

international organization, the government developed a draft NRM during the reporting period. The drafting process involved significant coordination among multiple government agencies, law enforcement, and civil society. However, it did not finalize implementing regulations for the protection and prevention provisions of the 2008 anti-trafficking law. Draft implementing regulations for trafficking victim and witness protection were not finalized by the end of the reporting period.

Officials continued to operate facilities in more than 215 police stations and 22 “Victims of Violence” centers throughout the country offering temporary shelter, food, limited counseling, and monitoring following reintegration for victims of crime; however, it remained unclear whether trafficking victims benefited from these services in 2016. The anti-trafficking law requires police protection for victims who participate as witnesses in criminal proceedings against traffickers. The multi-sectoral care mechanism, which coordinates referrals and protective provisions for female victims of violence, remained inadequate and inoperative in 2016. Although Mozambican law provides for temporary residency status or legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution, the government did not use this provision during the reporting period.

PREVENTION

The government made modest efforts to prevent trafficking. The NRG met at least twice during the reporting period to coordinate anti-trafficking efforts at the national level and to draft an updated national action plan; however, the plan was not finalized by the end of the reporting period. Provincial-level “reference groups,” consisting of local officials, police, border guards, social workers, NGOs, and faith-based organizations, continued to coordinate regional efforts to address trafficking and other crimes. These groups carried out awareness campaigns throughout the country with support from an international NGO. The labor ministry employed an inadequate number of labor inspectors who lacked training and resources to effectively monitor for child trafficking and other labor violations, especially on farms in rural areas. Mozambican officials remained without effective policies or laws regulating foreign recruiters and holding them civilly and criminally liable for fraudulent recruiting. The government did not demonstrate tangible efforts to reduce the demand for commercial sex acts or forced labor during the year. It did not provide anti-trafficking training for its diplomatic personnel.

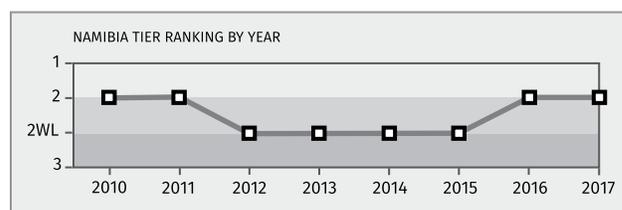
TRAFFICKING PROFILE

As reported over the past five years, Mozambique is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The use of forced child labor occurs in agriculture, mining, and market vending in rural areas, often with the complicity of family members. In addition to voluntary migrants from neighboring countries, women and girls from rural areas, lured to cities in Mozambique or South Africa with promises of employment or education, are exploited in domestic servitude and sex trafficking. Mozambican girls are exploited in bars, roadside clubs, overnight stopping points, and restaurants along the southern transport corridor that links Maputo with Swaziland and South Africa. Child sex trafficking is of growing concern in Maputo, Beira, Chimoio, Tete, and Nacala, which have highly mobile populations and large numbers of truck drivers. As workers and economic migrants seek employment in the growing extractive industries in Tete and Cabo Delgado, they

increase the demand for sexual services, potentially including child sex trafficking. Mozambican men and boys are subjected to forced labor on South African farms and mines where they often labor for months without pay under coercive conditions before being turned over to police for deportation as illegal migrants. Mozambican boys migrate to Swaziland to wash cars, herd livestock, and sell goods; some subsequently become victims of forced labor. Mozambican adults and girls are subjected to forced labor and sex trafficking in Angola, Italy, and Portugal. Persons with albinism, including children, are increasingly vulnerable to trafficking for the purpose of organ removal. Informal networks typically comprise Mozambican or South African traffickers. South Asian smugglers who move undocumented South Asian migrants throughout Africa also reportedly transport trafficking victims through Mozambique. Previous reports allege traffickers bribe officials to move victims within the country and across national borders to South Africa and Swaziland.

NAMIBIA: TIER 2

The Government of Namibia 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, Namibia remained on Tier 2. The government demonstrated increasing efforts by identifying and referring to care more trafficking victims, by drafting a national mechanism to refer victims to care, and by establishing a multi-sectoral steering committee, the TIP National Coordinating Body (TNCB), and signing a memorandum of understanding to strengthen inter-ministerial coordination on trafficking cases. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers. Government-funded shelters lacked personnel and resources to assist victims. The government did not conduct awareness activities.



RECOMMENDATIONS FOR NAMIBIA

Finalize and enact comprehensive anti-trafficking legislation; increase efforts to investigate, prosecute, and convict traffickers, including for forced labor; adopt and implement the draft national mechanism to identify victims and refer them to care; allocate additional resources for shelter services, including to develop a plan to fully operationalize renovated safe houses specifically for trafficking victims; finalize and implement a new national action plan to guide anti-trafficking efforts; train officials on relevant legislation; institute a unified system for collecting trafficking case data for use by all stakeholders; strengthen coordination among government ministries at both the ministerial and working level; and increase efforts to raise awareness, especially in rural areas.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The 2009 Prevention of Organized Crime Act criminalizes all forms of trafficking and prescribes sentences of up to 50 years imprisonment and a fine for persons who participate in trafficking offenses or aid and abet traffickers, penalties that are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. In April 2015, the government enacted the Child Care and Protection Act, which includes provisions explicitly criminalizing child trafficking and providing protection measures for victims of child trafficking; however, the bill will not enter into force until regulations related to other parts of the law have been promulgated. The government continued to review the National Human Trafficking Bill, which is meant to provide a single point of reference for all trafficking cases and also includes protection and prevention measures; however, it was not enacted at the end of the reporting period.

In 2016, the government conducted eight trafficking investigations, three for sex trafficking and five for forced labor, compared to seven in 2015. The government initiated prosecution in two trafficking cases of seven defendants, the same as in 2015. The government did not convict any traffickers, compared to one conviction in the previous reporting period. One prosecution initiated in 2014 resulted in acquittal during the reporting period. The government continued implementing its training curriculum for new immigration officers and in-service personnel, with three of 14 regions trained in the reporting period. The government provided anti-trafficking training to an unknown number of law enforcement officers in three police colleges during the reporting period. The curriculum included a new overview on identifying and assisting trafficking victims; however, the training was not comprehensive. 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 protect trafficking victims. It identified 12 trafficking victims, including eight foreign nationals, and referred all victims to care facilities for assistance, although the government did not report what specific services it provided. This was compared to five victims identified and referred in 2015. However, the government did not have formal written procedures for use by all officials on victim identification and referral to care. The TNCB drafted but did not adopt a national referral mechanism to formalize identification and referral procedures. In practice, when police identified a woman or child victim of crime, including trafficking, they transferred the victim to the Gender-Based Violence Protection Units (GBVPU), which refer victims of all crimes to temporary shelter and medical assistance. GBVPU facilities offered initial psycho-social, legal, and medical support to crime victims, in cooperation with the police, the Ministry of Gender Equality and Child Welfare (MGECW), the Ministry of Health, and NGOs. Government shelters for victims of gender-based violence (GBV), including trafficking, were not fully operational, and were used as a last resort to provide emergency short-term shelter in limited cases. A government-funded NGO shelter in Windhoek provides care for women and child victims of GBV and trafficking; during the reporting period, it provided care to 60 women and 85 child victims of GBV and trafficking, including four identified trafficking victims. The government lacked standard operating procedures for shelters, which remained under development by MGECW. The Ministry of Home Affairs

and Immigration continued to provide immigration officials a printed manual to guide identification of trafficking victims.

The government did not have a policy to encourage victims' participation in investigations; the law provides for witness protection or other accommodations for vulnerable witnesses that in principle would be available for trafficking victims. There were no reports that the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking; however, without uniform victim identification measures, victims may be left unidentified in the law enforcement system. Street children remained vulnerable to detention as police and immigration officials did not always screen for indicators of trafficking. The police and prosecutor general began implementing a formal policy to screen individuals who have been identified for deportation for trafficking before deportation. While the government had no formal policy to provide residence permits to foreign victims of trafficking, during previous reporting periods government officials made ad-hoc arrangements for victims to remain in Namibia.

PREVENTION

The government maintained prevention efforts. The ministerial-level national committee to combat trafficking and its technical committee did not hold any official meetings during the reporting period. The national action plan to combat trafficking in persons expired at the end of 2016; reportedly, members of the technical committee continued work on a new plan. In April 2016, the government signed a memorandum of understanding with an international organization to launch an anti-trafficking program; however, implementation of the awareness-raising component of the project remained pending at the end of the reporting period. The government conducted awareness-raising events through the Ministry of Education in schools throughout the fourteen regions as well as outreach to religious leaders in the capital. The Ministry of Labor and Social Welfare employed 97 labor and occupational health and safety inspectors, who were responsible for enforcing laws against child labor. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training to its diplomatic personnel.

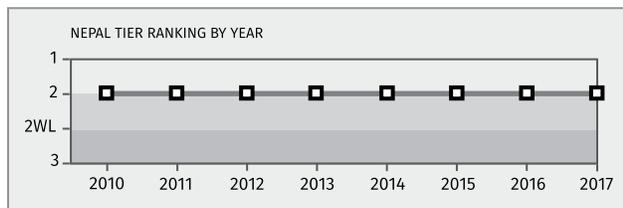
TRAFFICKING PROFILE

As reported over the past five years, Namibia is a source and destination country for children, and to a lesser extent women, subjected to forced labor and sex trafficking. Some victims are initially offered legitimate work for adequate wages, but are then subjected to forced labor in urban centers and on commercial farms. Namibian children are subjected to forced labor in agriculture, cattle herding, and domestic service, and to sex trafficking in Windhoek and Walvis Bay. A 2015 media report alleged foreign sex tourists from southern Africa and Europe exploit child sex trafficking victims. Namibians commonly house and care for children of distant relatives to provide expanded educational opportunities; however, in some instances, these children are exploited in forced labor. Among Namibia's ethnic groups, San and Zemba children are particularly vulnerable to forced labor on farms or in homes. In 2014, an NGO reported persons in prostitution, some of whom may have been trafficking victims, were taken aboard foreign vessels off the Namibian coast. Children from less affluent neighboring countries may be subjected to sex trafficking and forced labor, including in street vending in Windhoek and other cities as well as in the fishing sector. Angolan children

may be brought to Namibia for forced labor in cattle herding. There were reports in 2013 of labor violations—potentially including forced labor—involving foreign adults and Namibian adults and children in Chinese-owned retail, construction, and fishing operations.

NEPAL: TIER 2

The Government of Nepal 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, Nepal remained on Tier 2. The government demonstrated increasing efforts through a rise in both the number of trafficking investigations and victims identified, and by doubling its budget to provide victim care services to female victims of violence, including trafficking victims. The government conducted awareness activities around the country and revoked the licenses of more than 400 foreign employment agents located outside of Kathmandu, reportedly to reduce the exploitation of migrant workers. However, the government did not meet the minimum standards in several key areas. Its laws do not prohibit all forms of trafficking and it lacks standard operating procedures (SOPs) on victim identification. The government stated its notable decrease in prosecutions from 341 cases in the previous Nepali fiscal year to 218 was due in part to poor investigative technique by the police resulting in insufficient evidence. While the government revised its policies preventing female migration in several ways, observers continued to report the revised policies compelled women to use illegal methods to migrate which subsequently increased their vulnerability to human trafficking. Many government officials continued to lack understanding of trafficking crimes; officials continued to register cases of labor exploitation abroad under the Foreign Employment Act without investigation into whether the abuse constituted a trafficking crime.



RECOMMENDATIONS FOR NEPAL

Respecting due process, increase investigations, prosecutions, and convictions against all forms of trafficking, including bonded labor, transnational labor trafficking of Nepali males, sex trafficking of Nepali females within Nepal, and against officials complicit in trafficking-related crimes; institute formal procedures for proactive identification and referral of trafficking victims to protection services; amend the Human Trafficking and Transportation (Control) Act (HTTCA) to bring the definition of human trafficking in line with the 2000 UN TIP Protocol; expand access to and availability of victim care, including to male victims; penalize licensed labor recruiters who engage in fraudulent recruitment or charge excessive fees; implement victim witness protection provisions in the HTTCA; enforce the low-cost recruitment policy and continue to take steps to eliminate all recruitment fees charged to workers; ensure victims are not punished for unlawful acts committed as a direct result

of being subjected to trafficking; lift current bans on female migration to discourage migration through undocumented channels; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The 2007 HTTCA and the 2008 regulation prohibit most, but not all, forms of trafficking in persons. The HTTCA criminalizes slavery and bonded labor but does not criminalize the recruitment, transportation, harboring, or receipt of persons by force, fraud, or coercion for the purpose of forced labor. It criminalizes forced prostitution but, in a departure from the 2000 UN TIP Protocol definition, does not consider the prostitution of children as a form of trafficking absent force, fraud, or coercion. The law also criminalizes facilitating prostitution and removal of human organs. Prescribed penalties range from 10 to 20 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The 2002 Bonded Labor (Prohibition) Act prohibits bonded labor and the Child Labor Act prohibits forced child labor. The Foreign Employment Act (FEA) criminalizes fraudulent and deceptive labor recruitment. The National Committee for Controlling Human Trafficking (NCCHT) continued to work on draft revisions to the HTTCA to bring the definition of human trafficking closer in line with international law; however, the government did not complete the revision process by the end of the reporting period.

The Nepal Police Women's Cells conducted 212 investigations under the HTTCA during the Nepali fiscal year compared with 181 cases in the previous fiscal year. The 212 cases involved 447 alleged traffickers of whom 192 were suspected of sex trafficking and 140 of forced labor. The remaining 115 were uncategorized, and it is unknown what proportion of cases were transnational. These investigations involved crimes in which women and girls were the primary victims. Crimes involving male victims are handled by other police investigative units. The Central Investigative Bureau investigated 20 transnational and six internal trafficking cases between April and December 2016 compared with six transnational cases during the same time period in 2015. In collaboration with the Sri Lankan police, the Nepali government sent a team of police and ministry officials from labor, foreign affairs, and women, child, and social welfare (MWCSW) to Colombo to investigate allegations traffickers and smugglers were increasingly using Sri Lanka as a transit point to send Nepali women migrant workers to other destinations. The government prosecuted 218 cases during the fiscal year compared with 341 cases in the previous year. This data was not disaggregated to distinguish between sex and labor trafficking cases. The government stated the decrease in prosecutions was related to a combination of poor investigative techniques by the police, insufficient evidence for prosecution in some cases, and other cases taking priority. At the district level, courts convicted 262 traffickers during the fiscal year, compared with 260 traffickers in the previous year, and acquitted 232 accused. Department of Foreign Employment (DFE) officials continued to advise abused migrant workers returning to Nepal to register complaints under the FEA rather than notify police. Victims of transnational labor trafficking preferred to submit claims for compensation through the FEA rather than pursue lengthy criminal prosecutions under the HTTCA, often to avoid the stigma associated with being labeled a trafficking victim (assumed to insinuate sex trafficking) and because the potential to be awarded compensation was higher.

The Women and Children Services Directorate conducted a

course on trafficking investigations for 190 police officers and continued to conduct psycho-social victim-centered training during the reporting period. An NGO, in partnership with the government, provided a 30-day, crime scene training course to police officials, which included information on how to identify and protect trafficking victims. Despite this training, police officers' lack of awareness of the anti-trafficking law, challenges in evidence collection, and poor investigative techniques impeded prosecution efforts. The Attorney General's office trained public prosecutors on prosecuting traffickers and utilizing a victim-centered approach to improve victim protection during legal proceedings. In 2013 the anti-corruption commission indicted 46 officials from the DFE and Immigration for issuing fraudulent documents; criminal proceedings were ongoing at the close of the reporting period. Observers alleged some traffickers enjoy impunity due to personal connections with politicians or by bribing police. Despite continued allegations local officials facilitated the falsification of age documents for child sex trafficking victims, the government did not report initiating any new investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government increased modest efforts to protect victims. Authorities did not systematically track the total number of victims identified. Police identified 419 victims of sex and labor trafficking connected to the 238 investigations initiated during the Nepali fiscal year compared with 327 victims identified through investigations the previous year. Of the 419 victims, 109 were under age 18 and almost all were female—only two of the identified victims were male. It is unknown how many of the victims were exploited abroad. Officials' poor understanding of the crime, a lack of formal SOPs for identification, and victims' reluctance to be identified due to stigma hindered proper and proactive identification, especially among returning male labor migrants who reported exploitation abroad. NGOs reported government efforts to identify domestic sex trafficking victims improved during the reporting period; police increased the number of raids on Kathmandu adult entertainment businesses and more consistently worked to identify sex trafficking victims to avoid penalizing them for prostitution crimes. When properly identified, victims were not detained, fined, or jailed for crimes committed as a result of being subjected to human trafficking.

The government has national minimum standards for victim care and referring identified victims to services. Despite these standards and the government's continued drafting of victim identification and referral SOPs, referral efforts remained ad hoc and inadequate. It is unclear how many victims were referred to and able to utilize services during the year. The government increased its budget to provide services for female victims of violence, including trafficking, from 12.6 million Nepali rupees (NPR) (\$115,915) during the 2015-2016 fiscal year to 25 million NPR (\$229,991) for the 2016-2017 fiscal year. With support from MWCSW, NGOs maintained eight rehabilitation homes, 17 emergency shelters, and one long-term shelter for female victims of gender-based violence, including trafficking. MWCSW provided the NGOs funding for three staff members per shelter, some facility expenses, and victim assistance, including legal assistance, psychological support, transportation, medical expenses, and skills training. The government continued to allocate 40,000 NPR (\$386) for the protection of adult male trafficking victims but did not fund shelter services. An NGO ran one shelter for men in Kathmandu. In July 2016, MWCSW launched an online directory to catalog service providers for victims of human trafficking and migration-related exploitation.

At the close of the reporting period, the directory cataloged services in 16 districts. Victims may seek compensation from a rehabilitation fund if the government is unable to collect fines from traffickers. During the reporting period, the government paid a total of 50,000 NPR (\$368) to the victim in one case. The government established nine victim-witness protection rooms in district courts during the reporting period. Overall victim-witness protection mechanisms remained insufficient. They also were impeded by a 2015 amendment to the HTTCA that reinstated a provision allowing victims to be fined if they failed to appear in court or criminally liable for providing testimony contradicting their previous statements. The government did not have established procedures for alternatives to the deportation of foreign victims.

While Nepali embassies in Kuwait, Oman, Saudi Arabia, Qatar, Bahrain, and United Arab Emirates provided emergency shelters for vulnerable female workers, some of whom were trafficking victims, the Foreign Employment Promotion Board (FEPB) acknowledged the shelters lacked sufficient space and resources to meet the high demand for assistance. FEPB collected fees from departing registered migrant workers for a welfare fund to provide repatriation and one year of financial support to families of injured or deceased workers, which could include trafficking victims. During the fiscal year, the fund provided financial support to the families of 173 injured and 690 deceased migrant workers, and paid to repatriate 535 workers, an increase from 216 workers in the previous year. FEPB may also repatriate unregistered migrant workers by requesting funds through the finance ministry on an ad hoc basis. It is unknown if unregistered workers were repatriated during the reporting period.

PREVENTION

The government maintained efforts to prevent human trafficking. The government continued to conduct training and coordination sessions with officials from the district committees for controlling human trafficking (DCCHTs) to clarify responsibilities in the implementation of the 2012-2022 national action plan. The NCCHT allocated approximately 98,900 NPR (\$910) to each of the 75 DCCHTs to support awareness campaigns, meeting expenses, and emergency victim services. This marked a decrease from the 250,400 NPR (\$2,304) allocated last fiscal year. The government, with partial funding from a foreign government, continued to establish local committees for controlling human trafficking (LCCHTs). As of December 2016, 420 LCCHTs were in operation. Observers continued to note the need for improved coordination between the NCCHT, DCCHTs, and LCCHTs. The government conducted and participated in public awareness campaigns throughout the country, including a week-long series of street plays, programs for media, and workshops in September 2016. During the week MWCSW issued awards to four journalists for their coverage of human trafficking. The police continued to implement post-2015 earthquake orders to maintain vigilance against human trafficking of women and children in displaced persons camps, border crossings, and transportation hubs. In nine districts, special committees continued to monitor the adult entertainment sector for abuses. Observers stated their effectiveness was limited, however, due to a lack of funding and legislation to establish the committees' formal role. MWCSW issued its fourth report on the government's anti-trafficking efforts, and the National Human Rights Commission's Office of the Special Rapporteur on Trafficking in Women and Children issued its seventh report on human trafficking.

The government's 2015 labor migration guidelines include

a policy requiring foreign employers to pay for visa and transportation costs for Nepali migrant workers bound for Malaysia and the Gulf states and restrict agency-charged recruitment fees to 10,000 NPR (\$92). Both NGOs and government officials noted enforcement of this policy was difficult and reported employment agencies regularly charged migrant workers for visa and transportation costs and fees above the 10,000 NPR limit. In July 2016 DFE revoked the licenses of more than 400 agents located outside of Kathmandu, reportedly to reduce the exploitation of migrant workers. In May 2016 the government formally lifted the suspension on all exit permits for female domestic work and lowered the age limit from 30 to 24 years for domestic worker migration to the Gulf states while simultaneously instituting a migration ban for mothers with children under age two. Observers continued to argue any ban on female migration increased the likelihood such women would migrate illegally and therefore heightened their vulnerability to human trafficking. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for all Nepali peacekeeping forces before deployment and for its diplomatic personnel. Nepal is not a party to the 2000 UN TIP Protocol. During the reporting period, however, the government-funded an NGO to study the costs of acceding to the protocol.

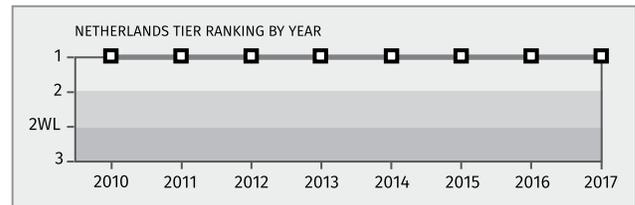
TRAFFICKING PROFILE

As reported over the past five years, Nepal is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Nepali women and girls are subjected to sex trafficking in Nepal, India, the Middle East, Asia, and sub-Saharan Africa. Nepali men, women, and children are subjected to forced labor in Nepal, India, the Middle East, and Asia in construction, factories, mines, domestic work, and begging. Manpower agencies or individual employment brokers who engage in fraudulent recruitment practices and impose high fees may facilitate forced labor. Unregistered migrants—including the large number of Nepalis who travel through India or rely on unregistered recruiting agents—are particularly vulnerable to forced labor and sex trafficking. Some Nepali women who agree to arranged marriages through Nepali companies to men in China and South Korea may experience fraud and be vulnerable to domestic servitude in which their freedom of movement is restricted. Some migrants from Bangladesh and possibly other countries transit Nepal en route to employment in the Middle East, using potentially falsified Nepali travel documents, and may be subjected to human trafficking. Some government officials reportedly accept bribes to include false information in Nepali identity documents or provide fraudulent documents to prospective labor migrants, a tactic used by unscrupulous recruiters to evade recruitment regulations. Within Nepal, bonded labor exists in agriculture, brick kilns, the stone-breaking industry, and domestic work. Sex trafficking of Nepali women and girls increasingly takes place in private apartments, rented rooms, guest houses, and restaurants. Nepali and Indian children are subjected to forced labor in the country, especially in domestic work, brick kilns, and the embroidered textile, or *zari*, industry. Under false promises of education and work opportunities, Nepali parents give their children to brokers who instead take them to frequently unregistered children's homes in urban locations, where they are forced to pretend to be orphans to garner donations from tourists and volunteers; some of the children are also forced to beg on the street. Many Nepalis, including children, whose home or livelihood was destroyed by the 2015 earthquakes

continue to be vulnerable to trafficking. Traffickers increasingly utilize social media and mobile technologies to lure and deceive their victims.

NETHERLANDS: TIER 1

The Government of the Netherlands fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, the Netherlands remained on Tier 1. The government demonstrated serious and sustained efforts by investigating, prosecuting, and convicting a significant number of traffickers and providing care for a significant number of victims. The government released a national action plan on child sex tourism and signed the first of 12 industry-specific covenants aimed at reducing the risk of human trafficking in supply chains. Although the government meets the minimum standards, the number of prosecutions, convictions, and victims identified reported by the government declined from the previous year; the government did not report complete statistics for the reporting period.



RECOMMENDATIONS FOR THE NETHERLANDS

Increase efforts to investigate, prosecute, convict, and sentence traffickers to penalties proportionate to the seriousness of the crime; provide adequate funding to NGOs to provide victim services; provide all potential trafficking victims with care services, regardless of their ability to cooperate with an investigation; continue outreach to potential victims in labor sectors and identify forced labor; remove the requirement that a trafficker needs to be formally convicted for the official identification of trafficking victims; improve mentoring of officials in Bonaire, St. Eustatius, and Saba to increase identification of victims and prosecution of traffickers; improve data collection on investigations, prosecutions, convictions, sentences, and victim identification; and continue to pursue covenants with companies in 12 identified industry sectors to reduce the risk of human trafficking in supply chains.

PROSECUTION

The government maintained law enforcement efforts. Article 273f of the criminal code prohibits all forms of trafficking, including forced begging and forced criminality, and prescribes punishments of up to 12 years imprisonment. The penalty is 15 years if the victim is a minor, or perpetrators act in a group, or there are acts of violence. The sentence for aggravated human trafficking is 18 years to life imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. According to the prosecutor's office, authorities did not keep data on trafficking investigations that did not result in arrests; in 2016 the police arrested 220 individuals suspected of trafficking, compared with 215 in 2015, the first annual increase since 2011.

In 2016, the government prosecuted 174 trafficking defendants and convicted 103, compared with 189 prosecuted and 140 convicted in 2015.

In 2015, the most recent year full data was available, the average sentence for traffickers was 18.3 months; this was shorter than the average sentence for individuals convicted of a single count of rape, which in 2015 was 20.5 months. The average sentencing for traffickers has dropped since 2013, in line with trends for sentencing of other significant crimes. Prosecutorial statistics did not disaggregate labor and sex trafficking cases, but statistics on victims indicated approximately 25 percent of victims identified in the first six months of 2016 were forced labor victims. A September 2016 report by the national rapporteur found judges' rulings and sentences in sexual offenses, which included sentences for sex trafficking crimes, were inconsistent, with 40 percent of suspects receiving no sentence, and 20 percent serving more than one year in prison. However, judges continued to sentence some convicted traffickers to prison, including a man sentenced to 15 years in prison for exploiting his daughter and foster daughters in child sex trafficking, the longest sentence ever handed down in the Netherlands for human trafficking. In November 2016, for the first time in the Netherlands, a district court convicted a company of human trafficking, fining a mushroom farming company €75,000 (\$79,030) and sentencing the director to two years in prison for the labor trafficking of six Polish workers. Judges with trafficking-specific training heard all trafficking cases in 2016. Judges, prosecutors, and defense attorneys continued to receive specialized training in applying the anti-trafficking law and dealing with traumatized victims. In 2016, labor inspectors referred 17 cases for prosecution for forced labor, an increase from 10 in 2015. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking in 2016. Police officers' basic training included anti-trafficking courses, and anti-trafficking police officers were required to pass examinations in a training course focused on policing commercial sex.

PROTECTION

The government maintained efforts to protect victims. The government reports its protection data through the independent anti-trafficking rapporteur, who monitors government efforts and released five reports during the year. In the first six months of 2016—the most recent reports available—the government-funded national victim registration center and assistance coordinator registered 486 possible trafficking victims, a decrease from 648 in the first six months of 2015. Of the 486 identified, 304 were victims of sex trafficking, 124 of labor trafficking and forced crime, and 69 of uncategorized trafficking; many individuals were identified as victims of multiple forms of trafficking. One-hundred and fifteen of the victims were children. The top countries of origin during the first six months were the Netherlands (30 percent of victims), Bulgaria, Poland, Romania, and Nigeria. Eighty-three of the identified potential trafficking victims elected to stay in shelters in 2016, compared with 146 in 2015; during the first six months of 2016 police identified 45 percent of human trafficking victims; military police, nine percent; labor inspectors, four percent; and other organizations, 42 percent. During 2016, reportedly six potential victims were identified in detention and referred to shelters. The government continued to fund an extensive network of facilities providing specialized services for child, adult female, and adult male victims. However, the government reduced funding for civil society organizations in 2016. NGOs that coordinate victim assistance have reported increased challenges

due to decreased government funding.

For victims to be officially designated as trafficking victims, their trafficker must be sentenced in court; without this status, foreign victims could not obtain permanent residency, with some exceptions. Potential victims had access to three government-funded shelters dedicated to human trafficking victims, one of which was dedicated to male victims, as well as various other shelters funded by local governments that catered to domestic violence victims, which also had dedicated beds for trafficking victims. Potential victims were allowed to stay for a three month reflection period to decide whether to assist law enforcement in prosecuting their traffickers. However, this three-month period could be reduced if a potential victim decided not to assist the police, or if the police determined not to file a case. The government did not release information on the number of potential trafficking victims who made use of this reflection period during 2015; this information will be released by the national rapporteur in October, along with the numbers for 2016. In 2014, the most recent year data was available, 174 victims made use of the reflection period. During a reflection period, non-EU victims were not allowed to work. After the reflection period, victims who agreed to assist police could stay in available shelters. All shelters provided medical and psychological care, schooling, language and skills training, and legal assistance; some also provided self-defense classes and most had facilities accessible to disabled individuals. Adult victims were permitted to leave shelters at will and unchaperoned, and child victims were placed in special shelters for children or in specialized foster homes. Seven shelters were specially designated for "lover-boy" trafficking victims, one of which was opened during the reporting period. The government worked with and funded NGOs to provide information on available services over the internet and to operate an interpreter fund to enable shelters to hire interpreters to assist with foreign victims. The government did not disclose the amount of funding for the shelters.

Victims willing to testify against their alleged trafficker were eligible to receive a B-8 permit, a temporary residence permit for trafficking victims, if authorities decided to prosecute a suspected trafficker. The government did not release information on the number of potential trafficking victims who applied for B-8 status during 2015; this information will be released by the national rapporteur in October along with the numbers for 2016. In 2014, the most recent year data was available, 251 victims applied for B-8 status, compared with 268 in 2013. Victims were granted permanent residency if the trafficker in their case was convicted or when they maintained B-8 status for three or more years. Authorities worked with civil society to repatriate foreign victims unable to acquire residency permits. If a trafficker was not prosecuted or was acquitted in a victim's case, or if a potential victim did not want to assist the police investigation, the victim could apply for asylum. While NGOs reported this was a regular occurrence, the government did not collect statistics on the number of potential victims who applied for asylum. A procedure also existed to circumvent B-8 eligibility requirements for residency in cases where victims were seriously threatened or had serious medical or psychological conditions. In January 2017, the government implemented measures from a 2012 pilot program to reduce potential B-8 fraud by shortening authorities' decision time to launch a criminal investigation to within 10 days of a report. Some experts contended this program forced victims in a vulnerable state to decide whether to press charges too quickly, possibly before they had met with an attorney. While the anti-trafficking law contains a non-punishment clause, defense attorneys

reported instances in which the clause was not always properly understood or implemented.

PREVENTION

The government maintained efforts to prevent trafficking. The government's Human Trafficking Taskforce continued implementation of the 2014-2017 national anti-trafficking action plan, the full text of which was classified and only the main priorities were publicly available. During 2016, the taskforce, comprised of local and national government authorities, the private sector, and NGO representatives, expanded to include a representative from the shelter community. The national anti-trafficking rapporteur published five reports during the reporting period addressing human trafficking trends and the government's response, and the Ministry of Security and Justice published two studies on connections between human trafficking and the criminalization of prostitution. The foreign ministry funded an international study on child sex tourism. The government announced a €1 million (\$1,053,740) increase to the 2017 anti-trafficking budget, and a €2 million (\$2,107,480) increase for the budget for 2018 onwards; authorities primarily assigned these funds for hiring more police detectives and analysts. The government continued several awareness campaigns to educate the public about all forms of trafficking with videos, websites, handouts, and school prevention curricula; the labor inspectorate continued to focus inspection efforts on sectors with an elevated risk of exploitation. Local government officials continued to conduct brothel inspections, which included close observation for any signs of trafficking. Authorities trained immigration, hotel, aviation, customs, and labor inspection staff in methods to identify possible human trafficking victims and signs of child sex tourism. In July, the government signed the first "Covenant on Reducing Human Rights Violations in Supply Chains" with the textile and clothing sector, with signatories representing 35 percent of the Dutch clothing and textile market. The government did not demonstrate efforts to reduce the demand for commercial sex. The Anonymous Crime Reporting Center received 279 tips on sex trafficking in 2016, compared with 182 tips on human trafficking and smuggling (joint category) in 2015. The government, in cooperation with NGOs and foreign governments, continued its campaign against child sex tourism aimed at screening potential foreign child sex tourists at airports. In September, the government released a national action plan against child sex tourism, focusing on prevention, prosecution, and international cooperation.

The foreign ministry continued to conduct outreach to foreign diplomats' domestic workers, without their employers present, on how to report cases of abuse. In the last five years, according to media sources, the Netherlands has registered 26 reports of labor exploitation by foreign diplomats. The government provided human rights training, including trafficking in persons training, during orientation for its diplomatic personnel. The government provided training on human rights and humanitarian law of war, including trafficking in persons, to Dutch troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, the Netherlands is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. The largest group of identified trafficking victims are Dutch girls enticed by young male traffickers, "lover boys," who establish sham romantic relationships with vulnerable girls before intimidating them

into sexual exploitation. Women and child refugees and asylum-seekers are vulnerable to sex trafficking and child sex trafficking, respectively. Men and women from Eastern Europe, Africa, and South and East Asia are subjected to labor trafficking in industries such as inland shipping, agriculture, horticulture, hospitality, domestic servitude, and forced criminal activity. Foreign workers who are dependent upon recruitment agencies are particularly vulnerable to labor trafficking and sexual exploitation. Media reported that over the last five years, 26 reports have been made to officials of labor exploitation of domestic workers from East Asia, South America and Africa by foreign diplomats representing countries in the Middle East, Africa, South America, and European Union offices. Roma children are forced into pickpocketing and shoplifting rings, and refugees and asylum-seekers, including unaccompanied children, are vulnerable to labor trafficking. The Netherlands is a source country for child sex tourists.

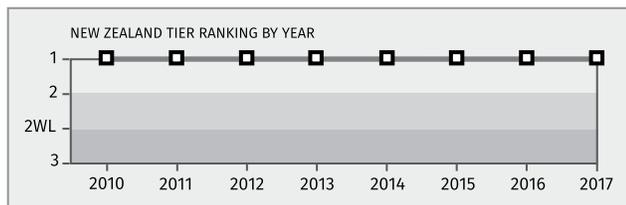
BONAIRE, ST. EUSTATIUS, AND SABA (BES)

The BES islands are municipalities of the Netherlands and a transit and destination area for men, women, and children subjected to sex trafficking and forced labor. Women in prostitution in regulated and illegal commercial sex and unaccompanied children are highly vulnerable to trafficking. Local authorities believe men and women have been subjected to domestic servitude and forced labor in the agricultural and construction sectors. Some migrants in restaurants and local businesses may be vulnerable to debt bondage.

The BES criminal code criminalizes both sex and labor trafficking under article 286f, prescribing penalties ranging from six to 15 years imprisonment. Authorities did not initiate any new trafficking investigations or prosecutions in 2016. The prosecution of Bonaire's first trafficking case, involving Colombian women in forced prostitution, was initiated in October 2012 and remained ongoing at the close of the reporting period. The mandate of the Netherlands' national rapporteur did not extend to the BES islands, so the office could not do local research. Local governments on the BES islands ran multidisciplinary anti-trafficking teams, which cooperated with each other and with Dutch counterparts. In January 2017, the Dutch government announced that in 2018, victims of violence, including human trafficking, would be eligible for compensation from the Violent Offenses Compensation Fund.

NEW ZEALAND: TIER 1

The Government of New Zealand fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, New Zealand remained on Tier 1. The government demonstrated serious and sustained efforts by convicting a trafficker under its human trafficking statute for the first time, training police and labor inspectors on victim identification, and providing services to trafficking victims and potential victims. Although the government meets the minimum standards, it did not consistently identify victims in vulnerable sectors, provide shelter services designed specifically for trafficking victims, or adequately conduct campaigns to raise general awareness of human trafficking.



RECOMMENDATIONS FOR NEW ZEALAND

Increase resources for robust victim protection services and establish procedures to refer all trafficking victims, including boys and men, to such services; significantly increase efforts to investigate and prosecute trafficking offenses and sentence traffickers to penalties commensurate with the seriousness of the crime; increase efforts to identify victims through proactive screening of vulnerable populations, including women and children in prostitution, foreign workers, and illegal migrants; amend the law to define the sex trafficking of children as not requiring the use of force, fraud, or coercion and to remove the possibility of a fine alone as a sentence; provide human trafficking training to judges and prosecutors; update the national action plan to address current trafficking trends in the country; expand anti-trafficking awareness campaigns; and engage in efforts to reduce demand of forced labor, including in supply chains, and sexual commercial exploitation, especially of children and foreign women.

PROSECUTION

The government increased law enforcement efforts. The Crime Act of 1961, as amended by the Omnibus Crime Bill, criminalizes most forms of human trafficking. Under the Crime Act, the human trafficking provision includes the reception, recruitment, transport, transfer, concealment or harboring of a person for the purpose of exploitation, defined as the deception or coercion causing a person to be involved in prostitution or other sexual services, slavery and practices similar to slavery, servitude, forced labor or other forced services, or the removal of organs. It requires elements of deception or coercion in its provision criminalizing sex trafficking of a child, which is inconsistent with international law. The law prescribes sentences of up to 20 years imprisonment, a fine not exceeding \$500,000, or both; these penalties are sufficiently stringent. By allowing for a fine in lieu of imprisonment, the prescribed punishment is not commensurate with those for other serious crime, such as rape. The government initiated seven investigations and began prosecutions of four defendants in 2016. The government convicted a trafficker under the human trafficking provision of the Crime Act for the first time. The court sentenced the trafficker to nine years and six months imprisonment and ordered the offender to pay \$28,167 in restitution for exploiting 15 migrant workers in forced labor; a second offender pleaded guilty to immigration violations and was sentenced to one year of home detention and ordered to pay \$55,000 in restitution. The government reported cooperating with foreign governments to investigate trafficking crimes. The government continued to train police on human trafficking, victim identification, and indicators of trafficking, but it did not report training prosecutors or judiciary officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained moderate victim protection efforts.

