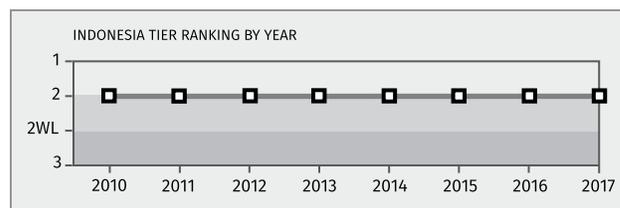
Experts estimate millions of women and children are victims of sex trafficking in India. Traffickers use false promises of employment or arrange sham marriages in India or Gulf States and subject women and girls to sex trafficking. In addition to traditional red light districts, women and children increasingly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

traffickers and brothel owners from law enforcement efforts, take bribes from sex trafficking establishments and sexual services from victims, and tip off sex and labor traffickers to impede rescue efforts.

Some Indian migrants who willingly seek employment in construction, domestic service, and other low-skilled sectors in the Middle East and, to a lesser extent, other regions, face forced labor, often following recruitment fraud and exorbitant recruitment fees charged by labor brokers. Some Bangladeshi migrants are subjected to forced labor in India through recruitment fraud and debt bondage. Some Nepali, Bangladeshi, and Afghan women and girls are subjected to both labor and sex trafficking in major Indian cities. Following the 2015 Nepal earthquakes, Nepali women who transit through India are increasingly subjected to trafficking in the Middle East and Africa. Some boys from Bihar and Uttar Pradesh are subjected to forced labor in embroidery factories in Nepal. Burmese Rohingya, Sri Lankan Tamil, and other refugee populations continue to be vulnerable to forced labor in India.

## INDONESIA: TIER 2

The Government of Indonesia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Indonesia remained on Tier 2. The government demonstrated increasing efforts by obtaining more convictions for trafficking offenses, conducting training for officials and public awareness campaigns targeted to communities at higher risk of trafficking, and creating new mechanisms to strengthen its victim identification procedures in furtherance of its 2015-2019 National Action Plan to Eradicate Trafficking in Persons. However, the government did not meet the minimum standards in several key areas. Officials' unfamiliarity with trafficking indicators and anti-trafficking laws impaired proactive victim identification among vulnerable populations and law enforcement efforts. Inadequate data collection, information sharing, and coordination among government agencies hampered implementation of the national anti-trafficking strategy, and blanket regional labor migration restrictions incentivized widespread emigration through illicit channels rife with trafficking vulnerabilities. Despite endemic corruption among officials that impedes anti-trafficking efforts and enables traffickers to operate with impunity, only two officials were prosecuted for trafficking offenses.



## RECOMMENDATIONS FOR INDONESIA

Increase efforts to investigate, prosecute, and convict labor recruitment agencies, brokers, and corrupt public officials involved in trafficking; develop and implement procedures to identify potential victims among vulnerable groups, including returning migrant workers, persons in prostitution, and fishing vessel crew members; train marine ministry staff and labor inspectors on victim identification and referral procedures;

provide anti-trafficking training for judges, prosecutors, police, and social workers; take steps to eliminate recruitment fees charged to workers by labor recruiters; proactively offer identified victims reintegration services; promote safe and legal migration with trafficking prevention measures; increase resources for the anti-trafficking taskforce and improve its coordination across ministries; establish a data collection system to track anti-trafficking efforts at all levels of law enforcement; train hospital staff and other health care providers about provisions guaranteeing government-funded care for trafficking victims; and create a national protocol that clarifies roles for prosecuting trafficking cases outside victims' home provinces.

## PROSECUTION

The government increased some law enforcement efforts. The 2007 anti-trafficking law prohibits all forms of trafficking and prescribes penalties of three to 15 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In December, the Supreme Court issued a new regulation expanding the courts' ability to prosecute corporations for complicity in trafficking. NGOs and officials reported corruption continues to obstruct the government's ability to increase trafficking prosecutions, including against trafficking syndicate leaders. Corrupt officials reportedly continued to facilitate the issuance of false documents, accept bribes to allow brokers to transport undocumented migrants across borders, protect venues where sex trafficking occurs, practice weak oversight of recruitment agencies, and thwart law enforcement and judicial processes to hold traffickers accountable. Despite these trends, the government initiated prosecutions against only two low-level officials for complicity in trafficking offenses.

In June 2016, the government issued a regulation that aimed to improve coordination and cooperation between ministries and increase prosecutions for trafficking offenses. However, officials reported ineffective coordination among police, witnesses, prosecutors, and judges continued to hinder the government's ability to investigate, prosecute, and convict traffickers, especially when cases involved numerous jurisdictions or other countries. Mediation outside of court also impeded successful prosecutions, as victims were generally unwilling to participate in criminal proceedings if they or their families received financial settlements from traffickers. The Supreme Court implemented a comprehensive prosecutorial recordkeeping mechanism, but statistical discrepancies continued due to lack of coordination with law enforcement entities, whose own informal self-monitoring practices remained underdeveloped, and due to the decentralized nature of Indonesia's court system. This dynamic, along with incomplete knowledge of the anti-trafficking law and its scope among law enforcement and judicial authorities, impaired the determination of the total number of anti-trafficking investigations, prosecutions, and convictions.

The anti-trafficking unit of the Indonesian national police reported 110 new trafficking investigations during 2016—a decrease from 221 reported the previous year, though figures from 2015 may have included forced marriage or organ trafficking cases. The Supreme Court reported 256 convictions, compared to 119 the previous year; convictions included sentences up to seven years. The police reported referring 46 cases to prosecution, compared with 66 in 2015; the perpetrators in at least 30 of the 46 cases were convicted. The other 16 cases are still being deliberated in the courts. In December, the Ministry of Foreign Affairs (MFA) conducted training for 25 investigators and prosecutors in three key provinces

on the 2007 anti-trafficking law. Still, a lack of familiarity with the anti-trafficking law led some prosecutors and judges throughout the country to decline cases or use other laws to prosecute traffickers. During the reporting period, the police investigated a high-profile trafficking case involving a migrant worker from East Nusa Tenggara (NTT) who had committed suicide in Kuala Lumpur. The president instructed the police anti-trafficking unit and local authorities to conduct a joint investigation of trafficking syndicates operating in NTT, where they succeeded in arresting 16 suspects—recruiters, travel document forgers, and airport ground handlers all connected to seven previously unknown trafficking syndicates—throughout Indonesia. Among the arrestees were two immigration officers suspected of complicity in trafficking; their prosecutions were ongoing at the end of the reporting period. In a separate case, a suspect arrested for operating an online prostitution business was convicted under the anti-trafficking law and sentenced to four years in prison, along with a fine of 120 million rupiah (\$8,969). During the reporting period, authorities continued to investigate five of the companies involved in subjecting hundreds of Burmese fishermen to forced labor on fishing boats in Ambon in 2015. The government convicted a child sex tourist from Australia and sentenced him to 15 years in jail under the Child Protection Law.

## PROTECTION

The government maintained protection efforts. Officials did not collect comprehensive data on victims identified, but disparate government entities sometimes reported their own statistics. In 2016, the Ministry of Women's Empowerment and Child Protection (MoWECP) reported partnering with a communications company to collate open source information on 943 trafficking victims featured in 65 print, online, and broadcast media sources as an attempt to broaden victim identification methods. Separately, the Commission for the Protection of Children officially identified 307 child trafficking victims. However, it was unclear if either of these processes led to investigations or the provision of victim protective services. The government's overseas crisis center complaint system received 4,761 complaints from workers placed overseas, including 56 confirmed trafficking cases and 1,928 cases with trafficking indicators. Although the government reportedly initiated investigations based on these complaints, figures were unavailable. The government body managing this complaint system also led an interagency effort to establish five integrated one-stop service centers to assist and educate Indonesians aiming to travel abroad for work and those returning from overseas. One of the service centers reported assisting 4,500 deportees with safe migration education, renewal of passports, working visas, and reintegration services. An international organization partnered with the government to identify and provide services to 336 Indonesian and foreign trafficking victims, including 159 individuals subjected to trafficking in the fishing industry. The MFA also assisted 478 Indonesian trafficking victims overseas through its consulates and embassies—an increase from 413 in the previous reporting period. In 2016, the MFA repatriated 13,714 Indonesian nationals, and foreign governments deported 27,855, compared to 9,039 repatriations and 85,490 deportations in 2015. The MFA screened for and positively identified 602 Indonesian trafficking victims among these two figures, compared to 541 in 2015, and directly assisted in the repatriation of 460 of them, compared to 306 in 2015. It secured a total of \$240,398 in restitution for these victims, provided them with short-term shelter and other services upon return, and referred them to local government entities for further care.

While the government had standard operating procedures for proactive victim identification, it did not consistently employ them, nor did it follow positive identification with investigative or protective procedures in a majority of cases. It continued to rely on international organizations and NGOs to identify victims, especially foreign victims in Indonesia, and to supplement the protective services it funded. Although the government ratified the ILO Maritime Labor Convention in September and established a fishing vessel victim screening protocol in 2015, it did not uniformly adhere to either mechanism during the reporting period. The government continued to work with NGOs to identify trafficking victims among the crews of ships grounded or destroyed as part of the 2014 moratorium on illegal fishing vessels, but figures were unavailable at the end of the reporting period.

The government initiated new mechanisms to facilitate improved victim protection services throughout the reporting period, but it was unclear how often it used these mechanisms. In January, the MFA collaborated with industry and civil society, including migrant worker advocacy groups, to launch a mobile application that provided safe travel tips, a social media platform, and a panic button in case of emergencies for Indonesian citizens traveling abroad. The application connects users to the MFA's hotline and the closest Indonesian overseas embassies and consulates. In April, the MFA established a taskforce to encourage undocumented and overstay Indonesian migrant workers to request repatriation. The Ministry of Home Affairs also issued formal instructions to allocate funding for district-level anti-trafficking taskforces to facilitate victim repatriation. For the fourth year in a row, a draft law on the protection of domestic workers in Indonesia stalled in the national legislature. An international organization reported trafficking victims were often unaware of government reintegration services, and follow-up services for victims who had departed shelters remained insufficient. The Ministry of Health was responsible for paying victims' health care, which national police hospitals were obligated to provide free of charge; NGOs and government officials reported some hospital staff were unaware of this duty or unwilling to provide care without compensation.

During the reporting period, the government's witness protection unit provided legal assistance to at least 165 trafficking victims, compared to 88 in 2015. Since multiple agencies provided legal assistance with varying degrees of adherence to recordkeeping protocols, the total number who received such aid is unknown. The law allows victims to obtain restitution from their traffickers, and most of the victims involved in 152 cases received compensation during the year. There were no reports that the government punished victims for crimes committed as a result of being subjected to trafficking, but inadequate efforts to screen vulnerable groups for trafficking indicators, including during raids to arrest persons in prostitution or combat illegal fishing, may have resulted in the punishment or deportation of unidentified trafficking victims. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

## PREVENTION

The government increased efforts to prevent trafficking. Most prevention efforts occurred at the district and provincial levels; taskforce funding and activities varied greatly across regions. During the reporting period, the National Anti-trafficking Taskforce, housed within MoWECF, drafted and circulated localized trafficking prevention and case management instructions for seven high-risk provinces. The taskforce met

its goal of establishing provincial-level taskforces in all 34 provinces—up from 31 in 2015—and increased the number of local and district-level taskforces from 191 to 196. MoWECF also established community watch groups in 25 villages in five regencies throughout Indonesia. Insufficient funding and lack of coordination within and between local taskforces and with the national taskforce at times impeded anti-trafficking efforts. In June, the government issued new regulations to improve coordination between ministries to prevent trafficking in furtherance of its national action plan, and in August promulgated a seven-ministry MOU on preventing the trafficking of Indonesians overseas. The government unveiled new policies and mechanisms aimed at preventing trafficking in the fishing industry, including two formal regulations on human rights certifications for fishing companies and a fishing industry training academy featuring trafficking-specific curriculum materials. The government also engaged in income-generating, awareness-raising, and capacity building activities targeted to communities at higher risk of trafficking, including in economically challenged rural and border regions. The Ministry of Education and Culture conducted training workshops for more than 80 education stakeholders, and the government-funded 26 NGOs in 13 provinces to implement these trainings. The MFA carried out public awareness campaigns in 19 migrant worker source regions throughout Indonesia, as well as in primary destinations, including Saudi Arabia, China, South Korea, Taiwan, Hong Kong, Singapore, Malaysia, and Brunei. The MFA, in collaboration with six other ministries, produced and disseminated an anti-trafficking campaign video for social media users. In 2016, the president issued a policy directive barring Indonesian women from working as maids in Malaysia beginning in 2017. The government continued its moratorium on permits for Indonesians to seek domestic work in 21 countries in the Middle East, and it expanded the ban to include Malaysia. According to NGOs, the ban had the unintended consequence of incentivizing an increase in Indonesian labor migration to these regions through illicit and often dangerous recruitment and smuggling channels that could have made them more vulnerable to trafficking.

During the reporting period, the labor ministry revoked the licenses of 29 private labor recruitment agencies suspected of trafficking or other illegal practices and suspended an additional 191 agencies pending review, compared to 24 revocations and eight suspensions in 2015. These actions did not lead to criminal investigations or prosecutions, although one of the agencies was confirmed to have been directly involved in trafficking. The government made efforts to reduce the demand for forced labor and commercial sex acts, including through continued use of a system developed to track money laundering among known criminal networks—some of which are connected to sex tourism. It provided anti-trafficking training for military personnel prior to their deployment abroad on international peacekeeping missions, and it conducted training on trafficking victim identification and domestic migrant worker protections for diplomatic personnel.

## TRAFFICKING PROFILE

As reported the previous five years, Indonesia is a major source, and to a much lesser extent, destination and transit country for women, men, and children subjected to forced labor and sex trafficking. Each of its 34 provinces is a source and destination of trafficking. The government estimates 1.9 million of the 4.5 million Indonesians working abroad—many of whom are women—are undocumented or have overstayed their visas, increasing their vulnerability to trafficking. The actual figure

is likely higher, as a significant number of migrant workers traditionally circumvent government overseas placement and permitting requirements, often at the instigation of traffickers. A significant number of Indonesians are exploited in forced labor and debt bondage in Asia and the Middle East, primarily in domestic service, factories, construction, and manufacturing, on Malaysian palm oil plantations, and on fishing vessels throughout the Indian and Pacific Oceans. Malaysia remains the top destination for Indonesian migrant workers; the government estimates more than one million of the 1.9 million Indonesian workers in irregular status are in Malaysia. Undocumented workers are at greater risk for trafficking. During the reporting period, Indonesian victims were also identified in the Pacific Islands, Africa, Europe, and North America (including the United States). Indonesian women and girls are subjected to sex trafficking primarily in Malaysia, Taiwan, and the Middle East.

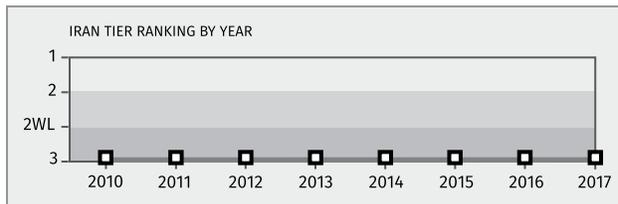
There were extensive reports of Indonesian fisherman in forced labor on Chinese and Taiwanese trawlers in 2016. Many of these vessels belong to Thai parent companies operating under the auspices of Thai-Indonesian shell companies, and utilized double-flagging and other illicit methods to contravene interception by the Indonesian authorities—a byproduct of the government’s 2014 moratorium on foreign fishing vessels. Taiwanese companies work with dozens of recruitment agencies in Burma, Indonesia, and Thailand to hire fisherman, assign them fake Thai identity and labor permit documents, and force them to fish long hours in Indonesian waters for low or unpaid salaries while incurring severe physical abuse, including in the waters surrounding Benjina and Ambon. The shell companies prohibit the fishermen from leaving their vessels and reporting these abuses by threatening to expose their fake identities to the authorities or by detaining them on land in makeshift prisons. Reports continued of Indonesian fishermen subjected to labor trafficking on board South Korean fishing vessels in non-Indonesian waters, where similar practices of coercion and deprivation are not uncommon.

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

In Indonesia, women, men, and children are exploited in forced labor in fishing, fish processing, and construction; on plantations, including palm oil; and in mining and manufacturing. Many women and girls are exploited in domestic servitude and sex trafficking. Victims are often recruited with offers of jobs in restaurants, factories, or domestic service, but are subjected to sex trafficking. Debt bondage is particularly prevalent among sex trafficking victims. Women and girls are subjected to sex trafficking near mining operations in Maluku, Papua, and Jami provinces. Child sex tourism is prevalent in the Riau Islands bordering Singapore, and Bali is a destination for Indonesians traveling to engage in child sex tourism.

## IRAN: TIER 3

The Government of Iran does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Iran remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including operating some centers where trafficking victims reportedly could receive assistance. The government also agreed to improve cooperation with a few countries in the region to combat trafficking. However, as in previous reporting periods, the government did not share information on its anti-trafficking efforts. Public information from NGOs, the media, and international organizations indicate the government did not take significant steps to address its extensive trafficking problem. Trafficking victims remained highly vulnerable to punishment, including death, for unlawful acts committed as a direct result of being subjected to trafficking. Allegations continued that Iranian officials coerced Afghan men into combat roles in Syria, and the Iranian government provided financial support to militias fighting in Iraq that recruited and used child soldiers.



### RECOMMENDATIONS FOR IRAN

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

### PROSECUTION

The government did not report anti-trafficking law enforcement efforts and officials continued to be complicit in trafficking crimes. Human rights activists reported the government did not initiate anti-trafficking investigations due to a lack of political will and widespread corruption. Iranian law does not prohibit all forms of trafficking. A 2004 law prohibits trafficking in persons by means of threat or use of force, coercion, abuse of power, or abuse of a victim’s position of vulnerability for purposes of prostitution, slavery, or forced marriage. The prescribed penalty under this law is up to 10 years imprisonment for the trafficking of adults and capital punishment for offenses against children. Both penalties are sufficiently stringent. The penalty for the trafficking of adults, however, is not commensurate with penalties prescribed under Iranian law for rape. The constitution and labor code prohibit forced labor and debt bondage, but the

prescribed penalty of a fine and up to a one-year imprisonment is not sufficiently stringent. Courts accord legal testimony by women only half the weight accorded to the testimony by men, thereby restricting female trafficking victims' access to justice. Moreover, female victims of sexual abuse, including sex trafficking victims, were subject to prosecution for adultery, which is defined as sexual relations outside of marriage and is punishable by death. The government did not report statistics on investigations, prosecutions, or convictions of traffickers. There is no evidence the government held complicit officials accountable for trafficking offenses, despite widespread reports of Iranian officials alleged complicity in the coerced recruitment and use of Afghan men for combat. The government did not report providing anti-trafficking training to its officials.

## PROTECTION

The government made few efforts to protect trafficking victims. There was no evidence the government identified or provided appropriate protection services to any trafficking victims during the reporting period. The government reportedly continued to punish trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as adultery, prostitution, and illegal immigration. The government did not distinguish between trafficking victims, those seeking refugee status, and undocumented immigrants, and held foreign trafficking victims in detention centers and jails pending deportation, where some experienced severe physical abuse that sometimes led to death. The government did not protect Afghan refugees from coerced recruitment by Iranian officials for combat in Syria; authorities detained and deported refugees who refused recruitment.

The government did not operate shelters for trafficking victims. However, the Iranian state welfare organization reportedly operated emergency centers for persons at risk of trafficking, which offered counseling, legal services, and healthcare; however, it was unknown whether the government assisted trafficking victims at these centers in 2016 because it did not report this data. Though government-operated health clinics also reportedly offered health services to potential trafficking victims, it was unknown whether the government provided services to any victims in these clinics in 2016 because it did not report this data. The government did not appear to provide other social or legal protection services for trafficking victims and it was not clear if it provided support to NGOs providing limited services to victims. The government did not encourage trafficking victims to assist in the investigation or prosecution of traffickers and did not provide witness support services. It did not provide foreign trafficking victims legal alternatives to their removal to countries in which they may face hardship or retribution.

## PREVENTION

The government made negligible efforts to prevent human trafficking. The government made no efforts to prevent its officials from coercing Afghan refugees to serve in combat brigades deployed to Syria. The government did not have a national coordinating body or agency leading its anti-trafficking efforts, nor did it dedicate resources to address human trafficking in the country. The government did not improve transparency on its anti-trafficking policies or activities, nor did it make discernible efforts to partner with NGOs or international organizations to combat human trafficking. In 2016, the government agreed to improve cooperation to combat trafficking with Poland, Spain, and Turkey in 2016. The government made

no discernible efforts to reduce the demand for commercial sex acts, forced labor, or child sex tourism by Iranian citizens traveling abroad. The government did not implement anti-trafficking awareness campaigns. Children of Afghan refugees—either registered or unregistered—continued to have difficulty obtaining legal documentation, while children born to Iranian mothers and non-Iranian fathers were not Iranian citizens under law and therefore remained undocumented; these policies increased these populations' vulnerability to exploitation. There was no evidence the government provided anti-trafficking training for its diplomatic personnel. The government has not ratified the UN Convention against Transnational Organized Crime, and Iran is not a party to the 2000 UN TIP Protocol.