It reported having standardized guidance to identify trafficking victims, but it identified only a small number of victims. The government reported using a certification process by which police formally certify a person as a suspected trafficking victim based on reasonable suspicion, enabling potential victims to access a range of services. During the reporting period, the government made two new certifications of labor trafficking victims, (34 in 2015) and provided services such as shelter referrals and obtaining employment for 37 victims of labor trafficking, in addition to 11 potential victims, compared to 34 victims assisted in 2015. The government reported referring women and child victims of crime to services; on a case-by-case basis the government provided assistance, such as food and shelter, to victims of crimes and referred them to NGOs or other service providers. The government did not operate any shelters specifically for trafficking victims. The law authorizes the extension of temporary residency to foreign trafficking victims for up to 12 months and makes them eligible for a variety of government-provided or -funded services while their cases are under investigation; the government provided temporary work visas for all foreign victims identified in 2016. Immigration officials began developing a comprehensive framework to guide the process of identification, referral, and provision of services of victims. In addition to police, the government provided training for labor inspectors on victim identification as well as referral of victims to services. Labor inspectors reported inspecting legal brothels to ensure working conditions were in compliance with the law, but this did not result in the identification of any sex trafficking victims. Labor inspectors reported conducting routine audits in work places that employ migrant workers; they identified breaches of labor standards, but these did not result in investigations or prosecutions of forced or coerced labor exploitation. There were no reports of victims being detained, fined, or jailed for unlawful acts committed as trafficking victims; however, some may have been as a result of inadequate government efforts to identify victims. The government reported providing legal alternatives to the removal of foreign victims of crime to countries where they may face hardship or retribution, but no trafficking victims received this benefit in 2016. Victims could seek restitution through civil claims; although no such civil claims were filed in 2016, some labor exploitation cases resulted in restitution for labor violations.

PREVENTION

The government maintained efforts to prevent trafficking. Police, labor, and immigration officials led the government's anti-trafficking efforts under an anti-trafficking coordinator. During the reporting period, Immigration New Zealand established a consultation group including NGOs and other stakeholders to further its anti-trafficking efforts. The government continued to implement the Fisheries Foreign Charter Vessels Amendment, which came into effect May 1, 2016, and requires all foreign charter vessels fishing in New Zealand waters to operate as New Zealand-flagged vessels and abide by its health and labor laws. Under the immigration act, the government convicted an employer and the employer's company, separately, for failing to adequately compensate migrants working excessive hours; the employer and company were collectively fined a total of \$15,000 and ordered to pay \$5,000 to the victims.

The government continued to collaborate with the Philippines as part of a bilateral agreement to reduce the vulnerability of Filipino migrant workers to exploitation in New Zealand. Immigration officials issued guidance for employing Filipino workers including legal obligations under both New Zealand

and Philippine law, and requirements for the licensing of recruitment agents. The government continued to send welcome emails with workers' rights information to all approved residence, work, and student visa holders and issued guides for migrant dairy farm workers and their employers on workers' rights, employers' responsibilities, and support services. In an attempt to reduce the demand for forced labor, the government conducted compliance tests of employment contracts used in work visa applications and issued media statements about labor compliance audit results and prosecutions of labor exploitation cases. The government did not make efforts to reduce the demand for commercial sex acts; New Zealand decriminalized commercial sex in 2003 under the Prostitution Reform Act. The government required diplomatic personnel to sign a code of conduct requiring they comply with all New Zealand laws, but it did not report providing them with anti-trafficking training. The government continued to cooperate with foreign governments to identify child sex tourists in New Zealand and to prioritize the prevention of child sex tourism abroad by its residents, although these efforts did not result in any investigations or prosecutions.

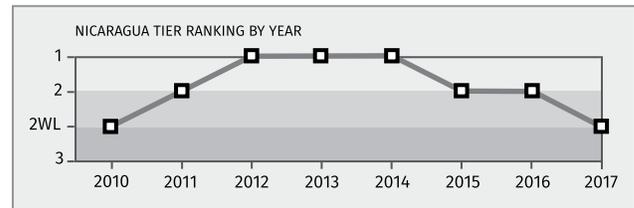
TRAFFICKING PROFILE

As reported over the past five years, New Zealand is a destination country for foreign men and women subjected to forced labor and sex trafficking and a source country for children subjected to sex trafficking within the country. Foreign men and women from China, India, the Philippines, Bangladesh, Sri Lanka, countries in the Pacific and Latin America, and South Africa, are vulnerable to forced labor in New Zealand's agricultural, construction, viticulture, food service, and hospitality sectors, and as domestic workers. Unregulated immigration brokers operating in India and the Philippines reportedly assisted some victims of labor exploitation in New Zealand obtain visas. Some foreign workers are charged excessive recruitment fees and experience unjustified salary deductions, non- or underpayment of wages, excessively long working hours, restrictions on their movement, passport retention, and contract alteration. Some migrant workers are forced to work in job conditions different from those promised during recruitment but do not file complaints due to fear of losing their temporary visas. Foreign men aboard foreign-flagged fishing vessels in New Zealand waters are vulnerable to forced labor. Foreign women from Asia are at risk of sex trafficking. Some international students and temporary visa holders are vulnerable to forced labor or prostitution. A small number of Pacific island and New Zealand (often of Maori descent) girls and boys are at risk of sex trafficking. Some children are recruited by other girls or compelled by family members into sex trafficking.

NICARAGUA: TIER 2 WATCH LIST

The Government of Nicaragua 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 increasing national awareness raising efforts. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government identified significantly fewer victims for the second consecutive year and did not provide or fund adequate services for victims. The government-led anti-trafficking coalition and regional working groups were largely ineffective during the year, and key elements of the trafficking

law—such as a dedicated anti-trafficking fund—were not implemented for the second year. Prosecution, protection, and prevention efforts in the two Caribbean autonomous regions of Nicaragua continued to be much weaker than in the rest of the country. Therefore, Nicaragua was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR NICARAGUA

Increase efforts to investigate and prosecute cases involving all forms of human trafficking, and convict and punish traffickers, including child sex tourists; provide specialized services for trafficking victims or dedicate resources for civil society organizations to do so; increase funding for victim protection, including through financing the trafficking fund; implement operating procedures to effectively refer victims to appropriate services; partner with civil society organizations to ensure that victims receive long-term care and reintegration services; amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law; increase training for government officials—including social workers, labor inspectors, and law enforcement officials—to facilitate increased victim identification and assistance, including securing restitution; institute formal procedures for proactively identifying victims among vulnerable populations in the autonomous regions and those in forced labor; strengthen law enforcement and victim protection efforts in the Caribbean Autonomous Regions, including through increased staff and funding; improve trafficking data collection and coordination across agencies, and improve measures to track anti-trafficking efforts among government entities and share with external stakeholders; reinvigorate the work of the national and local anti-trafficking coalitions, including by appointing a national executive secretariat; and invite a diverse range of civil society organizations to hold formal membership on both the national and local anti-trafficking coalitions.

PROSECUTION

The government maintained uneven law enforcement efforts, which focused largely on sex trafficking. Law 896 of 2015 criminalizes all forms of trafficking and prescribes penalties ranging from 16 to 18 years imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. However, the law's definition of trafficking is inconsistent with international law; it conflates human trafficking with other crimes, such as illegal adoption, and establishes the use of force, coercion, or deceit as an aggravating factor rather than an essential element of most trafficking crimes.

Authorities reported initiating eight sex trafficking investigations and prosecuting 13 suspected sex trafficking offenders in seven cases in 2016, compared to 23 suspects prosecuted in eight cases in 2015. Under law 896, courts of first instance convicted nine sex traffickers in six cases, most of which included child victims, compared to 10 sex traffickers convicted in six cases in 2015; in one case, the government reported convicting two individuals for knowingly soliciting a 14 year old to perform commercial sex

acts. Convicted traffickers appealed the verdicts and sentences in four of these six cases; appellate courts upheld the convictions in two cases, overturned in one case involving two defendants, and one appeal remained pending. All convicted and sentenced traffickers were sentenced to 10 to 20 years imprisonment. The government did not provide information on the number of prosecutions ongoing from previous years, and reported no labor trafficking investigations or prosecutions. An NGO reported referring an additional four cases for investigation, none of which the government investigated. The government did not identify or prosecute any cases of forced labor, including child domestic servitude during the reporting period. Corruption is widespread in Nicaragua. There were no investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government reported that its programs to improve awareness of trafficking crimes reached 743 government officials, including investigators, prosecutors, judges, and other law enforcement officials.

PROTECTION

The government decreased efforts to identify victims and it maintained limited protection efforts focused solely on Nicaraguan female sex trafficking victims. The government identified 13 Nicaraguan female sex trafficking victims, including four adults and nine children, a decline from 30 victims identified by the government in 2015 and 51 in 2014. The government provided these victims with legal assistance and temporary shelter, food, and medical services. An NGO reported identifying and assisting 11 additional victims, including Nicaraguan and foreign men, women, and children exploited in both sex and labor trafficking. Authorities did not have formal procedures for identifying victims among vulnerable populations, such as individuals in prostitution or working children. The government had an internal victim referral process for trafficking cases, but it is unclear if it used the tool to refer any victims during the reporting period. Rather, the government reported referral of six trafficking victims on an ad hoc basis for long-term care to NGO shelters for at-risk children or victims of domestic abuse. Local officials were not adequately trained to recognize all forms of trafficking and identified fewer victims in the autonomous regions than other regions, where identification and referral mechanisms were lacking. There were few specialized services for trafficking victims in Nicaragua. The government maintained two police-operated short-term shelters for victims of domestic violence and human trafficking that served an unknown number of victims; the government closed the offices of the specialized women's unit that previously operated these shelters, which led to challenges in coordination between the shelters and NGOs. The government did not provide funding to NGOs that provided the majority of victim protection. Services and shelter for boys remained limited and there were no shelters available for men. The government did not provide long-term care, and the availability of extended services from NGOs was limited. The government put some child victims at risk of re-victimization by placing them with family members who may have been complicit in their exploitation. Regions outside Managua most affected by human trafficking largely lacked adequate services.

Law 896 established a dedicated fund—to be financed through budget allocation, donations, and seized assets from traffickers—for victim protection and prevention activities. However, for the second year, the government did not finance it or make it operational. Victims may obtain damages by filing civil suits against traffickers; however, the government and NGOs

reported that in practice victims had never exercised this right. The government did not report assisting Nicaraguan victims through its diplomatic missions overseas. There were no reports of victims being penalized for unlawful acts committed as a direct result of being subjected to human trafficking, but this may have occurred due to weak identification efforts. The government reported screening for indicators of trafficking among migrant populations and those involved in prostitution, but failed to identify any labor trafficking victims or foreign victims. Humanitarian visas were available to foreign trafficking victims, although the government did not report any requests for visas.

PREVENTION

The government maintained minimal efforts to prevent trafficking. While the government reported that its anti-trafficking coalition was active during the reporting period, for the second year it remained without an executive secretariat to lead and coordinate its efforts. Furthermore, NGOs reported for a second consecutive year the coalition and its regional working groups did not meet with NGOs, despite requirements under law 896 that the coalition include an NGO representative. The government reported it conducted research on human trafficking and met to track trends, cases, and prevention efforts; however, NGOs and former members of the coalition reported they were not aware of these efforts. The government reported it conducted and fully funded 443 prevention campaigns during the reporting period targeting students, faculty, parents, indigenous communities, and community leaders along border towns and tourism destinations. Some Nicaraguans could not easily obtain national identification cards, which increased their vulnerability to trafficking. The Ministry of Labor reported that it monitored private employment agencies, which must be registered under Nicaraguan law. The government reported it provided anti-trafficking training for its diplomatic personnel. Authorities did not investigate, prosecute, or convict any tourists for the purchase of commercial sex acts from children in 2016, although NGOs report that child sex tourism continues to be an issue in the country. The government made limited efforts to reduce the demand for commercial sex acts and forced labor.

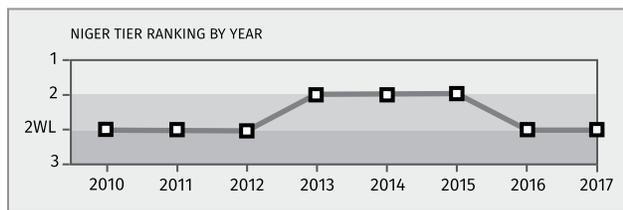
TRAFFICKING PROFILE

As reported over the past five years, Nicaragua is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Nicaraguan women and children are subjected to sex trafficking within the country and in other Central American countries, Mexico, and the United States. Many trafficking victims are recruited in rural areas or border regions with false promises of high-paying jobs in urban centers and tourist locales, where they are subjected to sex or labor trafficking. Victims' family members are often complicit in their exploitation, and traffickers have reportedly increased recruitment activity on social media sites. Nicaraguan women and children are subjected to sex and labor trafficking in the two Caribbean Autonomous Regions, where the lack of strong law enforcement institutions and a higher crime rate increase the vulnerability of the local population. Nicaraguans from Northern-Central departments who migrate to other Central American countries and Europe are reportedly vulnerable to sex and labor trafficking. During the reporting period, Nicaraguans were reported as among the primary nationalities of victims identified in Guatemala. In addition, children left by these migrants in Nicaragua reportedly become vulnerable to sex and labor trafficking. Nicaraguan adults and children are subjected to forced labor in agriculture, construction, mining, the informal

sector, and domestic service within the country and in Costa Rica, Panama, the United States, and other countries. Children in artisanal mining and quarrying are vulnerable to forced labor. NGOs report children and persons with disabilities are subjected to forced begging, particularly in Managua and near tourist centers. Male migrants from Central American countries transit Nicaragua en route to Panama in search of employment; some are subjected to labor trafficking in Panama. Nicaragua is a destination for child sex tourists from the United States, Canada, and Western Europe.

NIGER: TIER 2 WATCH LIST

The Government of Niger 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 in-kind assistance to NGOs and international organizations that provided shelter to trafficking victims and training law enforcement officials on victim identification. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not report the number of investigations, prosecutions, and convictions or the number of victims identified or referred for protective services for the second consecutive year. Therefore, Niger remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR NIGER

Vigorously investigate, prosecute, and convict traffickers, including those engaged in slavery and child soldiering, using the anti-trafficking law; train law enforcement and judicial officials throughout the country on the anti-trafficking law; fully adopt and implement systematic procedures for the proactive identification of trafficking victims—especially among vulnerable populations, such as children exploited in sex trafficking, girls born into slave castes, and children at worksites—and their subsequent referral to care; train law enforcement officials on victim identification procedures; provide financial or in-kind support to NGO partners providing victim care; provide victims with legal assistance and awareness of their rights and support victims, including victims of forced labor and caste-based slavery, in seeking redress from, and participating in the prosecution of, their traffickers; amend the law to increase penalties in the 2010 anti-trafficking law for trafficking of adults and in the penal code for forced child begging and child sex trafficking, and remove the option of imposing a fine in lieu of jail time for forced labor crimes in the labor code; increase the quantity and quality of services available to victims; increase efforts to rescue victims of traditional slavery practices and adult victims; implement programs for the disarmament, demobilization, and reintegration of former child combatants that take into account the specific needs of child ex-combatants; raise public awareness about the anti-trafficking law, specifically targeting vulnerable populations, religious leaders, and traditional chiefs; and develop a system

among law enforcement, judicial officials and social welfare personnel to track suspected human trafficking cases and prosecution and protection data.

PROSECUTION

The government maintained minimal prosecution efforts; it did not report undertaking anti-trafficking law enforcement efforts for the second consecutive year. Order No. 2012-86 on Combating Trafficking in Persons, enacted in 2010, criminalizes all forms of trafficking, including slavery and practices similar to slavery as well as exploitative begging. This law prescribes sufficiently stringent punishments of five to 10 years imprisonment for committing trafficking offenses against adults and 10 to 30 years when the victim is a child. Penalties for child trafficking are commensurate with those prescribed for other serious offenses, such as rape, but those prescribed for trafficking of adults are not. Other statutes prohibit certain forms of trafficking; the penal code criminalizes slavery, procurement of a child for sex trafficking, and the encouragement of, or profiting from, child begging in articles 270 (as amended in 2003), 292-293, and 181, respectively. The prescribed penalties for slavery in the penal code are 10 to 30 years imprisonment and sufficiently stringent. However, penalties of five million to 10 million CFA (\$7,998 to \$15,996) and two to five years imprisonment for child sex trafficking and six months to one year imprisonment for child begging are neither commensurate nor sufficiently stringent; such punishments are well below those required by the 2010 anti-trafficking act for child trafficking crimes. The labor code, enacted in September 2012, outlaws forced labor, prescribing penalties of two to five years imprisonment with the option of a fine. The penalties for slavery and forced labor offenses are sufficiently stringent and reflect the serious nature of the crime; however, forced labor penalties are inadequate when there is the option of a fine in lieu of jail time.

The government did not report the number of investigations, prosecutions, and convictions for the second consecutive year, contrasted with 144 investigations of trafficking offenses, five prosecutions of defendants, and five convictions of traffickers in 2014. The government did not make progress in ending impunity for *marabouts*, teachers at Quaranic schools, who force children to beg or traditional chiefs who facilitate the enslavement of children. There is a lack of access to justice for victims, as they were often uninformed about their legal rights and lacked the necessary capacities and resources to seek punitive action against their exploiters. There were no reported developments in pending slavery cases, some of which have reportedly been ongoing for years, although several new cases were reportedly filed in 2016. NGOs reported the government was slow to prosecute trafficking crimes. In 2016, the government trained police, prosecutors, and judges on the national trafficking law and victim protection. There were no investigations, prosecutions, or convictions of government officials for complicity in trafficking or trafficking-related criminal activities.

PROTECTION

The government maintained minimal protection efforts; the government did not report the number of victims it identified or referred for protective services for the second consecutive year. There were no specialized services available in Niger for adult victims or victims of hereditary slavery. The National Agency for the Fight against Trafficking in Persons (ANLTP) provided training and written materials to law enforcement personnel on proactive identification of victims of trafficking. There

were no formal written procedures for identifying victims and referring them to protective services, although generally police, prosecutors, and the ANLTP refer trafficking victims to local NGOs on an ad hoc basis. However, in August 2016, the National Coordination Commission for the Fight against Trafficking in Persons (CNCLTP) and the ANLTP met to agree and finalize identification procedures and a referral mechanism, which remained pending ratification by the National Assembly. The government relied almost exclusively on NGOs and international organizations to provide services to victims, although NGOs' capacity to provide shelter or long-term services to victims was inadequate. NGOs provided shelter to approximately 6,000 trafficking victims, including victims subjected to forced begging and caste-based slavery; the government provided in-kind support to the victim assistance programs of NGOs and international organizations including temporary shelter, food, and primary health care for an unknown number of these victims. The Ministry of Women's Promotion and Child Protection provided limited social services to an unknown number of victims, including some returned to their home villages. Authorities did not employ systematic measures to identify trafficking victims among vulnerable populations, such as women and girls born into traditional slave castes or children at worksites.

While the government reported it would encourage adult victims to assist in the investigation and prosecution of trafficking cases, victims' lack of awareness of the legal options available to them, fears of retaliation by traffickers, and lack of adequate shelter and protective services impeded their efforts to do so. Victims of forced labor and caste-based servitude could file civil and criminal complaints simultaneously; however, there were no reports they routinely did so. While the government announced plans to establish demobilization and reintegration programs for children forcibly recruited by the terrorist organization Boko Haram, during the reporting period no such mechanisms were in place. An international organization reported that the government detained some children on suspicion of involvement with Boko Haram. The law provides for the possibility of granting victims legal residency in Niger if it is unsafe for them to return to their countries of origin, including the ability to obtain employment. During the reporting period, several thousand Nigeriens were deported from Algeria and several dozen voluntarily returned from Saudi Arabia; the Ministry of Interior has a program to welcome and shelter returning Nigeriens and facilitated the return of those Nigeriens who wished to do so.

PREVENTION

The government maintained modest efforts to prevent trafficking. The CNCLTP continued to serve as the coordinating body for the government's anti-trafficking efforts, and the ANLTP was the government's permanent implementing body to address trafficking in persons. Although the CNCLTP and the ANLTP submitted budgets of \$8.7 million and \$877,000 to the government, respectively, the agencies did not expect to receive the full amounts. A surge in enforcement efforts targeting illicit migration in Agadez region, a major transit point to North Africa, resulted in a sharp decrease in smuggling of migrants, a group vulnerable to trafficking, through northern Niger. The government conducted an investigative mission and drafted and released a report documenting Nigerien citizens' understanding of trafficking. Senior officials publicly recognized the problem of human trafficking and Niger's policies to combat it at the opening of several anti-trafficking information and education campaigns during the reporting

period, some which were covered by the media. With the help of an international donor, the government conducted awareness-raising on forced begging. In 2016, the Ministry of Employment, Labor and Social Security (MELSS) increased the number of labor inspectors by 13 to 73, although the number of labor inspectors remained insufficient for the size of Niger's workforce. The government did not punish labor recruiters or brokers who recruited workers with knowingly fraudulent offers of employment or job placement, although it did temporarily halt a program to place Nigerien workers for employment in Saudi Arabia and provided assistance with travel documents to workers who wished to return to Niger after workers complained of exploitative working conditions. As part of its strategy to reduce illegal migration and associated human trafficking, the government continued a repatriation program with Algeria and restricted migratory routes through Niger. The government took no discernible measures to address the demand for forced labor or commercial sex acts. Bylaws governing the armed forces require troops to receive anti-trafficking training prior to their deployment abroad on international peacekeeping missions and the government addressed such requirements through a program conducted by a foreign donor. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

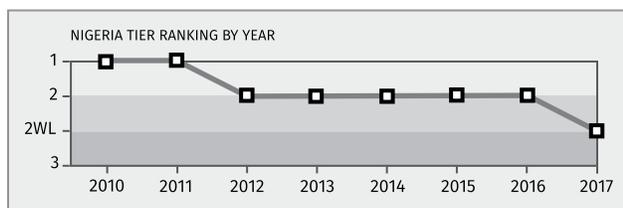
As reported over the past five years, Niger is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Caste-based slavery practices continue primarily in the northern part of the country and affect some 44,000 people. Victims from Benin, Burkina Faso, Cameroon, Ghana, Mali, Nigeria, and Togo are exploited in sex and labor trafficking in Niger. Nigerien boys are subjected to forced labor, including forced begging, within the country and in Mali and Nigeria by corrupt *marabouts*. Corrupt *marabouts* or loosely organized clandestine networks may also place Nigerien girls into domestic servitude or commercial sex. Nigerien children are subjected to forced labor in gold, salt, trona, and gypsum mines; agriculture; stone quarries; and manufacturing within the country. Girls are subjected to sex trafficking along the border with Nigeria, sometimes with the complicity of their families. In the Tahoua region of Niger, girls born into slavery are forced to marry men who buy them as "fifth wives" and subject them to forced labor and sexual servitude, a practice known as *wahaya*; their children are born into slave castes. "Fifth wives" are typically sold between the age of 9 and 11 years old. Traditional chiefs play a primary role in this form of exploitation, either through enslaving children in their own families or arranging "marriages" for other powerful individuals. Some girls in forced marriages may be exploited in commercial sex after fleeing these nominal unions. Nigerien girls reportedly travel abroad to enter into "marriages" with Nigerian men or foreign citizens living in Saudi Arabia and the United Arab Emirates and are subjected to domestic servitude in these countries. In Algeria, Nigerien children were forced to beg and Nigerien women and girls were vulnerable to sex trafficking.

Nigerien women and children are recruited from Niger and transported to Nigeria, North Africa, the Middle East, and Europe where they are subjected to domestic servitude, sex trafficking, or forced labor in agriculture or animal herding. Some migrants were suspected to be traffickers, particularly Nigerien migrants to Algeria. Traffickers operated primarily small, freelance operations in loosely organized networks of individuals, including some *marabouts*. Some women have been accused of managing trafficking rings, although they may have been trafficking victims themselves. Some women are

complicit in the exploitation of children, accepting payment from traffickers who run forced street-begging operations. There have been reports of freelance businesspeople (both men and women) and informal travel agencies that recruit women to the Middle East or to northern Nigeria for sex trafficking or domestic servitude. Niger is a transit country for men, women, and children from West and Central Africa migrating to North Africa and Western Europe, where some are subjected to forced labor or sex trafficking. Additionally, some migrants are subjected to forced labor in Niger as domestic servants, mechanics, welders, laborers in mines and on farms, or as staff in bars and restaurants. The terrorist organization Boko Haram forcibly recruited Nigerian children during the reporting period. In some instances, law enforcement and border officials have accepted bribes from traffickers to facilitate the transportation of victims through the country.

NIGERIA: TIER 2 WATCH LIST

The Government of Nigeria does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by investigating, prosecuting, and convicting traffickers; conducting anti-trafficking training for law enforcement officials; and repatriating some Nigerian trafficking victims identified abroad. However, the government did not demonstrate increasing efforts compared to the previous reporting period. During the reporting period, credible observers reported for the first time that some elements of the Nigerian security forces (NSF) used children as young as 12 years old in support roles, and NSF continued to detain and arrest children for alleged association with Boko Haram, some of whom may have been forcibly recruited. The Nigerian military also conducted on the ground coordination with the Civilian Joint Taskforce (CJTF), non-governmental self-defense militias that continued to recruit and use children—possibly unwillingly and mostly in support roles—and at least one of which received state government funding. Government officials—including military, police, and federal and state officials—were involved in widespread sexual exploitation of Borno State women and girls displaced by Boko Haram, at times forcing women and girls in IDP camps to provide commercial sex acts in exchange for food. Furthermore, despite identifying a large number of labor trafficking victims, the government only convicted two labor traffickers and it decreased funding for the National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP), including its budget for victim services. Therefore, Nigeria was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR NIGERIA

Cease NSF elements' use of children; cease provision of financial and in-kind support to armed groups that recruit and use children; vigorously investigate, prosecute, and convict traffickers—including complicit officials, labor traffickers,

and those who recruit and use child soldiers—and impose sufficiently stringent sentences; cease detaining former confirmed or suspected child soldiers, and ensure such children are not penalized for crimes committed as a result of being subjected to trafficking; implement programs for the disarmament, demobilization, and reintegration of former child combatants that take into account the specific needs of child ex-combatants, and work with NSF and CJTF to implement these plans; increase funding for NAPTIP, particularly to provide adequate victim care; continue efforts to provide regular training to police and immigration officials to identify trafficking victims and screen for trafficking among vulnerable populations; provide pre-departure information for migrants on how to find assistance if exploited abroad; expand ongoing police and immigration training to include identifying trafficking victims among vulnerable populations, such as women in prostitution and young females traveling with non-family members; increase efforts to identify trafficking victims among IDPs, investigate cases, and implement preventive measures; increase efforts to investigate allegations of child forced begging in Quranic schools; continue to integrate anti-trafficking responsibilities into the work of other law enforcement agencies, especially the Nigerian police force; fully integrate anti-trafficking responsibilities in the work of the Ministry of Labor; and increase the capacity of Nigerian embassies to identify and provide assistance to victims abroad, including by implementing a mechanism that allows embassies to reissue passports to trafficking victims who lack identity documents.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts, but there were increased reports of government complicity in human trafficking. The Trafficking in Persons Law Enforcement and Administration Act, as amended in 2015, criminalizes all forms of trafficking and prescribes a minimum penalty of five years imprisonment and a minimum fine of one million naira (\$3,290) for sex and labor trafficking offenses; the minimum penalty for sex trafficking increases to seven years imprisonment if the case involves a child. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Enforcement of the law remained ineffective in many parts of the country, and while officials made efforts to address trafficking cases, insufficient resources and jurisdictional problems between state and federal governments hampered efforts.

NAPTIP reported 654 investigations, 24 prosecutions, and 23 convictions for trafficking offenses, compared with 507 investigations, 32 prosecutions, and 24 convictions the previous reporting period. It was unclear how many investigations were pending and how many had been dismissed at the end of the reporting period. Most convictions took place under the 2015 amended anti-trafficking law, although some judges also convicted traffickers under the 2003 anti-trafficking law and its amendments and other laws for employing a child with force, fraud, or coercion; transporting or attempting to transport women and girls abroad for exploitation; and knowingly soliciting or patronizing a sex trafficking victim. Prison sentences upon conviction ranged from 18 months to 14 years imprisonment; of the 23 convictions, 22 resulted in imprisonment without the option of paying a fine. Despite a 2015 amendment that removed judges' ability to sentence traffickers to pay fines in lieu of prison time, Nigerian courts penalized one trafficker with the option of a fine or imprisonment. Furthermore, despite the identification of 599 forced labor and child labor victims, the government only

convicted two labor traffickers. The government only convicted one trafficker for child forced begging, despite the prevalence of the practice. The government conducted joint investigations or cooperated with authorities from eight countries on 19 cases involving Nigerian nationals during the reporting period, compared with cooperating with foreign governments on 43 cases in the previous reporting period.

Corruption affected all levels of government and the security forces and there were reports of official complicity in trafficking offenses. The government took few steps to investigate or prosecute officials who committed violations, whether in the security forces or elsewhere in the government. In April 2016, an international organization reported that more than half of the areas surveyed to assess the treatment of IDPs in Maiduguri—including IDP camps, settlements, and host communities—reported instances in which camp authorities, including government officials and security forces, forced or coerced women to exchange sex acts for food or freedom to move in and out of IDP camps. A second NGO also reported sexual exploitation of IDPs by camp officials. In response to these allegations, the president instructed the inspector general to create a special panel to investigate cases of sexual exploitation reported by the second NGO, which resulted in the arrest of seven government officials and two CJTF members for alleged sexual misconduct towards IDPs, including sex trafficking. The investigations were ongoing at the end of the reporting period.

During the reporting period, NSF elements used children as young as 12 years old rescued or arrested during military operations in support roles such as cooks, porters, cleaners, messengers between barracks and between camps, and guards. Reports also indicate NSF interrogated children in detention for later use as collaborators to identify Boko Haram members among newly arrested persons. The government did not report any investigations, prosecutions, or convictions for child soldiering offenses, including of government officials complicit in such offenses. NAPTIP investigated two officials allegedly complicit in trafficking offenses. In one case, an official attempted to take a domestic servant with him to the United States but NAPTIP did not find indicators of trafficking; the second investigation was ongoing at the end of the reporting period. A Nigerian official reported some immigration officials knowingly facilitated the issuance of falsified passports to enable traffickers to make minors appear 18 years of age for foreign travel; the government did not report investigating these claims. The government did not report if it continued the prosecution from the previous reporting period of a Ministry of Foreign Affairs official who allegedly facilitated a trafficking crime abroad.

The government conducted extensive training throughout the reporting period. NAPTIP, in collaboration with international partners, provided specialized training to approximately 243 government employees, including judges, prosecutors, NAPTIP officials, and other law enforcement on victim identification; investigation and prosecution of trafficking cases; counseling; and disarmament, demobilization, and reintegration. NAPTIP developed and distributed a manual to law enforcement agencies on identifying trafficking victims and referring cases to NAPTIP and conducted train-the-trainer training on the procedures across agencies. In addition, it assisted 14 countries with their anti-trafficking efforts through training courses, joint intelligence sharing, and mutual legal assistance. The government dismissed the director general of NAPTIP in February 2016 and did not nominate a replacement until March 2017. While in the interim the agency had an acting director, the lack of permanent

leadership hampered the agency's effectiveness.

PROTECTION

The government maintained efforts to identify trafficking victims but decreased funding for victim protection. It identified 1,128 potential trafficking victims: 529 sex trafficking victims, 426 child labor victims—some of whom were forced, including 261 children in domestic servitude—and 173 adult forced labor victims, an increase from 943 victims identified in the previous reporting period. The Nigerian guards brigade intercepted a convoy of 69 children between 6 and 10 years old allegedly destined for forced begging in a Quranic school. Nationwide, NAPTIP officers were often concentrated in state capitals, inhibiting efforts to identify victims and investigate trafficking in rural areas. NAPTIP provided initial screening for all victims and referred all identified victims to government facilities for medical care, vocational training, education, and shelter. It also referred 302 victims to NGOs for additional care. The government had formal written procedures to guide law enforcement, immigration, and social services personnel in proactive identification of trafficking victims among high-risk populations, and NAPTIP trained police, immigration, and social services personnel with specialized training on identifying trafficking victims and directing them to NAPTIP. Additionally, the government's national referral mechanism provided formal guidelines for law enforcement, immigration officials, and service providers to improve protection and assistance to trafficking victims, both within Nigeria and abroad. In partnership with an international organization, NAPTIP developed and disseminated guidelines on implementing the national referral mechanism for caregivers and service providers.

The government allocated approximately 1.69 billion naira (\$5.56 million) to NAPTIP in 2016, which was a significant decrease from 2.5 billion naira (\$8.22 million) allocated in 2015. As of December 2016, the national assembly had only reported disbursing 1.27 billion naira (\$4.17 million) of the 2016 funding to NAPTIP, and NAPTIP required approximately 1.3 billion naira (\$4.27 million) for personnel costs alone. The national assembly allocated an additional 208 million naira (\$683,760) to NAPTIP in 2016 specifically to assist trafficking victims and other vulnerable people in eight states; it was unclear how much of this funding was disbursed during the reporting period. Because this amount was significantly less than the 581 million naira (\$1.91 million) allocated for victim protection in 2015 and the government identified more trafficking victims than the previous reporting period, it was unclear how NAPTIP maintained the same quality of victim services. Although NAPTIP is mandated to care only for victims of trafficking crimes under the 2015 anti-trafficking law, the government often referred victims of other crimes to NAPTIP, which reduced its capacity to care for trafficking victims. NAPTIP continued to operate nine shelters specifically for trafficking victims, with a total capacity of 313 people. Through these shelters, NAPTIP provided access to legal, medical, and psychological services, as well as vocational training, financial empowerment, and business management skills. These shelters were also available to Nigerian trafficking victims exploited abroad upon repatriation, but it was unclear if authorities referred any such victims to these shelters. NAPTIP had agreements with certain hospitals and clinics to provide additional medical and psychological treatment for victims, as needed. NAPTIP shelters offered short-term care, generally limiting victims' stays to six weeks, although victims could extend their stays under special circumstances; both men and women received specialized care. If victims needed longer-term care, NAPTIP collaborated with two shelters

operated by the Ministry of Women's Affairs and NGO-run shelters. Victims in NAPTIP shelters were not permitted to leave without a chaperone, reportedly for security. Additional shelters existed and provided services to vulnerable children and victims of crime, including trafficking, although it is unclear if any trafficking victims received those other services during the reporting period. Foreign victims had access to the same services as domestic victims. In contrast with previous years, NAPTIP did not report providing funding, in-kind donations, or services to NGOs and other organizations that afforded protective services to trafficking victims. Nigerian embassies in Benin, Cote d'Ivoire, the Democratic Republic of the Congo, and Togo provided repatriation assistance to Nigerian trafficking victims identified in those countries. At least one Nigerian embassy, however, required trafficking victims to pay for passport reissuance fees—as many victims had received falsified passports from traffickers or had their passports stolen—and prove their citizenship with documentation victims often did not have, such as a birth certificate or old passport number, which caused delays in repatriation.

Although provisions of the anti-trafficking law prohibit the penalization of identified victims for unlawful acts committed as a result of being subjected to trafficking, the government arrested and detained children for alleged association with Boko Haram, some of whom may have been forcibly recruited. During the reporting period the military began cooperating with an international organization to release children in military detention, some of whom were child soldiers, and released 876 by October 2016. However, it continued to detain child trafficking victims removed from or allegedly associated with Boko Haram, including at least 78 ex-child combatants, who did not receive trafficking victim care. NSF detained, reportedly for prolonged screening, some women and girls following their release from forced marriages and sexual slavery by Boko Haram militants. NAPTIP authorities sometimes deemed adults in prostitution, who claimed to be working voluntarily, trafficking victims and detained them in shelter facilities against their will. Officials encouraged victims to assist in the investigation and prosecution of trafficking cases, and NAPTIP reported 43 victims served as witnesses or gave evidence during trial in the reporting period, 10 more than in the previous reporting period. While the government did not have long-term legal alternatives to prevent the removal of victims to countries where they would face hardship or retribution, it guaranteed trafficking victims temporary residence visas during any criminal, civil, or other legal action. The victims' trust fund, which was financed primarily through confiscated assets of convicted traffickers, was available to all victims. During the reporting period, the government allocated an additional 2.5 million naira (\$8,220) to the fund and disbursed 5.6 million naira (\$18,410) to an unknown number of trafficking victims for various purposes, including vocational training and school tuition, although not necessarily in equal amounts; this is comparable to 5.6 million naira (\$18,410) disbursed among 25 victims the previous reporting period.

PREVENTION

The government increased efforts to prevent human trafficking. NAPTIP continued to conduct awareness campaigns to educate the public about the dangers of human trafficking and how traffickers operate. It also conducted stakeholder and town hall meetings in areas with particularly high incidences of trafficking. The inter-ministerial committee on trafficking continued to meet, but in contrast with previous years did not take any significant anti-trafficking action. The government

had a national action plan and a (2012-2017) strategic plan to implement the national action plan, and NAPTIP implemented some of the plan's objectives during the reporting period; the government began drafting a new national action plan in 2017. The government did not provide sufficient protections for workers employed in the informal economy—including children working in agriculture, domestic work, and artisanal mining—rendering such workers vulnerable to trafficking. The Ministry of Labor and Productivity continued to implement the national policy and action plan on labor migration and manage the licensing requirement for all private labor recruitment agencies. NAPTIP conducted anti-trafficking awareness campaigns in areas where trafficking victims were known to originate to educate the public about the dangers of human trafficking. The government did not report providing pre-departure information to migrants on how to obtain assistance if exploited abroad, and authorities identified Nigerian trafficking victims in more than 29 countries during the reporting period. To reduce the demand for commercial sex acts, several states continued to outlaw soliciting commercial sex, and judges convicted four individuals for knowingly soliciting or patronizing a sex trafficking victim.

In response to reports that government officials sexually exploited female IDPs, including in IDP camps, the government deployed 100 female police officers to the Borno State IDP camps during the reporting period. NAPTIP officials reportedly screened for trafficking in IDP camps in Borno State; it was unclear in how many camps NAPTIP screened and how regularly, however, and the agency did not report identifying any trafficking victims in IDP camps during the reporting period. The Borno State government made public announcements of the prohibition against the recruitment and use of child soldiers but continued to provide financial and in-kind resources to one of the CJTF self-defense militias, which according to credible observers continued to use and recruit children. The government provided anti-trafficking training for its diplomatic personnel and, with foreign donor support, to Nigerian troops prior to their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Nigeria is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Nigerian trafficking victims are recruited from rural areas—especially the country's southern regions—and, to a lesser extent, urban areas. Women and girls are victims of domestic servitude and sex trafficking and boys are victims of forced and bonded labor in street vending, domestic service, mining, stone quarrying, agriculture, textile manufacturing, and begging. Many of the more than 9.5 million young boys studying in Quranic schools, commonly known as *Almajiri*, are subjected to forced begging. Traffickers operate "baby factories"—often disguised as orphanages, maternity homes, or religious centers—where women are held against their will, raped, and forced to carry and deliver a child. The children are then sold, sometimes with the intent to exploit them in forced labor and sex trafficking. Nigerian traffickers take women and children to other West and Central African countries—including Mali, Cote d'Ivoire, and Cabo Verde—as well as to South Africa, where they are exploited in forced labor and sex trafficking. Nigerian women and children are recruited and transported to destinations in North Africa, the Middle East, and Central Asia, and held captive in the commercial sex industry or forced labor, including forced begging in Morocco. West African children are subjected to forced labor in Nigeria, including in granite and gold mines. Women from West African

countries transit Nigeria en route to Europe and the Middle East, where they are subjected to forced prostitution. Nigeria's ports and waterways around Calabar are transit points for West African children subjected to forced labor in Cameroon, Equatorial Guinea, and Gabon.

Authorities identified Nigerian trafficking victims—often exploited by Nigerian traffickers—in more than 29 countries during the reporting period. Officials report an increase in Nigerian women and girls subjected to sex trafficking within Nigeria and throughout Europe, including in Italy, Austria, and Russia; an international organization estimated 80 percent of all female Nigerian migrants in Italy are or will become sex trafficking victims. Nigerian sex traffickers operate in highly organized criminal webs throughout Europe, and many sex trafficking victims begin to work for their traffickers in exchange for leaving sex trafficking themselves. Nigerians are subjected to sex trafficking and forced labor in Finland. During the reporting period, Spanish and Moroccan officials dismantled a Nigerian-led criminal group that subjected at least 39 Nigerian women and girls to sex trafficking in southeastern Spain. Nigerians are increasingly exploited in Libya; lured by the promise of reaching Europe, traffickers keep victims in “control houses” or “prostitution camps” located on the outskirts of Tripoli and Misrata and subject them to sex trafficking and—to a lesser extent—domestic servitude until they can repay travel debts; before victims repay the debt, traffickers sell them again. During the reporting period, ISIS captured at least seven Nigerian women and girls in Libya and exploited them in sexual slavery; some of the victims had been transiting Libya en route to Europe. Before departure for work abroad, many Nigerian women participate in a traditional ceremony with a *juju* priest; some traffickers exploit this tradition and tell the women they must obey every order or a curse will harm them, which prevents victims from seeking assistance or cooperating with law enforcement. Some victims' parents encourage them to obey their traffickers and endure exploitation to earn money. During the reporting period, authorities observed criminal gangs—some of whom might have had ties to so-called student cults—partner with organized crime networks to transport Nigerians to Europe for exploitation.

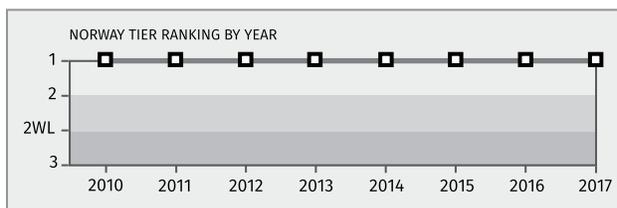
Reports indicate government officials and security forces committed sexual exploitation—including sex trafficking—and such exploitation is a major concern in nearly all of the 13 IDP camps and local communities in and around Maiduguri, the Borno State capital, which hosts IDPs affected by the ongoing conflict with Boko Haram. “Gatekeepers” in control of some IDP camps, at times in collusion with Nigerian policemen and soldiers, reportedly force women and girls to provide sex acts in exchange for food and services in the camps; in July 2016, an NGO reported camp leaders, policemen, soldiers, and vigilante groups exploited 37 women and children in sex trafficking among seven IDP camps in Maiduguri. In July 2016, a Nigerian research organization surveyed 400 IDPs in Adamawa, Borno, and Yobe states, and 66 percent said camp officials sexually abused women and girls, some of which constitutes sex trafficking. Various NGOs and news outlets continued to report that children in IDP camps are victims of labor and sex trafficking, and some alleged government officials managing the camps are complicit in these activities.

During the reporting period, Boko Haram continued to forcibly recruit and use child soldiers as young as 12 years old and abduct women and girls in the northern region of Nigeria, some of whom it subjected to domestic servitude, forced labor—including in suicide attacks in Nigeria, Cameroon, and Chad—

and sexual slavery through forced marriages to its militants. International organizations continued to express concerns about the arrest and detention by the Nigerian government and security forces of children for alleged association with Boko Haram. Authorities arrested more than 1,365 children between January 2015 and October 2016 for their or their parents' alleged association with Boko Haram and did not report screening them for trafficking. Among the more than 1,365 children detained, 455 remained in detention as of December 2016, including 78 boys aged 13-17 whom NSF determined to be combatants; in one case, authorities kept 58 children in military detention for four months. The government prohibited the recruitment and use of child soldiers, but NSF used children as young as 12 years old in support roles such as messengers, porters, and guards. Credible observers reported NSF interrogated children in detention for later use as collaborators to identify Boko Haram members among newly arrested persons. The Nigerian military also conducted on-the-ground coordination with elements of the CJTF—a self-defense militia involved in fighting Boko Haram that is not part of the Nigerian government—including the Government of Borno State-funded, Maiduguri-based CJTF. An NGO noted the term CJTF is now used to describe a number of self-defense vigilante groups operating in northeast Nigeria, some of which have tenuous ties to the Maiduguri-based CJTF. Credible observers, including NGOs and an intergovernmental organization, reported CJTF continued to recruit and use children, possibly compulsorily, and used children as young as 12 years old mostly to man check points, conduct patrols, spy, and apprehend suspected insurgents.

NORWAY: TIER 1

The Government of Norway fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Norway remained on Tier 1. The government demonstrated serious and sustained efforts by signing a new anti-trafficking action plan and devoting more resources to victim protection. Although the government meets the minimum standards, it did not report a high level of law enforcement efforts relative to the number of victims identified; from 2007 to 2016, approximately 2,800 potential trafficking victims received assistance in Norway, yet authorities have secured only 50 convictions since 2003.



RECOMMENDATIONS FOR NORWAY

Train investigators on compiling evidence additional to victims' testimonies; train prosecutors on the application of the trafficking law; vigorously prosecute and convict sex and labor traffickers; adequately resource police departments to investigate trafficking crimes; enhance communication between police and immigration authorities and proactively screen foreigners in detention for indicators of trafficking prior to their deportation; continue collaborative efforts to combat labor

trafficking offenses; and produce public awareness campaigns on trafficking.

PROSECUTION

The government maintained law enforcement efforts. The penal code was amended in October 2015; section 257 defines human trafficking consistent with the 2000 UN Protocol to include all forms of sex and labor trafficking; it criminalizes the use of force, fraud or coercion for the purpose of prostitution, labor, army recruitment or organ removal and specifies that with regard to the trafficking of children, the use of force, fraud or coercion is not a required element of the crime. Section 258 in the amended penal code criminalizes “gross human trafficking,” which includes those trafficking offenses in which the victim was a child or gross violence or coercion was used, the maximum penalty under section 257 is six years imprisonment and for section 258, 10 years. This punishment is sufficiently stringent and commensurate with punishments prescribed for other serious offenses, such as rape. Authorities initiated 46 investigations (42 sex trafficking cases and four labor trafficking cases), compared with 61 (43 sex trafficking cases and 18 labor trafficking cases) in 2015. The government prosecuted seven suspects in four different cases (three sex trafficking and one labor trafficking suspects), compared with 11 suspects (six sex trafficking and five labor trafficking suspects) in 2015. Authorities obtained four convictions (three sex traffickers and one labor trafficker), compared with 11 (six sex traffickers and five labor traffickers) in 2015. All of the convicted traffickers under the 2016 reporting period received prison sentences.

In 2016, the National Criminal Investigation Service began developing a standardized training curriculum for use in all police districts. The government organized a national seminar on human trafficking for law enforcement and others, which focused on victim identification and prosecution; the 300 attendees included police officers, prosecutors, immigration officials, asylum and reception center representatives, health care professionals, NGOs, and others from across the country. The government earmarked 15 million kroner (\$1.7 million) annually for the establishment of specialized anti-trafficking units in Norway’s five largest police districts, under the supervision of the police directorate. The Bergen police maintained a specialized unit dedicated to combating trafficking. In 2015, Parliament mandated that all 12 police districts in Norway have a trafficking unit—funds have been allocated for five of these police districts as of April 2017. The national police directorate and Ministry of Justice were in dialogue about proper funding with Parliament. Many municipalities did not have prosecutors with specialized training in trafficking cases; as a result, prosecutors sometimes brought pimping charges in trafficking cases when the accused trafficker used forms of force, fraud, or coercion other than physical violence. In these cases, victims were not automatically provided the benefits given under the trafficking laws, and convicted offenders could receive penalties that were not dissuasive or proportionate to the crime. Even when trafficking perpetrators were prosecuted for pimping, if authorities believed there may have been elements of trafficking associated with the crime, the victims have sometimes been eligible for a resident permit. With a residence permit, victims are entitled to social benefits such as financial support and welfare services. A government report found that a large number of trafficking cases that were investigated were not prosecuted, due in part to limitation on prosecutorial capacity and training to deal with trafficking cases, as well as investigators relying solely on victims’ testimony without additional evidence that would help support successful

prosecutions. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained protection efforts. In 2016, the government reported identifying and providing services for 262 trafficking victims, including 46 men, 199 women, and 17 children, compared with approximately 290 victims overall in 2015. Within the total number of trafficking victims reported in 2016, 185 were sex trafficking victims, 60 were forced labor victims, and 17 were a combination of both. The government provided protection to trafficking victims through municipal crisis centers and government-funded NGOs. These NGOs provided foreign and domestic victims with shelter, legal aid, stipends for food, psychological care, medical assistance, fitness facilities, and Norwegian language classes. Additionally, the government’s ROSA project (Re-establishment, Organizing safe places to stay, Security, Assistance) managed a 24-hour hotline for potential victims saw an increase in calls, particularly from potential labor trafficking victims, after additional funding allowed the hotline to stay open outside of business hours. In 2015, Parliament established a new grant scheme of providing seven million kroner (\$811,971) exclusively for measures to prevent trafficking in persons and support victims. In 2016, two NGOs received grants of 5.9 million kroner (\$684,375) and 2.25 million kroner (\$260,991), respectively, to operate shelters, including one for male victims. ROSA remained the largest project exclusively intended to assist victims of trafficking and received 3.75 million kroner (\$434,984) in government funding. ROSA received 97 initial contacts from possible victims through their hotline, in contrast with 125 contacts in 2015. The contrast in numbers is a result of the type of assistance needed once contact is made with ROSA. Of the 97 making initial contact, 40 ultimately accepted shelter, compared to 38 in 2015. Another publicly supported NGO assisted sex trafficking victims who had been granted a reflection period with vocational programs and sponsored internships. Child Welfare Services provided specialized care to child victims, including accommodation in a child protection institution or a foster home. GRETA previously reported Norwegian border officials did not adequately identify potential victims. Experts observed the police were under pressure to deport individuals without legal status and often pursued deportation without screening for indicators of trafficking, particularly among individuals in prostitution.

Authorities granted a six-month reflection period to 24 victims and temporary residence permits to 23 victims in 2016, compared with 22 and 41, respectively, in 2015. Observers expressed concern over the lack of communication between police and immigration authorities, resulting in the deportation of victims who may have merited temporary residency. Victims could receive a longer-term residence permit if they made a formal complaint to the police and the authorities decided they needed the victims’ assistance for the investigation and prosecution. Victims facing retribution or hardship in their countries of origin could apply for asylum after law enforcement no longer required their assistance; 17 victims received asylum status in 2016 (11 in 2015). There were isolated incidents of potential victims being inappropriately detained or fined for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

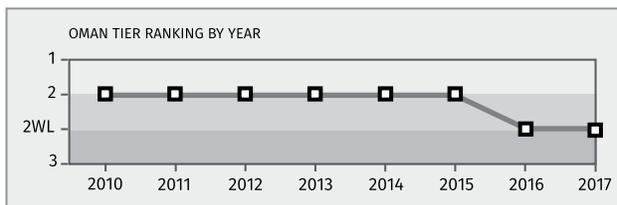
The government maintained modest prevention efforts. Norway introduced a new anti-trafficking action plan, effective in January 2017, which was developed with NGO consultation. The government did not fund any information campaigns targeted towards potential trafficking victims in 2016. The government raised awareness among employers of regulations around employing migrants, as well as notifying the public to refrain from using abnormally cheap services, in attempt to combat forced labor. The government did not report any specific measures to reduce the demand for commercial sex. 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.

TRAFFICKING PROFILE

As reported over the past five years, Norway is a destination and, to a lesser extent, transit and source country for women and girls subjected to sex trafficking, and for men and women subjected to forced labor in domestic service, car washing, and construction. Children are subjected to domestic servitude, forced begging, and forced criminal activity, such as shoplifting and drug sales. Trafficking victims identified in Norway primarily originate from Eastern Europe and Africa—particularly Albania, Bulgaria, Lithuania, Nigeria, and Romania, as well as victims from Pakistan. Foreign au pairs, including those from the Philippines, are vulnerable to trafficking in Norway. Some children, who had disappeared or had been recruited from asylum centers were subsequently subjected to trafficking by organized trafficking groups.

OMAN: TIER 2 WATCH LIST

The Government of Oman does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by prosecuting traffickers and conducting trainings for law enforcement and prosecutorial and judicial personnel. It identified more victims and provided them with basic care, and continued to fund and operate an all-purpose shelter. The government also hired a full-time consultant to liaise between relevant agencies to create a whole-of-government approach to countering trafficking in Oman. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government conducted fewer investigations, and prosecutions and convictions remained disproportionately low compared to the known trafficking problem in Oman. The government generally continued to process potential labor trafficking cases through mediation in labor courts rather than criminally investigating and prosecuting them. Officials remained without standardized mechanisms for the proactive identification of trafficking victims among vulnerable groups, and they relied on victims to self-identify. The government only referred victims to protective services if they filed cases with the public prosecutor. Therefore, Oman remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR OMAN

Significantly increase efforts to investigate, prosecute, and convict traffickers, especially for forced labor offenses; expand labor law protections to and enforce legal protections for domestic workers; amend the sponsorship-based employment scheme that renders expatriate workers vulnerable to exploitative labor; institute formal procedures to identify trafficking victims among vulnerable populations, such as migrant workers and people in prostitution; develop and institute a formal mechanism for cooperation between the Ministry of Manpower (MOM) and the public prosecutor to investigate and prosecute cases of labor trafficking, including those involving labor recruitment agencies; refer suspected trafficking victims to the government shelter, regardless of whether there is a corresponding prosecution of an alleged offender; repeal the restrictions on victim referrals to allow broader victim access to shelter care; offer shelter and specialized services to male victims and labor trafficking victims; cease penalization of trafficking victims for acts committed as a direct result of being subjected to human trafficking, such as immigration violations or prostitution; enable the development and support the operations of a holistic victim care network run by civil society stakeholders; impose dissuasive penalties on employers who withhold their employees' passports; expand training for officials involved in criminal investigations and judicial proceedings; update and fully implement the national action plan; and broaden public awareness efforts to reduce the demand for forced labor.

PROSECUTION

The government maintained limited anti-trafficking law enforcement efforts. Oman's 2008 anti-trafficking law criminalizes all forms of trafficking and prescribes punishments of three to 15 years imprisonment, in addition to financial penalties; these punishments are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The May 2014 Child's Law prohibits holding a child in slavery. MOM circular No. 2/2006 prohibits employers from withholding migrant workers' passports but does not specify penalties for noncompliance.

The government reported investigating one sex trafficking case and one forced labor case, compared to five and none, respectively, during the previous year. It prosecuted nine defendants—three for sex trafficking and six for forced labor—all of whom awaited a final verdict at the close of the reporting period; in 2015, the government initiated three prosecutions involving nine suspects and did not convict any traffickers. However, the government generally treated forced labor cases, including involving domestic workers, as labor law violations rather than criminal offenses. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. The MOM received 332 cases of passport retention during the reporting year, in comparison to 432 cases in 2015; 44 were referred to the lower court, 12 referred for further investigation, eight remained pending at the close of the reporting period, and the other 268

were settled via mediation. The MOM did not refer any cases of passport retention for criminal investigation as potential labor trafficking offenses. The Royal Oman Police continued to train all incoming cadets on the legal framework for trafficking and related crimes, victim identification, and mechanisms for transferring potential cases to court. In 2016, the MOM and Ministry of Justice (MOJ) conducted various workshops on trafficking for judicial and prosecutorial personnel across the Sultanate on the intricacies of the anti-trafficking law and processing trafficking cases. Additionally, a cadre of Omani officials visited the United States for one month to study best practices in combating trafficking and victim service provisions. The MOJ included the anti-trafficking law as a mandatory course for all prospective lawyers, judges, and prosecutor generals in Oman.

PROTECTION

The government demonstrated modest efforts to identify and protect victims. The government reported identifying 36 potential trafficking victims, 15 of whom it referred to the government-run shelter, an increase from five in the previous reporting period. The government repatriated the remaining 21 victims to their respective countries of origin. However, it largely relied on victims to self-identify and report abuses to authorities, and victims could only obtain government-provided services if the public prosecutor filed a case and issued a referral for them. Some source-country embassies in Oman operated shelter services for their nationals, including men. As the labor law does not cover domestic workers, authorities continued to treat potential domestic servitude cases as labor violations, and did not identify as victims, or provide protection services to, potential victims of domestic servitude. The government's lack of formal identification and referral procedures left victims vulnerable to being incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to trafficking. The government reaffirmed its policy that foreign workers are required to adhere to the terms of employment contracts or leave the country for a minimum of two years before returning to Oman to work for a new employer. Without a legal mechanism by which potential trafficking victims can avoid deportation or seek employment outside existing contracts, this policy may compel workers to stay in exploitative situations in which they may be deterred from taking legal actions against traffickers.

During the reporting period, the government operated, and allocated 191,860 Omani rial (\$498,350) to its permanent shelter, which could accommodate up to 50 women and child victims of forced labor or sex trafficking. The shelter provided lodging, psychological counseling, legal support, monetary stipends, rehabilitation activities, and medical care to victims. Victims in the shelter were only permitted to leave the premises with a chaperone, allegedly to deter reprisal from traffickers. The government did not provide shelter services for male victims. Victims were permitted to stay in Oman on a case-by-case basis but not permitted to work while awaiting court proceedings. The government provided foreign victims with legal alternatives to removal to countries in which they may face retribution or hardship; however, it did not report if any victims benefited from this policy.

PREVENTION

The government continued efforts to prevent human trafficking. In October 2016, the Ministry of Foreign Affairs hired an international expert on combating trafficking to assist the

government in creating a taskforce focused on victim-centered investigations and to guide Omani interagency entities on training, legislative improvements, and enhanced information gathering techniques. The government has maintained an action plan since 2009. In conjunction with an international organization, the anti-trafficking committee organized two workshops for 80 officials on the front-lines of policymaking or implementation of the national action plan. In 2016, the MOM produced 625 individual awareness campaigns and 60 group outreaches; it also sent more than 140,000 anti-trafficking related text messages to unknown recipients and disseminated pamphlets in 14 languages documenting worker protections and grievance filing guidelines. The Ministry of Social Services maintained a hotline in Dar al Wifaq, operated by police and staffed with Arabic, English, Urdu, Hindi, French, and Swahili translators; the government did not report the number of calls received during the reporting period. The government required employers to post labor law regulations in the languages of their workers in prominent locations at worksites. Oman ceased the issuance of domestic worker visas from numerous African countries during the previous reporting year and extended the ban into the current year in an effort to curb recruiter malfeasance. The government reported having memoranda of understanding with Iran, India, Bangladesh, Sri Lanka, Vietnam, Syria, Palestine, Egypt, and Morocco; some included articles prohibiting unlawful labor recruitment and trafficking. The government continued to monitor employment agencies through 21,946 labor inspections; 558 labor complaints were registered in 2016, of which 443 were settled through mediation, 91 were referred to the court system, and 24 cases remained pending at the close of the reporting period. Grieving workers filed the majority of these complaints through the MOM's website or hotline. The government did not report efforts to reduce the demand for forced labor or commercial sex acts. It provided anti-trafficking training to its diplomatic personnel.

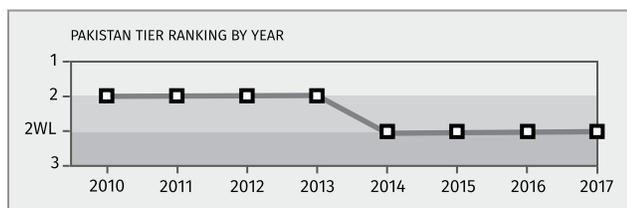
TRAFFICKING PROFILE

As reported over the past five years, Oman is a destination and transit country for men and women, primarily from South and East Asia and East and North Africa, subjected to forced labor and, to a lesser extent, sex trafficking. Expatriate workers migrate to Oman willingly and legally with the expectation of employment in domestic service or in the construction, agricultural, and service sectors; some are subjected to conditions of forced labor, including excessive work hours, passport confiscation, non-payment of wages, food deprivation, and psychological and sexual abuse. Oman's migrant worker community hails primarily from Bangladesh, India, Pakistan, Sri Lanka, and the Philippines. Male laborers transit Oman en route to the United Arab Emirates, where some are subjected to forced labor. Oman is a destination and transit country for some women from South Asia, North Africa, and East Africa who are exploited in sex trafficking, often by nationals of their own countries. Unscrupulous labor recruitment agencies in Oman and their sub-agents in labor-sending countries, as well as labor brokers in neighboring countries, deceive some workers into accepting work that constitutes forced labor. Such dishonest agencies provide fraudulent employment contracts with fictitious wage rates and charge workers exorbitant recruitment fees with high interest rates. Employers sometimes compel the foreign worker to repay the hiring costs, such as recruitment fees, and are reluctant to release them until such costs are recouped. These practices can render workers vulnerable to trafficking. There have been anecdotal reports that female domestic workers from countries without a diplomatic presence in Oman are especially vulnerable to sex trafficking. Some

Tanzanian women are susceptible to exploitative conditions working for Omani extended family members of Zanzibar-Tanzanian origin. Domestic workers who flee their employers are also vulnerable to forced prostitution.

PAKISTAN: TIER 2 WATCH LIST

The Government of Pakistan 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 increasing investigations, prosecutions, and convictions of sex trafficking. The government amended its national strategic framework against trafficking in persons and human smuggling to extend it through 2020 and ratified the UN Convention on the Rights of the Child Optional Protocol on Armed Conflict. The province of Sindh adopted a law prohibiting bonded labor and both the Sindh and Punjab provincial governments passed legislation criminalizing child sex trafficking and forced labor with sufficiently stringent sentences. In November 2016, the province of Balochistan passed legislation establishing District Child Protection Units, charged with providing case management and ensuring abused children including trafficking victims, receive appropriate government services. The province of Punjab opened its first wholly-integrated women's shelter for victims of violence and Sindh increased its budget for women's shelters. Punjab reported it identified and removed approximately 79,000 children working in brick kilns, some of whom may have been victims of bonded labor. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Overall, government law enforcement efforts on labor trafficking remained inadequate. Despite bonded labor being Pakistan's largest trafficking problem, only the government of Punjab reported convictions for bonded labor and the total number was low—10 convictions in 2016 compared with seven in 2015. Official complicity in trafficking crimes remained a serious problem, yet the government reported no prosecutions or convictions of complicit officials. Government protection efforts were weak. Provincial governments' identification of victims decreased sharply and only a small number of the total victims identified were referred to rehabilitation services, which remained inadequate and inconsistent. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Pakistan was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore, Pakistan remained on the Tier 2 Watch List for the fourth consecutive year.



RECOMMENDATIONS FOR PAKISTAN

Increase prosecutions and convictions, particularly of forced and bonded labor, while strictly respecting due process; pass an anti-trafficking law that prohibits and penalizes all forms of human trafficking, including sex trafficking of those under 18

without requiring coercive means, and prescribes sufficiently stringent penalties; provide additional resources to increase trafficking-specific services for victims, including for men and boys, and ensure victims are not penalized for acts committed as a result of being subjected to trafficking; thoroughly investigate credible allegations of government complicity in trafficking and stringently prosecute and punish officials who are complicit; ensure the creation, dissemination, and use of standard operating procedures (SOPs) for victim identification and referral to rehabilitation services at the provincial level; expand ability for freed bonded laborers to obtain identification documents and gain access to government services; take steps to eliminate all recruitment fees charged to workers; issue policies and provide trainings to government officials that clearly distinguish between human trafficking and human smuggling; strengthen the capacity of provincial governments to address human trafficking, including bonded labor, through training, awareness raising, funding, and encouraging the creation of coordination taskforces and the adoption of provincial-level anti-trafficking action plans; improve efforts to collect, analyze, and accurately report anti-trafficking data, distinct from data on smuggling; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government demonstrated mixed law enforcement efforts against trafficking. Law enforcement efforts against sex trafficking increased and the provinces of Sindh, Balochistan, and the Islamabad Capital Territory reported data for the first time. However, law enforcement efforts against labor trafficking remained inadequate compared to the scale of the problem. The law does not criminalize all forms of trafficking. Section 369A of the Pakistan Penal Code (PPC), amended in March 2016, prohibits transnational and internal forced labor and transnational and internal sex trafficking of women and children; however, Section 369A does not define the prostitution of children younger than age 18 as an act of human trafficking in the absence of coercive means, the standard of the 2000 UN TIP Protocol. Section 369A prescribes penalties ranging from five to seven years imprisonment, or a fine between 500,000 and 700,000 Pakistani rupees (PKR) (\$4,790 and \$6,710), or both. These penalties are sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. Several other sections of the PPC criminalize some forms of human trafficking, such as slavery and selling or buying a person for the purposes of prostitution; maximum penalties for these offenses range from seven years to life imprisonment. These prescribed penalties are sufficiently stringent and the laws criminalizing sex trafficking have penalties commensurate with those prescribed for other serious crimes, such as rape. Transnational sex and labor trafficking offenses, as well as some non-trafficking crimes—such as human smuggling and fraudulent adoption—are criminalized in the Prevention and Control of Human Trafficking Ordinance (PACHTO), which prescribes penalties of seven to 14 years imprisonment. Prescribed penalties for PACHTO offenses are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Bonded Labor System (Abolition) Act (BLSA) prohibits bonded labor, with prescribed penalties ranging from two to five years imprisonment, a fine, or both. Fines alone are not sufficiently stringent sentences. Under a devolution process begun in 2010, some federal laws apply to provinces until corresponding provincial laws are enacted, although most of the provinces have adopted their own labor laws. The provinces of Punjab and Khyber Pakhtunkhwa adopted the BLSA in previous reporting periods and in June 2016 Sindh adopted the BLSA. In July 2016, the Punjab, and in March

2017, the Sindh provincial governments, passed legislation restricting the employment of children; both laws criminalize “child prostitution” and forced labor. Punjab’s law prescribes penalties between three and seven years imprisonment, which are sufficiently stringent but not commensurate with penalties for other serious crimes. Sindh’s law prescribes between five and 10 years imprisonment, penalties which are sufficiently stringent and commensurate with those for other serious crimes. In September 2016, Punjab also passed a law criminalizing child labor younger than age 14 at brick kilns and requiring written contracts between the employer and all brick kiln employees outlining the amount of the wage, wage advance, and the advance payback schedule. The contracts must be sent to a government inspector; if a contract does not exist between the employer and brick kiln worker, bonded labor is assumed and the employer is liable under the BLSA. During the reporting period, both the National Assembly and the Senate drafted new legislation to distinguish between human smuggling and trafficking and to prohibit all forms of trafficking; at the end of the reporting period the bills were in committee for review.

The government reported investigating 98 alleged traffickers, prosecuting 60, and convicting 25 under PACHTO in 2016, compared with investigating 158 alleged traffickers, prosecuting 59, and convicting 13 in 2015. Despite efforts to formalize differentiation in policies, some law enforcement officials continued to conflate human trafficking and migrant smuggling and may have reported statistics conflating the two crimes, as PACHTO criminalizes both trafficking and smuggling. The government also reported data on trafficking investigations, prosecutions, and convictions under the penal code by province and, for the first time, Sindh, Balochistan, and the Islamabad Capital Territory (ICT) reported data. Overall, the government reported an increase in sex trafficking investigations, prosecutions, and convictions. Punjab reported the investigation of 1,241 sex trafficking cases in 2016, compared with 1,291 cases in 2015. Punjab initiated prosecutions of 1,779 alleged sex traffickers in 2016 and reported 119 convictions, compared with 40 convictions in 2015. Khyber Pakhtunkhwa reported the investigation of 55 sex trafficking cases in 2016, an increase compared with 27 cases in 2015, and the prosecution of 263 alleged sex traffickers in 2016. Khyber Pakhtunkhwa did not convict any traffickers in 2016—the same result as in 2015. Sindh, notably providing data for the first time, reported the investigation of 35 sex trafficking cases, prosecution of 164 alleged sex traffickers, and zero convictions in 2016. Balochistan, also notably providing data for the first time, reported the investigation of six sex trafficking cases, prosecution of 16 alleged sex traffickers, and zero convictions in 2016. The ICT, also providing data for the first time, reported the investigation of 22 sex trafficking cases, prosecution of 108 alleged traffickers, and zero convictions in 2016. Both the semi-autonomous territories of Azad Jammu and Kashmir and Gilgit-Baltistan reported an increase from zero sex trafficking investigations, prosecutions, and convictions in 2015. Azad Jammu and Kashmir reported investigation of 12 sex trafficking cases, prosecution of 19 alleged traffickers, and zero convictions. Gilgit-Baltistan reported investigation of three sex trafficking cases, prosecution of four alleged sex traffickers, and conviction of one trafficker in 2016.

The government’s law enforcement action on labor trafficking remained inadequate for the scale of forced and bonded labor in Pakistan. Overall, provincial governments reported the investigation of 11 forced labor cases in 2016, compared with five in 2015. The governments prosecuted five forced labor cases in 2016, involving 21 alleged traffickers, compared with

prosecution of four cases in 2015. The governments reported zero convictions for forced labor in 2016, compared with one forced labor conviction in 2015. Punjab was the only province to report legal action on bonded labor in 2016. Punjabi authorities reported investigating 16 cases, prosecuting 12 traffickers, and securing convictions of 10 traffickers for bonded labor under the BLSA, compared with 15 case investigations and prosecutions and seven convictions during the previous reporting period. The government did not report sentences for any of the convictions.

The Federal Investigative Agency (FIA) was charged with reporting and coordinating the government’s response to human trafficking, despite its statutorily limited jurisdiction encompassing transnational crimes. Nonetheless, FIA investigated human trafficking and smuggling cases through its 27 anti-trafficking law enforcement joint task forces at the federal, provincial, and local level. FIA’s basic training for new recruits included information on human trafficking and migrant smuggling and, in 2016, FIA held two dedicated trainings for 78 officers to specifically distinguish between the two crimes. During the reporting period, a special training on trafficking was also held at the police academy, and police basic training continued to include information on human trafficking and the relevant sections of the PPC. FIA also reported 123 officers participated in 11 anti-trafficking trainings in 2016 held by foreign governments or international organizations; FIA contributed in-kind support to the trainings.

Official complicity in trafficking remained a significant concern. Some feudal landlords and brick kiln owners were affiliated with political parties or held official positions and reportedly used their influence to protect their involvement in bonded labor. In some cases, when bonded laborers attempted to escape or seek legal redress, police returned them to their traffickers, who have been reported to hold laborers and their families in private jails. NGOs reported some perpetrators of bonded labor successfully filed false charges against bonded labor victims leading to their arrest and imprisonment. In May 2016, media reported a Punjab police officer was investigated for registering a false case against a bonded laborer and was later terminated. Some police reportedly acted against trafficking only when pressured by media and activists and other reports indicated police accepted bribes to ignore prostitution crimes, some of which may have included sex trafficking. In November 2016, Members of the Gilgit-Baltistan Legislative Assembly and senior officials from Gilgit-Baltistan were accused in media reports of involvement in a child sex trafficking ring; the investigation was ongoing at the end of the reporting period. In January 2017, an Islamabad High Court judge was suspended and referred to a lower court for prosecution for the alleged torture and domestic servitude of a 10-year-old girl; at the end of the reporting period the investigation remained ongoing. In October 2016, a Pakistani soldier on a peacekeeping mission was accused of the sexual exploitation of a child; at the end of the reporting period the investigation was ongoing.

PROTECTION

The government demonstrated mixed efforts to protect and assist victims. While Punjab opened its first wholly integrated women’s shelter and Sindh increased its budget for women’s shelters, provincial governments reported a sharp decrease in victims identified and continued to only refer a small number of victims to rehabilitative services, which remained inadequate and inconsistent. The government reported its use of SOPs for the identification of trafficking victims at airports and border crossings; however, it is unknown if provincial officials have

and use SOPs for identification efforts and referral of victims to protection services. FIA's anti-trafficking units reported identifying 131 Pakistani victims and no foreign victims in 2016, compared with 104 Pakistani victims in 2015. Provincial police reported identifying 4,518 victims, including 2,134 women, 2,184 men, and 200 children, a decrease compared with 15,153 victims identified in 2015. The government did not report which form of trafficking the victims were subjected to or the identification of victims by province. In part due to nonexistent SOPs or lack of dissemination and training on SOPs, authorities may have charged sex trafficking victims with moral crimes and detained and charged undocumented foreign nationals for immigration violations. Media and NGOs accused some law enforcement of being ignorant of trafficking indicators and allowing false charges against bonded laborers to be brought by brick kiln or landowners.

FIA reported it referred the 131 Pakistani victims it identified to NGOs for shelter and rehabilitation services; however, the government reported the provincial police referred to rehabilitative care only 220 of the 4,518 victims they identified. Civil society continued to provide most victim services, without provision of government support. Government-run "women's shelters" were available to women in a range of difficult circumstances, including trafficking victims. Punjab reported all 36 district women's shelters in the province were operational and assisted 49 women and 30 child trafficking victims during 2016. Sindh province operated five women's shelters in its 29 districts and reported its budget for these shelters increased from 48.4 million PKR (\$464,240) in the 2015-2016 fiscal year to 65.7 million PKR (\$629,660) in 2016-2017. Khyber Pakhtunkhwa reported four of its 26 districts had women's shelters and Balochistan reported it operated one women's shelter. NGOs noted some of these facilities operated under prison-like conditions and, in the recent past, traffickers forced some of the women in shelters into prostitution. In March 2017, Punjab opened the first wholly integrated shelter for female victims of violence. In addition to housing, the shelter provided medical and psychological support and facilities for law enforcement, judicial officials, and a courtroom. Observers stated there were only a few shelters in all of Pakistan designated for trafficking victims, which were ill-equipped to deal with victims' social, economic, and psychological needs.

Provincial child protection units in Punjab, Sindh, and Khyber Pakhtunkhwa identified and referred children in exploitative or vulnerable labor situations to NGO and government care. Boys could access government shelters; however, there was no government-funded shelter for males over the age of 18. In November 2016, Balochistan passed legislation establishing District Child Protection Units, charged with providing case management and ensuring abused children including trafficking victims, receive appropriate government services. The Punjab Child Protection and Welfare Bureau (CPWB) housed children in child protection shelters. CPWB operated open reception centers to identify and register children living on the street; during 2016, the centers identified and referred 1,457 child beggars to services, 750 of whom were referred to the child protection shelters. Authorities did not report how many of these children, if any, were victims of forced begging. CPWB also identified and removed 65 children from domestic servitude. Khyber Pakhtunkhwa continued to fund and operate a 1,000-bed shelter for homeless children.

In October 2016, the Sindh labor department ordered each of its 29 districts to establish bonded labor district vigilance committees (DVCs) to ensure the implementation of the

BLSA and required the committees to send monthly reports to the labor department. During the reporting period, two districts established DVCs and held meetings. Punjab labor department reported its continued funding and implementation of programs for vulnerable workers and the elimination of bonded labor in brick kilns, both of which support bonded labor DVCs; during 2016 Punjab reported 202 DVC meetings were held. It is unknown if DVCs set up under the Khyber Pakhtunkhwa BLSA were operational during the reporting period. Punjab and Khyber Pakhtunkhwa provided free legal aid to bonded laborers who requested help. Bonded laborers who were released but lacked identity documents were unable to access government services, including healthcare and food stipends, and sometimes returned to brick kilns or farms and assumed more debt. NGO-run shelters were available to bonded laborers, including entire families. The government reported it provided protection to victims to encourage their cooperation in investigations; however, it did not report how many it provided such protection in 2016 and it is unclear how often protection was available or adequate. Victims expressed reluctance to testify against their traffickers due to threats of violence against them and their families. The Ministry of Interior could grant extensions for foreign victims to stay in the country until a decision was reached on the victims' repatriation by the Federal Review Board of the Supreme Court; however, it is unclear if this policy allowed legal alternatives to removal to countries in which victims would face retribution or hardship.