## TRAFFICKING PROFILE

As reported over the past five years, Iran is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Organized groups reportedly subject Iranian women, boys, and girls to sex trafficking in Iran, Afghanistan, the Iraqi Kurdistan Region (IKR), Pakistan, United Arab Emirates (UAE), and Europe. Some Iranian women, who seek employment to support their families in Iran, are vulnerable to sex trafficking. Iranian girls between the ages of 13 and 17 are targeted by traffickers for sale abroad; younger girls may be forced into domestic service until their traffickers consider them old enough to be subjected to child sex trafficking. In 2016, there was a reported increase in young Iranian women in prostitution in Dubai; some of these women may be trafficking victims. From 2009-2015, the transport of girls from and through Iran en route to other Persian Gulf states for sexual exploitation reportedly increased. Iranian girls were subjected to sex trafficking in brothels in the IKR, especially Sulaimaniya; in some cases this exploitation was facilitated by Iranian trafficking networks. In 2015, the media reported Kurdistan Regional Government officials were among the clients of these brothels. In Tehran, Tabriz, and Astara, the number of teenage girls exploited in sex trafficking reportedly continues to increase. "Temporary" or "short-term" marriages lasting from one hour to one week—for the purpose of commercial sexual exploitation—are reportedly increasing in Iran. Trafficking rings reportedly use Shiraz, Iran, as a transit point to bring ethnic Azeri girls from Azerbaijan to the UAE for commercial sexual exploitation. Street children in Iran are highly vulnerable to trafficking. Organized criminal groups kidnap or purchase and force Iranian and migrant children, especially Afghan refugee children, to work as beggars and street vendors in cities, including Tehran. These children, who may be as young as three years old, are coerced through physical and sexual abuse and drug addiction.

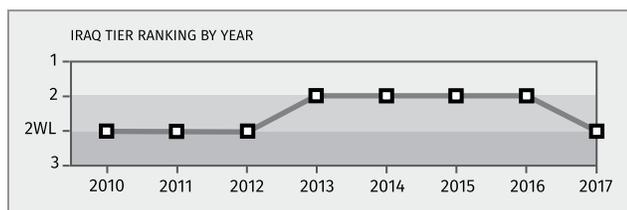
Afghan migrants and refugees, including children, are highly vulnerable to forced labor, debt bondage, and sex trafficking, while Pakistani migrants are also vulnerable to forced labor in Iran. Afghan boys in Iran are vulnerable to sexual abuse by their employers and harassment or blackmailing by the Iranian security service and other government officials. Traffickers subject Afghan migrants, including children, to forced labor in construction and agriculture in Iran. Trafficking networks smuggle Afghan nationals living in Iran to Europe and force them to work in restaurants to pay off debts incurred by smuggling fees. Pakistani men and women migrants in low-skilled employment, such as domestic work and construction, are targeted by organized groups and subjected to forced labor, debt bondage, restriction of movement, non-payment of wages, and physical or sexual abuse. Increasingly, despite labor code protections for registered foreign workers, employers seek adjustable contracts that increase these workers' vulnerability

to exploitative work practices such as coerced overtime and denial of work benefits.

In 2016, an international organization and the media reported the Iranian government and the Islamic Revolutionary Guards Corps (IRGC) coerced male Afghans resident in Iran, including migrants and refugees, to fight in military brigades deployed to Syria by threatening them with arrest and deportation to Afghanistan. In 2015 and 2016, the Iranian government provided funding to the militia *Asa'ib Ahl al-Haq*—also known as the League of the Righteous—which reportedly organized training camps for high school and university students, some of whom may be under the age of 18, in southern Iraq. According to an Iraq-based source, the Iranian government also provides funding to the militia *Abu Fadhil al-Abbas Brigades*, which used children in combat on the front-line in Fallujah, Iraq.

## IRAQ: TIER 2 WATCH LIST

The Government of Iraq does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by providing financial compensation to trafficking victims taken captive and exploited by ISIS, while the Defeat-ISIS Campaign—led by the Iraqi government—contributed to the release of women and children held captive by ISIS, most of whom were likely trafficking victims. The government also improved its institutional capacity to investigate trafficking crimes. However, the government did not demonstrate increasing efforts compared to the previous reporting period. There continued to be reports alleging the Popular Mobilization Forces (PMF) and tribal forces recruited and used child soldiers; some PMF units received financial and material support from the Iraqi government in 2016. The government did not provide protection services to children recruited and used as soldiers by various armed groups, including ISIS, rendering these children vulnerable to abuse and arrest by security forces. There were some reports indicating the government continued to punish and deport victims of forced labor and sex trafficking. In addition, the government did not report identifying any trafficking victims, which was a decline from the previous reporting period. NGOs were not legally permitted to operate trafficking shelters, and some that did so were subject to legal action by the government. Therefore, Iraq was downgraded to Tier 2 Watch List.



### RECOMMENDATIONS FOR IRAQ

Continue to make efforts to stop the recruitment and use of child soldiers by the PMF and tribal forces, hold complicit individuals accountable for child soldiering, and provide protection services to child soldiers; ensure trafficking victims are not punished for crimes committed as a direct result of being subjected to human trafficking, such as prostitution, immigration violations, and child soldiering; increase adequate and unhindered access

to protection services for victims of all forms of trafficking and their children, including trauma and psycho-social counseling, and medical care, long-term shelter, reintegration services, employment training, and financial assistance in Iraq and the Iraqi Kurdistan Region (IKR); finalize regulations to enable full implementation of the anti-trafficking law; make significant efforts to investigate, prosecute, convict, and stringently sentence traffickers, including complicit government officials, even when victims do not press charges or participate in legal proceedings against their trafficker; develop and institute guidelines for proactive victim identification and referral to protection services, and train government officials on these procedures; ensure staff at the government-run shelter in Baghdad are adequately trained on victim identification and protection; establish a legal framework for NGOs to operate shelters for victims and provide in-kind support to such organizations; amend the anti-trafficking law to prohibit and punish all forms of trafficking consistent with the 2000 UN TIP Protocol; and establish and implement a legal framework in the IKR that criminalizes all forms of human trafficking and prescribes sufficiently stringent penalties.

### PROSECUTION

The government maintained law enforcement efforts, but it did not adequately prosecute those complicit in the recruitment and use of children within the PMF. Iraq's 2012 anti-trafficking law does not prohibit all forms of human trafficking. The law's definition of human trafficking is not consistent with the 2000 UN TIP Protocol; it requires a monetary transaction and does not consider the facilitation of "child prostitution" a trafficking crime. An article in the penal code does criminalize "the prostitution of a child" and provides a penalty of up to 10 years imprisonment, which is sufficiently stringent to deter the crime, although not commensurate with the penalties prescribed for rape. The anti-trafficking law prescribes penalties for sex trafficking that range from temporary imprisonment and a fine to the death penalty, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Penalties for labor trafficking range from temporary imprisonment and a fine to the death penalty, which are sufficiently stringent. The labor law conflicts with the anti-trafficking law, as its penalties include a fine and imprisonment not exceeding six months, which are not sufficiently stringent. The government continued to lack implementing regulations for the anti-trafficking law, hindering its ability to enforce the law, bring traffickers to justice, and protect victims. The Kurdistan Regional Government (KRG) did not have a law that specifically prohibited all forms of human trafficking, nor did it endorse or adopt the Iraqi government's anti-trafficking law.

The government reported investigating 314 potential trafficking cases, 17 of which were prosecuted and received a final verdict; however, it did not report the details of these cases. Nineteen of the 314 cases were still under investigation at the end of the reporting period. The government reported that Iraqi courts upheld the convictions in 221 trafficking cases, some of which were initiated in previous reporting periods, but it did not provide the details of these cases to determine if any trafficking offenders received adequate and stringent sentences to deter the crime. In comparison, in 2015 the government prosecuted 113 offenders and convicted 29 traffickers. According to NGOs, the government did not initiate a trafficking prosecution unless a victim pressed charges, yet most victims did not do so because they did not know the identity of their trafficker or were fearful of retaliation. From March 2015 to January 2017—a timeframe that partially runs outside of the reporting period—the KRG

reported conducting 71 investigations of employment firms allegedly involved in abuses of foreign workers, and issued financial penalties or suspended operations of 22 companies; however, none of these investigations resulted in criminal prosecution. In August 2016, KRG authorities conducted an investigation into 2015 allegations that some Asayish officials allegedly ignored, or may have accepted bribes to ignore, cases of “temporary” marriages among girls in Domiz refugee camp. Although the investigation reportedly found cases of “temporary” marriage, it did not uncover any cases of sex trafficking inside the camp nor hold criminally accountable officials for their alleged involvement in these arrangements, which can lead to sexual exploitation. The Iraqi government denied allegations reported over several years that officials were complicit in trafficking crimes, including among law enforcement, internal security forces, and paramilitary forces in Iraq or the IKR; however, the government did not receive reports of officials complicit in trafficking crimes in 2016.

The Iraqi government did not provide information on efforts to prosecute members of the PMF for credible reports of recruitment and use of children. The PMF are composed primarily of Shia militias that generally support government security objectives, but also include Sunni and other tribal volunteers. Many PMF elements were formed in response to Grand Ayatollah Sistani’s 2014 *fatwa* to defend Iraq against ISIS, though a large segment instead represent pre-2014 Shia militias—many of which are partially supported by Iran—that have taken on the PMF moniker. In 2016, some PMF units received financial and material support from the Iraqi government, and a February 2016 order from the Iraqi prime minister declared the PMF to be formally affiliated with the Iraqi armed forces. In December 2016, the Iraqi prime minister signed a law that formalized the status of the Popular Mobilization Commission, an umbrella organization for the PMF, as a component of the Iraqi armed services. This law is intended to bring the PMF under government control once the law is fully implemented. In August 2016, the Iraqi government conducted an investigation into credible allegations that government-supported local tribal forces recruited children out of Debagha IDP camp. The government, however, did not provide information of the result of this investigation and whether it prosecuted the alleged perpetrators for child soldier recruitment.

Violence and security challenges, lack of control over parts of the country, budget constraints, and an influx of IDPs and refugees, particularly in the IKR, continued to severely hinder the Iraqi government’s ability to combat trafficking. Nevertheless, the Ministry of Interior’s (MOI) anti-trafficking department remained active during the reporting period. In June 2016, the KRG designated sub-committees of police and judicial officials focused on investigating sex trafficking in each IKR province. In December 2016, the IKR Judicial Council created investigative courts in each province to handle human trafficking cases; however, the KRG did not report how many investigations these sub-committees or courts conducted. The Iraqi government, in partnership with NGOs, continued to provide anti-trafficking trainings to officials. However, the government’s inter-ministerial anti-trafficking committee, which included a representative from the KRG MOI, reported judges and first responders lacked understanding of the anti-trafficking law and did not adequately implement it or protect victims during legal proceedings. Iraqi police continued to conflate human trafficking with crimes of prostitution, begging, and illegal migration.

## PROTECTION

The government continued to identify and provide protection services to women and children exploited by ISIS, but it did not provide information on efforts to identify and provide adequate protection services to victims of other forms of trafficking, including child soldiers. The Iraqi government did not report identifying any trafficking victims in 2016, which was a decline from the 40 identified in the previous reporting period. In 2016, the KRG facilitated the release of approximately 900 Yezidis held captive by ISIS, out of a cumulative total of 2,900 freed since 2014, most of whom were likely trafficking victims. The KRG also reported receiving an unknown number of victim referrals from the embassies of the Philippines and Indonesia requesting assistance, and the KRG provided the victims with temporary shelter and repatriation. The Iraqi government did not have formal procedures for proactively identifying trafficking victims among vulnerable groups, including undocumented foreign migrants and persons in prostitution, or for the referral of victims to appropriate protection services. However, NGOs reported that some Iraqi law enforcement officials referred victims to protection services. The KRG continued to rely on victims identifying themselves to authorities, referring for services only those who participated in legal proceedings against their traffickers. Throughout the reporting period, trafficking victims continued to be vulnerable to arrest, imprisonment, abuse, and deportation for unlawful acts committed as a direct result of being subjected to human trafficking, such as prostitution, immigration violations, and child soldiering. An international organization reported that KRG authorities arrested, detained, and interrogated approximately 180 child soldiers between the ages of 11 and 17 years old for their alleged association to ISIS; 17 of those interviewed reported torture during interrogation. Sentences for prostitution violations in Iraqi courts—including for children—were excessive, ranging from 15 years to life imprisonment. Iraqi authorities continued to forcibly deport foreign migrant workers for overstaying their visas, with no effort to screen this vulnerable population for trafficking. However, an international organization reported the government provided repatriation services to an unknown number of forced labor victims in 2016.

The Iraqi government and the KRG provided limited protection services to victims of all forms of trafficking, and victim care varied by location. No facilities in Iraq or the IKR offered specialized services to child trafficking victims, including those recruited and used by armed groups—including ISIS, PMF, and tribal militias—or victims with disabilities. The Iraqi government continued to operate a trafficking shelter in Baghdad and trained shelter staff on psycho-social counseling and legal assistance; however, the shelter remained unused during the entire reporting period due to security concerns and a lack of funding to pay staff salaries. The government continued to operate some temporary shelters and holding facilities for foreign workers awaiting repatriation; however, these facilities did not provide appropriate services for victims and may have operated as detention centers. The Ministry of Health (MOH) continued to oversee the provision of medical and psychological assistance to trafficking victims in provincial health facilities, but it was unclear how many victims received these services during the reporting period. MOH hired and trained an unknown number of mental health professionals during the reporting period and provided private, confidential spaces in health facilities for patients to discuss their trauma. The government continued to operate 16 family protection units located in police stations around the country, which were responsible for assisting women and child victims of abuse and

trafficking. The units focused primarily on family reconciliation instead of victim protection and did not have a regular referral system; the government did not report if the units referred any trafficking victims to appropriate protective services in 2016.

The Iraqi parliament continued to make use of its emergency plan—initiated in May 2015—to implement UN Security Council Resolution 1325, which established a coordination mechanism to recover victims exploited by ISIS and provide survivors with protection, rehabilitation, compensation, and other forms of support. In 2016, the Iraqi government provided financial compensation to more than 700 Yezidis who were former ISIS captives through this compensation program. The KRG also continued to provide limited essential services to victims of ISIS, including shelter, rehabilitation, medical care, and psycho-social assistance. While the KRG continued to operate three women’s shelters in the IKR that offered some assistance for trafficking victims—where space was limited and service delivery was poor—most victims at the shelters were victims of domestic violence. Syrian victims were denied access to these shelters unless they reported trafficking or other crimes to the police first, which prevented most Syrians from receiving assistance at the shelters.

The Iraqi government did not provide funding or in-kind assistance to NGOs providing victim care, but government officials cooperated with NGOs in limited cases to provide support to victims. NGOs were not allowed to legally operate shelters, but some continued operation without official approval; these facilities remained vulnerable to legal action by the government and threats of violence by extremist groups. Neither the Iraqi government nor the KRG encouraged victims to assist in investigations and prosecutions of trafficking offenders. NGOs reported that trafficking victims often did not pursue legal action against their traffickers due to lack of awareness of their legal rights or fear of retaliation. The government and the KRG did not provide foreign victims relief from deportation or offer legal alternatives to their removal to countries in which they may face hardship or retribution. The KRG did not offer special residency status benefits to foreign trafficking victims, but it reportedly did not deport victims unless they committed a crime.

## PREVENTION

The government made some efforts to prevent human trafficking, including making efforts to dissuade some PMF factions from recruiting children; however, the PMF reportedly continued to recruit and use children under the age of 18. Iraqi law prohibits voluntary recruitment of any person under age 18 into the governmental armed forces, including governmental paramilitary forces, militia groups, or other armed groups; however, in most cases the government faced security challenges to successfully prevent the recruitment and use of children by the PMF or other armed groups that received support from the government. The government also did not prevent PMF factions in southern Iraq from child recruitment and sponsoring military training camps for high school students, which included some children under the age of 18. However, to dissuade PMF commanders from accepting children who volunteer to fight for the PMF, the government refused to enroll child volunteers in payment programs and did not provide salaries for any child volunteers. Although there were no reports of child soldiers used within the Iraqi military including KRG Peshmerga or MOI forces, the government continued to provide training to military officers on child soldier issues.

The government’s inter-ministerial anti-trafficking committee met several times in 2016. In 2016, the government did not have the financial resources to fund new anti-trafficking awareness campaigns, but it continued to work with NGOs on awareness campaigns. The anti-trafficking committee continued efforts to raise awareness about trafficking issues among religious organizations, NGOs, universities, and airports; it also made public statements on radio and television. The KRG also conducted several outreach events with foreign domestic workers to improve awareness of their rights. The Iraqi government continued to fund, operate, and publicize its anti-trafficking hotline, but it was unclear if it facilitated the identification of any victims during the reporting period. Similarly, the KRG operated a hotline where trafficking victims could seek assistance and report labor abuses. The Iraqi government took some efforts to reduce the demand for commercial sex acts; however, it did not take efforts to reduce the demand for forced labor or child sex tourism. The KRG took efforts to reduce the demand for forced labor. The government did not report if it provided anti-trafficking training or guidance for its diplomatic personnel.

## TRAFFICKING PROFILE

As reported over the past five years, Iraq is a source and destination country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. The ongoing violent conflict with ISIS continues to gravely increase the population’s vulnerability to trafficking, in particular women and children. As of January 2017, more than 3.03 million Iraqis were displaced across the country, and more than 225,000 Syrian refugees remained displaced in the IKR. ISIS militants have kidnapped and held captive thousands of women and children from a wide range of ethnic and religious groups, especially from the Yezidi community and continue to sell them to ISIS fighters in Iraq and Syria, where they are subjected to forced marriage, sexual slavery, rape, and domestic servitude. There are reports ISIS executed captives if they refused to marry fighters. The media has reported that ISIS sold some captives to wealthy individuals in Gulf countries, while unverified reports suggested that some Yezidi captives have been moved to Syria, Turkey, and Saudi Arabia. ISIS maintained an organized system to buy and sell women and girls for sexual slavery, including sales contracts notarized by ISIS-run courts. In 2015 and 2016, thousands of women and children escaped ISIS captivity—many of whom were pregnant as a result of rape and sex trafficking—and became IDPs because ISIS still controlled their homelands; these victims remain highly vulnerable to various forms of exploitation, including re-trafficking.

Children remain highly vulnerable to forcible recruitment and use by multiple armed groups operating in Iraq, including—but not limited to—ISIS, the PMF, tribal forces, the Kurdistan Worker’s Party (PKK), and Iran-backed militias. ISIS continued to abduct and forcibly recruit and use children in combat and support roles, including as human shields, informants, bomb makers, and suicide bombers; some of these children are as young as 8 years old and some are mentally disabled. In 2015 and 2016, an international organization and media reported that ISIS forced hundreds of boys from the Ninewa Governorate to guard checkpoints and serve as informants and suicide bombers. ISIS continued to train children at military training and indoctrination camps; numerous media reports and public videos show children attending these camps. In January 2017, international media and KRG sources reported that ISIS abducted 400 Yezidi children and trained them for combat roles, including as suicide bombers, while in the same

month ISIS abducted 150 children from Tal Afar and forcibly recruited them into a training camp.

NGOs, an international organization, and the media report factions of the PMF recruit and use children under the age of 18 in operations in Fallujah and other areas of the country, while PMF-affiliated media continue to celebrate the service and sacrifice of child soldiers. In April 2016, an international organization verified 12 reported cases of recruitment and use of children by militias affiliated with the PMF, and noted that some of those children had been killed in combat. In July 2016, an international organization also verified five additional cases of recruitment and use of children by militias affiliated with PMF units who took direct part in hostilities. Some PMF groups accepted children into their ranks from poor neighborhoods in Basrah, who leave school to “volunteer” for the PMF; many of them view this as fulfilling a religious duty, while others view it as a way to earn a living and gain greater social status. According to NGOs and tribal force commanders, children fighting with the PMF are unregistered and do not receive state benefits or regular salaries. In August 2016, an international NGO reported that Sunni tribal militias affiliated with the PMF had recruited at least seven children from the Debaga IDP camp in northern Iraq. Witness accounts reported that Iraqi Security Forces (ISF) members facilitated the recruitment of children from the camp. The PKK and Sinjar Resistance Units (YBS)—a Yezidi armed militia group—forcibly recruited and used Kurdish and Yezidi boys and girls, some as young as 12 years old, in combat and support roles in northern Iraq. According to an international organization and the media, the Iraqi government reportedly pays the salaries of the YBS.