PREVENTION

The government increased efforts to prevent trafficking. In December 2016, the government amended its national strategic framework against trafficking in persons and human smuggling to extend through 2020 and assign timelines to the activities. In November 2016, the government ratified the UN Convention on the Rights of the Child Optional Protocol on Armed Conflict, which among other provisions, requires the government to take all feasible measures to prevent recruitment and use of children by non-state armed groups. In July 2016, the Punjab, and in March 2017, the Sindh governments, passed legislation restricting the employment of children; both laws specifically prohibit the forced or compulsory recruitment of children for use in armed conflict as a form of slavery. The FIA reported provincial governments increased resources allocated for development-related labor programs, some of which were specific to the prevention of bonded labor, though at least a portion of those resources may have been previously allocated to be distributed over multiple years. Khyber Pakhtunkhwa funded and implemented a program to prevent child and bonded labor. Punjab expanded its multi-year project to eliminate child and bonded labor to include additional districts. In addition, Punjab reported, after passing a law criminalizing child labor under age 14 at brick kilns in 2016, it initiated 871 investigations, 819 prosecutions, and 24 convictions for child labor violations and identified and removed approximately 79,000 children working in brick kilns and admitted them to school. Punjab prosecuted 3,989 brick kiln owners for lack of compliance with labor laws, including non-payment and illegal deductions from wages, and imposed fines totaling 5.1 million PKR (\$49,060). Punjab also established a hotline to report child labor in brick kilns and issued identification documents to brick kiln workers and their families, which allowed them to access government benefits and reduced the probability of subjection to trafficking. The provincial governments of Balochistan, Khyber Pakhtunkhwa, Punjab, and Sindh funded and implemented multi-year programs focused on combating the worst forms of child labor and other labor abuses. Sindh

partnered with an international organization to increase birth registration in rural areas, and Punjab continued to implement a birth registration program for brick kiln workers. The Punjab Department of Labor continued to provide brick kiln workers interest-free loans. In January 2017, the Lahore High Court directed the Punjab government to create a domestic worker policy. FIA's research and analysis center published quarterly newsletters with statistics and information on the government's efforts to combat trafficking and smuggling. In 2016, Punjab ran an awareness campaign in all 36 districts for women and children on human trafficking and smuggling and held seminars and distributed brochures to school children on bonded labor in brick kilns.

The Bureau of Emigration and Overseas Employment (BEOE) monitored overseas migration by issuing licenses to private employment promoters and monitoring workers who migrate through their own arrangements. The Emigration Ordinance of 1979 prohibited the role of unregulated and unregistered sub-agents; however, sub-agents continued to operate widely with impunity. The government allowed licensed employment promoters to charge migrant workers a service fee and workers to pay all the costs associated with overseas employment. While the government stipulated a receipt should be issued to the migrant worker for these costs, the government did not specify any cost limit and the BEOE did not consistently review migrant workers' receipts—in 2016, an international organization's research revealed more than 80 percent of Pakistani workers' cost for employment in Saudi Arabia and United Arab Emirates was the result of exorbitant visa fees. BEOE required migrant workers to attend a pre-departure briefing at one of its seven offices including on what to do if they encounter problems; however, observers asserted the government did not take sufficient steps to inform emigrants about trafficking even though a number of migrant workers become trafficking victims. In February 2017, the government announced 1.4 million registered Afghan refugees living in Pakistan were granted an extension of residency until December 31, 2017; however, during the reporting period, there were reports of harassment and extortion of Afghan refugees by Pakistani provincial authorities, police, and host communities. Media reported some undocumented Afghan nationals who returned to Afghanistan due to alleged threats from Pakistani law enforcement were subjected to bonded labor in brick kilns in Afghanistan after being unable to pay their transportation cost from Pakistan. The government reduced the demand for commercial sex acts by arresting clients and proprietors of brothels. The government did not make efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic and peacekeeping personnel. Pakistan is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

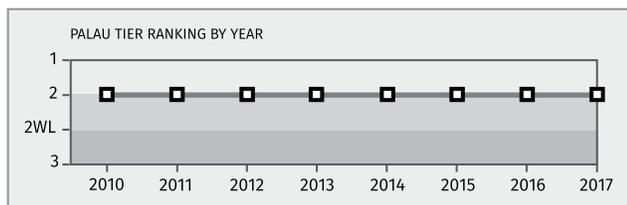
As reported over the last five years, Pakistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The country's largest human trafficking problem is bonded labor, in which an initial debt assumed by a worker as part of the terms of employment is exploited, ultimately entrapping other family members, sometimes for generations. Bonded labor is concentrated in Sindh and Punjab provinces, but also occurs in Balochistan and Khyber Pakhtunkhwa provinces, in agriculture and brick-making and, to a lesser extent, in fisheries, mining, and handicraft- and carpet-making. Some feudal landlords and brick kiln owners affiliated with political parties use their influence to protect their involvement in bonded labor. Children are bought, sold,

rented, or kidnapped and placed in organized begging rings, domestic servitude, small shops, brick kilns, and sex trafficking. Begging ringmasters sometimes maim children to earn more money. NGOs report boys are subjected to sex trafficking around hotels, truck stops, bus stations, and shrines. Illegal labor agents charge high recruitment fees to parents in return for employing their children, some of whom are subjected to forced labor and sex trafficking. Trafficking experts describe a structured system for exploiting women, girls, and LGBTI individuals in sex trafficking, including offering victims for sale in physical markets. Observers report police accept bribes to ignore prostitution in general, some of which may include sex trafficking. Women and girls are sold into forced marriages; in some cases, their new "husbands" prostitute them in Iran or Afghanistan. In other cases, including some organized by extra-judicial courts, girls are used as chattel to settle debts or disputes. Non-state militant groups kidnap children, buy them from destitute parents, or coerce parents with threats or fraudulent promises into giving their children away; these armed groups force children to spy and fight, in Pakistan and Afghanistan. Pakistan's large number of IDPs, due to natural disasters and domestic military operations, are vulnerable to trafficking.

Pakistani men and women migrate voluntarily to the Gulf states and Europe for low-skilled employment—such as domestic service, driving, and construction work; some become victims of labor trafficking. False job offers and high recruitment fees charged by illegal labor agents or sub-agents of licensed Pakistani overseas employment promoters entrap Pakistanis into sex trafficking and bonded labor. Some Pakistani children and adults with disabilities are forced to beg in Iran. Pakistan is a destination country for men, women, and children subjected to forced labor—particularly from Afghanistan, Bangladesh, and Sri Lanka. Women and girls from Afghanistan, China, Russia, Nepal, Iran, Bangladesh, Uzbekistan, and Azerbaijan are reportedly subjected to sex trafficking in Pakistan. Refugees from Afghanistan, Bangladesh, and Burma, as well as religious and ethnic minorities such as Christians and Hazaras, are particularly vulnerable to trafficking in Pakistan.

PALAU: TIER 2

The Government of Palau 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, Palau remained on Tier 2. Increasing efforts included the conviction of a corrupt official whose actions could have been permissive of trafficking. The government also reconvened the National Human Rights Working Group intended to consolidate government efforts in the promotion and protection of human rights, including through as yet unimplemented anti-trafficking awareness-raising campaigns. However, the government did not meet the minimum standards in several key areas. Courts failed to secure convictions under trafficking provisions and issued light penalties for trafficking-permissive violations—a trend that seemed to reflect a failure to treat trafficking as a serious crime. The government did not increase funding for or access to victim protective services, nor did it develop a national action plan to combat trafficking.



RECOMMENDATIONS FOR PALAU

Using the 2005 anti-trafficking law and 2014 amendments to the criminal code, increase efforts to investigate and criminally prosecute trafficking offenses, convict sex and labor traffickers, and impose sufficiently stringent penalties on convicted traffickers—including complicit officials; develop and implement formal procedures for front-line officers to identify trafficking victims among vulnerable groups and increase the availability of protective services for trafficking victims, including through provision of access to government-funded trafficking victims' shelters and to legal counsel; implement anti-trafficking awareness and education campaigns targeting vulnerable populations, including labor migrant communities; use funds obtained from asset seizure or fines imposed on convicted traffickers to support victims; increase financial and human resources devoted to victim protection efforts; do not penalize trafficking victims for illegal acts committed as a result of trafficking; develop systematic procedures to provide authorization for foreign victims to remain in the country and obtain alternate employment; develop a national action plan to combat trafficking; continue to enforce laws punishing employment agents and labor officials for illegal practices that facilitate trafficking, with a focus on penalties that are likely to deter future offenses; establish a mechanism for the systematic monitoring of government anti-trafficking efforts; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained modest anti-trafficking law enforcement efforts. The Anti-Smuggling and Trafficking Act of 2005 prohibits all forms of trafficking and prescribes penalties for these offenses ranging from 10 to 50 years imprisonment and fines of up to \$50,000, or \$500,000 for cases with aggravating circumstances; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Trafficking victims could file claims with a government-designated NGO, which registered cases with the Office of the Attorney General (OAG). The OAG had dedicated anti-trafficking prosecutors to investigate trafficking allegations and prosecute cases, and provided training to police academy recruits on trafficking statutes and indicators.

The OAG received one new report of trafficking for the second year in a row, though it is unclear if the case—involving a woman from the Philippines—triggered any law enforcement action. The government obtained two convictions compared to three in 2015. However, the courts imposed penalties on convicted traffickers that reflected a failure to treat trafficking in persons as a serious crime. In one case, the government obtained a conviction of a Nepali individual initially prosecuted in 2015 for labor trafficking along with an accomplice. Courts sentenced him to six months in prison and fined him \$1,600. However—as was the case for this individual's accomplice in 2015—they ultimately stayed both penalties contingent on his voluntary permanent exile within 10 days of the verdict, and on the conditions that he divulge the identities of any Palauans

involved in his crime and not engage in any further recruitment activities. He departed Palau per the conditions of the stay. In a separate case, the government obtained the conviction of a labor official who accepted bribes to secure a labor permit for an undocumented Bangladeshi national. Authorities sentenced the official to one year in prison with five years probation, ordered him to pay a \$2,000 fine, plus \$400 in restitution to the victim, and barred him from holding public office in the future; however, the courts ultimately allowed him to pay the \$400 restitution amount in lieu of a prison sentence.

PROTECTION

The government maintained limited efforts to identify and protect victims. It was unclear how many potential trafficking victims were identified from civil and criminal cases filed. While identified victims were given access to a government counselor, the government did not fund or provide any additional protective services for victims, nor did it report whether any victims received shelter or support from other entities. An NGO worked with victims and assisted in their representation before labor and immigration hearings, but the general lack of support services reportedly led some potential trafficking victims to leave the country rather than pursue legal recourse. The OAG filed and supported several civil lawsuits to help trafficking victims recover lost wages. Courts could order restitution be paid to labor trafficking victims regardless of whether they request it, but it was unclear if any victims were awarded restitution in 2016. Labor trafficking victims were entitled to receive repatriation benefits. Some faith-based organizations reportedly provided shelter for trafficking victims, but did so without government funding or in-kind support. There were no reports of trafficking victims facing detentions, fines, or jail time for acts committed as a result of having been subjected to trafficking; however, insufficient identification and referral mechanisms could have made some victims vulnerable to law enforcement actions.

PREVENTION

The government maintained modest efforts to prevent trafficking. The government did not conduct educational or public awareness campaigns, but it took steps to develop them. The president reconvened the National Human Rights Working Group in 2016 to focus on the promotion and protection of human rights, including by raising awareness on trafficking in persons. The working group comprised members of the OAG and the Office of the Special Prosecutor. Palau's 2014 criminal code amendments contain a labor trafficking law intended to strengthen employment protections and prevent the unlawful retention of travel documents. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not develop a national action plan against trafficking or provide anti-trafficking training for its diplomatic personnel. There were no reports of systematic efforts by the government to monitor its own anti-trafficking efforts. Palau is not a party to the 2000 UN TIP Protocol.

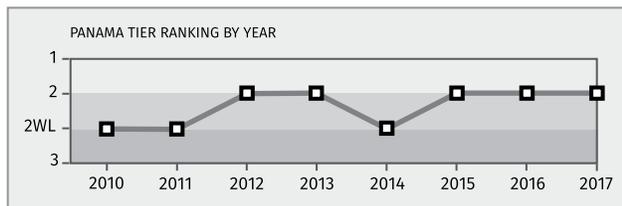
TRAFFICKING PROFILE

As reported over the last five years, Palau is a destination country for women subjected to sex trafficking and for women and men subjected to forced labor. Palau's foreign population, about one-third of the country's population of 17,661, is the most vulnerable to trafficking. Filipino, Bangladeshi, Nepali, Chinese, and Korean men and women pay thousands of dollars in recruitment fees and willingly migrate to Palau for jobs in

domestic service, agriculture, restaurants, or construction; upon arrival, some are forced to work in conditions substantially different from what had been presented in contracts or recruitment offers, and some become trafficking victims. Women from the Philippines and China are recruited to work in Palau as waitresses or clerks, but some are subsequently forced into prostitution in karaoke bars or massage parlors, many operated by Taiwanese, Filipino, or Palauan nationals. Foreign workers on fishing boats in Palauan waters experience conditions indicative of human trafficking. Official complicity plays a role in facilitating trafficking. Government officials—including labor, immigration, law enforcement, and elected officials—have been investigated for complicity during previous reporting periods.

PANAMA: TIER 2

The Government of Panama 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, Panama remained on Tier 2. The government demonstrated increasing efforts by identifying more trafficking victims and initiating more trafficking prosecutions than the previous reporting period, and funding anti-trafficking training for officials. However, the government did not meet the minimum standards in several key areas. The government did not allocate funding to its trafficking victim assistance fund, and the majority of identified victims did not receive services beyond an initial medical and psychological evaluation. There were no specialized shelters or services available for trafficking victims, with adult male or transgender victims most affected by this shortcoming. Resource and staffing constraints hampered the effectiveness of the national anti-trafficking commission.



RECOMMENDATIONS FOR PANAMA

Significantly increase funding for specialized victim services, including by allocating funds to the dedicated victim assistance fund and civil society organizations; use authorities under Law 79 to adopt a broader practical definition of trafficking that does not rely on evidence of movement, but rather focuses on exploitation; eliminate the disparity in penalties between the trafficking in persons law and statutes concerning commercial sexual exploitation of children, including sex trafficking crimes; assist victims to seek restitution; allow adult victims to leave shelters at will; intensify law enforcement efforts to proactively investigate and prosecute labor trafficking crimes and trafficking of children, including cases involving Panamanian victims exploited within the country; train law enforcement officials on conviction and sentencing of traffickers under the new accusatory justice system; institute standardized protocols on victim identification, referral procedures, and reporting data to the national commission; train officials—including police, border and immigration officials—on victim identification and referral procedures, especially among populations vulnerable to trafficking including labor trafficking and trafficking of

children; develop and institutionalize government-provided anti-trafficking training for officials; make specialized services available to male victims; complete drafting the new action plan to begin in 2018 and allocate specific funds to the national commission to implement the plan; and amend the anti-trafficking law to adopt a definition of human trafficking consistent with the 2000 UN TIP Protocol.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. Law 79 of 2011 criminalizes all forms of trafficking, prescribing sentences from six to 30 years imprisonment, depending on the nature of the offense. These punishments are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. This law also defines human trafficking as moving adults for the purposes of prostitution (without requiring the use of force, fraud, or coercion) and illegal adoption (without requiring evidence of exploitation), which are not considered forms of human trafficking under the 2000 UN TIP Protocol. In September 2016, the government issued an Executive Decree approving the issuance of implementing regulations for Law 79, which provides guidance on implementation of the law on prosecution, protection and prevention, including on drafting a new action plan, policy and governance of the National Commission against Human Trafficking, and the creation of technical units for prosecution, protection and prevention activities. Other provisions prohibit various crimes related to child sex trafficking. Article 180 of the penal code criminalizes the “prostitution of minors” with penalties of four to six years imprisonment and a 5,200 balboas (\$5,200) fine; these punishments are not sufficiently stringent and are not commensurate with those prescribed for other serious crimes, such as rape. Article 186 penalizes, with five to eight years imprisonment, purchasers of commercial sex acts involving a child. In addition to Law 79, article 89 of Law 3 establishes financial penalties of 1,000-5,000 balboas (\$1,000-\$5,000) for employers who confiscate foreign workers’ identity documents.

During the reporting period, Panama completed its transition from the inquisitorial justice system to the accusatory justice system in all jurisdictions, which temporarily slowed down processing of trafficking cases. In 2016, with technical assistance from a foreign government, authorities initiated seven sex trafficking investigations involving 13 suspects—as compared to 17 sex trafficking investigations involving 38 suspects during the previous reporting period. The government prosecuted the 13 suspects under the trafficking law, compared with three prosecutions the previous reporting period and obtained convictions for two sex traffickers from pending prosecutions, compared to one the previous reporting period. The government sentenced one of the sex traffickers to 18 years in prison, which was the country’s longest sentence for trafficking to date; it sentenced the other to six years under the child sexual exploitation law. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government continued to detain two suspected labor traffickers in a case from the previous reporting period, pending additional evidence. At least one sex trafficking investigation remained ongoing from the previous reporting period. The government identified five criminal organizations and a complex sex trafficking operation that exploited 52 men and women in a Panama City neighborhood. Although Law 79 does not define trafficking to require movement of the victim, Panamanian officials continued to investigate and prosecute

human trafficking cases that did not involve the displacement of individuals, usually across borders, as other crimes, such as commercial sexual exploitation. For example, the government charged some child sex traffickers with child sexual exploitation, which carries lighter sentences.

The Panamanian National Police (PNP) had 28 officers with specialized training in trafficking investigations and worked with the Attorney General's organized crime office to investigate trafficking cases. During the reporting period, the sex crimes unit of the PNP established a sub-unit dedicated to trafficking crimes. Panamanian authorities cooperated with Central and South American countries on seven sex trafficking operations, including requesting INTERPOL Red Notices on suspects wanted by Panamanian authorities. The government increased training on human trafficking for officials, utilizing a train-the-trainer model that reached more than two-dozen officials from eight ministries.

PROTECTION

The government increased protection efforts, but it did not identify labor trafficking victims and victim services remained inadequate. The government identified 84 suspected adult sex trafficking victims—82 foreigners and two Panamanians—a significant increase from 56 victims identified the previous reporting period. Of these victims, 51 were women and 33 were transgender individuals reported as men. In nearly all cases, traffickers exploited victims in illegal brothels run out of apartment buildings and were often involved in organized criminal networks. Traffickers often promised victims from Colombia, Venezuela, Nicaragua, and the Dominican Republic high wages to work in various industries in Panama; upon arrival traffickers paid victims very little and subjected them to sex trafficking and debt bondage, by requiring them to pay back loans taken to cover transport, housing, food and clothing at exorbitant interest rates. Officials referred all victims to the Technical Unit for Attention and Protection of Victims and Witnesses (UPAVIT), which provides assistance and protection to victims, witnesses and experts, for psycho-social treatment, but the government did not provide or fund trafficking-specific shelters or services. Authorities placed a small number of victims in a government facility for female victims of domestic and sexual abuse. Officials did not permit victims to leave the shelter unescorted, reportedly due to safety concerns, and such departures were limited to official purposes, such as to assist with law enforcement investigations. Such strictures could re-traumatize victims and prevent victims from reintegrating and earning income. For this reason, many victims chose to return to their home countries or reside with family or friends rather than stay in the shelter, potentially inhibiting victim-witness support in pending trafficking cases. Authorities used government funds to house victims at hotels for several days when the number of victims strained the capacity of the shelters.

The government did not dedicate funds for anti-trafficking efforts and did not allocate sufficient resources for victim care. The government uses specially designed interview rooms that separate trafficking victims from the court room, allowing them to provide testimony privately in order to minimize the risk of re-victimization during the judicial process. In 2016, the government transferred to the Ministry of Public Security land outside the capital for construction of a shelter dedicated to trafficking victims, but did not begin construction or secure funding for the shelter's operation and maintenance. There were no government shelters or NGO shelters available for adult male or transgender victims, although the government placed some

male victims in hotels for short-term shelter. Specialized services remained lacking for all trafficking victims. The government provided neither long-term services nor permanent residency to any trafficking victims. Due to the lack of shelters and victim services, many victims requested repatriation, which limited the provision of follow-up assistance.

The UPAVIT units implemented protocols to protect victims during the judicial process. However, the government did not have systematic procedures to proactively identify victims among some vulnerable populations, such as people in prostitution and undocumented migrants in detention. The government did not implement guidelines for victim identification and protection developed by an international organization, although the recent regulations for the trafficking law included a provision for the implementation of these guidelines. Panamanian authorities encouraged, but did not require, victims to participate in the legal process; no victims assisted in the legal process during the reporting period. While victims could file civil suits against traffickers, no victim had ever done so. The government did not fully implement a 2013 law mandating any seized assets derived from human trafficking activities be allocated to services for trafficking victims, although it began efforts to do so through seized bank accounts. Panamanian law provides short-term alternatives to the removal of foreign victims to countries where they might face hardship or retribution, including provisional residency for between three and 12 months; the government provided temporary housing to one foreign victim, although she returned home shortly after. While there were no reports of victims penalized for unlawful acts committed as a direct result of being subjected to trafficking, insufficient efforts to screen for indicators of trafficking may have led to some victims being penalized.

PREVENTION

The government maintained prevention efforts. Government ministries continued to implement the 2012-2017 anti-trafficking national action plan; the September 2016 regulations for the trafficking law include a provision for drafting a new action plan, which the government had not begun. The national commission against human trafficking met at the director level one time and at the technical level twice during the reporting period, but lacked funding and dedicated staff, which hampered its overall effectiveness. Interagency coordination remained weak, due in large part to the lack of standardized protocols for conducting and reporting activities across agencies. Panama assumed the presidency of the regional coalition against human trafficking and smuggling and helped to coordinate regional anti-trafficking activities. The government worked with an international organization to update the multilateral Protocol for International Information Exchange at Border Areas, an information exchange mechanism for authorities in the region to share information on cases, to include trafficking information. Individual government institutions and international organizations used their own funds to conduct anti-trafficking activities. Several government ministries conducted awareness-raising events, primarily in conjunction with the government's anti-trafficking awareness month and with support from an international organization. Events included radio programs, concerts, marches, and press conferences to promote reporting of commercial sex trafficking by citizens; the government also targeted efforts toward the hospitality industry. The government made no new efforts to reduce the demand for forced labor and commercial sex acts. In response to a surge in irregular, undocumented migrants arriving from Colombia, officials used biometric information and data

sharing to attempt to identify and document migrants. There were no reports of child sex tourism during the reporting period, but the Panamanian Commission against Sexual Exploitation Crimes continued its campaign against the sexual exploitation of minors—including child sex trafficking—in collaboration with tourism authorities. The government provided anti-trafficking training for its diplomatic personnel.

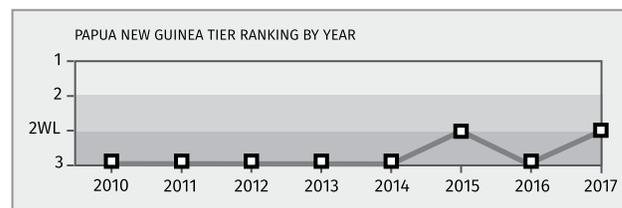
TRAFFICKING PROFILE

As reported over the past five years, Panama is a source, transit, and destination country for men and women subjected to sex trafficking and forced labor. Child victims of trafficking are typically Panamanian nationals subjected to commercial sex acts inside Panama. Panamanian women are subjected to sex trafficking in other countries, including The Bahamas and Guyana. In Panama, most identified trafficking victims are foreign adults exploited in sex trafficking, especially women from Brazil, Colombia, Venezuela, Cuba, the Dominican Republic, Honduras, and Nicaragua. In 2016, the number of foreign transgender victims subjected to sex trafficking increased. Transgender individuals are discriminated against in Panama, making them more vulnerable to trafficking, especially given the high demand in Panama for sexual services from this population. Traffickers recruit female victims with promises of good jobs and high salaries in the housekeeping and restaurant industries, as well as for modeling and prostitution, but exploit them in sex trafficking or, to a lesser extent, domestic servitude. Nicaraguan and, to a lesser extent, Colombian, Venezuelan, and Chinese men are subjected to labor trafficking in construction, agriculture, mining, and other sectors; most labor trafficking victims come from Nicaragua via bus and enter Panama from Costa Rica. Colombian refugees are also vulnerable to trafficking due to their lack of knowledge of the refugee process and irregular status. In recent years, men and women from China have been subjected to debt bondage in supermarkets, laundries, and other small businesses operated by Chinese citizens; traffickers have subjected Colombian men to forced labor in restaurants; an international organization has identified cases of debt bondage among Indian men in door-to-door peddling; and authorities have identified potential sex trafficking victims among Eastern European women working in nightclubs. Men from the United States have been investigated as child sex tourists in Panama. Panamanian and European officials report some men and women from Central America who transit Panama en route to the Caribbean or Europe are subjected to sex or labor trafficking in their destination countries.

Traffickers often charge foreign victims exorbitant travel and lodging fees to keep them in debt bondage, often restricting victims' movement until they pay off such debts. Victims report traffickers threaten to harm family members in their countries of origin if they do not comply. Traffickers increasingly exploit sex trafficking victims in private residences, as opposed to brothels or bars, and recruit victims through websites, which makes such offenses harder to detect. Traffickers from Brazil, Colombia, Cuba, Ecuador, El Salvador, Venezuela, and Panama operated in Panama during the reporting period. In previous years, government officials reported more traffickers created legal businesses as facades to mask their income from trafficking. In addition, reports indicated that identified traffickers had links to international organized criminal groups. In a change from previous years, police reported that victims were forced to consume illegal drugs by their traffickers as a coercive measure.

PAPUA NEW GUINEA: TIER 2 WATCH LIST

The Government of Papua New Guinea does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore, Papua New Guinea was upgraded to Tier 2 Watch List. These achievements included approving the long-awaited national action plan on combating human trafficking and standard operating procedures for the identification, referral, and protection of victims and initiating the first three prosecutions under the country's anti-trafficking law. Despite these achievements, the government did not begin implementation of the national action plan and standard operating procedures or allocate resources to do so. An acute lack of financial and human resources dedicated to trafficking, as well as very low awareness among government officials and the public, hindered progress. The government did not systematically implement its new victim identification procedures, nor did it provide or fund protective services to victims. Officials reportedly self-limited investigations into wealthy or influential suspects. Papua New Guinea has never convicted a trafficking offender.



RECOMMENDATIONS FOR PAPUA NEW GUINEA

Train law enforcement officers, prosecutors, and judges on human trafficking and the criminal code's trafficking provisions; disseminate, implement, and widely train police, immigration, and customs enforcement officers on the standard operating procedures for victim identification, referral, and protection; investigate and prosecute trafficking offenses and convict and apply stringent sentences to traffickers, including family members and officials who facilitate or directly benefit from trafficking; in collaboration with civil society, screen for indicators of trafficking among fishermen apprehended for illegal fishing or immigration crimes; to protect victims from arrest, deportation, or other punishment for acts committed as a direct result of being subjected to trafficking, clarify who has the authority to designate an individual as a trafficking victim and simplify the process for doing so; allocate resources, including dedicated staff, to government agencies to implement the national action plan and standard operating procedures; increase collaboration with civil society, private sector, religious, and community leaders to raise awareness of and reduce demand for forced labor and commercial sex acts, especially of children; work with NGOs and international organizations to increase protective services for victims of trafficking; strengthen the National Human Trafficking Committee by designating senior officials to represent their agencies; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. The Criminal Code Amendment of 2013 prohibits all forms of trafficking and prescribes penalties for adult sex and labor trafficking of up to

20 years imprisonment and for child sex and labor trafficking of up to 25 years imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The police initiated investigations into three individuals suspected of trafficking, compared with two investigations the previous year, and prosecuted three suspects (one from a case investigated in 2015). These were the first prosecutions under Papua New Guinea's anti-trafficking law. One suspect remained in pre-trial detention and one was out on bail, both awaiting commencement of court proceedings. The third prosecution moved to trial and was ongoing at the close of the reporting period. Authorities did not pursue charges against the third suspect, purportedly due to his wealth and influence, who was suspected of subjecting three sisters to sex and labor trafficking after they were forced to marry him. The government did not achieve any trafficking convictions, and officials often referred trafficking offenses to village courts rather than pursuing criminal investigations; village courts administer customary law and do not order imprisonment of offenders. Some victims or their families who received compensation from traffickers were reluctant to notify police to pursue criminal charges or were pressured to withdraw complaints already filed.

An international organization conducted trainings for government officials and NGOs with support from the Department of Justice and Attorney General. Provincial officials' limited understanding of trafficking hindered effective law enforcement activity. Many public officials, even within Port Moresby, remained unaware of the anti-trafficking law. Enforcement agencies and most government offices remained weak as a result of underfunding, corruption, cronyism, a lack of accountability, and a promotion system based on patronage. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained minimal efforts to protect trafficking victims. Authorities and civil society organizations identified six Papua New Guinean victims—two women, three girls, and one boy—compared with 31 victims identified in 2015 and none in 2014. NGOs and an international organization identified the majority of these individuals, although a police officer identified two of the girls—the first recorded instance of an official independently identifying trafficking victims. All six victims were subjected to domestic servitude, in some instances through forced marriage. Officials referred three cases of foreign vessels apprehended for illegal fishing to an international organization to screen for indicators of trafficking among the crew, but no trafficking victims were identified. Logging and mining sites primarily operated in remote regions with negligible government oversight, and authorities did not make efforts to identify sex or labor trafficking victims at these sites. The government finalized standard operating procedures for victim identification and referral. These were not fully implemented during the year, though some officials who received specialized training from civil society began conducting rapid screening procedures prior to referring suspected victims to an international organization. These measures led to the identification and referral of the two girl victims by a police officer. Civil society organizations provided medical and short-term shelter services to victims without financial or in-kind support from the government. Male victims received ad hoc services and female victims received services through gender-based violence programs; there were no services specifically tailored to the needs of trafficking victims.

A lack of long-term protective services or witness protection hindered law enforcement efforts, as victims who returned to their home communities often feared for their safety or faced pressure to withdraw criminal charges. Nine victims assisted in the case under prosecution, with support from civil society organizations to facilitate their testimonies. The new standard operating procedures included guidance for protecting foreign victims from punishment for immigration crimes committed as a result of trafficking, but some victims remained at risk of punishment for such crimes due to challenges in interagency coordination and a lack of clarity over who had the authority to verify an individual as a victim of trafficking. The law provides legal alternatives to the removal of foreign victims of trafficking to countries where they may face hardship or retribution, but no victim was afforded this protection in 2016. The government allowed "ongoing stay" for trafficking victims, but lacked provisions for victims to seek compensation through civil suits.

PREVENTION

The government took few steps to prevent human trafficking. It formally endorsed a national plan of action to combat human trafficking, although it did not begin to implement its provisions. The National Human Trafficking Committee met quarterly in 2016, although its members lacked the authority to make decisions on behalf of respective agencies and an acute lack of coordination and resources across agencies hindered progress. The government did not conduct any awareness-raising campaigns or community outreach to educate the public about risks to trafficking. The government took no discernible actions to decrease the demand for forced labor or commercial sex acts, nor did it provide anti-trafficking training for its diplomatic personnel. Papua New Guinea is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

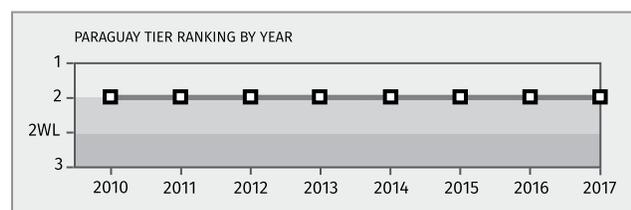
As reported over the past five years, Papua New Guinea is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Foreign and local women and children are subjected to sex trafficking—including near logging, mining, and palm oil sites—domestic servitude, forced labor in the tourism sector, and forced begging or street vending. Foreign and local men are subjected to forced labor in logging and mining camps as well as on fishing vessels operating in Papua New Guinea's exclusive economic zone. "Mosko Girls"—young girls employed in bars to provide companionship to patrons and sell an alcoholic drink called *mosko*—are vulnerable to human trafficking, especially around major cities. Boys as young as 12 years old are exploited as "market taxis" in urban areas and the Highlands and required to carry extremely heavy loads for low pay; some may be victims of forced labor. Parents force children to beg or sell goods on the street as sources of income. Within the country, children and women from rural areas are deceived—often by relatives—with promises of legitimate work or education to travel to different provinces where they are subjected to sex trafficking or domestic servitude. NGOs report some parents receive money from traffickers who exploited their teenage daughters in prostitution, including near mining and logging sites. Children, including girls as young as 5 years old from remote rural areas, are reportedly subjected to sex trafficking or forced labor by members of their immediate family or tribe. Tribal leaders reportedly trade with each other the exploitative labor and service of girls and women for guns and to forge political alliances.

Parents sometimes sell or force their daughters into marriages—often to wealthy men and politicians—to settle debts or as peace offerings, leaving the girls vulnerable to domestic servitude. Marriages in Papua New Guinea commonly involve a “bride price” of money or chattel paid to the wife’s family by the husband’s family; this is sometimes used as a debt to compel women to remain in abusive or servile marriages when their families are unable to pay back the bride price. Young girls sold into polygamous marriages may be forced into domestic service for their husbands’ extended families or exploited in prostitution. “Informal adoption” arrangements, in which children are sent to live with relatives, sometimes result in domestic servitude. In urban areas, parents reportedly exploit their children in sex trafficking directly or in brothels as a means to support their families or to pay for school fees. Government officials reportedly facilitate trafficking by accepting bribes to allow undocumented migrants to enter the country or ignore trafficking situations, and some may exploit sex trafficking victims or procure victims for other individuals in return for political favors or votes.

Malaysian and Chinese logging companies arrange for some foreign women to enter the country voluntarily with fraudulently issued tourist or business visas. After their arrival, many of these women—from countries including Indonesia, Malaysia, Thailand, China, and the Philippines—are turned over to traffickers who transport them to logging and mining camps, fisheries, and entertainment sites, and exploit them in forced prostitution and domestic servitude. Chinese, Malaysian, and local men are subjected to forced labor at commercial mines and logging camps, where some receive little pay and are compelled to continue working for the company indefinitely through debt bondage. Employers exacerbate workers’ indebtedness by paying extremely low wages, which limits workers’ freedom of movement and compels them to purchase food and other necessities from the employers at usurious interest rates. Vietnamese, Burmese, Cambodian, and local men and boys are subjected to forced labor on fishing vessels; they face little to no pay, harsh working conditions, and debt bondage, and many are compelled to fish illegally, making them vulnerable to arrest.

PARAGUAY: TIER 2

The Government of Paraguay 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, Paraguay remained on Tier 2. The government demonstrated increased efforts by vigorously investigating cases under the 2012 comprehensive anti-trafficking law and continuing its cooperation with foreign governments. Despite these efforts, the government provided limited protective services to female adult and child victims and no services for male victims. The government did not provide adequate funding for anti-trafficking efforts and did not begin any new public awareness efforts.



RECOMMENDATIONS FOR PARAGUAY

Develop formal procedures for the proactive identification of trafficking victims and establish a referral mechanism to ensure victims receive care services; intensify efforts to investigate, prosecute and convict traffickers and complicit officials, including for forced labor; provide adequate funding to the anti-trafficking secretariat to enhance comprehensive services and shelter for victims of sex and labor trafficking, including male victims; increase training for police, labor inspectors, judges, prosecutors, and social workers; approve the 2014-2018 national action plan; fund awareness campaigns; and improve data collection and research on human trafficking.

PROSECUTION

The government maintained prosecution efforts. The Comprehensive Anti-Trafficking Law 4788 of 2012 prohibits all forms of trafficking and prescribes penalties of up to eight years imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with international law, law 4788/12 establishes the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime. Articles 129b and 129c of law 3440/08 criminalize international trafficking for the purpose of sexual exploitation and forced labor, respectively. Law 3440/08 also criminalizes pandering, profiting from prostitution, and child pornography, and prescribes penalties of up to eight years imprisonment.

The Anti-Trafficking Unit (ATU) is the lead agency responsible for investigating and prosecuting traffickers. In 2016, the ATU initiated 77 investigations under law 4788/12, compared with 68 in 2015 and 80 in 2014. Authorities reported 71 prosecutions for trafficking crimes—15 for forced labor and 56 for sex trafficking under Law 4788/12, an increase from 17 prosecutions in 2015 and 10 in 2014. In 2016, authorities reported 25 convictions for trafficking in persons, (18 for sex trafficking and seven for labor trafficking) and five for pimping, compared with nine convictions for trafficking in persons and five for pimping in 2015. Sentences ranged from seven months suspended to 10 years, with an average criminal sentence of two years. In 2016, the ATU cooperated with Argentina, Chile, France, Germany, EUROPOL, and Interpol in approximately 50 international investigations. In November 2016, the ATU and representatives of indigenous organizations raided a ranch in the Chaco region after receiving reports of the forced labor of indigenous adults and children in a rudimentary charcoal factory; one person was detained during the operation; the case was pending at the end of the reporting period. The ATU conducted 10 anti-trafficking trainings reaching 400 government officials, including judges, prosecutors, and police officers. Although the government did not report investigating any cases of official complicity, several observers reported some local police chiefs received bribes from massage parlors and brothels under their jurisdiction to allow the exploitation of trafficking victims.

PROTECTION

The government decreased protection efforts. The government provided a total of approximately 5.3 billion guaranies (\$920,940) for the efforts of the ATU, the Ministry of Women Affairs (MWA), and the Secretariat for Children and Adolescents (SNNA). Authorities reported the budget provided was insufficient and the government relied heavily on international partners for financial support. The ATU had three teams to support and assist trafficking victims; these teams provided psychological, social, and legal assistance. The overall quality

of care for victims was insufficient due to limited resources and the lack of qualified personnel. In 2016, the government identified 82 trafficking victims. Of the identified victims, 47 received assistance, 32 received medical and psychological care (41 in 2015), and 12 victims who received shelter (24 in 2015). SNNA reported providing shelter for three child victims in 2016, compared with 50 in 2015. The 35 victims identified in the Chaco ranch case did not receive any assistance. Although the government did not have written procedures to guide officials on the proactive identification of trafficking victims, the municipality of Asuncion proactively screened for potential victims at the bus terminal in the capital city, which was the principal hub for domestic and international land transportation. There were two shelters in the country, both located in Asuncion, dedicated to helping female trafficking victims. One was managed by the MWA and the other co-managed by SNNA and an NGO.