Refugees and IDPs face heightened risk of trafficking due to their economic and social vulnerability. NGOs report trafficking networks in the IKR target refugees and IDPs, operating with assistance from local officials, including judges, officials from the Asayish forces, and border agents. In 2015, members of the IKR Parliament and NGOs reported some personnel from the Asayish forces facilitated the sex trafficking of women and girls in Syrian refugee camps in the IKR, primarily in Domiz refugee camp, as well as sex trafficking of girls outside of the camps. NGOs report Asayish guards not only allowed men to enter a camp to solicit commercial sex with refugee girls, but the guards also solicited sex from the refugee girls, including granting them permission to leave the camp in exchange for sex. Reports from 2015 indicated IDPs and some Syrian refugee women were forced into prostitution by a trafficking network in hotels and brothels in Baghdad, Basrah, and other cities in southern Iraq after agents of the network promised to resettle them from the IKR; the women’s children were also forced to beg on the street. Some Syrian refugee men entered into employment without legal work contracts in Iraq, which increased their vulnerability to trafficking. Some displaced Iraqi families reportedly sell their children to other families to secure better futures; these children are at risk of trafficking.

Traditional practices, including child forced and “temporary” marriages and *fashliya*—the exchange of family members to settle tribal disputes—also place women and girls at increased risk of trafficking within the country. For example, in October 2016, the media reported a girl from the Nada tribe in Maysan Province was forced to marry a man of another tribe as a resolution for the killing of a man by someone in the Nada tribe. Child protection organizations continue to report incidents of child marriage—which could increase a child’s vulnerability to exploitation—increased among IDPs and Syrian refugees in the IKR, as heads of households sought ways to generate

income and reduce the family’s economic burden. Syrian girls from refugee camps in the IKR are forced into early or “temporary marriages” with Iraqi or other refugee men; some KRG authorities allegedly ignore, or may accept bribes to ignore, such cases, including those in which girls are sold multiple times. Anecdotal reports also suggest some Iraqi law enforcement officials have allegedly frequented brothels known for sex trafficking or accepted bribes to allow sex trafficking in locations openly facilitating prostitution. Media and other observers reported in 2015 that an Iranian sex trafficking network operated brothels in Erbil where Iranian girls were exploited in commercial sex; the media reported a KRG official allegedly paid \$3,000 for an Iranian sex trafficking victim. There were anecdotal reports, including from a June 2016 local television station, of child sex trafficking of girls primarily from Iran and Syria, as well as some from the IKR, in Sulaimaniya. Criminal gangs force children to beg and sell drugs in Iraq, while gangs also exploit teenage girls—including refugee women and girls from camps—throughout the country in sex trafficking. NGOs also report cases in which girls who have run away from their families out of fear of honor killings are exploited in commercial sex by criminal networks. Trafficking networks also reportedly sell Iraqi children in neighboring countries and Europe for commercial sexual exploitation. Iraqi women and girls are also subjected to sex and labor trafficking in the Middle East and Turkey.

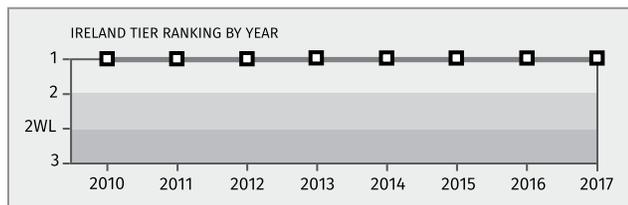
Some men and women from throughout Asia and East Africa who migrate to Iraq are subjected to forced labor as construction workers, security guards, cleaners, handymen, and domestic workers. Some foreign migrants are recruited for work in other countries in the region but are forced, coerced, or deceived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

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## IRELAND: TIER 1

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The Government of Ireland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Ireland remained on Tier 1. The government demonstrated serious and sustained efforts by implementing its second national action plan, significantly increasing its prosecutions, including prosecuting the country’s first case of forced labor under the trafficking law, and increasing funding for victim services. Although the government meets the minimum standards, it has not obtained a trafficking conviction since 2013, and had deficiencies in certain areas of victim identification, suitable housing for victims that prevent re-traumatization, and viable avenues for victim compensation.



## RECOMMENDATIONS FOR IRELAND

Vigorously investigate, prosecute, and convict suspected offenders of both sex and labor trafficking using the trafficking law; improve victim identification and referral mechanisms, and in particular, increase efforts to identify and protect victims of labor trafficking, forced criminality, and asylum-seekers; exempt victims from penalization for crimes committed as a result of being subjected to trafficking; offer specialized accommodation to victims, particularly for women and traumatized victims; establish an independent national rapporteur to help identify and address gaps in anti-trafficking strategy and efforts; and explore new possibilities for victim compensation, particularly for those involved in sex trafficking.

## PROSECUTION

The government increased law enforcement efforts. The 2008 Human Trafficking Act, amended in 2013, criminalizes all forms of trafficking and prescribes penalties up to life imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. The law broadly defines sexual exploitation to include the sexual abuse of children, and conflates possession or creation of child pornography with human trafficking, making it inconsistent with the 2000 UN TIP Protocol. The Criminal Justice (Sexual Offences) Bill 2015 was enacted in February 2017 and criminalizes the purchase of sexual services from a trafficked person, for which it prescribes significant penalties. In such cases, the burden of proof shifts to the accused, who must prove they were unaware the victim was trafficked. The Criminal Justice Bill includes measures against child grooming and includes additional support and protection for victims during the criminal trial process.

Authorities initiated investigations of 90 new trafficking-related cases in 2016, compared to 91 in 2015 and 79 in 2014. Of the 90 cases, 61 involved sexual exploitation, 17 were labor exploitation, four were forced criminality, two were for both sexual and labor exploitation, and six were uncategorized. Police continued pre-trial reviews of at least 13 cases for possible trafficking indicators related to cannabis sector arrests. During the calendar year, the government prosecuted nine individuals for human trafficking crimes; this is a significant increase from previous reporting periods (zero prosecutions in 2015; one prosecution in 2014; two prosecutions in 2013). The government prosecuted three of the individuals under the 2013 amended trafficking act, marking the first forced labor case to proceed to prosecution under that law. There were 29 trafficking cases pending prosecution, 18 of which were new suspected trafficking cases. The government did not report any criminal convictions in 2016 for sex trafficking or forced labor under the anti-trafficking act, and there have been no convictions under this law since 2013.

In late 2015, the government moved its human trafficking investigation and coordination unit into a new national protective services bureau to consolidate specialized expertise

on human trafficking. During the reporting period, 69 police officers and 300 new probationer police officers received a three-day training course on trafficking awareness and 68 national police who work as immigration officers received trafficking awareness training. An additional 18 senior investigating officers received trafficking training. The government did not report any investigations, prosecutions, convictions, or sentencing of government officials, diplomats, or peacekeeping officials for alleged complicity in trafficking offenses. Law enforcement cooperated with various foreign governments on trafficking investigations, including extraditions.

## PROTECTION

The government maintained victim protection efforts, but lacked specialized accommodation for female victims and had deficiencies in its victim identification, referral, and compensation process. Authorities identified 95 suspected trafficking victims in 2016, compared with 78 in 2015 and 46 in 2014. Of the victims identified in 2016, 52 were exploited in sex trafficking, 38 in labor trafficking, one in both sex and labor trafficking, and four in forced criminality in the selling of heroin; 50 were female and 45 were male. The increase in male victims compared to last year was driven by one case involving 23 Romanian male victims. Victims identified in 2016 in Ireland included 39 individuals from Romania, 19 Irish children, 10 from Nigeria, and the rest from Eastern Europe, Africa, South Asia, and South America. Seventy percent of victims were EU nationals.

Experts raised concerns about the government's ability and efficiency to identify human trafficking victims and its efficiency in doing so. NGOs noted only non-European nationals are officially recognized by the government as suspected human trafficking victims. Observers reported concerns the existing identification system does not capture trafficking victims who are asylum-seekers. Asylum-seekers cannot be identified as victims of trafficking if they have an asylum proceeding pending and in general asylum-seekers are not permitted to work. NGOs reported the victim identification framework is lacking coherence, making it difficult for NGOs to work with the interagency on identifying victims. Due to deficiencies in the victim identification and referral process, the government continued reviewing the current system to identify areas for improvement and planned to examine a new model for victim identification and issue a revised national referral mechanism in 2017.

The current national referral mechanism requires victims be referred by law enforcement before shelter, health, and legal services can be provided. The government and NGOs provided victims with a wide range of services, including health services (physical and psychological), immigration, legal, accommodation, welfare and rent allowance, police assistance, residence permits, repatriation, translation and interpretation assistance, and access to education for dependent children. The government provided €275,000 (\$289,779) to an NGO for assistance for sex trafficking victims, compared with €225,000 (\$237,092) in 2015. The government also provided €41,428 (\$43,654) to another NGO to assist labor trafficking victims, with a substantial increase from €9,564 (\$10,078) in 2015. The government also provided €200,000 (\$210,748) to five NGOs for vulnerable populations, including those more susceptible to trafficking.

According to the government, in practice, domestic and foreign victims have equal access to all state services. Experts, however,

are of the view that victims who are European nationals (non-Irish citizens) were excluded from accessing social assistance support until they are granted an exemption of the Habitual Residence Condition. Although the government was responsive in emergency situations and provided short-term residency arrangements for victims, NGOs stated these accommodations in the direct provision system, a generally criticized system which have been established for asylum-seekers and were mixed-gender housing, had inadequate privacy, were unsuitable and potentially unsafe for traumatized victims, and undermined victim recovery. Experts also noted a lack of specialized services in the centers for female victims who have been traumatized due to psychological, physical, or sexual violence. In 2016, the government granted two trafficking victims a 60-day period of recovery and reflection, to recover and escape the influence of traffickers, and decide whether to assist law enforcement, during which victims were prohibited from working. Experts were concerned a potential victim must be identified by the police in order to avail of the 60-day recovery and reflection period. The government gives suspected foreign trafficking victims temporary relief from deportation, pending an investigation; police can request an extension of a temporary residence permit and extensions are granted by the immigration and naturalization service within 24-48 hours. Seven victims were granted a six-month temporary residence permit; two of these were granted a reflection period before receiving this permit and the remaining five victims received the permit without requiring a prior reflection period. In addition, three suspected trafficking victims were granted a change of status in immigration. The temporary protection can evolve into a permanent residency status in Ireland, and residency benefits are not linked to a successful conviction of the case. Experts, however, have noted gaps in the government's immigration policies to protect undocumented migrants (including undocumented fisherman) who are vulnerable to trafficking. A labor focused NGO said a government's immigration scheme launched in February 2016 for crew members of the Irish commercial sea-fishing fleets helped alleviate some of the concerns for undocumented fisherman but criticized the scheme as being specifically time bound and not available on a rolling basis.

Victims could obtain compensation through a court order, civil action, state bodies dealing specifically with work-related rights, and the criminal injuries compensation tribunal. NGOs, however, criticized the lack of viable avenues for victim compensation, particularly those involved in sex trafficking. The trafficking law did not protect victims from prosecution for crimes committed as a result of being subjected to trafficking. NGOs noted the process for victims to seek immunity from punishment from criminal activity as a result of their trafficking is complex and required early legal representation. If authorities prosecuted an individual before he or she is formally identified as a trafficking victim, the criminal record cannot be expunged. The national police revised their protocols and increased regional training on identifying trafficking in cannabis cultivation; the police began including a human trafficking specialist in teams conducting these arrests to ensure trafficking victims were identified as such.

## PREVENTION

The government increased anti-trafficking prevention efforts. The justice ministry's anti-trafficking unit coordinated interagency efforts, including the high-level interagency group and five working groups that included NGOs. The working groups, which provide a platform for consultation and civil society, increased their meetings during the reporting period. In October 2016, the

government launched its second national action plan, which included analysis of the possible appointment of a national rapporteur and other independent monitoring mechanisms. The government-funded a consortium of NGOs to develop trafficking training materials for staff of the Reception and Integration Agency (RIA) centers for asylum-seekers and conducted a study group to the United Kingdom to improve victim identification practices. The government-funded an NGO to look at effective implementation of legislative measures targeting demand for trafficking victims. The government hosted a conference on trafficking for labor exploitation and the private sector, and provided advice to companies to prevent labor exploitation in their businesses and supply chains. The government and national police continued their active involvement in the Santa Marta Group, including the national police leading the North Atlantic Maritime Project and hosting an international conference on trafficking in the maritime industry.

The government conducted awareness-raising for a variety of targeted groups, which included university students, social workers, diplomats, labor inspectors, migrant workers, and women's groups. The government also produced a new information booklet on the rights of domestic workers that was available in multiple languages, and is available publicly, as well as through Ireland's diplomatic network. The Ministry for Foreign Affairs and Trade provided €28,000 (\$29,505) in funding to support capacity-building anti-trafficking work in Nigeria, Cameroon, Ghana, Uganda, Kenya, South Africa, and Zambia. The government provided anti-trafficking training to its diplomatic personnel, peacekeeping, and defense forces prior to their deployment abroad on international peacekeeping missions. The national police also provided training to international officers at the UN Army School in Ireland.

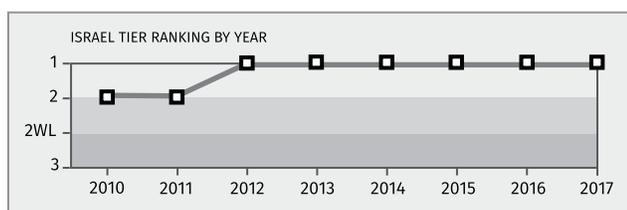
## TRAFFICKING PROFILE

As reported over the past five years, Ireland is a destination and source country for women, men, and children subjected to sex trafficking and forced labor, including forced criminal activity. Irish children are subjected to sex trafficking within the country. Foreign trafficking victims identified in Ireland are from Africa, Asia, and Eastern Europe. Authorities have reported an increase in suspected victims from Nigeria (some related to upheavals from Boko Haram attacking villages), Romania, Brazil, and Pakistan. The Romani community and undocumented migrant workers are high-risk groups susceptible to human trafficking. Victims of forced labor have been identified in domestic work, the restaurant industry, waste management, fishing, seasonal agriculture, and car washing services. Vietnamese and Chinese men who have been prosecuted and sentenced for cannabis cultivation report indicators of forced labor, such as document retention, restriction of movement, and non-payment of wages. The government reported the problem of forced labor in the country is growing. Women from Eastern Europe who are forced into marriage in Ireland are at risk for sex trafficking and forced labor.

## ISRAEL: TIER 1

The Government of Israel fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Israel remained on Tier 1. The government demonstrated serious and sustained efforts by

identifying and providing protective services to victims of all forms of trafficking. It continued to operate shelters and other facilities that provided victims a wide variety of immediate and long-term care and rehabilitative services. The government obtained more convictions of traffickers and its trafficking victim compensation fund began to disburse funds in 2016. The government continued to implement strong anti-trafficking prevention measures. Although the government meets the minimum standards, it issued sentences that were inadequate based on the nature of the crime to some convicted traffickers. While the government identified and provided some care to trafficking victims among the detained irregular African migrant population, because of inadequate screening, it continued to detain unidentified victims for long periods for immigration violations.



## RECOMMENDATIONS FOR ISRAEL

Impose stricter sentences on convicted traffickers, consistent with the seriousness of the crime; proactively screen irregular migrants who endured abuses in Egypt's Sinai Peninsula to ensure trafficking victims are not penalized, including by detention, for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration violations; continue to provide protection for all trafficking victims, including shelter and medical and psycho-social treatment; increase and train the number of labor inspectors, social workers, and interpreters in the agricultural, construction, and caregiving sectors; increase training for law enforcement, including police and prison officials, in victim identification, and enforcement of labor and sex trafficking laws; negotiate full-scale bilateral labor agreements in the caregiving sector; and increase enforcement of foreign worker labor rights.

## PROSECUTION

The government maintained efforts to prosecute traffickers, but several convicted traffickers received lenient sentences. The 2006 anti-trafficking law criminalizes all forms of human trafficking and prescribes penalties of up to 16 years imprisonment for the trafficking of an adult, up to 20 years imprisonment for the trafficking of a child, up to 16 years imprisonment for slavery, and up to seven years imprisonment for forced labor. These penalties are sufficiently stringent and those pertaining to sex trafficking are commensurate with those prescribed for other serious crimes, such as rape. Under 376A of the Penal Law 5737-1977, holding a person's passport against their will carries a penalty of three to five years imprisonment.

In 2016, police initiated 310 investigations of potential trafficking crimes (279 for sex trafficking and 31 for forced labor), compared to 392 investigations (234 sex trafficking and 158 forced labor) in 2015. In 2016, the government initiated three prosecutions for suspected sex traffickers and none for forced labor, compared with nine sex trafficking and no forced labor prosecutions in 2015. It continued 18 prosecutions that were initiated in previous reporting periods, including 17 for sex trafficking and one for forced labor. In 2016, the government

convicted 16 individuals for sex trafficking—including eight for “purchasing prostitution services from a minor,” two of which were also convicted for “facilitating prostitution of a minor”—and one for forced labor, compared to three for sex trafficking and none for forced labor in 2015. Some courts issued sentences as high as seven years imprisonment; however, many traffickers received sentences of ‘community service’ similar to probation and financial penalties, which provide inadequate deterrent effect given the serious nature of the crime. In 2016, eight offenders were given sentences under the trafficking statutes that ranged from “service to the community” to seven years imprisonment, while three convictions awaited sentencing at the end of the reporting season.

The government continued to report challenges in prosecuting trafficking cases, as many victims preferred repatriation and were unwilling to remain in Israel to serve as witnesses in criminal cases against their traffickers. In 2016, the government coordinated with Ukraine on a sex trafficking case. The government reported two investigations of government officials suspected of trafficking-related complicity. The government continued to provide extensive anti-trafficking training, awareness-raising workshops, and seminars to more than 360 officials in various ministries, including training for police officers on procedures for appropriately handling child sex trafficking cases.

## PROTECTION

The government maintained efforts to identify and protect victims of all forms of trafficking, but unidentified victims among the African migrant population remained vulnerable to detention for immigration violations and therefore could not access full government services appropriate for victims of trafficking crimes. The government continued to circulate victim identification guidelines widely to relevant ministries, which regularly referred potential victims to the police to open investigations and ensure provision of protective services. Authorities continued to cooperate with NGOs on victim identification and referral. However, only one police officer in the country is authorized to interview and adjudicate applications for status as a victim of trafficking, leading to significant delays. Partly as a result of this understaffing, authorities identified only 47 trafficking victims and referred them to shelters in 2016, compared to 63 identified victims in 2015.

The government continued to provide a wide range of protective services for victims of all forms of trafficking. The government continued operating a 35-bed shelter for female trafficking victims and a 35-bed shelter for male trafficking victims; shelter residents were provided work permits and allowed to leave freely. These shelters offered one year of rehabilitation services, including job training, psycho-social support, medical treatment, language training, and legal assistance. The government also funded transitional apartments with 18 beds for trafficking victims, and a six-bed transitional apartment for male trafficking victims. In 2016, the female shelter assisted 29 victims, including 19 victims newly referred to the shelter. In 2016, the men's shelter assisted 23 newly referred trafficking victims, including 12 male sex trafficking victims, and continued to assist 28 victims who entered the shelter in 2015. Twelve Eritrean men resided in the men's transitional apartments during the reporting period. The Ministry of Social Affairs continued to operate a day center in Tel Aviv for male and female trafficking victims who chose not to reside at a shelter and to assist with victims' transition from the shelter to the community. The day center provided psycho-social services and food aid, and social workers

at the center were trained to identify individuals at risk of trafficking and refer them to shelter services. In 2016, the center provided services to 182 men and women, primarily Eritrean. The government also operated six centers for child sex trafficking victims and at-risk youth vulnerable to sex trafficking, which provided medical and rehabilitation services to children; the government assisted 450 minors at these centers in 2016, but reported that none of them were trafficking victims. Additionally, for identified trafficking victims who opted not to stay in shelters, the government provided an official letter that protected them from potential arrest for immigration violations and emergency contact numbers for shelters and relevant ministries. Identified trafficking victims living outside of shelters were also entitled to receive free emergency medical and psychiatric treatment at various government-funded health facilities; authorities continued to train medical care providers in identification and treatment of trafficking victims.