Authorities encouraged victims to participate in the investigation and prosecution of their traffickers by offering protection through a witness protection program. However, because victims often doubted the government's ability to protect them and feared reprisal against themselves and their families, they often had minimal participation in legal proceedings. During the reporting period, two victims applied for the witness protection program. There were no reports that victims were detained, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking. The government entered into a formal agreement with Argentina through which victims in each country can obtain restitution from civil lawsuits filed against traffickers in the other country. The government helped repatriate trafficking victims and referred them to care facilities to receive medical, psychological, and legal services. The MWA conducted six trainings on trafficking prevention and protection for 328 public sector officials.

PREVENTION

The government maintained prevention efforts. The Directorate for the Assistance for Paraguayan Communities in the Exterior (DACPE) is the government agency responsible for coordinating anti-trafficking programs, including the activities of an interagency roundtable that consisted of subcommittees on prevention, prosecution, assistance, and legislation and included representatives from 16 government agencies. The roundtable was effective in fostering dialogue and coordination among government agencies; however, it continued to face challenges in collecting and reporting statistics. Some NGOs reported they had not been notified when the roundtable meetings would take place and their input was not valued when they attended. The MWA facilitated five trainings through the anti-trafficking roundtable for 261 public officials, including social service providers, municipal and department employees and lawyers. The MWA coordinated regional anti-trafficking meetings in 11 departments in addition to four municipal anti-trafficking roundtables. During the reporting period, some municipalities continued to issue certifications allowing ongoing operations of brothels where the ATU had previously discovered victims. The 2014-2018 National Action Plan remained pending presidential approval. The government did not start any new prevention campaigns, but continued to post brochures and posters in bus terminals, airports, and border crossings. The government did not make efforts to reduce the demand for commercial sex or forced labor. Authorities did not identify children purchased for sex by foreigners in Ciudad Del Este and the Tri-Border area as victims of child sex tourism or trafficking. The government did not provide anti-trafficking training to its diplomatic personnel.

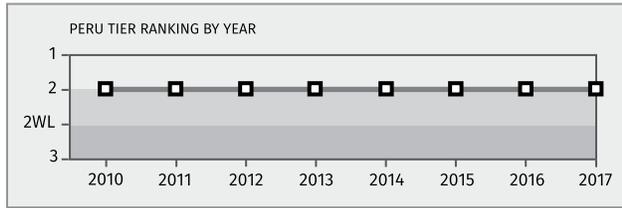
The government provided all peacekeepers with UN-approved training on trafficking in persons prior to their deployment on international peacekeeping missions.

TRAFFICKING PROFILE

Paraguay is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Paraguayan women and girls are subjected to sex trafficking within the country, and transgender Paraguayans are vulnerable to sex trafficking. An estimated 46,000 Paraguayan children work as domestic servants in exchange for food, board, and occasionally education or a small stipend in a system called *criadazgo*; many of these children are subjected to domestic servitude and are highly vulnerable to sex trafficking. Indigenous persons are particularly at risk for forced labor and sex trafficking. Children engaged in street vending and begging and working in agriculture, mining, brick making, and ranching are vulnerable to human trafficking. International trafficking rings often rely on local traffickers to recruit victims. Traffickers offer victims their freedom or pardon of debts if they recruit other victims and often rely on social media outlets as recruiting tools. Foreign victims of sex and labor trafficking in Paraguay are mostly from other South American countries. Paraguayan victims of sex trafficking and forced labor are found in Argentina, Spain, Brazil, Chile, Mexico, China, Colombia, and other countries. Paraguayan women are recruited as couriers of illicit narcotics to Europe and Africa, where they are often subjected to forced prostitution. Paraguayan children are reportedly subjected to forced labor in the cultivation and sale of illicit drugs in Brazil. NGOs and authorities reported government officials—including police, border guards, judges, and public registry employees—facilitated human trafficking, including by taking bribes from brothel owners in exchange for protection, extorting suspected traffickers in order to prevent arrest, and producing fraudulent identity documents. Reports indicated isolated instances of the Paraguayan People's Army (EPP) and the Armed Peasant Association (ACA) forcibly recruiting children and adolescents from San Pedro, Concepcion, and Amambay to participate in military operations and serve in logistical and communication support roles. There were also reports of isolated instances in which female child soldiers entered into informal marriages with older EPP and ACA members.

PERU: TIER 2

The Government of Peru 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, Peru remained on Tier 2. The government demonstrated increasing efforts by investigating and convicting more traffickers, providing assistance to more victims, and increasing funding for victim protection. However, the government did not meet the minimum standards in several key areas. The government did not report comprehensive data on its anti-trafficking law enforcement efforts. Government officials reported the lack of adequate victim protection services impeded their ability to successfully prosecute traffickers and address victims' needs. Complicity of some government officials undermined efforts to combat trafficking, but the government did not investigate, prosecute, or convict any complicit officials in 2016.



RECOMMENDATIONS FOR PERU

Increase funding for, and access to, specialized, comprehensive services for all victims, including for adults and those exploited outside the capital; investigate and prosecute trafficking-related complicity, and convict and punish complicit officials for these crimes; increase efforts to prosecute trafficking offenses and convict and punish traffickers, especially for forced labor; consistently implement protocols for interagency coordination and victim-centered investigations and prosecutions; establish systematic training for government officials to improve victim identification; ensure police and prosecutors conduct intelligence-based raids and employ effective victim screening and referrals; cease holding victims in police stations; train police, prosecutors, and judges to apply anti-trafficking laws effectively and issue stringent dissuasive sentences for convicted traffickers, including in cases involving psychological coercion; harmonize anti-trafficking laws, including through amending laws to remove the legal basis for inadequate sentencing; improve efforts to collect and report comprehensive, disaggregated data on anti-trafficking law enforcement and victim protection efforts; dedicate adequate funding in ministry and regional government budgets to carry out anti-trafficking responsibilities; and enforce laws against crimes that facilitate trafficking, such as fraudulent job recruitment.

PROSECUTION

The government slightly increased prosecution efforts, although the lack of comprehensive law enforcement data made it difficult to assess progress. Article 153 of the penal code prohibits all forms of trafficking in persons, prescribing penalties of eight to 15 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law defines exploitation more broadly than the international definition by including all forms of labor exploitation. In January 2017, the government issued an executive decree that amended the penal code and prescribed a six year minimum sentence for forced labor. Under the decree, a victim's age is an aggravating factor, with a minimum sentence of 12 years if the victim is aged 14-18 years old and a 15-year minimum sentence if the victim is younger than 14. Other laws criminalize elements of sex trafficking: i) profiting from sex trafficking carries penalties of three to 10 years imprisonment (or a minimum of 20 years imprisonment if the victim is a child younger than 14, 15 years if the victim is aged 14-17, or 20 years if the victim is the spouse or child of the perpetrator); and (ii) pimping carries penalties of two to five years imprisonment (increased to four to five years imprisonment if the victim is younger than 18, the offender uses violence, is a relative of the victim, or forcibly displaces the victim from home). These penalties are sufficiently stringent but the penalties for crimes committed against adult victims are not commensurate with those prescribed for other serious crimes, such as rape. Peruvian law also criminalizes child sex tourism and prescribes penalties ranging from four to eight years imprisonment or eight to 10 years imprisonment under aggravating circumstances. Peru's overlapping legal framework on human trafficking and related crimes causes law enforcement and prosecutors to charge lesser,

more readily provable offenses such as pimping and enabling prostitution that do not carry penalties commensurate to the seriousness of the crime, and increases the challenge of collecting data on cases that would be defined as human trafficking under international law.

The government lacked standard data collection systems for anti-trafficking law enforcement efforts, making it difficult for authorities to assess efforts and identify trends. Although the Ministry of Interior and the public ministry conducted a pilot program to integrate their data collection systems for trafficking cases during the year, the government did not report any data on prosecutions and reported only isolated statistics on convictions. Police reported conducting 764 "anti-trafficking operations" for all units in 2016 (85 reported for specialized anti-trafficking units only in 2015) and arresting 427 suspected traffickers (206 in 2015). The government did not provide specific details about the nature of these operations or the number of victims who were formally identified and received protective services as a result. Raids on commercial sex establishments were often conducted with limited intelligence-gathering and ineffective victim identification procedures. The public ministry reported receiving 1,144 trafficking-related complaints in 2016, but did not specify how many cases remained under investigation. The government did not report the total number of prosecutions initiated for trafficking offenses or provide updates on the 259 cases opened by the attorney general's office in 2015. However, the judiciary reported it issued decisions in 80 trafficking cases in 2016. Forty-two of these cases resulted in convictions, 27 were suspended for insufficient evidence with the possibility of future prosecution, and 11 were dismissed. The judiciary also reported 254 cases remained ongoing at the end of the year. The government did not report the type of trafficking, age of victims, or sentences imposed in these cases. Peruvian authorities worked with United States law enforcement to investigate a case of suspected child sex tourism. In a separate case—in which Peruvian authorities had previously cooperated—a court in the United States sentenced an American citizen to 14 years imprisonment for child sex tourism crimes in Peru. An additional offender in this case was awaiting sentencing. One U.S. citizen, arrested for suspected sex tourism in the previous year, remained in custody awaiting trial in Peru, along with five Peruvian individuals charged with trafficking crimes.

Peruvian officials reported that judges often reduced trafficking charges to lesser charges related to promoting prostitution and frequently failed to sentence traffickers for aggravated trafficking in cases involving child victims, as required by law. The government opened an investigation into a judge's decision to absolve a bar owner of sex trafficking charges in a case involving a 14-year-old girl, following a public outcry that the judge had not applied the law appropriately. Prosecutors reported challenges obtaining convictions in cases involving psychological coercion, rather than physical force or confinement, to compel victims into sex or labor exploitation.

The government operated eight specialized anti-trafficking regional prosecutor offices, in Callao, Cusco, Lima, Loreto, Puno, Tacna, and Tumbes. It expanded the number of specialized anti-trafficking police from 110 officers in 2015 to 143 in 2016, although the Ministry of Interior's anti-trafficking budget decreased overall. Poor communication and coordination between police and prosecutors sometimes compromised efforts to identify and assist victims and investigate cases. Inadequate budgets for personnel and logistical support hindered law enforcement efforts; this was particularly acute in regions where trafficking occurred in remote locales with

limited government presence. In partnership with NGOs and an international organization, officials trained police, prosecutors, and other officials on trafficking, including how to differentiate between sex trafficking and other prostitution-related crimes. Authorities coordinated with foreign governments on trafficking investigations; in one example, police and prosecutors conducted a joint operation with the Governments of Colombia and Brazil that led to the arrest of 12 suspected traffickers.

NGOs and government officials reported that widespread corruption in Peruvian law enforcement and judicial systems severely hampered anti-trafficking law enforcement efforts. Government officials, NGOs, and victims reported police were engaged in extortion and made money by threatening nightclub and brothel owners with sex trafficking charges; they also falsely charged victims trying to escape bars or brothels with crimes such as theft or trafficking and accepted money to close investigations, drop charges, or exonerate traffickers, including by compelling victims to sign declarations absolving their traffickers. Some officials' involvement in the mining industry posed a conflict of interest that impeded law enforcement action against trafficking in mining areas. A former member of congress remained under investigation for allegedly operating a hotel where child sex trafficking occurred. The government did not report any new investigations, or any prosecutions or convictions of government officials complicit in human trafficking.

PROTECTION

The government maintained weak victim protection efforts, but reported providing services to more victims than in the previous year. Most victims continued to lack access to specialized services. The anti-trafficking law (law 28950) required the government to assist and protect victims by providing temporary lodging, transportation, medical and psychological care, legal assistance, and re-integration assistance, although the government did not fulfill this mandate. Police reported identifying 1,134 suspected victims in 2016, compared with 699 identified in 2015, though this number could not be verified. The Ministry of Women and Vulnerable Populations (MIMP) reported identifying 216 child victims, including 106 subjected to labor trafficking, 96 subjected to sex trafficking, and 14 subjected to both forms of exploitation. The government did not provide additional data on victims' ages, genders, or type of trafficking experienced. Most victims did not receive sufficient protective services, leaving them at high risk of re-trafficking. Officials cited the lack of adequate protective services as a key impediment to their ability to effectively combat human trafficking in the country as victims' needs and safety concerns were not addressed sufficiently.

Peru's anti-trafficking law assigned responsibility to several ministries for identifying suspected victims among the high-risk populations they served and referring them to appropriate authorities, but the government did not report whether any such victims were referred to the police or protective services during the year. Protocols for identifying adult sex trafficking victim among individuals in prostitution were inadequate, as authorities often made such determinations based on whether an individual had access to identity documents and a required public health certificate. The government had both inter- and intra-ministerial protocols for providing protection to trafficking victims, but implemented them unevenly due to insufficient resources and poor interagency coordination.

MIMP was responsible for coordinating and providing services

to victims in partnership with regional governments; in 2016 it provided psychological, legal, and social work services to 557 victims (505 victims in 2015) in coordination with prosecutors. MIMP dedicated 3,803,270 soles (\$1,132,940) to serving trafficking victims in 2016, an increase from 2,764,900 soles (\$823,620) in 2015. The prosecutorial program for victims and witnesses spent 3,123,600 soles (\$930,470) to assist 437 trafficking victims, 27 witnesses, and 12 family members during the first half of 2016, compared with 505 trafficking victims assisted in 2015. The government operated two shelters, in Lima and Mazuko, exclusively for trafficking victims, with a total capacity of 28 beds. These facilities assisted 28 victims during the reporting period, compared with 119 victims assisted during the previous period. While the government operated 48 residential centers for children and adolescents, which provided some services to 122 child trafficking victims, staff in these shelters lacked the expertise and resources to provide adequate protection services to trafficking victims. Many civil society organizations operated shelters that assisted an unknown number of victims during the year without government support, although few offered trafficking-specific services. There were no facilities that could accommodate adult male victims and no specialized services for LGBTI victims. Authorities reported government shelters were often full and services for victims were often unavailable immediately following law enforcement operations. At times, the government placed child victims in police stations among children apprehended for crimes, where they sometimes remained for extended periods. Shelter and specialized psychological, employment, and other services remained unavailable in most areas and for most adults and labor trafficking victims.

The law requires the government to provide a public defender for trafficking victims to safeguard victims' legal rights and to use a single-interview process, utilizing specialized equipment where available. The Ministry of Justice reported it provided legal assistance to 293 trafficking victims in 2016. Some anti-trafficking operations were conducted without adequate resources, such as safe places to screen potential victims and provide them immediate care. Peruvian law grants victims the ability to receive restitution, but the government did not report any victims receiving restitution in 2016.

According to an international organization, the government treats foreign national trafficking victims as refugees, referring them first to the UN which then assists them in filing a complaint and seeking government services. It was not clear whether all foreign victims went through this process or how many foreign victims were identified during the reporting period. Foreign victims were eligible for temporary and permanent residency status under Peruvian refugee law, but the government did not report if any victims received this status in 2016. The government did not report whether it assisted in the repatriation of any Peruvian victims exploited abroad.

Due to inadequate victim identification procedures, some sex trafficking victims may have remained unidentified and been arrested, detained, or otherwise punished for unlawful acts committed as a direct result of being subjected to human trafficking. Child victims who were housed in police stations faced conditions similar to detention, though they were not charged with crimes.

PREVENTION

The government maintained prevention efforts. The interagency commission, which also included NGOs and international

organizations, met regularly. The commission continued to implement the 2011-2016 national anti-trafficking action plan and drafted a new five-year plan that had not been finalized by the close of the reporting period. Twenty-four regional governments maintained anti-trafficking working groups, which varied in effectiveness. The national government provided technical support and training to some of these groups. The government did not allocate adequate funding for ministries to implement their duties as outlined in the national anti-trafficking action plan. The government had a separate commission, inter-ministerial protocol, and plan for combating forced labor and child labor. Among other things, this plan established policies allowing for greater oversight of employment agencies and strengthened response mechanisms to suspected forced or child labor. The government did not report whether these efforts led to the identification of any individuals at risk of trafficking or resulted in any agencies being punished for illegal practices that contribute to trafficking. Various ministries conducted awareness-raising efforts, often in partnership with international organizations and NGOs and with foreign donor funding. Some of these efforts focused on preventing child sex tourism and providing information for reporting suspected abuses. The transportation authority reported inspecting more than one million vehicles for indicators of trafficking among passengers, but these efforts were not effective in identifying any victims. The government made efforts to reduce the demand for commercial sex acts involving children by investigating and assisting in prosecutions of child sex tourists, but did not report efforts to reduce the demand for forced labor. The government signed a MOU with the United States to reduce illegal gold mining and associated crimes, including human trafficking, in February 2017; however, it did not make significant efforts to end impunity for the illegal mining and logging that fuels the demand for trafficking. The government provided anti-trafficking training for its diplomatic personnel and for Peruvian peacekeepers prior to their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

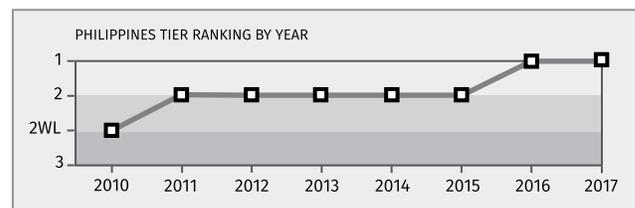
As reported over the past five years, Peru is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Indigenous Peruvians are particularly vulnerable to trafficking. Peruvian women and girls, and to a lesser extent boys, are exploited in sex trafficking within the country, often recruited through false employment offers. Women and girls exploited in sex trafficking near mining communities are often indebted due to the cost of transportation and unable to leave due to the remoteness of camps. Peruvian women and children are exploited in sex trafficking in other countries, particularly within South America, and women and girls from neighboring countries are subjected to sex trafficking in Peru. LGBTI Peruvians, especially transgender women, are vulnerable to sex trafficking. Tourists from the United States and Europe purchase sex from child trafficking victims in areas such as Cuzco, Lima, and the Peruvian Amazon. In the Loreto region, criminal groups facilitate transportation of foreign tourists by boat to remote locations where women and children are exploited in sex trafficking in venues on the Amazon River.

Peruvian men, women, and children are exploited in forced labor in the country, principally in illegal and legal gold mining and related services, logging, agriculture, brick-making, unregistered factories, organized street begging, and domestic service. Peruvians working in artisanal gold mines and nearby makeshift camps that provide services to miners are subjected to forced labor, including through deceptive recruitment, debt

bondage, restricted freedom of movement, withholding of or non-payment of wages, and threats and use of physical violence. Forced child labor occurs in begging, street vending, cocaine production and transportation, and other criminal activities. The terrorist group Shining Path recruits children using force and coercion to serve as combatants or guards, and uses force and coercion to subject children and adults to forced labor in agriculture, cultivating or transporting illicit narcotics, and domestic servitude. Peruvian men, women, and children are subjected to forced labor in other South American countries, the United States, and other countries. Migrants from South America, China, and Senegal transiting Peru to Brazil were reportedly vulnerable to sex and labor trafficking.

PHILIPPINES: TIER 1

The Government of the Philippines fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, the Philippines remained on Tier 1. The government demonstrated serious and sustained efforts by convicting and punishing more traffickers, identifying more victims through proactive screening procedures, and expanding its efforts to prevent trafficking of Filipino migrant workers. Although the government meets the minimum standards, it did not expand the availability and quality of protection and assistance services for trafficking victims, particularly mental health care and services for male victims. Further, the government did not vigorously investigate and prosecute officials allegedly involved in trafficking crimes or expand its pilot program to address the backlog of trafficking cases in the courts.



RECOMMENDATIONS FOR THE PHILIPPINES

Increase the availability of specialized comprehensive services that address the specific needs of trafficking victims, with a particular focus on expanding access to mental health care and services for male victims; increase efforts to achieve expedited victim-centered prosecution of trafficking cases, especially in cases involving child victims; increase efforts to investigate and prosecute officials for trafficking and trafficking-related offenses; increase efforts to identify internal labor trafficking victims, especially children, and prosecute labor trafficking cases; expand the victim and witness protection program to cover an increased percentage of trafficking victims throughout criminal justice proceedings; develop and implement programs aimed at reducing the demand for commercial sex acts, including child sex tourism and online child sexual exploitation; expand government support for long-term specialized services for trafficking victims that may be provided by the government or NGOs; expand efforts to prevent re-traumatization caused by multiple interviews and facilitate timely reintegration of child victim witnesses with community-based follow-up services; increase training for community members and military and

law enforcement personnel on appropriate methods to protect children officially disengaged from armed groups and vigorously investigate allegations of abuse by officials; and develop and implement a data collection system across Interagency Council Against Trafficking (IACAT) agencies to facilitate monitoring, analysis, and reporting of government-wide anti-trafficking activities, including victim identification, services provided, investigations, prosecutions, and convictions disaggregated by common data elements such as type of trafficking and age and sex of identified victims.

PROSECUTION

The government maintained law enforcement efforts. The 2003 and 2012 anti-trafficking acts criminalize sex and labor trafficking and prescribe penalties of six years to life imprisonment plus fines of up to 5 million pesos (\$100,820), which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law defines purchasing commercial sex acts from a child as a trafficking offense. From April 1 to December 31, 2016, the National Bureau of Investigation Anti-Human Trafficking Division (AHTRAD), the Philippine National Police Women and Children's Protection Center (WCPC), which has responsibility for police investigations of trafficking cases, and IACAT Taskforces investigated 553 suspected trafficking cases, including conducting 109 surveillance operations and 55 raids, compared with 329 cases investigated in 2015. These actions led to the arrest of 272 suspects, an increase from 151 in 2015. During the reporting period, the government initiated prosecution of 441 alleged traffickers (569 in 2015) and secured convictions of 55 traffickers (42 traffickers in 2015). These cases involved 131 victims, 78 of whom were children. Of the 20 labor trafficking cases prosecuted, none resulted in a conviction. Sentences imposed ranged from 15 years to life imprisonment, with most offenders sentenced to life imprisonment. The government filed no criminal cases to punish the recruitment and use of child soldiers by armed groups operating in areas affected by the ongoing insurgency.

At the close of the reporting period, more than 1,100 trafficking cases filed in court in 2016 or in previous years remained pending in the judicial system due to endemic inefficiencies such as non-continuous trials, large caseloads, limited resources, and in some cases, corruption. In addition, delays in allocating funds to IACAT taskforces reportedly reduced the number of raids during the reporting period. Although the government convicted four perpetrators of online sexual exploitation of children, police and prosecutors reported challenges with these cases, including difficulty in obtaining search warrants, insufficient personnel, inadequate resources for operations logistics and computer evidence analysis, and the need for training on presenting digital evidence in court. During the reporting period, the government's investigation and prosecution of these cases relied substantially on the support and cooperation of foreign law enforcement and NGOs. Although the government regularly collected data on law enforcement investigation and cases filed with prosecutors' offices and the courts, a lack of case-specific information impeded analysis of anti-trafficking enforcement efforts.

The government increased its efforts to provide anti-trafficking training to its officials. IACAT taskforces conducted 269 trainings in 2016, including 20 online seminars, reaching more than 6,800 government officials, including investigators, prosecutors, labor officers, and social service personnel, and more than 14,000 civil society representatives. In addition, the IACAT

Secretariat, the WCPC, the Bureau of Immigration (BI), the Philippine Judicial Academy, and the Department of Labor and Employment conducted specialized training on anti-trafficking topics relevant for judges, prosecutors, law enforcers, social workers, and labor focal persons; more than 3,400 individuals attended these sessions, the majority of whom were government officials. The government also partnered with NGOs and international organizations on the delivery of numerous training sessions on human trafficking enforcement and protection in Manila, Cebu, and in Typhoon Haiyan-affected areas. Philippine officials continued to cooperate with six other governments to pursue international law enforcement action against suspected foreign traffickers in 12 cases, most of which involved sexual exploitation of children.

During the reporting period, the government charged two police officers with sex trafficking in a case involving online sexual exploitation of minors; the trial of a Department of Foreign Affairs (DFA) official charged with trafficking was pending. The BI investigated 31 potential trafficking cases involving allegedly complicit immigration officers; four BI officers were relieved of their duties and two officers were under preliminary investigation before the prosecutor's office.

PROTECTION

The government maintained protection efforts. Although the government did not report comprehensive statistics for the total number of victims identified and assistance provided, the Department of Social Welfare and Development (DSWD) reported serving 1,713 possible trafficking victims, of whom 1,434 were female, compared with 1,465 victims in 2015. DSWD reported assisting 530 victims of illegal recruitment, 465 victims of sex trafficking and 232 victims of labor trafficking. DFA, in collaboration with host governments, NGOs, and international organizations, assisted 348 Filipino potential victims in the Middle East, Asia, Africa, Europe, and the Americas. DFA disbursed 1.6 million pesos (\$33,160) from its Assistance to Nationals Fund exclusively for trafficking victim protection and assistance and expended 209,700 pesos (\$4,230) for legal assistance to trafficking victims. Through its hotline, the Commission of Filipinos Overseas (CFO) assisted 20 possible trafficking victims, of whom 15 were female and five minors. CFO allocated 800,000 pesos (\$16,130) for direct assistance to trafficking victims and their families. The Philippine Overseas Employment Administration (POEA) reported identifying 140 adult trafficking victims, all but two of whom were victims of domestic servitude, but did not report information about services provided to these victims. The government continued to implement formal procedures to identify victims in the Philippines and overseas and to refer them to official agencies or NGO facilities for care. Philippine officials identified victims through law enforcement operations, border screenings, reports to embassies abroad, and calls to the national anti-trafficking help line.

The government, through its recovery and reintegration program and in partnership with NGOs, provided victims with temporary shelter, psycho-social support, medical services, legal assistance, livelihood assistance, and skills training. It sustained an allocation of approximately 23 million pesos (\$463,790) to implement this program. DSWD continued to operate 44 residential care facilities and two halfway houses at border entry points, which provided services to victims of trafficking and other forms of exploitation, but it did not report the number of trafficking victims who received temporary shelter. No DSWD shelter is designated solely for the specialized

care of for trafficking victims. Available shelter and other assistance services remained inadequate to address the specific needs of victims, including child victims of online sexual exploitation and male victims. Budget constraints continued to limit victim access to mental health services. Child sex trafficking victims who resided in a shelter and participated as witnesses in prosecutions were often interviewed multiple times and remained in the shelter through the time required for the court case, which may have added additional trauma and delayed reintegration. Adult victims residing in shelters were permitted to leave unchaperoned, provided there were no threats to their personal security or psychological care issues. During the reporting period, Philippine officials maintained a temporary shelter for male Filipino trafficking victims in Saudi Arabia. NGOs delivered the vast majority of specialized services to trafficking victims, although the government provided an unknown funding amount to one NGO-run shelter. The lack of long-term care, absence of mental health services, and familial involvement in facilitating exploitation continued to leave many victims vulnerable to re-trafficking.

In Mindanao, where protracted armed conflict and reports of recruitment and use of child soldiers by armed groups continued, the government, in collaboration with international organizations, established a hotline and conducted three Monitoring, Reporting, and Response System (MRRS) workshops for 83 lawyers, investigators, and human rights advocates to facilitate reporting of grave human rights violations, including child soldiering. The national government issued a circular to local government units, instructing them to adopt the MRRS, and the military issued a circular on child protection. The Armed Forces of the Philippines (AFP) reported the rescue or surrender of 19 children from the New People's Army between January and August 2016, but it did not report information about services to them. Through an action plan developed by the UN and the Moro Islamic Liberation Front (MILF), approximately 178 children were disengaged from armed groups during the reporting period and, in consultation with national and regional governments, an international organization initiated a program to assist children disengaged from armed groups. There were reports soldiers of the AFP detained and interrogated children, and in one instance tortured a child, suspected of associating with armed groups. The Commission on Human Rights is investigating the case of alleged torture. Also during the reporting period, municipal authorities worked to reintegrate a child who has been working at an AFP camp for three years in a non-combat role.

Under its witness protection program, justice officials protected witnesses from reprisals by providing security, immunity from criminal prosecution, housing, livelihood and travel expenses, medical benefits, education, and vocational placement. During the reporting period this program assisted nine additional victims of trafficking and continued to provide services to 98 victims enrolled in previous years. Judicial officials used restitution provisions and awarded damages to victims; however, these monetary penalties imposed upon offenders often went unpaid due to perpetrators' financial incapacity or the complex legal process required when a convicted trafficker is able to pay. NGOs confirmed government officials did not punish victims for unlawful acts committed as a result of being subjected to trafficking. While the government did not identify foreign victims in the Philippines during the reporting period, it had long-term alternatives to deportation of victims to countries where victims may face hardship or retribution.

PREVENTION

The government maintained its robust efforts to prevent trafficking. The government conducted a multi-stakeholder assessment of implementation of its 2012-2016 strategic plan to combat trafficking and drafted, but did not release, its third strategic plan covering 2017-2021. The IACAT, which includes three NGO members, and other government anti-trafficking taskforces met regularly during the reporting period to share information and coordinate interagency policies. The IACAT's budget increased slightly from 93.2 million pesos (\$1.88 million) in 2015 to 93.9 million pesos (\$1.89 million) in 2016. The CFO continued its anti-trafficking national prevention campaign and reached 9,400 individuals in 18 provinces. The POEA launched a social media campaign to educate people about illegal recruitment that reached 1,736,818 social media users and expanded access to its pre-employment orientation seminars, required for workers hired by licensed recruitment agencies, by offering them online. During the reporting period, 851,170 individuals completed seminars that provided information about worker protection, legal modes of recruitment, employment procedures for overseas work, and government services available to overseas foreign workers.

POEA officials investigated 108 cases, involving 245 complainants, of illegal recruitment in 2016; four of 35 cases referred for prosecution resulted in a conviction, compared with six illegal recruitment convictions in 2015. AHTRAD separately reported investigating 248 illegal recruitment cases. The POEA filed 2,137 administrative charges against licensed agencies for fraudulent employment offers or collecting exorbitant fees resulting in the cancellation of 49 agencies' licenses. The BI Travel Control and Enforcement Unit continued to screen departing passengers in accordance with departure requirements and reported 667 potential cases of human trafficking for further investigation and identified 601 possible victims of illegal recruitment. Despite stopping 118 foreign registered sex offenders from entering the country, local and foreign demand for the country's vast commercial sex trade remained high and the government's efforts to reduce the demand for commercial sex acts were negligible. The government provided anti-trafficking training to Philippine troops and law enforcement officers prior to their deployment abroad on international peacekeeping missions. During the reporting period, the DFA provided training on human trafficking for its diplomatic personnel prior to overseas deployment, formally launched its handbook on trafficking, and issued new guidelines to its foreign service personnel about employment of personal staff.

TRAFFICKING PROFILE

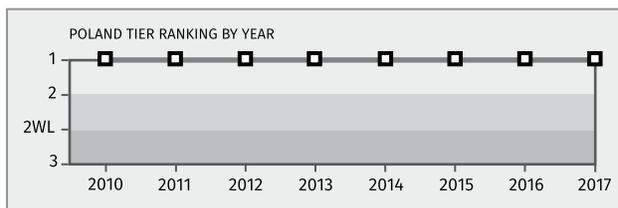
As reported over the past five years, the Philippines is a source country and, to a lesser extent, a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. An estimated 10 million Filipinos work abroad, and a significant number of these migrant workers are subjected to sex and labor trafficking—predominantly via debt bondage—in the fishing, shipping, construction, education, home health care, and agricultural industries, as well as in domestic work, janitorial service, and other hospitality-related jobs, particularly across the Middle East, Asia, and North America. Traffickers, typically in partnership with small local networks, engage in unscrupulous recruitment practices that leave migrant workers vulnerable to trafficking, such as charging excessive fees and confiscating identity documents. Illicit recruiters use student, intern, and exchange program visas to circumvent the Philippine government and destination countries' regulatory frameworks for foreign workers.

Forced labor and sex trafficking of men, women, and children within the country remains a significant problem. Women and children from indigenous communities and remote areas of the Philippines are the most vulnerable to sex trafficking, and some are vulnerable to domestic servitude and other forms of forced labor. Men are subjected to forced labor and debt bondage in the agricultural, fishing, and maritime industries. Many people from impoverished families and conflict areas in Mindanao, Filipinos returning from abroad without documents, and internally displaced persons in typhoon-affected communities are subjected to domestic servitude, forced begging, forced labor in small factories, and sex trafficking in Metro Manila, Metro Cebu, central and northern Luzon, and urban areas in Mindanao. Trafficking also occurs in tourist destinations, such as Boracay, Angeles City, Olongapo, Puerto Galera, and Surigao, where there is a high demand for commercial sex acts. Child sex trafficking remains a pervasive problem, typically abetted by taxi drivers who have knowledge of clandestine locations. Although the availability of child sex trafficking victims in commercial establishments declined in some urban areas, young Filipino girls, boys, and sibling groups are increasingly coerced to perform sex acts for live internet broadcast to paying foreigners; this typically occurs in private residences or small internet cafes, and may be facilitated by victims' family members and neighbors. NGOs report high numbers of child sex tourists in the Philippines, many of whom are citizens of Australia, Japan, the United States, Canada, and countries in Europe; Filipino men also purchase commercial sex acts from child trafficking victims. Organized crime syndicates allegedly transport sex trafficking victims from China through the Philippines en route to other countries. The UN reports armed groups operating in the Philippines, including the MILF, New People's Army, Moro National Liberation Front, the Abu Sayyaf Group, and the Bangsamoro Islamic Freedom Fighters, continue to recruit and use children, at times through force, for combat and noncombat roles.

Officials, including those in diplomatic missions, law enforcement agencies, and other government entities, allegedly have been complicit in trafficking or allowed traffickers to operate with impunity. Some corrupt officials, particularly those working in immigration, allegedly accept bribes to facilitate illegal departures for overseas workers, reduce trafficking charges, or overlook unscrupulous labor recruiters. Reports in previous years asserted police conduct indiscriminate or fake raids on commercial sex establishments to extort money from managers, clients, and victims. Some personnel working at Philippine embassies reportedly withhold back wages procured for their domestic workers, subject them to domestic servitude, or coerce sexual acts in exchange for government protection services.

POLAND: TIER 1

The Government of Poland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Poland remained on Tier 1. The government demonstrated serious and sustained efforts by increasing investigations, prosecutions, and convictions, and issuing more severe sentences for convicted traffickers than in past years. The government also approved a national action plan and increased funding for its implementation. Although the government meets the minimum standards, it still had challenges identifying forced labor and child trafficking victims and prosecuting labor trafficking cases.



RECOMMENDATIONS FOR POLAND

Sentence convicted traffickers to penalties proportionate with the severity of the crime and increase training for prosecutors and judges; vigorously investigate and prosecute trafficking crimes, particularly forced labor cases; increase training to law enforcement on investigating and prosecuting labor trafficking cases and consider creating specialized prosecution units for trafficking crimes; improve training and efforts to identify victims proactively, particularly among unaccompanied children, migrants, and children exploited in prostitution; improve measures to identify child victims; educate and incentivize foreign victims to enroll in the witness protection program and assist prosecution; facilitate victims' access to compensation by encouraging prosecutors to request compensation during criminal cases and systematically informing victims of their right to pursue civil suits against their traffickers; and improve central operational coordination and data collection for anti-trafficking activities.

PROSECUTION

The government increased law enforcement efforts, but did not issue consistently stringent sentences for convicted traffickers to reflect the heinous nature of the crime and deter future exploitation. Poland's penal code defines a trafficking crime in article 115.22, while article 189a prohibits all forms of trafficking and prescribes punishments of three to 15 years imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In addition, article 203 prohibits inducing an adult into prostitution through force, fraud, or coercion, and article 204.3 prohibits inducing a child into prostitution; both articles prescribe punishments of one to 10 years imprisonment.

The government lacked a central mechanism to cross-reference and consolidate law enforcement statistics, and it only considered convictions and sentences issued after appeals to be final. Authorities reportedly launched 31 investigations under article 189a in 2016, compared with 30 in 2015, and 28 in 2014. Authorities reported prosecuting 30 suspected traffickers under article 189a in 2016 (23 in 2015 and 28 in 2014). In 2016, 12 prosecutorial investigations conducted involved forced labor (17 in 2015 and eight in 2014). First-level courts issued 33 convictions under article 189a in 2016 (36 in 2015 and 17 in 2014). In addition, first-level courts issued 15 convictions under article 203 and six convictions under article 253, which criminalized trafficking prior to article 189a. In 2015, the most recent year for which post-appeal judgments were available, judges issued a total of 58 final convictions (37 in 2014 and 41 in 2013). Courts upheld 30 convictions under articles 189a and 253 (nine in 2014 and 13 in 2013). Courts also upheld 12 convictions under article 204.3 (16 in 2014). In addition, there were 16 upheld convictions for forced prostitution under article 203 (12 in 2014). Prison terms imposed ranged from one year to five years; 58 percent of sentences were for two years or less, which was a high percentage but an improvement from 2014 when 78 percent of sentences did not exceed two years. Authorities suspended a smaller proportion of prison

sentences for trafficking convictions, decreasing to 45 percent in 2015 from 62 percent in 2014 and 41 percent in 2013. The government began drafting new legislation to reduce the number of suspended sentences on trafficking cases.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Authorities collaborated on investigations with counterparts in several foreign countries. The government increased trafficking-specific training for the border guard and national, regional, and district police. During 2016, authorities held trafficking training sessions for 236 prosecutors and judges; during 2015-2016, a total of 670 legal professionals were trained in prosecuting trafficking cases. Authorities reported there were very few prosecutions for forced labor for several reasons: the police had difficulty identifying this type of crime, there is not a good definition of forced labor in the Polish criminal code, prosecutors and judges often lacked expertise in labor trafficking cases, and victims are often unwilling to testify against their trafficker. This is despite NGOs assisting more than 88 victims of forced labor, forced begging, and forced criminality during the reporting period.

PROTECTION

The government maintained protection measures, but did not improve screening of unaccompanied children, obtaining victim cooperation with prosecutions, and assisting victims' efforts to seek compensation. Authorities trained police, border guards, 189 consular officers, 99 labor inspectors, 79 employees of crisis intervention centers, and 11 officials who interview asylum-seekers on trafficking victim identification. Also, the border guard organized training for 2,065 officers on standard operating procedures for assisting child victims of trafficking. With the help of an international organization, the border guard developed and implemented a new e-learning platform for border officials on methods to identify trafficking victims and the national referral mechanism. In September 2016, the national police commander issued an updated regulation on combating human trafficking that included a new identification tool for police officers. Police and prosecutors, however, acknowledged authorities lacked the expertise to identify forced labor victims. Observers considered victim identification, especially in the cases of children and labor exploitation, to be a challenge for the government.