The government forfeiture fund established in 2006 to use property and money confiscated from traffickers to assist victims began disbursing funds, allocating 518,306 shekels (\$134,940) in 2016. The Ministry of Justice (MOJ) legal aid branch continued to provide free legal aid to trafficking victims. In 2016, the branch received 150 legal aid requests from victims, including 77 irregular migrants who may have been subjected to trafficking in the Sinai and 14 victims with disabilities. In 2016, the government issued victims 36 initial B1 visas—unrestricted work visas—and 38 extensions. By law, all victims residing in the shelters were provided B1 visas. The government coordinated with Canadian officials to organize a deposition via videoconference from an Israeli sex trafficking victim, although the victim ultimately decided not to testify. The government continued to encourage victims to assist in the investigation and prosecution of their traffickers, but did not require their participation as a condition for receiving visas and protective assistance; victims could also opt to leave the country pending trial proceedings. The government allowed trafficking victims to work during the investigation and prosecution of their traffickers. In total, the government provided medical care to 122 identified trafficking victims, including 11 children.

Although trafficking victims were not punished for acts committed as a direct result of being subjected to human trafficking, the government lacked a formal process to identify or proactively screen for victims among irregular migrants, who may have been exploited in Egypt's Sinai Peninsula, detained for immigration violations. As a result, authorities regularly detained unidentified trafficking victims among the irregular African migrant population—including those who were abused in the Sinai—for immigration violations under the Law of Infiltration for one year without trial or conviction. Although the government characterized Holot as an open facility to house irregular migrants, an international organization and Holot residents claimed it is a de facto detention center due to its remote location in the desert and restrictions on movement. NGOs and the MOJ struggled to identify and gain the release of victims from Holot, and from the Saharonim and Giv'on prisons, and reported non-responsiveness on the part of the Population Immigration and Border Authority (PIBA) to claims that a detainee is a victim of trafficking. The National Anti-Trafficking Unit (NATU) reported it conducted an inter-ministerial visit to Holot in February 2017 to improve identification of trafficking victims among detainees. Following the inspection, the government began to plan a training for all Israeli Prisons Service workers at Holot, Saharonim, and Giv'on facilities. The government released one trafficking victim from Holot and 13 from the Giv'on prison and referred them

to protective services during the reporting period.

## PREVENTION

The government maintained strong efforts to prevent and raise awareness of human trafficking among the public and government officials. NATU continued to coordinate anti-trafficking efforts effectively among relevant ministries and NGOs during the reporting period and NATU officials appeared regularly in the media to raise awareness of trafficking. NATU created a new inter-ministerial forum to facilitate knowledge-sharing within the legal departments of each ministry; the forum met twice during the reporting period. NATU continued to chair an inter-ministerial committee appointed to study women and children in commercial sex in Israel. The Knesset Committee on Trafficking in Women and Prostitution met regularly and coordinated with various ministries to address sex trafficking issues and policies during the reporting period. The government provided anti-trafficking training for its diplomatic personnel.

PIBA, under the Ministry of Interior, continued to monitor recruitment agencies and manpower companies for labor law violations. The Ministry of Labor, Social Affairs, and Social Services (MLSS) which employed 261 labor inspectors and contracted translators during routine inspections, issued 1,518 administrative warnings and imposed seven fines on employers for labor violations in 2016. MLSS's ombudswoman for foreign workers' rights received and responded to 1,500 complaints of labor law violations and referred these complaints to relevant authorities for follow-up or investigation. The government partnered with the Ministry of Health to produce and distribute an informational brochure on victim identification and relevant anti-trafficking resources, translated into Hebrew, Arabic, English, and Russian, to health services companies, hospitals, manpower companies, local authorities, and other government officials. In accordance with PIBA procedures for recruitment agencies in the caregiving sector, it continued to require every agency to hire a licensed social worker responsible for supervising the conditions of foreign caregivers, including home visits, and for informing relevant authorities about labor violations. The government, in collaboration with a NGO, continued to operate a 24-hour hotline to assist foreign workers who are in Israel under bilateral agreements. The hotline employed nine translators in six languages: Thai, Bulgarian, Russian, Nepalese, Sinhalese, and Romanian. In 2016 the hotline received 1,026 calls, the majority from Thai agricultural workers.

The government continued efforts to reduce the demand for commercial sex acts and to address sex tourism. In 2016, law enforcement collaborated to shut down six brothels for a period of 30 to 90 days. The anti-trafficking unit worked with tourism organizations to promote awareness of sex trafficking in the hotel and hospitality sector.

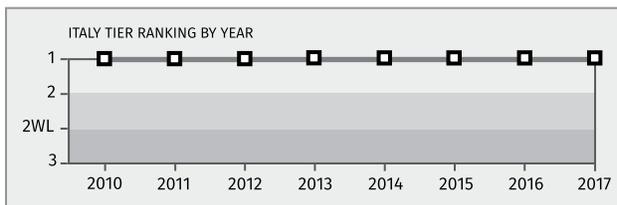
## TRAFFICKING PROFILE

As reported over the past five years, Israel is a destination country for men and women subjected to forced labor and sex trafficking as well as, to a lesser extent, a source country for men and women subjected to sex trafficking within Israel. Foreign workers, primarily from Southeast Asia, Eastern Europe, and the former Soviet Union, migrate to Israel for temporary contract labor in construction, agriculture, and caregiving; some of these workers are subjected to forced labor. An international organization reported in 2015 that some Thai men and women are subjected to forced labor in Israel's agricultural sector,

where their passports were withheld, and they experience long working hours, no breaks or rest days, and difficulty changing employers due to limitations on work permits. A 2013 report noted men from the Philippines, Sri Lanka, and India worked on fishing boats under harsh conditions, some of which constitute human trafficking, distinguished by isolation, long working hours, and withheld salaries. Caregivers are highly vulnerable to forced labor due to their isolation inside private residences, high recruitment fees, and their lack of protection under the labor law. The Philippine Embassy reports Filipino workers pay recruiters in the Philippines high fees to secure work in Israel and the requirement to repay this amount results in significant hardship for the workers and increases their vulnerability to forced labor. Persons with disabilities, particularly foreigners, are vulnerable to forced labor, in particular in street begging. Women from Eastern Europe and the former Soviet Union, Uzbekistan, China, and Ghana, as well as Eritrean men and women, are subjected to sex trafficking in Israel; some women arrive on tourist visas to work willingly in prostitution, but are subsequently exploited by sex traffickers. NGOs report some Palestinian LGBTI persons are vulnerable to abuse and exploitation, due to their legal status and restrictions on work eligibility for Palestinian nationals in Israel. Some Israeli women and girls may be victims of sex trafficking in Israel. Since 2007, thousands of African migrants have entered Israel from Egypt's Sinai Peninsula. Although the flow of these migrants arriving in Israel has dramatically decreased from more than 17,000 in 2011, at least 18 irregular migrants arrived in Israel in 2016. Many of these migrants were kidnapped in the Sinai Peninsula and subjected to severe abuse, including forced labor and sex trafficking, at the hands of criminal groups in the Sinai before reaching Israel. Eritrean and Sudanese male and female migrants and asylum-seekers are highly vulnerable to sex and labor trafficking in Israel.

## ITALY: TIER 1

The Government of Italy fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Italy remained on Tier 1. The government demonstrated serious and sustained efforts by publishing guidelines for the identification of trafficking victims among the large influx of irregular migrants, asylum-seekers, and unaccompanied children, increasing funding for NGOs providing shelter and other assistance to victims, and increasing the number of investigations of trafficking cases and convictions of traffickers compared to the previous year. Although the government meets the minimum standards, it did not indict any trafficking suspects in 2016 under the 2003 Measures Against Trafficking in Persons law according to partial data for the year, and did not report data on the specific length of sentences imposed on convicted traffickers. Government-supported NGOs remained underfunded in light of the need, and many victims among vulnerable groups went unidentified, especially at reception centers charged with screening and processing the large number of migrants and refugees. The government also did not implement any nationwide public awareness campaigns.



## RECOMMENDATIONS FOR ITALY

Vigorously investigate and prosecute trafficking cases, including of allegedly complicit government officials, and convict and sentence traffickers with dissuasive sanctions; implement guidelines under the national plan to improve identification of possible trafficking victims among both migrants and asylum-seekers; increase efforts to screen foreigners working in prostitution as possible trafficking victims; consistently train law enforcement, migration officers, first responders, and other officials across all regions and localities on identification and referral procedures; provide adequate long-term funding to NGOs assisting victims; improve specialized services for child trafficking victims and expand accommodation for male victims; establish a national coordination structure that involves all relevant public bodies and NGOs, compiles comprehensive data that disaggregates between sex and labor trafficking cases, monitors efforts, and discloses the information to the public; allow asylum-seekers to obtain legal employment while their applications are reviewed; simplify applications for victim compensation to encourage more victims to report trafficking crimes; increase international cooperation with source and transit countries, especially Nigeria, to counter trafficking rings; make efforts to reduce the demand for child sex tourism and increase prosecutions of participants, in particular Italians who purchase sex from children abroad; implement nationwide awareness-raising activities on all forms of trafficking; and address demand for commercial sex and availability of inexpensive goods that drive trafficking, including through supply chain and government procurement policies.

## PROSECUTION

The government increased law enforcement efforts. The 2003 Measures Against Trafficking in Persons law prohibits all forms of trafficking and prescribes penalties of eight to 20 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. The government reported disaggregated statistics to identify trafficking crimes versus crimes related to prostitution. The government did not disaggregate law enforcement statistics involving labor trafficking crimes. Under the Measures Against Trafficking in Persons law (trafficking law), authorities investigated 102 cases of trafficking in 2016, compared with 65 in 2015 and 44 in 2014. The government did not indict any defendants under the trafficking law in 2016, compared with 17 in 2015 and 16 in 2014. Trial courts convicted nine traffickers under the trafficking law in 2016, compared to one in 2015 and 11 in 2014. Appellate courts reported convictions of 23 defendants in 2016, compared to 11 in 2015 and 11 in 2014. Data for 2016 was partial, a compilation of reports from 80 percent of prosecutors and 60 percent of courts. The government did not report specific data on sentences imposed under the trafficking law in 2016 or in years prior, and stated only that convicted traffickers generally received prison sentences ranging from six to nine years. The government also prosecuted cases under laws relating to slavery and exploitation to prostitution, outside of the definitions

within the trafficking law, and statistics for those cases are not included above.

The training curriculum for law enforcement agencies included victim identification and investigation of trafficking crimes; the government did not report how many officers received training. There were isolated reports of government officials complicit in human trafficking. Authorities launched one investigation involving a police officer and his wife accused of providing apartments to Brazilian workers, who were suspected trafficking victims, and demanding excessive rent.

## PROTECTION

The government increased funding for trafficking victim assistance, but overall protection remained weak and uncoordinated given the number of victims in need. The government did not report how many victims it identified or statistics on the form of trafficking or the age, gender, or nationality of victims identified or assisted. Police reported assisting 101 trafficking victims. The Department of Equal Opportunity (DEO), the entity responsible for coordinating protection efforts, reported government-supported NGOs assisted 851 potential victims in 2016 (which likely included the 101 assisted by police), similar to the 800 victims assisted in 2015; however, this figure did not clearly differentiate between victims of trafficking and other forms of exploitation. Of the total, 172 were men and seven were transgender. Children represented nearly 10 percent of the trafficking victims receiving assistance, mostly boys forced to beg or commit robbery. Approximately 45 percent were from Nigeria, although an international organization estimated up to 75 percent of the more than 11,000 Nigerian women and unaccompanied children who arrived in Italy in 2016 were trafficking victims. The government relied predominantly on NGOs and international organizations to provide shelter and services to victims, which continued to cite insufficient funding and lack of a formal referral mechanism as serious problems. Experts reported the reception centers were too few, unsuited for trafficking victims, and accessible to traffickers to recruit victims. These issues persisted in reception areas where migrants and refugees waited for shelter and contributed to increased instances of labor and sex trafficking. The government allotted €14.5 million (\$15.28 million) exclusively to trafficking victim assistance programs implemented by NGOs in 2016, a significant increase from €8 million (\$8.43 million) allocated in 2015. Local governments provided additional funds to victim assistance programs, although figures were not available. Government-funded NGOs provided separate facilities for men and unaccompanied children.

Article 13 of the Law on Trafficking in Persons (228/2003) provides for three to six months of victim assistance, and after initial assistance, victims may be eligible for temporary residency and work permit. Adult victims were entitled to a six-month temporary residence permit that was renewable if the victim found employment or enrolled in a job training program, and the government granted 340 such permits to victims in 2016. Child victims automatically received a residence permit until age 18 and were accommodated in generalized children's centers or in open centers established for trafficking victims who were also asylum-seekers. Children received counseling and were enrolled in local public schools with the support of mentors. However, by November 2016, an estimated 38 percent of unaccompanied children identified by authorities had left the centers. The government granted 324 temporary residence permits for victims of exploitation in 2015; it was unclear how

many recipients were trafficking victims. Although victims were not required to cooperate with law enforcement to obtain a residence permit, some NGOs and international organizations reported authorities gave preference to those who cooperated.

Police worked in collaboration with NGOs and international organizations to screen for trafficking victims as part of standard registration procedures at most ports of entry. NGOs reported, however, many trafficking victims went unidentified among the irregular migrants, asylum-seekers, and unaccompanied children due to officials' inconsistent use of identification criteria. Therefore, although the law protects victims from being penalized for unlawful acts committed as a result of being subjected to trafficking, unidentified victims may have been treated as regular asylum-seekers or illegal migrants, the latter sometimes subject to prosecution and deportation. To address the need for better identification on entry, the Ministry of Interior published guidelines in December 2016 for the identification of trafficking victims among asylum-seekers to be used by the regional committees that adjudicate asylum applications.

## PREVENTION

The government maintained limited trafficking prevention efforts. In October 2016, the government began implementation of the anti-trafficking national action plan through an interagency committee representing multiple government agencies, and which included grants for 18 NGO-run projects to assist victims and promote their social inclusion. The DEO, under the leadership of the Undersecretary of State to the Presidency of the Council of Ministers, was the designated coordinator of the interagency steering committee on trafficking and also monitored and evaluated protection and prevention programs. Government officials, NGOs, and international organizations cited insufficient coordination on anti-trafficking efforts. During the first three quarters of 2016, the government inspected 94,025 companies, identified over 30,000 unregistered workers, and found 1,124 workers without residence permits; the government did not report whether it screened or identified potential trafficking cases as a part of their inspection process. The government did not implement any nationwide public awareness campaigns. Local authorities and NGOs continued to distribute brochures, posters, bumper stickers, and media advertisements providing information on victim assistance. The government's hotline for victims of trafficking received more than 2,900 calls for information, of which 899 related to trafficking. Local municipalities and police supported education campaigns led by NGOs aimed at reducing the demand for commercial sex. Although Italians engaged in child sex tourism in various countries abroad, the government did not address the demand for child sex tourism or prosecute Italian citizens who participated, nor did it make any tangible efforts to reduce the demand for forced labor. The government expanded its international anti-trafficking efforts focusing on assistance to vulnerable youth populations, including a communication campaign in the Horn of Africa and West Africa to inform potential migrants of the risks of trafficking. The government provided anti-trafficking training to diplomats, as well as troops prior to deployment with international peacekeeping missions.

## TRAFFICKING PROFILE

As reported over the past five years, Italy is a destination, transit, and source country for women, children, and men subjected to sex trafficking and forced labor. Victims originate from Nigeria, Romania, Morocco, China, and other countries. Female victims

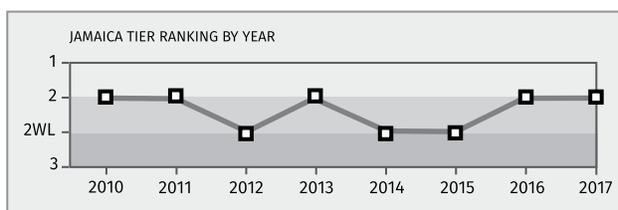
are often subjected to sex trafficking in Italy after accepting promises of employment as dancers, singers, models, restaurant servers, or caregivers. Romanian and Albanian criminal groups force Eastern European women and girls into commercial sex. Nigerians represent 21 percent of victims, with numbers nearly doubling in 2016 to approximately 7,500 victims. Nigerian women and girls are subjected to sex and labor trafficking through debt bondage and coercion through voodoo rituals. Men from Africa, Asia, and Eastern Europe are subjected to forced labor through debt bondage in agriculture in southern Italy and in construction, house cleaning, hotels, and restaurants in the north. Chinese men and women are forced to work in textile factories in Milan, Prato, Rome, and Naples. Children subjected to sex trafficking, forced begging, and forced criminal activities are from Romania, Nigeria, Brazil, Morocco, and Italy, particularly Romani and Sinti boys who may have been born in Italy. Transgender individuals from Brazil and Argentina are subjected to sex trafficking in Italy. Unaccompanied children are at risk of trafficking, particularly boys from Somalia, Eritrea, Bangladesh, Egypt, and Afghanistan, who often work in shops, bars, restaurants, and bakeries to repay smuggling debts. Italian men engage in child sex tourism abroad, including in countries across Africa, Latin America, and East Asia.

The estimated number of trafficking victims in Italy increased significantly due to the continued dramatic flow of migrants and asylum-seekers arriving by boat from sub-Saharan Africa. Italy received 181,436 irregular arrivals by sea in 2016, added to the 154,000 arrivals in 2015. More than one-half requested asylum, demonstrating possible vulnerability to trafficking. One international organization estimated more than 7,500 likely trafficking victims arrived from Nigeria alone in 2016, compared to an estimated 2,800 in 2015. Most rely on smugglers at some point during their journey and in some instances are subjected to human trafficking en route or upon arrival in Italy. Although the government operated temporary centers throughout the country to house asylum-seekers, the system was stretched beyond capacity; international organizations reported increased incidents of labor and sex trafficking of asylum-seekers as a result of the reception centers being unsuited for victims of trafficking and too accessible to traffickers who recruit victims. A shortage of shelters also resulted in less capacity to adequately monitor conditions. Under Italian law, asylum-seekers are not allowed to work while their applications are under review, and migrants often sought illegal employment in informal sectors, increasing their vulnerability to trafficking. Of total arrivals in 2016, 25,846 were unaccompanied children, mostly boys and a majority from Africa. Many went north to other European countries, while others looked for employment outside protected shelters. Children remaining in Italy were particularly vulnerable to trafficking in the informal agriculture, hospitality, and construction sectors, or were forced by traffickers into begging.

## JAMAICA: TIER 2

The Government of Jamaica does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore, Jamaica remained on Tier 2. The government demonstrated increasing efforts by securing two convictions, prosecuting nine trafficking cases against 13 alleged traffickers, and investigating 40 potential new trafficking cases. The government developed a new victim protection protocol for health, labor, and child welfare officials, identified eight

trafficking victims who were provided government shelter and services, and increased awareness-raising efforts. However, the government did not meet the minimum standards in several key areas. The government did not hold complicit officials accountable, publish a standard victim protection protocol, or publish an annual report monitoring its efforts.



## RECOMMENDATIONS FOR JAMAICA

Vigorously prosecute, convict, and punish traffickers, including any officials complicit in sex or labor trafficking; increase efforts to identify and assist victims of forced labor and sex trafficking, including sex trafficking of Jamaican children; dedicate adequate funding to implement the national action plan; fully implement government-wide standard operating procedures to guide police, labor inspectors, child welfare officials, and health workers in the proactive identification of local and foreign victims of forced labor and sex trafficking, including children exploited in commercial sex in night clubs, bars, and massage parlors; continue to support victims during the criminal justice process whether the victim resides in Jamaica or abroad to ensure the admissibility of testimony; implement the national rapporteur's mandate to investigate reports of human trafficking, report on violations of the rights of victims, and provide an annual report to the government; and continue efforts to raise awareness about human trafficking of both Jamaican citizens and foreign nationals.

## PROSECUTION

The government maintained efforts to investigate, prosecute, and convict traffickers. The government prohibits all forms of trafficking through its comprehensive Trafficking in Persons (Prevention, Suppression, and Punishment) Act. The sentence for trafficking in persons and conspiracy to commit trafficking is up to 20 years imprisonment, a fine, or both. The sentence for aggravated trafficking in persons—in cases of serious injury, repeat offenses, or by a person in a position of authority among other factors—is up to 30 years imprisonment, a fine, or both. These penalties are sufficiently stringent; however, when allowing for a fine in lieu of imprisonment, the prescribed punishment is not commensurate with those for other serious crimes, such as rape. In April 2014, officials enacted the Criminal Justice Act, which may be used to prosecute traffickers who are members of a “criminal organization” with penalties of five to 15 years imprisonment or a fine or both. A number of new laws, including most notably the Evidence (Amendment) Act of 2015, the DNA Evidence Act of 2015, and the Jury (Amendment) Act of 2016, are expected to strengthen the judicial system's ability to admit relevant evidence in trafficking cases and improve the jury system. The Jamaican cabinet approved an amendment to the Trafficking Act to allow such cases to be tried by a judge rather than a jury; the parliament will consider the amendment in 2017.

Authorities initiated 40 new trafficking investigations compared with 30 in 2015; 30 of these investigations led to police operations in search of traffickers, victims, and evidence. Officials