In 2016, the government allocated 1.1 million zloty (\$262,843) to two NGOs that run the National Intervention-Consultation Center for Victims of Trafficking (KCIK), which covered the majority of operating expenses; this is same amount allocated in 2015. The government identified 144 potential trafficking victims during the reporting period. KCIK provided assistance to 200 potential victims in 2016, compared with 229 in 2015 and 207 in 2014. KCIK offered victims medical and psychological care, legal counseling, shelter referrals, and welfare support. KCIK included two shelters for adult female victims. KCIK was responsible for finding safe accommodations for male trafficking victims and used crisis centers, hotels, and hostels for this purpose. The national system of victim assistance did not always address the needs of unaccompanied children, as there was no standardized system of screening unaccompanied children as potential trafficking victims. The government could place child victims in orphanages, with foster families, or in child assistance centers based on their needs. In 2016, the Children Empowerment Foundation launched a campaign to build the first children's assistance center for child victims of sexual exploitation, physical violence, and other serious crimes.

Observers reported some unaccompanied children, who may have been trafficking victims, ran away from orphanages and were not recovered. Local governments also funded and operated crisis intervention centers; 18 were designated specifically for trafficking victims in 2015.

The government's witness protection program provided foreign victims with a temporary residence permit, medical and psychological care, legal assistance, and shelter for those who cooperated with a prosecution; this program also provided for a victim's repatriation. The government enrolled 39 trafficking victims into this program in 2016, compared with 38 in 2015; in 2012 to 2014, the government enrolled at least 56 victims each year. Foreign victims were entitled to a three-month reflection period, during which they could stay legally in Poland to decide whether to assist in the criminal process; 23 victims used this reflection period in 2016 (33 in 2015). Foreign victims were eligible for a residency permit valid for up to three years and were entitled to work; victims could also apply for permanent residency and were protected against deportation. Foreign victims were eligible for repatriation and may receive assistance upon return to their country of origin; the assistance did not depend on cooperation with law enforcement. In 2016, the government, in cooperation with an international organization assisted seven trafficking victims to return to their home countries. In 2016, 23 foreign victims who joined the witness protection program agreed to participate in the prosecution of their traffickers (27 in 2015). Polish law permits victims to provide testimony via video or written statements; however, judges in these cases often request additional testimony which results in a longer and more complicated legal process.

Although victims could file civil suits against traffickers and judges could order compensation for victims in criminal cases, observers reported very few trafficking victims have ever received compensation from their traffickers. In 2016, no victims received court ordered restitution in criminal cases. In October 2016, Poland ratified the 2014 Protocol to the 1930 ILO Forced Labor Convention, which obligates the government to create effective measures to combat forced labor, provide protection and support for labor trafficking victims, allow victims to receive compensation, and allow sanctions against traffickers.

PREVENTION

The government increased prevention efforts. In 2016, the government approved the 2016-2018 action plan and allocated 235,000 zloty (\$56,153) for its implementation, a 74 percent increase from 135,000 zloty (\$32,258) allocated in 2015 for the 2013-2015 plan. The interior ministry continued to lead the inter-ministerial anti-trafficking team, as well as a working-level group of experts and NGOs, which met regularly to coordinate efforts and develop national anti-trafficking policies. During the reporting period, provincial-level interagency anti-trafficking teams in all 16 regions of the country became fully operational; these units were designed to improve cooperation and coordination among relevant stakeholders. In 2016, the interior ministry held an anti-trafficking conference for leaders of all provincial interagency teams. The interior ministry published and made publicly available an assessment of the government's anti-trafficking activities for three consecutive years; the 2016 report will be published in September 2017. The government lacked a central mechanism to cross-reference and consolidate trafficking-related statistics, hindering officials' ability to assess the scope of trafficking in Poland and the efficacy of law enforcement efforts.

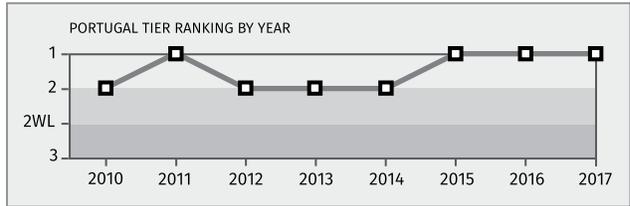
The government-sponsored information campaigns on human trafficking, several of which focused on forced labor, and targeted students, migrant workers in Poland, at-risk Polish communities, and Poles seeking work abroad. The government, in partnership with an NGO, also provided anti-trafficking training to labor recruitment agencies. A government-funded NGO operated a 24-hour hotline for trafficking victims and witnesses and trained 50 hotline operators on trafficking. The labor inspectorate pursued investigations into suspected labor violations. The government provided anti-trafficking training for its diplomatic and consular personnel. In July 2016, the government strengthened its law on public procurement to exclude any entity convicted of human trafficking from public procurement procedures. To help address experts' concerns that Poland may become a destination country for child sex tourism, the government continued to operate an NGO-designed internet platform for reporting cases of child sex trafficking.

TRAFFICKING PROFILE

Poland is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Labor trafficking is increasing in Poland; victims originate from Europe, Asia, and Africa. There is an increasing vulnerability to labor trafficking among Poland's growing Ukrainian migrant population and North Korean migrant workers. Children, particularly Roma, are recruited for forced begging in Poland. Men and women from Poland are subjected to forced labor in Europe, primarily Western and Northern Europe. Women and children from Poland are subjected to sex trafficking within the country and also in other European countries. Women and children from Eastern Europe, particularly Bulgaria, Romania, and Ukraine, are subjected to sex trafficking in Poland. A growing number of Vietnamese victims transit Poland en route to Western Europe after being subjected to labor trafficking in Russia.

PORTUGAL: TIER 1

The Government of Portugal fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Portugal remained on Tier 1. The government demonstrated serious and sustained efforts by increasing the number of investigations, prosecutions, convictions, and victims identified. The government amended the labor code to expand responsibility for upholding worker protections and liability for violating such protections to employment agencies and firms that hire temporary workers. The government added a fifth interdisciplinary regional anti-trafficking team to assist victims and continued to fund three NGO-operated shelters. Although the government meets the minimum standards, penalties for convicted traffickers were less severe as compared to prior years, and in some cases sentences were suspended. While authorities identified significantly more potential trafficking victims, they identified few sex trafficking victims. The government did not make discernable efforts to reduce the demand for commercial sex.



RECOMMENDATIONS FOR PORTUGAL

Increase identification of adult and child sex trafficking victims; amend article 175 to clarify that all prostitution of children is child sex trafficking, regardless of force, fraud, or coercion, to ensure these crimes are identified and prosecuted under appropriate statutes; vigorously investigate and prosecute trafficking offenses and convict traffickers, issuing sufficiently dissuasive sentences; amend relevant anti-trafficking laws to include specific provisions to shield victims from prosecution for unlawful acts committed as a result of being subjected to trafficking; expand authority beyond police and prosecutors to confirm whether an individual is a victim of trafficking; continue training for all police, prosecutors, and judges to increase trafficking investigations and to encourage the use of trafficking laws for convictions with dissuasive sentences; continue to increase and document use of victim services, such as shelters and residence permits, and ensure availability of a sufficient number of places to accommodate all victims in need of shelter; provide specialized shelter and assistance for child trafficking victims, including Portuguese child sex trafficking victims; continue to train immigration and social workers, law enforcement, labor inspectors, and NGOs on victim identification and referral; strengthen monitoring and regulation of temporary employment agencies, including employing and recruiting domestic workers; and increase efforts to reduce the demand for commercial sex and forced labor, including in supply chains and government procurement policy.

PROSECUTION

The government increased law enforcement efforts. Article 160 of the penal code prohibits all forms of trafficking and prescribes penalties of three to 10 years imprisonment (up to 16 years if there are aggravating circumstances), which are sufficiently stringent and commensurate with those for other serious crimes, such as rape. Article 160 also encompasses illegal adoption and organ removal, crimes that fall outside the U.S. definition of trafficking in persons. Article 159 prohibits slavery and prescribes penalties of five to 15 years imprisonment. Article 175 prohibits child sex trafficking, with penalties of one to 10 years imprisonment, although it classifies these crimes as pimping rather than trafficking. Amendments to the labor code entered into force in September 2016 and extended liability for violations of labor code worker protections to employment agencies and subcontractors, including owners of companies, companies that hire temporary workers, and contractors supplying workers to companies.

In 2016, the government investigated 83 potential trafficking cases, compared with 68 total cases in 2015. Authorities did not report how many cases involved labor or sex trafficking, but noted the majority of the cases involved labor trafficking in agriculture. In 2016, authorities prosecuted 77 defendants in nine cases, a significant increase from the six defendants prosecuted in 2015. Courts convicted and sentenced 15 traffickers in 2016 (including at least four sex trafficking, one forced labor, and two domestic servitude cases), compared

with four total convictions in 2015. Sentences for convicted traffickers in 2016 ranged from 18 months to eight years imprisonment, compared with eight to 20 years imprisonment in 2015. Authorities suspended five of the sentences; in three of those cases they ordered the traffickers to make payments to an NGO working to address sexual exploitation. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The national police provided training in investigations and victim identification to 107 officers across four regions, as well as additional trainings for police, judges, and prosecutors. The national rapporteur developed training programs for first responders in districts vulnerable to labor trafficking, including police, social workers, and health professionals. In October 2016, the government organized a training and technical assistance workshop for judges, prosecutors, and law enforcement personnel in cooperation with a foreign government.

PROTECTION

The government increased protection efforts. The government's national referral system guided victim identification procedures, and its anti-trafficking agency provided a checklist to law enforcement and other front-line responders on identifying trafficking victims. First responders and social service providers could refer potential victims to services, but only police or prosecutors could officially "confirm" an individual a victim of trafficking. GRETA noted, however, the process of confirming the status of a presumed victim depended on the duration of the related prosecution, thus making victims' status in practice dependent on cooperation with law enforcement. In 2016, authorities identified 261 potential victims—118 of which were confirmed victims and 33 of which were Portuguese nationals exploited abroad—compared with 193 potential and confirmed victims in 2015. Ninety-three percent of the confirmed victims exploited in Portugal were victims of forced labor; 32 of the confirmed and potential victims were children. The government conducted three large-scale anti-trafficking operations that resulted in the identification of 81 victims. The government reported it provided approximately €1 million (\$1.05 million) in 2016 for prosecution and protection activities, including funding for shelters, repatriation assistance, and support for its interdisciplinary regional teams' efforts to identify and assist victims; the government added a fifth team in 2016. Victims and their minor children had the right to shelter, health, psycho-social, legal, and language services, as well as education and employment training. The government-funded three NGO-operated shelters exclusively for trafficking victims—two for female victims and their minor children and one for adult male victims. The government reported it referred 62 victims to these shelters in 2016. GRETA reported the shelters could each accommodate a limited number of victims and noted a growing need for additional shelter places as the number of victims identified annually increased. Adult victims could leave the shelters at will unless authorities determined victims' safety was at risk. There were no specialized services for child trafficking victims; child victims instead received care under Portugal's child protection system and were placed in institutions if they could not be placed with family members. The government, working through its five regional anti-trafficking teams, conducted 220 training and awareness sessions for 8,159 first responders, including health, security, legal, and social services professionals.

Authorities encouraged victims to assist with investigations and prosecutions and informed victims of their right to protection, assistance, and return to their country of origin.

The government provided comprehensive witness protection to victims participating in trials; victims could testify by deposition or videoconference and had access to medical and psychological services to prevent re-traumatization. The government offered victims a reflection period of 30 to 60 days, during which they could recover before deciding whether to cooperate with law enforcement. The law also provides for a one-year residence permit for victims cooperating with law enforcement or based on a personal situation; this permit can be renewed for one year if authorities determine it is necessary to protect the victim. Authorities issued 31 residence permits in 2016, compared with two permits in 2015. The government reported it provided 25 victims with assistance to return to either their countries of origin or to the country where their immediate family was located. Portuguese law allows victims to seek compensation from and file criminal proceedings against their traffickers; victims may seek compensation from the government if the convicted trafficker is unable to pay the awarded restitution. The government did not report whether any victims received compensation from their traffickers or the government. There were no reports the government penalized victims for unlawful acts committed as a result of being subjected to trafficking; however, GRETA reported the lack of a specific provision in Portuguese law protecting victims from prosecution for acts they were coerced to commit could leave victims vulnerable to individual prosecutors' decisions to bring charges.

PREVENTION

The government maintained prevention efforts. The government maintained a multi-stakeholder anti-trafficking network, including a national rapporteur, representatives from various government agencies, and three NGOs. The national rapporteur, who served as the national anti-trafficking coordinator, issued an annual report on the government's progress in implementing the 2014-2017 national action plan. The government's anti-trafficking agency also published an annual and three quarterly reports detailing the trafficking situation in the country. The government launched a national awareness campaign in October 2016 that focused on child trafficking and included a hotline to report suspected trafficking, which resulted in 62 victim identifications during the year. Labor authorities conducted inspections of employers and working conditions in an effort to prevent labor exploitation. The government screened visa applicants traveling to Portugal for employment to ensure their job offers were legitimate by vetting work contracts and travel documents. GRETA noted, however, a need to strengthen monitoring and regulation of temporary employment and recruitment agencies, especially those employing and recruiting domestic workers. The government also conducted a corporate social responsibility campaign to address labor exploitation and provided training and capacity building assistance to foreign governments. The government did not make efforts to reduce the demand for commercial sex but did make efforts to reduce the demand for forced labor. Laws prohibiting sexual crimes against children have extraterritorial reach, allowing the prosecution of suspected child sex tourists for offenses committed abroad; there were no reports of Portuguese citizens engaging in child sex tourism abroad during the year. The government provided anti-trafficking training to its diplomatic personnel. In 2016, in preparation for Portuguese troops' deployment abroad as part of international peacekeeping missions in 2017, the government developed anti-trafficking training for peacekeepers.

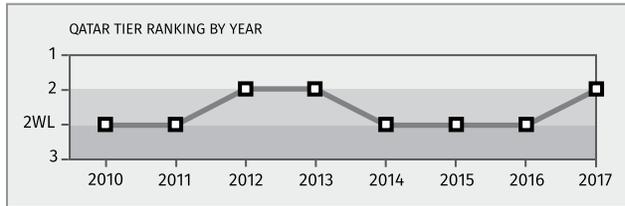
TRAFFICKING PROFILE

As reported over the past five years, Portugal is a destination and,

to a lesser extent, transit and source country for men, women, and children subjected to forced labor and sex trafficking. Trafficking victims primarily originate from West Africa, Eastern Europe, Asia, and, to a lesser extent, Latin America. Most victims are subjected to forced labor, with seasonal migrant workers especially vulnerable. Foreign labor trafficking victims are exploited in agriculture, construction, and domestic service, while Portuguese victims are exploited in restaurants, agriculture, and domestic service, primarily in Portugal and Spain. Poor and uneducated Portuguese in the country's rural interior are especially vulnerable to forced labor networks in Spain, which may extend into Northern and Eastern Europe. Authorities noted an increase in the number of labor trafficking victims from Bangladesh, India, Nepal, and Pakistan in 2016. Foreign women and children, mostly from Africa and Eastern Europe, and Portuguese women and children are subjected to sex trafficking within the country. Portuguese victims have also been subjected to sex trafficking in other countries, mostly in Europe. Children from Eastern Europe, including those of Roma descent, are subjected to forced begging and forced criminal activity in Portugal. Organized criminal networks operate trafficking rings in the country; some recruit victims abroad to exploit in Portugal, while others recruit domestically to exploit both within Portugal and abroad. Authorities report traffickers bring women and children, many from West Africa, to Portugal to claim asylum and obtain false documents before bringing them to other European countries to be exploited in sex trafficking.

QATAR: TIER 2

The Government of Qatar 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, Qatar was upgraded to Tier 2. The government demonstrated increasing efforts during the reporting period by establishing a coordinating body to oversee and facilitate anti-trafficking initiatives and enacting a law that reforms the sponsorship system to significantly reduce vulnerability to forced labor. The Wage Protection System (WPS) now covers over two million workers and substantial progress has been made towards implementing a new electronic contracting system and new labor dispute panels designed to greatly accelerate resolution of labor cases. The government gave Cabinet approval for new legislation—still awaiting final signature—to better protect domestic workers and strengthened enforcement against passport retention. It also increased the number of prosecutions and convictions for trafficking-related offenses. However, the government did not meet the minimum standards in several key areas. It did not prosecute any Qatari employers or recruitment agencies for forced labor. The government often did not investigate for trafficking cases that manifest indicators such as passport retention, labor violations, and complaints of abuse, and authorities regularly arrested, detained, and deported potential trafficking victims for immigration violations or for fleeing their employers or sponsors. The government did not provide data on the number of victims it identified or assisted, and it did not hold complicit officials criminally accountable.



RECOMMENDATIONS FOR QATAR

Significantly increase efforts to investigate indicators of trafficking, prosecute trafficking offenses, and convict and punish traffickers, particularly for forced labor crimes, under the anti-trafficking law; continue to implement reforms to the sponsorship system so it does not provide excessive power to sponsors or employers in granting and maintaining the legal status of migrant workers, adopt reforms to protect migrant workers from abusive practices and working conditions that may amount to forced labor; fully implement the electronic contracting system to reduce instances of contract substitution; enact and fully implement the new domestic worker law, that conforms with international standards, and extend labor law protection to domestic workers; strengthen enforcement of the law criminalizing passport retention; ensure employers do not exploit workers using the WPS by collecting money from them before depositing their salary electronically; implement the WPS for all companies, including small and medium-sized companies, joint ventures, and foreign-owned companies; enforce the law requiring that migrant workers receive residence cards within one week of arrival; consistently apply formal procedures to identify victims of all forms of trafficking proactively among vulnerable groups, such as those arrested for immigration violations or prostitution or who flee abusive employers; provide victims comprehensive protection services; implement the mandate of the newly formed intragovernmental anti-trafficking committee; collect and report data pertaining to the number of victims identified and the services provided to them; provide anti-trafficking training to government officials, targeting the judicial sector; and continue to conduct anti-trafficking public awareness campaigns.

PROSECUTION

The government expanded anti-trafficking law enforcement efforts. The 2011 anti-trafficking law prohibits all forms of sex and labor trafficking and prescribes penalties of up to 15 years imprisonment and/or up to 300,000 Qatari riyal (\$82,390) in fines; heads of recruiting agencies found guilty of trafficking face up to five years imprisonment and a fine of up to 200,000 Qatari riyal (\$54,930). These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as kidnapping. By allowing for a fine in lieu of imprisonment, the prescribed punishment is not commensurate with those for other serious crimes, such as rape. Under the 2015 sponsorship reform law, the government criminalizes the confiscation of workers' passports, punishable by a maximum fine of 25,000 Qatari riyal (\$6,870).

During the reporting period, the government reported investigating 93 potential trafficking cases, compared to 24 investigated in 2015, some of which likely involved other crimes often conflated with trafficking, including smuggling. The government prosecuted and convicted one suspected trafficker under the 2011 anti-trafficking law. In addition, the government achieved 28 trafficking-related convictions, including facilitating prostitution and unscrupulous employment practices. In

2016, officials did not prosecute any Qatari employers or recruitment agencies for forced labor under the anti-trafficking law, as compared to its conviction of two private companies in 2015. Under various sections of the labor code, the Public Prosecutor's Office convicted up to 19 companies for labor law contraventions, including failure to comply with work hour limitations, grant a mandatory rest day, or pay overtime. Labor courts handed down 2,039 judgments in 2016, including 1,201 cases of forced payments of denied or delayed wages and benefits, in addition to fines, which reached as high as 100,000 Qatari riyal (\$27,460), according to news reports. During the reporting period, a government-run media source reported that Qatar's higher criminal court upheld a 2015 trafficking conviction of a non-Qatari national; however, for another foreigner, it reduced a sentence for involuntary manslaughter of a domestic worker and involvement in human trafficking crimes from eight years imprisonment and a fine of 350,000 Qatari riyal (\$96,130) to one year and a 100,000 Qatari riyal (\$27,460) fine. The government increased enforcement of its law prohibiting passport retention by prosecuting 48 cases and administering fines to the perpetrators of passport retention, some of which likely occurred outside of the current reporting year; however, it did not investigate these and other potential trafficking indicators for trafficking crimes related to these cases.

Qatari labor protections remained biased in favor of the employer. Several government agencies did not categorize forced labor or exploitation of domestic workers as human trafficking, but rather as assault, immigration, or labor law violations. The government's primary solution for resolving labor violations continued to be a transfer of employer sponsorship, mandated back payment of wages and fines, and blacklisting of companies without efforts to investigate whether the violations constituted forced labor. The government did not report investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses. Some Qatari diplomats were implicated in alleged forced labor of their domestic workers. In October 2016, two domestic workers filed a civil suit against a former Qatari diplomat posted in the United States alleging the official withheld their wages, forced them to work excessive hours, and threatened deportation and blacklisting, among other accusations indicative of forced labor; a ruling on the case remained pending at the close of the reporting period. In early 2017, a Qatari official formerly posted to the United States as a diplomat agreed to a confidential settlement after a federal court in Virginia issued a default judgment in a civil suit in May 2014 in the amount of nearly \$500,000 for claims the official subjected a domestic worker to forced labor. After the parties agreed to the settlement, the court set aside the default judgment. In another case, a Qatari military official and his spouse were indicted by a federal court in Texas and pled guilty to visa fraud related to the alleged forced labor of two domestic workers they had employed when in the United States on temporary duty. As part of their February 2016 sentence, the couple was ordered to pay the workers restitution in the amount of \$120,000, which they did. Soon thereafter the couple departed the United States. The government of Qatar did not report taking any action to hold the official accountable. During the year, the government coordinated with several international organizations and civil society stakeholders to improve training programs for federal employees. The police training institute of the Ministry of Interior (MOI) conducted courses and workshops for an unknown number of officers and staff who investigate and work on trafficking cases. Judges, inspectors, and police officers continued participation in a multi-year training program with an international organization on combating trafficking.

PROTECTION

The government did not report the number of trafficking victims it identified, referred for care, or assisted during the reporting period, and many victims of forced labor likely remained unidentified and unprotected. The Protection and Social Rehabilitation Center shelter, to which the government funded approximately 90 million Qatari riyal (\$24.7 million), provided basic medical care and housing for female workers who fled their sponsors as well as female and child victims of violence; shelter officials did not use established protocols to proactively screen vulnerable individuals for trafficking indicators. Officials and law enforcement personnel did not report proactively screening for any trafficking indicators among domestic workers, a vulnerable population typically isolated and excluded from protections under labor laws. During the reporting period, the Cabinet approved legislation governing the employment of domestic workers. While the text is not public, the government reported it would enroll domestic workers in the WPS and require adequate employer-provided food and accommodation, medical benefits, one day off per week, limited working hours, guaranteed overtime pay, sick leave, full end-of-service payments, and use of the formal contract system. However, at the close of the reporting period, the legislation awaited the emir's signature to become law. The government donated 364,000 Qatari riyal (\$99,970) to an international organization's trust fund to support trafficking victims. The government continued to use its national victim referral system to coordinate victim identification and referral efforts between government authorities and NGOs. The referral system included the provision of shelter, health care, and legal assistance to trafficking victims. During the reporting period, victims were able to access the shelter even if their employers filed charges against them and maintained the right to leave the shelter without supervision.

Systemic hurdles limited victim protection and access to justice. In 2016, there were no reports of trafficking victims being prosecuted for unlawful acts committed as a direct result of being subjected to trafficking; however, authorities arrested, detained, and deported potential trafficking victims for immigration violations and fleeing their employers or sponsors. For four months in 2016, the government offered an amnesty period during which workers facing charges in Qatar could apply for repatriation without penalty—13,579 workers utilized this opportunity. The government occasionally held some victims in detention centers due to debts allegedly owed or false charges of theft filed by their employers. The government encouraged victims to testify against their traffickers by providing free legal counseling and allowing them to pursue financial compensation; it was unclear how many victims testified or received these benefits during the reporting period. The Qatari legal system lacked adequate privacy laws to protect victims against potential retribution and often did not provide adequate assistance or protection for victims during legal proceedings. Victims who lodged complaints were sometimes the subject of spurious counter-charges by their respective employers that resulted in administrative deportation proceedings. While more than 4,000 victims filed official complaints against their employers for restitution of wages during the year, domestic workers—who were not covered under the labor law—continued to face difficulties seeking legal redress for abuses through civil court action. In practice, victims were only able to change employers or return to their respective countries of origin with sponsor permission at the end of their contract, or with assistance from the MOI or Ministry of Labor. The government is required to assist workers who wish to prematurely terminate their contracts

and transfer employers in the event of employment malfeasance. The government reported the transference of 1,784 workers over the objections of their employers to new companies, compared to 1,762 in 2015. MOI's Search and Follow Up and Human Rights departments coordinated with embassies to assist in the repatriation of migrant workers, including an unknown number of domestic workers. MOI reported providing 7,506 complimentary repatriation tickets in 2016, compared to 10,086 tickets in 2015. The government reported it did not deport those who faced retaliation or retribution in their country of origin.

PREVENTION

The government increased its efforts to prevent trafficking in persons. The government formally enacted Law No. 21 of 2015 Regulating the Entry, Exit, and Residence of Foreigners and developed a new employer contract system applicable to all expatriate workers in Qatar, including domestic workers. The new e-contract system could reduce vulnerabilities to forced labor if fully implemented. Workers still require exit permits to depart the country. In accordance with Law No. 21, the government established a formal "Grievance Committee" that reviews within 72 hours rejected requests for exit permits to depart the country. In operation since December 2016, this committee addressed 498 denied exit permits, of which it upheld five—all of which involved unresolved legal issues. Although the government offers complimentary legal and translation assistance during court proceedings, it did not report how many workers who submitted a grievance received such services. Also in accordance with the law, the government initiated the process of converting all contracts into duplicative e-contracts in order for one contract to be on file in Qatar and the other in the respective source country. This new contract system includes standardized language, including in local languages of major labor-sending countries, and online instructional guidance in Arabic and English. In addition, under the new law employees are not required to have a "no objection certificate" to seek alternate employers upon conclusion of their contracts, although workers are still required to have this certificate to change jobs in the midst of an existing contract, which can be up to five years. Migrant workers are no longer required to leave the country for two years before seeking new employment in Qatar, thereby reducing the imperative for laborers seeking long-term employment in Qatar to reengage in potentially exploitative recruitment relationships. Since implementation of Law No. 21, the government has transferred approximately 5,200 workers to new employers. Although the sponsorship law requires an employer to secure a residence card for laborers within seven days, reports indicated this sometimes did not happen; the lack of a residence card essentially restricts their ability to access health care or lodge complaints with authorities. In advance of the December 2016 launch of Law 21 of 2015, officials conducted at least five lectures and town hall meetings reaching an unknown number of foreign diplomats, community leaders, business executives, and employers, and produced media publications to explain the new reforms and how workers could use these legal changes to more easily change employers or leave the country.

For most of the reporting period, the government did not appoint a lead for anti-trafficking efforts after the previous oversight body was dissolved. Nonetheless, the government continued to pursue various goals established in the 2016 written plan to combat trafficking. A new anti-trafficking committee, which includes representatives of both government offices and NGOs, was approved in October 2016 and members met unofficially to draft a new strategy for 2017-2022, which

prioritizes prevention, protection, judicial pursuits, and regional and international cooperation. The government allocated approximately 7.2 million Qatari riyal (\$1.97 million) for the development and implementation of the draft strategy. The government-funded Protection and Social Rehabilitation Center promoted awareness campaigns on various forms of abuse, including trafficking, and outlined where to receive help; these campaigns targeted women, domestic workers, and exploitative employers. In addition, the government sought to raise awareness among the local population through a new slavery exhibit as part of a museum consortium in Doha that showcased information on human trafficking trends in Qatar. The government published manuals for expatriates in Arabic, English, and several source country languages on proactive victim identification, domestic worker rights, and ways to combat trafficking in Qatar. It continued to publish and disseminate "worker rights" pamphlets in English, Arabic, Hindi, Bengali, Nepali, and Tagalog that contained relevant articles from the labor and sponsorship laws, in addition to the number for the complaint hotline, which received more than 4,200 calls during the year. The quasi-government Qatar Foundation and the Qatar 2022 Supreme Committee co-published mandatory standards documents, which included workers' rights and contractual incentives for contractors to adhere to Qatari labor laws.

In 2016, the government employed 397 labor inspectors, up from 350 in 2015, who conducted more than 44,500 labor inspections and filed 1,142 labor violation reports, though the government did not provide an exact figure on the total amount of fines placed on companies or how many fines it administered, and many of the inspections fell outside of the reporting period. The government canceled the licenses of 93 recruitment agencies, issued 78 warnings, wrote seven infringement reports, and revoked the licenses of 24 companies, compared to 15 in 2015, that MOI's routine inspection and monitoring found to be noncompliant with the labor law; however, it did not report if it referred any companies, or their owners or staff, for further prosecution or whether it achieved any convictions for those suspected of illegal recruitment activities. Officials blacklisted more than 5,500 companies and 2,000 individuals in 2016 for unscrupulous practices, such as nonpayment of workers' wages, exceeding the blacklisting of 2,417 companies the previous reporting period. In total, the government of Qatar took 34,662 decisions against companies for violations of either the labor law or the WPS. The government continued its rollout of the WPS, which requires employers to pay workers electronically and increases penalties for violating the labor code. In 2016, the system included bank accounts for over two million migrant workers and allowed for the tracking of unpaid wages; labor sending embassies reported a decline in unpaid or delayed wage cases by nearly 60 percent. The WPS detected more than 600 companies for labor violations; however, it remained unclear whether the system flagged any potential trafficking cases for criminal investigation. Allegations of employees forced to pay employers a certain amount of money before having their wages transferred electronically continued to exist, though improved access to ATMs, online banking mechanisms, and awareness campaigns reduced reported instances of this potential loophole in the system. The government continued to address recruitment issues and worker rights through 36 bilateral agreements and five MOUs with labor-sending countries. The government did not report efforts to reduce the demand for commercial sex acts. The government did not regularly provide anti-trafficking training for its international peacekeepers or diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Qatar is a destination country for men and women subjected to forced labor and, to a much lesser extent, forced prostitution. Men and women from Nepal, India, Pakistan, Bangladesh, the Philippines, Indonesia, Sri Lanka, Sudan, Thailand, Egypt, Syria, Jordan, Morocco, Tunisia, Kenya, Nigeria, Cameroon, Togo, and China voluntarily migrate to Qatar as unskilled laborers and domestic workers, often paying illegal and exorbitant fees to unscrupulous recruiters in the labor-sending countries, thereby increasing their vulnerability to debt bondage. Some workers subsequently face conditions indicative of involuntary servitude, to include restricted movement, passport confiscation, exit permit retention, and threats of deportation or abuse. Over 90 percent of the country's workforce is comprised of men and women from South and Southeast Asia, Africa, and the Middle East, who work primarily in construction, oil and gas, the service industry, transportation, and domestic work sectors; some are subjected to forced labor. Female domestic workers are particularly vulnerable to trafficking, because they are not protected under Qatari labor laws and because officials lack authority to enter private residences. Some foreign women in prostitution, including some former domestic workers, are subjected to sex trafficking in Qatar.

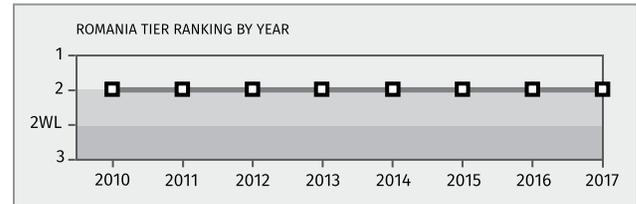
Qatar's low-skilled migrant workers continue to comprise the largest group at risk of trafficking. Many migrant workers arriving in Qatar pay exorbitant fees to recruiters in their home countries, and some recruitment agencies in labor-sending countries lure foreign workers with fraudulent employment contracts. Individuals in Qatar sell visas to migrants, enabling migrant workers to work illegally and without legal recourse against their respective sponsors; the sale of such visas may also lead to debt bondage. Businesses and individuals in Qatar reportedly falsely promise migrants employment opportunities.

Qatar's sponsorship system places significant power in the hands of employers, who have unilateral power to cancel residence permits, prevent workers from changing employers, and deny permission to leave the country. Debt-laden migrants who face abuse or are misled often avoid reporting their exploitation out of fear of reprisal or deportation, the protracted recourse process, or lack of knowledge of their legal rights, making them more vulnerable to forced labor, including debt bondage. Instances of delayed or unpaid salaries are a leading driver of forced labor in Qatar. Many migrant workers often live in confined, unsanitary conditions, and many complain of excessive working hours and hazardous working conditions; threats of deportation and physical or financial harm; and physical, mental, or sexual abuse. According to a 2014 study by Qatar University's Social and Economic Survey Research Institute, 76 percent of expatriate workers' passports were in their employers' possession, despite laws against passport confiscation.

ROMANIA: TIER 2

The Government of Romania 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, Romania remained on Tier 2. The government demonstrated increasing efforts in law enforcement, including sentencing two complicit officials, as well as its work with NGOs to identify a large number of victims during the reporting period. The government began to develop mechanisms to provide

financial support to NGOs but did not finalize this mechanism during the reporting period. The government did not meet the minimum standards in several key areas. Judges continued to lack specialized training on working with trafficking cases and victims, which had detrimental effects on witness protection, restitution for victims, and sentencing for perpetrators. The government's victim assistance remained limited, leaving most victims unprotected, susceptible to re-traumatization or without services, and vulnerable to re-trafficking.



RECOMMENDATIONS FOR ROMANIA

Increase services for victims, including by allocating public funding for NGOs to provide services; investigate, prosecute, and convict traffickers, including complicit officials, and seek and obtain sentences that are sufficiently stringent and commensurate with the severity of the crime; significantly increase training on working with victims for police, judges, state attorneys, and other relevant officials; increase efforts to identify potential victims proactively among vulnerable populations, such as undocumented migrants, foreign workers, Roma, and children involved in begging, including by training labor inspectors; improve victim access to medical assistance and increase quality of psychological counseling; exempt victims from prosecution for crimes committed as a direct result of being subjected to human trafficking; exempt all trafficking victims who testify in trials from the online disclosure of their names to incentivize greater victim participation in prosecutions and protect participating witnesses from retaliation and stigma; finalize and adopt the 2018-2022 national action plan; improve the victim application process for social insurance coverage, which requires victims to obtain identification documents from their home districts, presenting subsequent logistical and financial hurdles; and revise the restitution mechanism to include consistently informing victims of their rights to apply for compensation, minimizing victim fees, and increasing efforts to ensure victims receive compensation.

PROSECUTION

The government increased efforts to prosecute and convict complicit officials, but otherwise maintained law enforcement efforts. Articles 210, 211, and 367 of the penal code prohibit all forms of trafficking and prescribe penalties of three to 10 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities opened 864 new trafficking cases in 2016 (858 in 2015), and prosecutors indicted 358 suspected traffickers in 2016 (480 in 2015). Courts convicted 472 traffickers in 2016 (331 in 2015). Seventy-eight percent of convicted traffickers were sentenced to time in prison—as opposed to suspended jail sentences or educational measures—compared with 68 percent in 2015. Most prison terms in 2016 ranged from one to more than 23 years imprisonment. Courts levied approximately 200,000 lei (\$46,460) against traffickers in 2016, compared with none in 2015. Authorities continued to participate in joint investigative teams with several European counterparts. The government provided training to

police officers on trafficking detection and referrals, but NGOs reported a large portion of the police as well as judges lacked specialized training and sensitivity toward sex trafficking cases and trafficking issues. Judges typically did not differentiate between prostitution and sex trafficking as distinct crimes, which had detrimental effects on compensation for victims and sentencing for perpetrators. Observers frequently criticized police for being unaware of the exploitation potential in prostitution, leading to a failure to check for indicators of force, fraud, or coercion when encountering individuals in prostitution. The government reported two cases of official complicity in 2016. In one case, a police officer was sentenced to two years imprisonment for repeated trafficking of minors and nine months for establishing a criminal enterprise. In the other case, a judge received eight months for using the services of an exploited person and 16 months imprisonment for blackmail.

PROTECTION

The government maintained minimal efforts in victim protection, although identification efforts remained sufficient. Public officials and NGOs identified 757 victims in 2016, compared with 880 in 2015 and 757 in 2014; these statistics included victims from ongoing investigations and prosecutions initiated in previous years. Of these victims, 47 percent were children, 78 percent were female, and 68 percent were subject to sex trafficking. Police used the government's national victim identification and referral mechanism, although observers noted inconsistencies in its use across the country. The government relied on NGOs to assist victims, but did not provide any financial support due to a legal preclusion of direct funding for NGOs. In 2016, an effort to change the law to permit funding to NGOs stalled; however, the government continued to pursue the change at the end of the reporting period. Additionally, the government pursued a program to channel a Swiss-funded grant (approximately \$2 million) with the Romanian government co-financing 15 percent to NGOs for victim assistance efforts. Nearly 42 percent (314) of registered victims, including 47 repatriated victims, benefited from rehabilitative assistance provided by public institutions and NGOs. Officials referred victims to government-run domestic violence or homeless shelters when NGO-run trafficking shelters were full. Local governments financed and operated emergency assistance and transit centers that could assist repatriated victims. Child trafficking victims were placed in general child facilities or in facilities for children with disabilities run by the governmental child protection service, which generally did not offer specialized assistance and frequently re-traumatized children. The law entitled all victims to medical and psychological care, legal aid, and reintegration support; however, observers noted the law did not necessarily provide for more than one mental health counseling session. In addition, access to medical care was impeded by the process for obtaining identity documents, which required Romanian victims to return to their home districts, despite the logistical and financial hurdles this presented for many trafficking victims. For Romanian victims abroad, Romanian embassies issued free travel documents and the government, NGOs, or an international organization paid for transport costs; 47 victims benefited from these services in 2016.

The law permitted foreign victims who cooperate with authorities to receive a renewable, six-month temporary residence permit. The law also permitted foreign victims to request asylum and granted asylum-seekers the right to work after three months. In 2016, authorities identified one foreign victim from Italy, and an NGO identified one foreign victim from Armenia. An independent expert reported there were

many unidentified foreign victims in Romania. Labor inspectors were neither trained in detecting trafficking indicators nor allowed to conduct unannounced worksite inspections. In 2016, 923 victims—identified during the reporting period and in prior years—participating in criminal prosecutions accessed services available to victims assisting law enforcement; these services included a police escort to the court or prosecutor's office, information on trial procedures, and facilitation of remote testimony. Some victims reportedly chose not to testify because the justice ministry published the names of all trial witnesses, including children, on its public website, putting victim-witnesses at risk of retaliation and societal or familial ostracization. Observers reported courtrooms were sometimes hostile environments in which traffickers and their supporters in the audience took photos of those pressing charges and verbalized death threats. The law permitted victims to provide testimony from a separate room, although this was rarely done in practice due to judges' general preference for live testimony, state-provided lawyers' lack of experience with traumatized victims, and a general bias against victims exploited in prostitution. The law entitled victims to restitution from their traffickers; however, victims generally could not afford the fees necessary to initiate civil trials or, in cases in which judges ordered restitution, pay court officers to collect the money owed from traffickers. Additionally, NGOs reported victims rarely received restitution money because when ordered by courts to pay restitution, traffickers did not do so, noting one NGO had not received any of the €40,000 (\$42,150) it won from cases finalized in 2016. Prosecutors typically dropped charges and fines against victims for crimes committed as a direct result of being subject to human trafficking, but they still charged with theft some victims forced to steal for traffickers.

PREVENTION

The government maintained prevention efforts. The National Agency against Trafficking in Persons (ANITP) continued to publish monitoring reports, research reports, and statistics on the techniques traffickers used to manage victims, trafficking routes, profiles of traffickers, and the effectiveness of anti-trafficking measures. ANITP implemented three large-scale national prevention campaigns, a separate awareness campaign targeting the Romanian community in the United Kingdom, and several other educational prevention campaigns and projects, including a short film competition in which filmmakers could promote messages for combating trafficking. ANITP was in the process of developing a 2018-2022 national action plan at the close of the reporting period; however, a 2017 action plan was not developed. The government has never reported punishing a recruitment company for trafficking-related crimes, despite a 2006 amendment to the criminal code that prohibits Romania-based recruitment companies from facilitating the exploitation of citizens abroad. The government continued to operate a hotline during regular business hours that primarily focused on informing Romanians about working abroad safely. The government took steps to reduce demand for commercial sex acts and forced labor. The government provided anti-trafficking training for its diplomatic personnel and its troops prior to their deployment abroad as part of international peacekeeping missions.

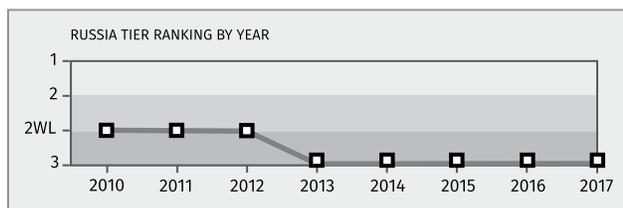
TRAFFICKING PROFILE

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

trafficking victims throughout Europe. Romanian men, women, and children are subjected to labor trafficking in agriculture, construction, domestic service, hotels, and manufacturing, as well as forced begging and theft in Romania and other European countries. Romanian women and children are victims of sex trafficking in Romania and other European countries. Romanian children are particularly vulnerable to forced begging and sex trafficking. Romania is a destination country for a limited number of foreign trafficking victims, including sex trafficking victims from Italy and Armenia. Romanians living in privately run institutions for the mentally disabled were vulnerable to forced labor. Government officials have been convicted of human trafficking crimes, and there have been reports of local officials obstructing trafficking investigations.

RUSSIA: TIER 3

The Government of Russia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Russia remained on Tier 3. Despite the lack of significant efforts, there were reports some authorities took steps to address trafficking, including the Moscow police issuing informal permits to allow three victims to stay in Russia while police investigated their cases and easing the acquisition of work permits for citizens from select countries to reduce vulnerability to trafficking. However, the government maintained, and recently expanded, bilateral contracts with the Democratic People's Republic of Korea (DPRK or North Korea) under which the DPRK operated labor camps on Russian soil and subjected thousands of North Korean workers to forced labor. Authorities routinely detained and deported potential forced labor victims without screening for signs of exploitation, and prosecuted victims forced into prostitution for prostitution offenses. The government offered no funding or programs for trafficking victims' rehabilitation, while several privately run shelters remained closed due to lack of funding and the government's crackdown on civil society. Authorities did not report identifying or assisting any victims and lacked a process for the identification of victims and their referral to care. The government did not consistently provide comprehensive information on prosecution efforts, but the limited available data and media reports indicate prosecutions remained low compared with the scope of Russia's trafficking problem. As in previous years, the government did not draft a national strategy or assign roles and responsibilities to government agencies.



RECOMMENDATIONS FOR RUSSIA

Allocate funding to state bodies and anti-trafficking NGOs to provide specialized assistance and rehabilitative care to trafficking victims; develop formal national procedures to guide law enforcement, labor inspectors, and other government officials in identifying and referring victims to service providers, particularly among labor migrants and individuals in prostitution; investigate allegations and prevent the use of forced labor in construction projects and North Korean-

operated labor camps; create a national anti-trafficking action plan and establish a central coordinator for government efforts; increase efforts to investigate and prosecute trafficking offenses and convict traffickers including complicit officials, respecting due process; implement a formal policy to ensure identified trafficking victims are not punished or detained in deportation centers for acts committed as a direct result of being subjected to trafficking; provide victims access to legal alternatives to deportation to countries where they face hardship or retribution; create a central repository for publicly available information on investigation, prosecution, conviction, and sentencing data for trafficking cases; and increase efforts to raise public awareness of both sex and labor trafficking.

PROSECUTION

The government maintained minimal law enforcement efforts. It did not consistently collect and share information on trafficking cases or maintain comprehensive statistics about criminal cases, making it difficult to assess the adequacy or effectiveness of law enforcement efforts. Media reports and publicly available data reveal some details on trafficking cases investigated and prosecuted during the reporting period, although the limited number of cases reported did not appear to constitute an adequate law enforcement response compared to the estimated prevalence of trafficking in Russia. From the limited available information, authorities prosecuted trafficking suspects through articles 127.1 and 127.2 of the criminal code, which criminalizes "trade in people" and "use of slave labor." These articles prescribe punishments of up to 10 years imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape.

In April 2016, the government disbanded the federal migration service and transferred most of its responsibilities, including maintaining statistics, to the Ministry of Internal Affairs. In 2016 Russia's federal-level investigative committee publicly reported seven investigations, six under article 127.1 and one under 127.2 in 2016. The government did not report initiating any prosecutions. The Supreme Court released statistics showing authorities convicted 28 traffickers, 24 under article 127.1 and four convictions under article 127.2. Twenty of these convictions resulted in a prison sentence, although eight served no prison time due to suspended sentences or parole. Russian prosecutors may have charged some sex trafficking cases under articles 240 and 241, which criminalizes the inducement to and organization of prostitution, and charged some cases under article 322.1, which criminalizes organized illegal migration, but the government provided no public information on whether any of these cases involved force, fraud, or coercion.

As in the previous reporting period, the government met with NGOs to discuss an amendment to article 151 (Involvement of a Minor in the Commission of Antisocial Actions) to close a loophole that allowed adults to avoid criminal liability for exploiting children for begging—a common practice in many parts of Russia—but the law was not amended. Law enforcement training centers provided lectures and courses on trafficking for investigators and prosecutors. Due to insufficient funding, NGOs based in St. Petersburg did not conduct trafficking training for officials; there was no information suggesting NGOs elsewhere conducted such training. Russian authorities cooperated in some international investigations involving foreign nationals trafficked in Russia. The DPRK government continued to send workers to Russia under bilateral contracts with Russia and other foreign governments. Despite credible reports of slave-like conditions of North Koreans working in

Russia, the Russian government did not report any investigations into those conditions. Additionally, as of January 1, 2017, compulsory labor within Russian correctional centers was reintroduced—as written into the Russian criminal codex in December 2011. The Russian labor code does not include an article which states that labor performed as part of a judicial sentence is considered to be forced labor—which is banned under Russia’s constitution—and therefore could provide a possible loophole for authorities to use forced labor as an alternative punishment. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government generally did not undertake efforts to protect human trafficking victims and did not publicly report having identified or assisted victims. The government did not provide funding or programs for protective services dedicated to trafficking victims. Without specific legislation differentiating trafficking victims from victims of other crimes, government agencies claimed they had neither the means nor authority to provide assistance programs specifically for trafficking victims. Two dedicated trafficking shelters that provided protective services to trafficking victims and operated between 2011 and 2014 remained closed. In Moscow, a shelter run by the Russian Orthodox Church and an international organization remained closed due to lack of funding; the shelter cared for dozens of foreign trafficking victims between 2012 and 2015. During the reporting period, a homeless shelter run by the Russian Orthodox Church began accepting trafficking victims and offered them food and housing, though not medical or psychological care; the government did not provide financial support for the shelter. Additionally, an eight-bed shelter for trafficking victims, run by the Russian Red Cross with foreign funding in a space granted by the St. Petersburg municipal government, did not serve any identified victims of trafficking after it suspended many of its operations in the previous reporting period. The Red Cross continued to run a hotline, which primarily served labor migrants and did not identify any victims of trafficking amongst its callers. A similar shelter established by an international organization in cooperation with Vladivostok authorities remained closed following its loss of funding in the reporting period. Similar to the previous reporting period, the government took steps to limit or ban the activities of other civil society groups, including some dedicated to anti-trafficking activities. Further, the government’s efforts to exert pressure on NGOs through the implementation of restrictive laws also targeted those providing protective services for trafficking victims and at least two locally registered NGOs working on trafficking issues were designated as “foreign agents.”

The government did not report identifying or assisting any victims. Experts estimated more than 5,000 cases of trafficking in 2015. The government did not develop or employ a formal system to guide officials in proactive identification of victims or their referral to available services. An international organization received 157 referrals, from both government and NGOs, for trafficking victims in 2016, of which 32 were sex trafficking victims and 77 were victims of forced labor or begging. A second NGO assisted 25 victims, who were primarily subjected to sex trafficking. According to media reports, authorities provided assistance to at least one Russian national victim who had been repatriated with the assistance of the Russian embassy. Repatriation costs were reportedly covered by authorities on a case by case basis. An NGO reported Russian authorities occasionally prosecuted sex trafficking victims for prostitution

offenses. Authorities routinely detained and deported possible foreign victims with no effort to screen them as victims or refer them to care providers. However, during the reporting period, observers found Moscow city police had informally begun providing “permit letters” with a validity of one year to individuals the police determined were trafficking victims; there were three known beneficiaries as of January 2017. While the letters offered no official status to the migrants, they allowed victims to remain in the Moscow region without risk of deportation or prosecution while police investigated their trafficking case. A February 2016 agreement between Russia and DPRK enabled Russian authorities to deport North Koreans residing “illegally” in Russia, possibly even for those with refugee status. By potentially removing the protections associated with refugee status, the new agreement may increase the risk of labor trafficking for North Koreans working under the state-to-state agreement. Civil society observers reported some working-level officials within Russia’s investigative agencies referred victims to protective services on an ad hoc basis. Police regularly avoided registering victims in criminal cases that were unlikely to be solved in order not to risk lower conviction rates. Authorities did not screen vulnerable populations, such as migrant workers, DPRK workers, or foreign women entering Russia on student visas despite evidence of their intention to work or other vulnerabilities to trafficking.

PREVENTION

The government maintained limited efforts to prevent trafficking. In 2016, the government continued to issue work permits for citizens of select countries who can travel to Russia without a visa. By legalizing migrant labor, the system may reduce the vulnerability of some migrant workers; however, the permits contained large upfront fees and obtaining them sometimes required multiple time-consuming trips to the migrant processing center. Legislation implemented in January 2016 limited the amount of time an employer can send employees to work for other firms and required these outsourced employees to earn the same amount as permanent employees. These regulations may reduce the vulnerability of temporary workers loaned to other companies, a practice known as “outstaffing” in Russia. Authorities conducted scheduled and unannounced audits of firms employing foreign laborers to check for violations of immigration and labor laws—with penalties in the form of having foreign worker permits revoked. Despite these efforts, the government made no efforts to develop public awareness of forced labor or sex trafficking. Russia did not have a national action plan, nor is there a designated lead agency to coordinate anti-trafficking measures; legislation that would implement such a framework has been stalled at the highest levels within the presidential administration. The government did not have a body to monitor its anti-trafficking activities or make periodic assessments measuring its performance. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government reported providing anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Russia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Labor trafficking remains the predominant human trafficking problem within Russia. Workers from Russia and other countries in Europe, Central Asia, and Southeast Asia—including Vietnam and DPRK—are subjected to forced labor in Russia. Instances of labor trafficking have been reported in the construction,

manufacturing, logging, agricultural, brick factories, textile, grocery store, maritime, and domestic service industries, as well as in forced begging, waste sorting, and street sweeping. Official and unofficial statistics estimate there are between five and 12 million foreign workers in Russia, of which the government estimates 1.5 million are irregular migrants. Foreign laborers work primarily in construction, housing, and utilities, and as public transport drivers, seasonal agricultural workers, tailors and garment workers in underground garment factories, and vendors at marketplaces and shops. Many of these migrant workers experience exploitative labor conditions characteristic of trafficking cases, such as withholding of identity documents, non-payment for services rendered, physical abuse, lack of safety measures, or extremely poor living conditions. Subcontracting practices in Russia's construction industry result in cases of non-payment or slow payment of wages, which leave workers at risk of labor trafficking. Organized crime syndicates from Russia sometimes play a role in exploiting labor migrants, and corruption among some government officials and within some state agencies creates an environment enabling some trafficking crimes. There are reports of Russian citizens facing forced labor abroad. There are also reports of increased vulnerability of children from state and municipal orphanages being lured via the internet and social networks, to forced criminality, child pornography, sexual exploitation, and use by armed groups in the Middle East.

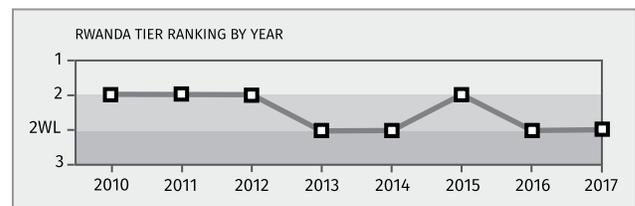
Women and children from Europe (predominantly Ukraine and Moldova), Southeast Asia (primarily Vietnam), Africa (particularly Nigeria), and Central Asia are reportedly victims of sex trafficking in Russia. Forced prostitution occurs in brothels, hotels, and saunas, among other locations; certain traffickers advertised the sexual services of children over the internet. Some children on the streets are exploited in child sex trafficking. Russian women and children are reportedly victims of sex trafficking in Russia and abroad, including in Northeast Asia, Europe, Central Asia, Africa, the United States, and the Middle East.

In recent years, criminal cases have involved Russian officials suspected of allegedly facilitating trafficking in Russia by facilitating victims' entry into Russia, providing protection to traffickers, and returning victims to their exploiters. Employers sometimes bribe Russian officials to avoid enforcement of penalties for engaging illegal workers. As previously mentioned, the DPRK sends approximately 20,000 North Korean citizens to Russia annually for work in a variety of sectors, including logging in Russia's Far East—with approximately 30,000 North Korean citizens officially registered in Russia; reportedly many of these North Korean citizens are subjected to conditions of forced labor. A February 2016 agreement between Russia and DPRK may exacerbate these conditions by enabling Russian authorities to repatriate North Koreans residing "illegally" in Russia, potentially even for those with refugee status, despite reports that DPRK authorities arrest, imprison, subject to forced labor, torture, and sometimes execute repatriated trafficking victims.

RWANDA: TIER 2 WATCH LIST

The Government of Rwanda does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by prosecuting

and convicting perpetrators of cross-border trafficking crimes, identifying and referring trafficking victims to some protection services, providing assistance to some former child combatants, and continuing to implement anti-trafficking awareness campaigns and other prevention measures. The government also issued new ministerial guidelines on the civilian nature of all refugee camps in close collaboration with an international organization, which clarify criminal penalties for trafficking and recruitment in the camps. In contrast to the previous year, there were no credible reports of Rwandan government involvement in either the recruitment into armed groups or sexual exploitation of refugees. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not investigate, prosecute, or convict any trafficking offenders for internal trafficking crimes, despite the presence of sex trafficking and forced labor within the country. The government did not investigate credible allegations in 2015 that some Rwandan security and military officials were complicit in facilitating the recruitment of Burundian refugees, including children, into armed groups, and it did not hold criminally accountable Rwandan defense forces (RDF) soldiers and refugee camp staff for allegedly facilitating the sexual exploitation of Congolese child refugees in 2015. Refugee whistleblowers from 2015 reported ongoing harassment by officials from the Ministry of Disaster Management and Refugee Affairs (MIDIMAR) in retaliation for reporting protection concerns in camps. The government did not adequately screen for trafficking victims among individuals at government centers that serve vulnerable populations, and observers stated these centers, which the government claimed were for rehabilitation, functioned as de facto detention facilities. Therefore, Rwanda remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR RWANDA

Proactively investigate, prosecute, and convict perpetrators of forced labor and sex trafficking, including officials and individuals involved in sex trafficking and recruitment and use of refugees into armed groups; implement protection measures for Rwanda's refugee population, and effectively train all MIDIMAR and security officials to identify, screen for, and protect trafficking victims among refugees; systematically identify trafficking victims among vulnerable populations, and ensure potential and identified victims are not arrested, detained, or punished for unlawful acts committed as a direct result of being subjected to human trafficking; provide appropriate long-term protection services, including shelter and psychosocial care, for all trafficking victims, both foreign and domestic; cooperate with NGOs and international organizations to proactively identify and refer victims to adequate protection services; continue training of law enforcement, judicial officials, labor inspectors, and social workers on the implementation of trafficking laws and victim identification procedures; and continue to implement anti-trafficking awareness campaigns.

PROSECUTION

The government maintained law enforcement efforts. It continued to combat cross-border trafficking crimes, but did not investigate internal trafficking crimes nor did it hold criminally accountable government officials who were allegedly complicit in 2015 of sex trafficking and the recruitment of Burundian refugees, including children, into armed groups. Rwanda's penal code criminalizes human trafficking under a variety of articles, mostly in chapter 8. This chapter, in combination with forced labor articles and other provisions of law, covers almost all forms of trafficking, but also includes crimes that are not defined as trafficking under the UN Palermo Protocol. Chapter 8 prescribes penalties of seven to 10 years imprisonment and financial penalties for internal trafficking, and up to 15 years imprisonment for transnational trafficking. Child trafficking convictions are subject to a minimum five-year prison term, while slavery convictions carry three- to 12-year prison terms. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Law Relating to the Rights and Protection of the Child outlaws child sex and labor trafficking and slavery under article 51.

During the reporting period, the government initiated an unknown number of trafficking investigations of alleged perpetrators from Burundi, Uganda, Germany, and Kenya. The national public prosecution authority (NPPA) reported initiating 44 cases of cross-border trafficking between July 2015 and October 2016—a 15-month timeframe of which only five months are in the reporting period; of these cases, it prosecuted 16, while 16 cases were dismissed and 12 remained pending at the end of this reporting period. The government convicted seven traffickers during the specified timeframe, but it did not report the sentences or the laws under which these offenders were convicted. During the previous 12-month reporting period, the government reported 19 potential cases of human trafficking and three convictions under anti-trafficking provisions. In 2016, the government did not prosecute or convict any perpetrators of internal sex trafficking or forced labor, despite the prevalence of trafficking within the country. For example, in August 2016 the Rwandan national police (RNP) arrested and investigated a hotel owner for allegedly forcing four female employees to provide commercial sex to the hotel's customers; however, authorities dropped the case due to insufficient corroborating evidence and released the alleged perpetrator in September 2016 despite the four victims proactively pursuing criminal charges. The government admitted difficulty prosecuting and convicting trafficking offenders due to a lack of investigative and prosecutorial anti-trafficking knowledge, extensive trafficking networks, and lack of victim testimony.

The government did not hold complicit officials accountable for alleged trafficking offenses that occurred in 2015, despite credible allegations of such complicity. During the reporting period, the government continued to deny credible allegations that security and military officials were complicit in facilitating the coerced recruitment of Burundian refugees, including children, in 2015. Moreover, the government did not hold criminally accountable RDF soldiers and refugee camp staff for allegedly facilitating the sexual exploitation of Congolese child refugees in 2015; after conducting an internal investigation, the government relieved two RDF soldiers and other camp staff officials of their duties, but did not prosecute or adequately punish any civilian or military officials for these alleged crimes. The government continued the investigation of three RNP officers serving as peacekeepers in Haiti, who were cited in the UN Secretary-General's 2016 report on sexual exploitation and abuse of civilians by international peacekeepers. All three

were paternity cases arising from inappropriate relationships with adult victims. The officers were placed on administrative duty and not allowed to perform police duties while under investigation. The RNP fully cooperated with the UN-led investigation, which was pending confirmation of paternity by the UN at the end of the reporting period.

As in the previous reporting period, the RNP continued to operate a 15-officer anti-trafficking unit within its INTERPOL directorate. The RNP directorate for anti-gender-based violence (GBV) also continued to designate three officers in each of the country's 78 police stations to serve as points of contact for domestic trafficking victims; six judicial police officers specialized in victim identification remained in each of Rwanda's police stations. The government continued to provide anti-trafficking training as a part of standard training and professional development for immigration officers, police, labor inspectors, judicial officials, and social workers. The NPPA also trained 60 prosecutors and judicial police on investigation and prosecuting trafficking crimes.

PROTECTION

The government maintained protection efforts. It continued to identify and refer to services some trafficking victims; however, it did not provide protection services specifically catered to the needs of trafficking victims as distinct from victims of other crimes, nor did it protect vulnerable populations from punishment for crimes committed as a result of being subjected to trafficking. During the reporting period, MIDIMAR and RNP continued efforts to ensure security at refugee camps and better register the arrival and departure of refugees, in response to allegations of the recruitment of child and adult refugees to fight for Burundian armed groups. Despite this effort, MIDIMAR officials continued to discourage Burundian refugees from reporting protection concerns in the camp; some whistleblower refugees from 2015 reported ongoing harassment by MIDIMAR staff throughout the reporting period in reprisal for reporting their concerns. The government continued to operate transit and vocational training centers intended to rehabilitate street children, women in prostitution, and individuals detained for crimes committed as a direct result of trafficking. Following NGO reports of abuse at the centers, the government adopted guidelines for improving conditions at the centers. However, advocacy groups continued to report that the centers operated without judicial oversight and functioned as de facto detention facilities in which individuals held were not adequately screened for trafficking, were held for arbitrary periods of time, and were at times subjected to physical or sexual abuse.

Law enforcement and immigration officials identified approximately 60 trafficking victims in 2016, which included 28 Rwandan victims repatriated from Burundi and 15 female Burundian trafficking victims identified at a border-crossing. This compares to 25 victims identified in 2015. The government continued to provide victim identification guidelines to law enforcement and immigration officials, and social workers in victim centers also used guidelines to identify and assist trafficking victims. NGOs reported insufficient coordination among ministries and lack of collaboration with civil society hindered the government's ability to identify and assist trafficking victims. In one case, the government did not refer to protective services four potential sex trafficking victims after the RNP arrested a hotel owner for allegedly forcing these women to engage in commercial sex with hotel clients. The government's 28 "one-stop" centers located in hospitals and district capitals provided various psychosocial services

to GBV and trafficking victims. According to international organizations, the provision of these services was insufficient due to funding shortfalls. The government referred the 28 Rwandan trafficking victims to these centers in 2016 for assistance and local authorities worked with victims to reintegrate them into their communities. The RNP also operated four additional safe houses where foreign trafficking victims could be temporarily housed prior to repatriation, and the RNP housed 15 Burundian victims at these facilities during the reporting period. The NPPA continued to operate four safe houses for witnesses in criminal cases, which could include trafficking victims; however, in 2016—as in 2014 and 2015—the government did not place trafficking victims in these safe houses. The national commission for children (NCC) reported it removed 2,000 children from exploitative labor in agriculture and construction sectors during the reporting period, but it did not report screening them for indicators of trafficking or what assistance—if any—the children received after removal. In 2016, the government assisted approximately 30 children in a rehabilitation center for former child combatants associated with armed groups in the Democratic Republic of the Congo (DRC), which provided psycho-social support, education, and reintegration services. The government reportedly encouraged victims to testify against perpetrators, but officials noted participation of victims in the investigation and prosecution of traffickers continued to be a challenge. Rwandan law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution; however, in practice, the government made efforts not to deport foreign victims who faced retribution in their home country.

PREVENTION

The government maintained efforts to prevent trafficking. In response to 2015 allegations that some officials were complicit in facilitating the coerced recruitment of Burundian adult and child refugees out of camps, the government—in collaboration with UNHCR—adopted ministerial guidelines in June 2016 that prohibit refugees from participating in military training and outline punishments for perpetrators of GBV, organized prostitution, and human trafficking crimes in refugee camps. MIDIMAR also partnered with the UN to carry out a gender assessment in all refugee camps to identify measures to mitigate the risks of trafficking and GBV. International organizations and NGOs reported that insufficient coordination among government agencies and resource constraints continued to hinder the government's anti-trafficking efforts. The government continued to implement its 2014-2017 national anti-trafficking action plan, and in June 2016 parliament held a public consultative meeting to address human trafficking and other crimes and adopt future measures to prevent trafficking. The government's interagency anti-trafficking working group met quarterly in 2016. Throughout the reporting period, the government conducted multiple national and local awareness raising anti-trafficking campaigns in schools and community events, as well as on television and radio. Despite these awareness-raising efforts, these campaigns focused primarily on transnational trafficking and did not adequately address domestic sex trafficking, child sex trafficking, and forced child labor. RNP continued to operate a national GBV hotline, which was staffed by social workers trained to identify and refer trafficking cases, which reportedly identified an unspecified number of victims in 2016.

The government made efforts to reduce the demand for forced labor, commercial sex acts, and child sex tourism. The government continued an awareness campaign to discourage

men from paying for commercial sex and requiring men who were arrested for buying commercial sex acts to perform community service and receive education on women's rights. The government reported closing two labor recruitment agencies in 2016, but it reported that it had difficulty prosecuting and convicting recruiters who fraudulently recruited workers. The government continued to train labor inspectors on identifying and handling child labor cases, including forced child labor. The government continued to work in partnership with an international NGO to remove children from child labor, including exploitative child labor, in the agriculture and construction sectors. During the reporting period, the government partnered with an international organization to train a corps of approximately 30,000 village-level community volunteers to address child protection issues, including child labor. The government trained all Rwandan troops on gender sensitivity, human rights, and trafficking prior to their deployment to UN peacekeeping missions abroad. The government provided anti-trafficking training for all its diplomatic personnel; diplomats were also required to identify and assist the repatriation of Rwandan trafficking victims abroad.

TRAFFICKING PROFILE

As reported over the past five years, Rwanda is a source, transit, and to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. Rwandan girls and boys are exploited in domestic service through extended family networks; some of these children experience physical or sexual abuse and non-payment of wages. Rwandan girls and some boys, some of whom are secondary school students between the ages of 13 to 18, are exploited in commercial sex in hotels, at times through the facilitation of hotel owners. Local human rights groups reported in 2016 that some Rwandan girls in domestic work, who become pregnant and thereby terminated by their employers and unable to return to their home villages, are subsequently exploited in sex trafficking. Some Rwandan men, women, and children are subjected to sex trafficking and forced labor in domestic work and agricultural and industrial sectors in destinations around the world; the primary destinations for Rwandan victims are Uganda, the DRC, and other parts of East Africa. Rwandan victims are also reportedly exploited in domestic servitude in the Middle East and sex trafficking in China. In previous years, Rwandan victims were exploited in South Africa, Malaysia, the United States, and Europe. In 2016, some Rwandan girls were forced into marriages with men in Tanzania and may have experienced commercial sexual exploitation through these marriages. Reporting in 2013 indicated Kampala- and Nairobi-based labor recruiters and brokers recruited Rwandan workers through fraudulent offers of employment abroad and subjected them to sex trafficking and forced labor in agriculture and domestic work.

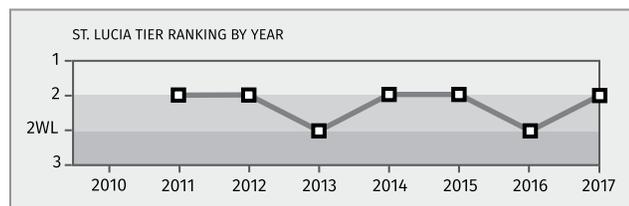
Refugees fleeing conflict and political violence in Burundi and the DRC remained highly vulnerable to trafficking in Rwanda or are subjected to exploitation in third countries after transiting Rwanda. According to an international organization, there has been an increase in sex trafficking of Burundian male and female teenagers through Rwanda to third countries since 2015. Since April 2015, approximately 85,000 Burundian refugees fled to Rwanda. In 2015, Burundian refugee girls transited through Rwanda and were exploited in sex trafficking in Uganda; some of these girls may also be subjected to domestic servitude in Uganda. Separately, female child refugees in a Congolese refugee camp were reportedly subjected to sex trafficking in nearby towns in 2015, allegedly facilitated by one civilian and

three RDF soldiers assigned to the camp.

Between May and September 2015, Burundian refugees residing in Mahama refugee camp in Rwanda were recruited into non-state armed groups supporting the Burundian opposition; Rwandan security forces charged to protect the camp population reportedly facilitated or tolerated the recruitment activity. Whistleblower refugees in 2015 alleged that recruiters—including both Rwandan officials and other refugees—threatened, intimidated, harassed, and physically assaulted those who refused recruitment attempts. Most recruits were adult males, but in three verified cases, Burundian refugee children were also identified as recruits from Mahama refugee camp. Refugees reported Burundian recruits, including women and children, were trained in weaponry by Rwandan military personnel at a training camp in southwestern Rwanda. There were no reports of forcible or coerced recruitment out of Mahama refugee camp by Rwandan government officials in 2016.

ST. LUCIA: TIER 2

The Government of St. Lucia 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, St. Lucia was upgraded to Tier 2. The government demonstrated increasing efforts by investigating three cases of potential trafficking and approving a national action plan for anti-trafficking efforts. The government provided assistance and restitution to victims in a labor trafficking case. However, the government did not meet the minimum standards in several key areas. The government did not approve or implement standard operating procedures for victim identification and referral. The government did not initiate new trafficking prosecutions.



RECOMMENDATIONS FOR ST. LUCIA

Prosecute, convict, and punish perpetrators of forced labor and sex trafficking; increase efforts to identify and provide assistance to victims; fully implement the 2015-2018 national action plan; adopt standard operating procedures on a victim-centered approach to guide police, immigration, labor, child protection, judicial and social welfare officials on victim identification, referral, and participation in legal proceedings; train government officials to implement procedures to proactively identify labor and sex trafficking victims among vulnerable populations, such as migrant workers in domestic service and children exploited in sex trafficking, and refer them to appropriate services; take measures, respective of due process, to expedite prosecution of trafficking cases; amend shortcomings in the law so penalties for trafficking are commensurate with penalties for other serious crimes, such as rape; and implement a national public awareness campaign about forced labor and sex trafficking.

PROSECUTION

The government increased law enforcement efforts. The 2010 Counter-Trafficking Act prohibits all forms of trafficking, punishable by up to five years imprisonment or fines of up to 100,000 Eastern Caribbean dollars (\$37,040), or both. These penalties are sufficiently stringent for labor trafficking, but with regard to sex trafficking, inadequate because they were not commensurate with penalties for other serious crimes, such as rape. The anti-trafficking act also criminalizes the unlawful holding of identity documents and allows for asset forfeiture of persons convicted of trafficking. The government initiated three trafficking investigations during the reporting period, an increase from one in 2015. The police closed all three investigations due to a lack of evidence. The police lacked personnel trained to identify trafficking.

The government did not initiate any prosecutions in the reporting period, compared to four in 2015 and none from 2011 to 2014. The director of public prosecutions retired in March 2016, and this position was empty until a new director was appointed in October 2016; this gap prevented any movement forward on existing cases during this time period. The government took steps to improve the efficiency of the justice system by creating a new position for a second high court judge to hear criminal trials; previously there was only one high court judge to hear all criminal trials.

The government continued to prosecute a March 2015 labor trafficking case, in which 70 students from Nepal, India, and the Philippines each paid an estimated \$9,000 to attend a hospitality training school. Upon arrival, students found the academy closed, and nine students were forced to provide labor under the guise of hospitality internships. The government arrested and indicted four men (three men from India and one from Bangladesh) for labor trafficking. The prosecution remained in process at the end of the reporting period. The government had yet to convict a trafficker.

The government had never reported investigating, prosecuting, or convicting a public official complicit in trafficking. The police reported cooperation with the United States and other Caribbean countries to exchange information on trafficking cases. The government, in collaboration with an international organization and Interpol, trained immigration and police officers in investigative techniques and victim identification, referral, and assistance. The government provided a separate training for judicial authorities.

PROTECTION

The government increased protection efforts. The government did not identify any trafficking victims in the reporting period, compared with 10 in 2015. However, the government conducted proactive investigations to identify victims. Police raided one night club suspected of trafficking or prostitution; however, the police did not identify any victims in this raid. The government did not have written procedures to guide officials on the proactive identification of victims. Starting in 2014, an international organization assisted the government with drafting formal procedures to guide law enforcement, health, and other officials on victim identification and referral to available protection and assistance services; however, the government had not finalized them at the close of this reporting period. The government reported it allocated 371,334 Eastern Caribbean dollars (\$137,530) for victim care during the reporting period, including the provision of long-term housing, meals, health care, counseling, and personal care items for up to 20 victims

and witnesses related to an ongoing labor trafficking case. An international organization also provided airfare for those who wanted to return home. Notably, a separate court decision in the labor trafficking case provided funds from the perpetrators to the victims and their dependents. The amount of restitution paid to the students was 1 million Eastern Caribbean Dollars (\$370,370).

Although there was no dedicated shelter for trafficking victims, the government had six different facilities available to house victims. Through the Office of Gender Relations, trafficking victims could be referred to various organizations to provide legal, health, advocacy, and crisis services. Authorities referred victims on an ad hoc basis to legal, advocacy, and crisis services. Adult victims were able to leave at will, but were not allowed to work or receive formal residency status because the government considered victims wards of the state. However, several witnesses involved in the pending labor trafficking case worked during the reporting period.

The 2010 anti-trafficking act contains victim protection provisions, such as privacy and witness protection, to encourage victims to participate in the investigation and prosecution of traffickers. The director of public prosecutions met with victims and witnesses to prepare and encourage them to participate in a trial. The anti-trafficking act protects trafficking victims from prosecution for unlawful acts committed as a direct result of being subjected to trafficking and protects foreign victims from deportation. The police reported no trafficking victims were detained or fined as a result of their being subjected to trafficking. The act also provides for restitution to all victims and immigration relief to foreign national victims. Students in the labor trafficking case received restitution from the perpetrators related to the charge of "obtaining property by deception."

PREVENTION

The government maintained minimal efforts to prevent trafficking. The home affairs and national security ministry led an anti-trafficking taskforce, consisting of relevant agencies and NGOs, in implementing the national action plan. In September 2016, the government approved a national action plan and a national framework for combating trafficking in persons; the national plan was in force and covered 2015-2018. The government, however, did not provide financial assistance to the taskforce to implement the plan, and the taskforce made little progress in implementing the plan. The government, in partnership with an international organization and local NGO, finalized a public education campaign, but it did not print and distribute the fliers due to a lack of funding. The gender office conducted awareness campaigns at secondary schools. The interagency taskforce met six times during the reporting period. The immigration department presented recommendations for improving visa documentation based on the mistakes made in the labor trafficking case. The government-funded an NGO to run a hotline for victims of violence, including trafficking victims, but it received zero human trafficking calls during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel, although the Ministry of External Affairs and the anti-trafficking taskforce began developing a training curriculum. To help raise public awareness, on October 2016, the home affairs minister gave a press conference highlighting the problem of mothers

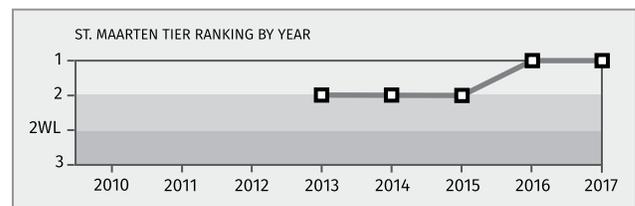
subjecting their children to trafficking. The government did not take measures to reduce the demand for commercial sex or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, St. Lucia is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Documented and undocumented immigrants from the Caribbean and South Asia, including domestic workers, are the groups most vulnerable to human trafficking. Local and foreign children are subjected to sex trafficking. Foreign women who work in strip clubs and in prostitution are also vulnerable to sex trafficking. NGOs report disadvantaged young women from rural areas are vulnerable to sex trafficking. According to the government, business owners from St. Lucia, India, China, Cuba, and Russia are the most likely trafficking perpetrators in the country. Civil society has also reported women, or in some cases older teenagers, recruiting younger adolescents to provide transactional sex with adults at street parties.

ST. MAARTEN: TIER 1[†]

The Government of St. Maarten fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, St. Maarten remained on Tier 1. The government demonstrated serious and sustained efforts by identifying more victims of trafficking and investigating alleged traffickers, and holding preliminary hearings in its largest human trafficking case that was initiated during the previous reporting period. Although the government meets the minimum standards, for the second consecutive year it did not initiate new prosecutions or secure any convictions, and did not allocate specific funds for anti-trafficking efforts among government agencies.



RECOMMENDATIONS FOR ST. MAARTEN

Increase efforts to prosecute and convict trafficking offenders; implement formal standard operating procedures to guide officials, including health workers, on how to identify and assist victims among vulnerable populations and refer them to care; allocate funding to the National Reporting Bureau on Human Trafficking to improve anti-trafficking efforts; conduct outreach to all incoming migrants, including domestic workers and foreign women on temporary entertainment visas, to ensure they are informed of their rights, the anti-trafficking hotline, and ways to seek assistance; raise awareness among the general public and vulnerable groups about trafficking in St. Maarten; and amend the anti-trafficking penal code to eliminate the

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

possibility of sentences that result in a trafficker paying a fine in lieu of serving a prison sentence.

PROSECUTION

The government maintained its law enforcement efforts. The penal code prohibits forced labor and forced prostitution, prescribing penalties ranging from 12 to 24 years imprisonment or a fine. These terms of imprisonment are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape; however, penalties of a fine in lieu of imprisonment are inadequate to deter trafficking and are disproportionately low compared to the seriousness of the crime. The code defines as trafficking fraudulent labor recruitment for the purpose of subjecting workers to forced labor or prostitution. The code also criminalizes unregulated prostitution.

The public prosecutor and the Human Trafficking and Human Smuggling Unit worked closely with authorities in the Dominican Republic towards finalizing its largest trafficking case, which was initiated in the previous reporting period. In April 2016, a preliminary court heard arguments in that case against four defendants on charges of exploitation of women and trafficking in persons; the case remained pending trial with the suspects in detention. An additional suspect in this case also remained in jail awaiting trial. The government initiated the investigation of five alleged traffickers (six in 2015) involved in one forced labor and two sex trafficking cases; all three cases remained under investigation at the close of the reporting period. The government did not initiate new prosecutions or secure any convictions for the second consecutive year. The government did not report any new investigations or prosecutions of officials for complicity in trafficking. At the annual Dutch Visa Conference, the public prosecutor's office presented on the legal framework to address human trafficking and the risks faced by vulnerable populations, including a case study.

PROTECTION

The government increased efforts to identify and assist trafficking victims. The government identified 96 foreign victims of forced labor and sex trafficking, provided shelter and care for five victims, and funded the repatriation of 44 victims. These efforts represent an increase from the government's identification of 50 victims and assistance or repatriation support for eight victims in 2015. While the government did not have standard operating procedures for the identification or referral of victims, informal agreements between government agencies were in place and immigration officials and other stakeholders continued to use an NGO-developed checklist of trafficking indicators. Officials routinely screened for trafficking victimization among adult entertainment workers during immigration procedures, labor inspections, and required medical screenings. The National Reporting Bureau on Human Trafficking (NRB)—the lead agency for coordinating the government's efforts to combat trafficking and emergency response to cases—periodically conducted outreach with immigrant communities, businesses, health officials, and the tourism sector on how to identify potential victims and report trafficking crimes; and conducted quarterly inspections of all brothels and dance clubs. Victims received shelter through the Red Cross and local NGOs. The government provided one NGO with a subsidy to assist in providing a wide range of victim services and support, including food, clothing, shelter, medical and psychological services, assistance in repatriation, and obtaining residence and work permits. The temporary residence program serves to encourage victim

assistance in the investigation and prosecution of traffickers; however, the government did not report granting such benefits during the year. The government has a formal policy to protect identified victims from being punished for unlawful acts committed as a direct result of being subjected to human trafficking. The anti-trafficking law allows trafficking victims to request restitution as part of criminal cases or file a civil suit against traffickers.

PREVENTION

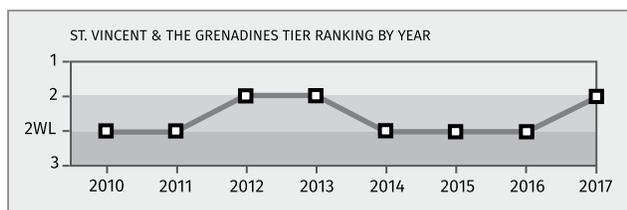
The government maintained efforts to prevent trafficking. The NRB continued its prevention and outreach campaigns, reaching brothels and dance clubs, potential purchasers of commercial sex, work permit applicants, the business community, front-line responders, community-based organizations and immigrant communities. The government sustained its ongoing awareness campaign, publishing anti-trafficking brochures, posters, and fliers, making public service announcements, generating social media and news releases, and by participating in radio and television shows. The military police conducted trainings on verifying the authenticity of documents for an unknown number of border protection officials and employed a specialist in fraudulent documents in St. Maarten. Authorities continued to implement the 2013-2018 national action plan on trafficking, in coordination with local NGOs. The government continued to implement its policy requiring foreign women to apply for adult entertainment work permits on their own, ending the practice of brothel owners applying for permits, often with misleading and fraudulent work agreements. In August 2016, the government finalized a related policy to prevent brothel and club owners from providing them monetary loans with the purpose of creating financial dependency, requiring all personal documentation be in their possession, and requiring they be informed of their rights and resources to provide better protection to individuals in prostitution. This decree also required all persons in prostitution be at least 21 years of age, have valid medical insurance for the duration of their stay, and submit a labor agreement along with the application. In 2016, the Ministry of Foreign Affairs implemented a policy that prohibited visa issuance for individuals in prostitution of an establishment under investigation. The government also informed employers of migrant workers about applicable laws and the national hotline, accessible by phone and email. There were no known reports of child sex tourism in St. Maarten.

TRAFFICKING PROFILE

As reported over the past five years, St. Maarten is a source, transit, and destination country for women, children, and men subjected to sex trafficking and forced labor. Women and girls from Latin America, the Caribbean, Eastern Europe, and Russia are the most vulnerable to sex trafficking, including women working in regulated and unregulated brothels and dance clubs. There are indications some foreign women in St. Maarten's commercial sex industry are subjected to debt bondage. Government officials' reports indicate a significant number of migrant workers are vulnerable to forced domestic service or forced labor in construction, Chinese-owned markets, retail shops, landscaping, and housekeeping. Government officials report workers from Asia and the Caribbean are subjected to exploitative conditions indicative of forced labor. Migrants transiting St. Maarten en route to the United States and Canada may also be vulnerable to human trafficking, specifically Cuban and Brazilian nationals. There are indicators Colombian and Venezuelan women may travel to the islands under false pretenses and are subjected to human trafficking.

ST. VINCENT AND THE GRENADINES: TIER 2

The Government of St. Vincent and the Grenadines 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, St. Vincent and the Grenadines was upgraded to Tier 2. The government demonstrated increasing efforts by providing assistance to trafficking victims; increasing anti-trafficking training to relevant government officials and NGOs; improving public awareness campaigns; and conducting a baseline assessment of its overall efforts in order to provide recommendations for improvement. However, the government did not meet the minimum standards in several key areas. There remained deficiencies in its national action plan, investigations, and victim care. The guidelines for the referral of victims continued to lack the necessary details to make them effective. The government needed more specialized services for victims of human trafficking.



RECOMMENDATIONS FOR ST. VINCENT AND THE GRENADINES

Investigate suspected sex and labor trafficking cases; prosecute and convict traffickers; expand the national action plan to better articulate the roles for responsible government officials and NGOs, and timelines for actions; increase trainings for relevant government officials and NGOs on the 2011 anti-trafficking act, trafficking indicators, and proper case investigation and management techniques; develop MOUs between relevant government ministries and NGOs to improve coordination and cooperation; raise awareness about forced labor and sex trafficking; and provide specialized services for trafficking victims.

PROSECUTION

The government improved anti-trafficking law enforcement efforts. The Prevention of Trafficking in Persons Act of 2011 prohibits sex trafficking and forced labor, including bonded labor, and prescribes punishments of up to 20 years imprisonment and fines. These penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. The government cooperated with investigations of three trafficking cases in 2016 involving Vincentians exploited in foreign countries; this compares with investigations of three potential trafficking cases in 2015 and three in 2014. The government cooperated with Trinbagonian law enforcement to investigate one case. There were no prosecutions during the reporting period and the government had never convicted a trafficker. The government did not report any investigations or prosecutions of government employees complicit in human trafficking offenses. With foreign government and NGO assistance, the government sent two investigators to a trafficking-

specific training seminar. The government also conducted anti-trafficking training for 30 law enforcement officials.

PROTECTION

The government increased victim protection efforts. Officials reported working on three cases in 2016 and the government increased victim assistance compared to previous years. Officials assisted one victim, a Vincentian man, who travelled to Trinidad and Tobago to work as a security guard and was subjected to forced labor. The government aided in the repatriation of the victim, provided victim care services, and assisted the Trinbagonian authorities with the investigation. There were no other identified victims who required services. The government did not identify any trafficking victims during the year. Additionally, no victims were identified by NGOs, local activists, or other officials. The anti-trafficking police unit conducted combating human trafficking training for officers screening airline passengers, park rangers, faith-based organizations, and NGOs.

Immigration and labor department officials had developed and implemented victim identification guidelines to identify trafficking victims, which was an improvement from the last reporting period when there were no detailed guidelines in operation. The national anti-trafficking action plan provides guidelines for the referral of victims to appropriate shelter and services, but those guidelines continued to lack sufficient detail. The government had mechanisms to assist in the repatriation of victims, and the government repatriated one victim. The government did not fund any trafficking-specific assistance programs, but its domestic violence shelter could accommodate adult women and child trafficking victims. There were three faith-based NGOs that could house children subjected to trafficking; these NGOs received a small amount of government support. Some shelters had policies prohibiting residents from leaving at will. The government did not have the capacity to provide psychological care. The anti-trafficking law provided foreign victims with the possibility of temporary and permanent residence permits. Foreign victims who remain in country are allowed to work. There were provisions for witness protection programs and facilities for the victims to testify via video. There were no reports the government penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. Victims could obtain restitution via civil suits from traffickers, however, there were no reported cases of restitution during the reporting period.

PREVENTION

The government maintained efforts to prevent trafficking. The government launched an anti-trafficking awareness campaign for 454 students and 44 teachers at primary and secondary schools; this is a decrease from 1,496 students and 113 teachers in 2015, but overall remains at a high level compared to previous reporting periods. The government conducted sensitization campaigns on human trafficking for the public via civil society groups, communities, summer camps (reaching 306 children), radio, churches, and television. The anti-trafficking unit increased surveillance at the airport in attempts to detect transnational human trafficking. The government instituted training for and reached over 90 percent of its diplomatic and consular staff at its overseas missions on matters related to human trafficking. With EU funding, the government commissioned a baseline assessment report from an independent consultant to assess its anti-trafficking efforts. The report recommended more specific articulation of the tasks

and responsibilities among relevant government ministries, NGOs, and service providers, and timelines for actions under the national action plan for effective implementation, as well as more public awareness campaigns developed and targeted to specific audiences. The assessment recommended training and reinforcement of training to relevant government officials and NGOs in the definitions and indicators of trafficking (particularly related to forced prostitution of adults and child sex trafficking) and victim-centered investigations. The government monitored its anti-trafficking efforts through quarterly and annual reports, submitted to its national taskforce on trafficking and to the minister of national security. The annual report is submitted to the House of Assembly and made available to the public. The government made modest efforts to reduce the demand for commercial sex acts or forced labor, by conducting public awareness campaigns on these issues.

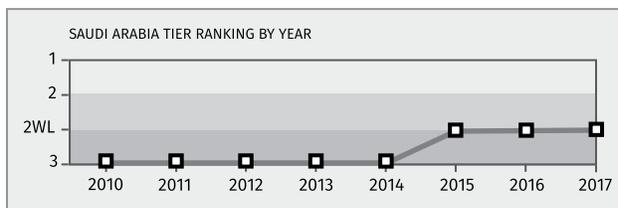
TRAFFICKING PROFILE

As reported over the past five years, St. Vincent and the Grenadines is a source and possibly transit country for men, women, and children subjected to forced labor and sex trafficking. Foreign women engaged in prostitution may have been subjected to sex trafficking in the country and foreign workers from South America and the Caribbean may have been subjected to trafficking for forced labor both in the country and while in transit. Foreign workers employed by small, foreign-owned companies may be vulnerable to labor trafficking. Men, women, and children are vulnerable to forced labor, primarily in agriculture; government officials and civil society suspect drug traffickers subject workers to forced labor in the production of marijuana. NGOs and government officials have reported Vincentians have been subjected to both forced labor and sex trafficking in foreign countries.

SAUDI ARABIA: TIER 2 WATCH LIST

The Government of Saudi Arabia 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 adopting a written national anti-trafficking action plan for 2017-2020, and substantially increasing the budget for the permanent committee on combating trafficking in persons. The government convicted an increased number of traffickers compared to the previous reporting period, and it continued efforts to prevent trafficking. The government also continued to operate an anti-trafficking hotline, opened an improved “guest house” for female domestic workers to replace the previous facility in Riyadh, and conducted labor inspections across the country. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Although the government identified at least 264 victims during the course of investigations in 2016, a decrease from the previous reporting period, capturing victim identification data continued to be a challenge for the government. While the government continued to operate shelters for some vulnerable populations, its efforts to proactively identify and protect victims among illegal foreign migrants, female and male domestic workers, and women in prostitution remained uneven. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Saudi Arabia was granted a waiver per the Trafficking Victims Protection Act from an otherwise

required downgrade to Tier 3. Therefore, Saudi Arabia remained on the Tier 2 Watch List for a third consecutive year.



RECOMMENDATIONS FOR SAUDI ARABIA

Continue efforts to prosecute, convict, punish, and stringently sentence trafficking offenders, including abusive employers, under the anti-trafficking law; reform the sponsorship system and ensure trafficking victims are able to pursue criminal cases against their employers in practice; vigorously investigate for potential trafficking crimes employers who withhold workers' passports and wages and restrict workers' movement, and adequately punish these employers under the anti-trafficking law; significantly improve efforts to ensure victims among vulnerable populations, including domestic workers, illegal foreign migrants, male victims, and persons in prostitution, are not punished for acts committed as a direct result of being subjected to human trafficking; ensure victims of all forms of trafficking can seek assistance and protection services; implement an expanded formal victim identification mechanism to proactively identify trafficking victims among vulnerable populations; amend the law to provide extraterritorial authority to prosecute Saudi citizens engaged in sex tourism abroad; train government officials on identifying cases of sex trafficking; investigate, prosecute, and convict those who purchase commercial sex from children; and conduct country-wide public awareness campaigns on all forms of trafficking.

PROSECUTION

The government maintained its law enforcement efforts. The 2009 Anti-Trafficking in Persons Law establishes a system for combating human trafficking by defining and criminalizing all forms of human trafficking. The act prescribes punishments of up to 15 years imprisonment and financial penalties of up to one million Saudi Arabian riyal (SAR) (\$266,670), which may be increased under certain circumstances, including trafficking committed by an organized criminal group or against a woman, child, or person with disabilities. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Council of Ministers' Decision 166, adopted in 2000, prohibits withholding workers' passports as a separate, lesser offense.

During the reporting period, the government reported investigating through the bureau of investigations and public prosecution 264 human trafficking cases in 2016, which involved forced labor, practices “similar to slavery,” sexual exploitation, and forced begging. Of these, it convicted 254 defendants under the anti-trafficking law, compared to 243 prosecutions and convictions in the previous reporting period. The government did not report the penalties imposed on the convicted traffickers or how many received prison sentences. The government did not report investigating potential trafficking crimes involving employers or recruiters withholding foreign workers' wages or passports; however, anecdotal evidence suggested the government investigated and prosecuted allegations of such crimes as labor violations. The government did not report any

investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Because Saudi jurisprudence limits the jurisdiction of sharia law to Saudi Arabian territory, authorities did not investigate, prosecute, or convict Saudi nationals for crimes of commercial sex acts committed abroad, or report cooperating with law enforcement officials in countries, where alleged sexual exploitation occurred in 2016. The public security administration conducted several anti-trafficking trainings for officials in 2016.

PROTECTION

The government maintained its protection efforts, but implementation of victim identification and protection measures remained uneven; some unidentified victims may have remained vulnerable to punishment for unlawful acts committed, as a direct result of being subjected to human trafficking. The government continued to distribute victim identification criteria to officials and provided training on their implementation. Although the government did not provide aggregate information on victims identified during the reporting period, it identified at least 264 victims during the course of investigations. In comparison, the government identified 658 trafficking victims in 2015. The government reported challenges capturing aggregate-level victim identification data. Government officials continued to arrest, deport, imprison, and penalize some domestic workers who fled their employers and undocumented foreign workers, some of whom could be potential trafficking victims. In mid-2016, the media reported a Senegalese domestic worker faced the death penalty for allegedly killing her employer in self-defense; prior to the incident, the woman complained to her family of abuse and little rest, indicators of forced labor. Authorities reportedly did not provide the woman with legal assistance, as required by law, and there was no evidence that the government took into consideration the possible element of forced labor in this case, or recognized the worker as a potential trafficking victim. In January 2017, the media reported the government arrested and sentenced an unknown number of migrant construction workers to four months imprisonment and flogging for protesting about not receiving their wages from their employer; there was no evidence the government took into consideration that the workers' withheld wages could be an element of forced labor in this case. The government did not provide legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution or hardship.

The government provided protection services to domestic workers and child beggars, but it did not provide specialized shelters for victims of other forms of forced labor or sex trafficking. The government did not report what types of protection services—if any—it provided to the 264 victims identified in 2016. The Ministry of Labor and Social Development (MOLSD) continued to operate shelters for child beggars, some of whom may have been trafficking victims, as well as 10 welfare centers for female domestic workers, some of whom may have been trafficking victims. The government continued to operate a welfare center for male domestic workers, but it did not report if any male trafficking victims received assistance at this facility during the reporting period. These centers generally provided shelter and psycho-social, health, and educational services; however, the condition and quality of victim care services varied across the Kingdom. The welfare center in Riyadh—which has a capacity of 230—operated as a full-service facility for female domestic workers, providing residents with legal assistance, immigration and passport services, translation, and rehabilitative care by seven female social workers, as well as trained psychologists and

other medical professionals. The center had a separate living area for trafficking victims, but it did not report how many victims received assistance at the center during the reporting period. Labor source-country diplomatic officials had regular access to their nationals residing in this center. Many victims continued to seek refuge at their embassies; source-country diplomatic missions continued to report complaints by their citizens of unpaid wages, withholding of passports, physical or sexual abuse, and poor working conditions.

Although the government reportedly encouraged victims to assist in the investigation and prosecution of trafficking offenders, there were few known and public cases of victims successfully pursuing criminal cases against abusive employers, in part due to lengthy delays in the immigration and justice system. During judicial proceedings, trafficking victims reportedly had the option to remain in the country—predominately in welfare centers or working for a new employer—or they could request an immediate exit visa; however, the government did not report if any victims received these benefits during the reporting period. The law entitles identified trafficking victims to legal assistance, translation services, and immediate repatriation upon the victim's request; the government did not report providing any of these benefits to trafficking victims in 2016. The government reportedly provided protection to witnesses involved in trafficking cases, but the government did not report any such cases in this reporting period. In December 2016, the government signed a MOU with an international organization to provide technical assistance and expertise to the government's human rights commission (HRC) on protection and assistance to trafficking victims, funded by the HRC.

PREVENTION

The government increased efforts to prevent trafficking. The government continued to allocate substantial resources for its interagency anti-trafficking working group, and in January 2017, the government finalized a national anti-trafficking action plan, which outlined several anti-trafficking activities from 2017-2020. The government allocated 36 million SAR (\$9.6 million) to implement the action plan, a substantial increase from four million SAR (\$1.07 million) in 2015. The government continued to implement the wage protection system, which required employers to pay foreign workers through bank transfers, thereby allowing the MOLSD to ensure workers were paid appropriately. The MOLSD did not, however, effectively use this system to flag potential trafficking cases among foreign workers. The government did not take action to reduce the demand for commercial sex acts, but it made efforts to reduce the demand for forced labor. MOLSD continued to employ 1,000 labor inspectors, and during the reporting period, it canceled the licenses of seven recruitment companies, did not renew the licenses of six, and ordered 126 recruitment offices to cease the recruitment of domestic workers. MOLSD imposed fines on 829 work places violating the government's mid-day work ban during the summer months. The police continued to operate an emergency number, which could refer potential trafficking victims to protection services. The government reported that from September 2015 to September 2016, the hotline received 2,151 complaints; 1,411 of the complaints were resolved through mediation, investigation, or prosecution, and 740 were still in process in September 2016. MOLSD continued to operate a hotline to receive labor dispute complaints with operators that spoke a variety of migrant worker languages. The government did not report if any trafficking victims were identified through this hotline. MOLSD continued to distribute a guidebook to all migrant workers entering the country, which

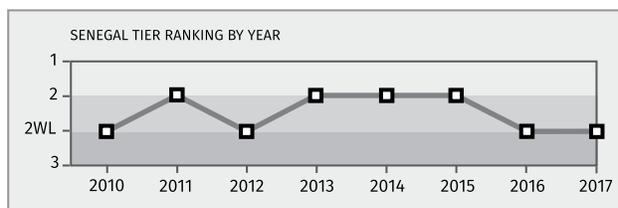
contained MOLSD's hotline number. The government continued to operate an online portal providing domestic workers and employers with information about their legal rights. During the reporting period, the government finalized domestic worker agreements with several countries, which aimed to protect workers' contracts with their employers. The government conducted multiple anti-trafficking public awareness campaigns in 2016. The government provided anti-trafficking training for its diplomatic personnel. The government did not have extraterritorial authority to prosecute Saudi citizens engaged in sex tourism abroad, and the government did not make efforts to discourage their citizens from engaging in child sex tourism.

TRAFFICKING PROFILE

As reported over the past five years, Saudi Arabia is a destination country for men and women subjected to forced labor and, to a lesser extent, forced prostitution. Men and women—primarily from South and Southeast Asia and Africa—voluntarily migrate to Saudi Arabia to work in a variety of sectors, such as construction and domestic work, including men who work in private residences as gardeners, handymen, and cleaners, or low-skilled laborers; some of these workers are subjected to forced labor. Some migrants are illegally recruited to work in Saudi Arabia and subsequently forced into domestic servitude and debt bondage. The foreign worker population is the most vulnerable to trafficking in Saudi Arabia, particularly female domestic workers, due to their isolation inside private residences. An international organization estimated in 2013 that Saudi Arabia is one of the largest employers of domestic workers in the world, a sector with the highest average working hours. Some domestic workers experience severe mental, physical, and sexual abuse by their employers. Some foreign citizens, who have experienced indicators of trafficking, have been prosecuted for crimes and placed on death row. Non-payment of wages is the most common complaint from foreign workers in the Kingdom, while employers withholding workers' passports remains a significant problem. Due to Saudi Arabia's requirement under its sponsorship, or *kafala*, system that foreign workers obtain permission from their employers for an exit visa to leave the country legally, some are forced to work for months or years beyond their contract term because their employers will not grant them permission for the visa. Although many migrant workers sign contracts with their employers, some report work conditions substantially different from those described in the contract; other workers never see a work contract at all. Some migrant workers voluntarily enter into illegal arrangements and pay a Saudi citizen to sponsor their residence permit while they seek freelance work, thus becoming vulnerable to possible extortion by their sponsors. In previous years, criminal gangs subjected children from Yemen to forced labor as beggars and street vendors. Some migrants from Yemen and the Horn of Africa entering Saudi Arabia illegally—sometimes with the help of smugglers—via the Yemeni border may be trafficking victims. Some Saudi citizens reportedly engaged in sex tourism abroad, and there were media reports that some Saudi men traveled abroad to engage in “summer” or “temporary marriages,” which include payment for short-term sexual access to children and others who the purchaser then abandons. For example, the Jordanian government reported a case in 2016 involving a Syrian girl who was forced by her father into a “temporary marriage”—for the purpose of sexual exploitation—for six months with a Saudi Arabian national.

SENEGAL: TIER 2 WATCH LIST

The Government of Senegal 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 convicting at least five sex traffickers; identifying and providing short-term services to an increased number of trafficking victims; allocating funding to its trafficking-specific victim shelter; and disbursing some funding to the Ministry of Women, Family, and Childhood (MFFE) to remove vulnerable children, including forced begging victims, from the streets and refer them to services. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Despite identifying more than 1,547 child potential forced begging victims, the government returned many victims to their exploitative *marabouts* (teachers at Quranic schools, known as *daaras*) after identification without appropriate monitoring or follow-up plans to prevent recidivism. Some government officials' lack of understanding of human trafficking and others' lack of political will to address forced begging by *marabouts* systematically prevented such cases from moving forward in the law enforcement and judiciary systems, and the government did not report investigating, prosecuting, or convicting any *marabouts* for forced begging offenses. MFFE's funding was insufficient to assist victims in Dakar, let alone nationwide, and the government did not provide sufficient protections for workers employed in the informal economy, including children in mining, rendering such workers vulnerable to trafficking. Therefore, Senegal remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR SENEGAL

Significantly increase efforts to investigate and prosecute trafficking offenses and convict and punish traffickers, including those who exploit children in forced begging, with sufficiently stringent sentences; hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged trafficking offenses; ensure law enforcement, including the *gendarmerie* criminal research brigade, investigate forced child begging cases brought to its attention; expand funding or in-kind support to government- and NGO-run shelters to increase care options for victims, especially for adults and long-term care; develop a mechanism for the MFFE to monitor all identified trafficking victims who are returned to formerly exploitative *marabouts* to ensure *marabouts* receiving government support do not force children to beg; train law enforcement, labor, and social welfare officials to adequately identify trafficking victims, investigate cases, and refer victims to services; train government officials and sensitize NGOs to the standardized procedures for referring trafficking victims to care, and apply the procedures consistently; increase collaboration with NGOs, community groups, and religious leaders on anti-trafficking programs and raising awareness; expand workplace regulations to include labor inspections and labor trafficking investigations in the informal sectors of

the economy, including mining, agriculture, and fishing; fully implement the national action plan on forced child labor and the 2015-2017 anti-trafficking national action plan, including by allocating sufficient funding to the taskforce; improve efforts to collect law enforcement data on trafficking, including trafficking-related offenses prosecuted under provisions other than the 2005 law; expand the *daara* mapping project across the country to provide baseline information for the national database and the anti-trafficking taskforce to increase coordination of country-wide government efforts to combat and prevent forced begging; ensure *daaras* that force children to beg do not receive government funding or subsidies; and broaden efforts to raise public awareness of trafficking, including of adults and forced child begging.

PROSECUTION

The government made minimal anti-trafficking law enforcement efforts. Senegal's 2005 Law to Combat Trafficking in Persons and Related Practices and to Protect Victims prohibits all forms of trafficking and prescribes penalties of five to 10 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The law has rarely been used to prosecute alleged traffickers; in the last five years, the government convicted only two *marabouts* for forced begging under the 2005 law, despite a government estimate that at least 30,000 *talibes* are forced to beg in Dakar alone. In addition, the lack of government action to regulate *daaras* and prosecute those who engaged in or abetted forced child begging allowed the problem to continue. After more than two years of negotiations, the government, in collaboration with religious leaders, finalized the draft text of a bill to modernize *daaras*; if passed, the bill would outline requirements that *daaras* must meet in order to be declared "modern" and thus eligible to receive government subsidies. It remained in draft form at the end of the reporting period. According to the law's drafters, *daaras* that use forced begging will not be eligible to receive subsidies; however, the text of the law itself does not explicitly exclude such *daaras* from receiving government assistance. Furthermore, participation in the program to become a "modern *daara*" and receive subsidies will be voluntary, so it is unclear if the draft bill, once passed, would adequately address child forced begging.

For the fifth consecutive year, the government did not maintain or publish comprehensive anti-trafficking law enforcement statistics. From data collected from three of Senegal's 14 regions, the government reported 16 trafficking investigations, eight prosecutions and five convictions, compared with one investigation, prosecution, and conviction for forced begging in the previous reporting period. Judges convicted four sex traffickers under the pimping statute, acquitted one alleged sex trafficker, and convicted a fifth trafficker for an unknown type of exploitation. Sentences upon conviction ranged from two to three years imprisonment and fines; all sentences imposed were below the minimum of five years imprisonment provided in the law. A presidential decree issued in June 2016 (2016 decree) ordered the removal of all children from the streets, including students, known as *talibes*, forced to beg by *marabouts*. Although the government removed more than 1,500 children, authorities did not launch any investigations into *marabouts* or other suspected traffickers identified through the decree for forced begging offenses, and authorities restricted enforcement of the decree to Dakar. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, allegations of government inaction to prosecute *marabouts*

remained a serious concern. Authorities from MFFE and the government-run Ginddi Center for trafficking victims reported to law enforcement *marabouts* suspected of repeatedly violating the 2005 law, but law enforcement did not adequately investigate those individuals or refer the cases for prosecution.

The government, in collaboration with international organizations and donors, developed and partially funded five training programs on organized crime and trafficking, identifying and investigating human trafficking cases, and using data collection systems for human trafficking cases. A total of 124 policemen, labor inspectors, and judicial staff attended the trainings. Many law enforcement and judicial personnel remained unaware of the 2005 law, which, coupled with limited institutional capacity, inhibited efforts to prosecute and convict traffickers under the law and collect data on such efforts. Although the taskforce had created a national trafficking database during the previous reporting period and trained law enforcement on its usage, the government did not fully implement it during the reporting period.

PROTECTION

The government maintained modest efforts to identify and provide initial services to trafficking victims, but it returned some identified victims to their traffickers. Law enforcement, immigration, and social services personnel had formal written procedures to proactively identify trafficking victims among high-risk populations; however, they made limited efforts to implement those procedures, especially among gold-mining communities and children in begging. The 2016 decree that led to the removal of children from the streets of Dakar resulted in a significant increase in victims identified. The government and NGOs identified and removed 1,547 potential child trafficking victims from the streets of Dakar, including 394 children from Guinea-Bissau—a significant increase from 142 child trafficking victims identified and assisted by the government in the previous reporting period. The majority of these victims were *talibes* exploited in forced begging. At least 440 of the children were found begging with their families, so it was unclear how many were trafficking victims.

Authorities referred all victims to either NGOs or the government-run Ginddi Center for care, although they subsequently returned many of the children to their exploitative *marabouts*, significantly increasing their risk of re-trafficking. The Ginddi Center provided temporary shelter and basic care to both foreign and domestic victims; the government provided 85.7 million FCFA (\$137,089) to the center for shelter and basic meals, the same amount allocated in the previous year. The shelter also provided clothing to 1,545 children and medical assistance to 777 children. The center lacked sufficient staff, resources, and specialized training for social workers and volunteers who counseled and referred potential trafficking victims to the shelter; the center only had one volunteer doctor to provide basic medical treatment. Two NGOs reported identifying and providing services to an additional 198 victims and potential victims, including at least 156 *talibes* primarily from Guinea-Bissau. The Ministry of Justice operated three shelters for child victims of crime, witnesses, and children in emergency situations, which trafficking victims could access, and at least three NGOs operated trafficking victim shelters throughout the country. At the end of the reporting period, 91 of the 1,547 children remained at the Ginddi Center and NGO shelters, while MFFE and NGOs had returned the other 1,456 to a parent or other adult, including *marabouts*. Shelters lacked space to care for all trafficking victims, which limited

the number of victims MFFE could remove from exploitation; MFFE could not remove children unless a shelter had space. Some shelters accommodated adult potential forced begging victims during the reporting period.

Authorities inconsistently applied the victim referral system, and it was not available in all regions of the country. Authorities sent victims identified along Senegal's borders to an international organization and government center for questioning before referring them to NGOs for protective services. The government allocated 100 million FCFA (\$159,964) to MFFE to implement the 2016 decree, which was inadequate to fund all of MFFE's planned activities in Dakar, let alone nationwide. MFFE used the funding to remove children from the street; provide 50,000 FCFA (\$80) monthly to 60 families potentially exploited in forced begging; and provide monthly funding for food and income-generating activities to 16 *daaras* where it had identified child forced begging to discourage future forced begging. Because authorities failed to arrest any *marabouts* while implementing the 2016 decree and returned identified trafficking victims to their exploitative *marabouts* without adequately monitoring the *marabouts* and children for recidivism, the government may have provided support to *daaras* that continued to force children to beg. The Ginddi Center did not report if its child protection hotline received any reports of trafficking during the reporting period. The taskforce trained police and social workers on identifying and protecting trafficking victims. The government continued to establish child protection committees to refer vulnerable children to social services, increasing the number of active committees from 31 to 40 during the reporting period; an international organization funded the committees. The committees did not always coordinate with local law enforcement, however, which hampered their efficacy.

The anti-trafficking law provides alternatives to the removal of foreign victims who may face hardship or retribution upon return, including the option to apply for temporary or permanent residency and seek restitution; the government did not report offering this relief to any victims during the reporting period. Victims can legally obtain restitution and file civil suits against their traffickers, although the government did not report that any did so during the reporting period. The 2005 law absolves victims from responsibility for unlawful acts committed as a result of being subjected to trafficking, and there were no reports officials penalized victims for such acts.

PREVENTION

The government made uneven efforts to prevent human trafficking. The anti-trafficking taskforce made modest efforts to implement the 2015-2017 anti-trafficking national action plan. Although the government allocated significantly more funding to the taskforce in 2016—50 million FCFA (\$79,982), compared with 30 million FCFA (\$47,989) in 2015—the amount was inadequate to cover most of the taskforce's activities. The lack of interagency coordination remained a problem. In addition, NGOs noted the government's lack of collaboration with NGOs, community groups, and religious leaders on anti-trafficking awareness programs impeded such efforts. The taskforce and MFFE jointly implemented the 2016 decree, including raising awareness of the decree in seven languages via radio, television, print media, and the internet. In collaboration with an international organization, the taskforce also conducted a forum on sexual exploitation and sensitized 50 students on identifying human trafficking. The taskforce conducted studies on implementation of the 2005 law and the scope of women and children's involvement in domestic servitude to

better understand trafficking in Senegal. Through ECOWAS, the taskforce and five other West African governments created a working group to coordinate regional anti-trafficking efforts; the taskforce chaired two meetings during the reporting period. In addition, it provided capacity-building training to Cote d'Ivoire's anti-trafficking committee. The taskforce, with support from international partners, continued implementation of the national action plan on child forced begging.

Approximately 70 percent of Senegal's economy operated in the informal sector, where most forced child labor occurred, yet the government did not improve regulation of this sector or provide adequate protections for workers. The government did not make discernible efforts to reduce the demand for forced labor or commercial sex acts. The taskforce's tourism police forces continued to monitor Saly and Cap Skirring for indicators of child sex tourism and other abuses, although it did not report identifying any cases of sex trafficking. The government, in cooperation with international partners, provided anti-trafficking training to Senegalese troops before their deployment abroad on international peacekeeping missions. The government warned diplomatic personnel of the criminal penalties for domestic servitude.

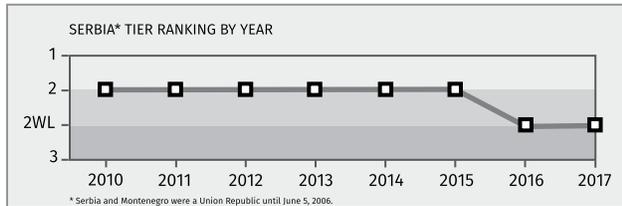
TRAFFICKING PROFILE

As reported over the past five years, Senegal is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Certain corrupt *marabouts* force *talibes* to beg throughout Senegal; a 2014 government study reported in Dakar alone, approximately 30,000 *talibes* are forced to beg in the streets, and more than 9,000 are forced to beg in the St. Louis region. Senegalese boys and girls are also subjected to domestic servitude, forced labor in gold mines, and sex trafficking. Internal trafficking is more prevalent than transnational trafficking, although boys from The Gambia, Guinea, Guinea-Bissau, and Mali are subjected to forced begging and forced labor in artisanal gold mines in Senegal. Senegalese women and girls are subjected to domestic servitude in neighboring countries, Europe, and the Middle East. Reports indicate most Senegalese sex trafficking victims are exploited within Senegal, particularly in the southeastern gold-mining region of Kedougou. West African women and girls are subjected to domestic servitude and sex trafficking in Senegal, including for child sex tourism for sex tourists from France, Belgium, and Germany, among other countries.

SERBIA: TIER 2 WATCH LIST

The Government of Serbia 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 operationalizing a permanent human smuggling and trafficking law enforcement taskforce. The government identified more victims and provided guidelines to prosecutors and judges on non-penalization of trafficking victims. The government developed and distributed guidance on trafficking indicators and trained 630 first responders on applying these indicators. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not provide sufficient protection to victims participating in criminal proceedings, which exposed them to intimidation and secondary traumatization. The absence of formalized

victim identification procedures and an outdated national referral mechanism hindered victim protection efforts. The government did not adopt the strategy and national action plan for 2015-2016 and the anti-trafficking council did not convene. The influx of migrants during the reporting period placed a significant strain on government resources, especially among agencies that combat trafficking in persons. Therefore, Serbia remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR SERBIA

Vigorously investigate, prosecute, and convict traffickers and sentence them to stringent penalties; provide victims testifying in court protection to diminish intimidation and re-traumatization; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases; formalize victim identification procedures and update the national referral mechanism, to include formalizing cooperation with NGOs to ensure victims have access to and receive all necessary support services; increase efforts to identify victims, including among migrants, refugees and asylum-seekers, and unaccompanied children engaged in street begging; amend the law to mandate non-penalization of victims for acts committed as a direct result of being subjected to human trafficking; improve training for government personnel on victim assistance and referral; adopt the national anti-trafficking strategy and action plan and involve NGOs in implementation; allocate adequate staff and resources for the Office for Coordination against Trafficking in Persons and existing coordination structures to ensure effectiveness; and elevate the national coordinator for combating trafficking in persons to a full-time position with independent authority.

PROSECUTION

The government maintained law enforcement efforts. Article 388 of the criminal code prohibits all forms of trafficking and prescribes penalties ranging from three to 15 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 14 individuals, compared to 10 cases of sex trafficking and one case of forced labor in 2015. The government prosecuted 23 defendants (18 in 2015). Courts convicted 22 traffickers (11 in 2015). Traffickers received sentences between two years and eight months and seven years and four months imprisonment.

Observers reported the government did not adequately implement anti-trafficking laws and prosecutors often chose to prosecute trafficking crimes under other statutes with lesser penalties that were easier to prosecute. For instance, in one trafficking case concluded in 2016 that lasted six years, the trafficker agreed to plead guilty to a lesser charge of facilitating prostitution and was sentenced to seven months imprisonment. The government operationalized a permanent human smuggling and trafficking criminal taskforce. Each police directorate had an anti-trafficking unit in addition to the specialized anti-trafficking units within the organized crime police and border police forces; however, during the reporting period, these units

largely focused on countering smuggling and responding to the influx of migrants and refugees. Seventeen directorates had multidisciplinary anti-trafficking teams that included prosecutors, social workers, and health officials; however, observers reported none of these teams were used in 2016. The government continued to train police, immigration officials, and border police on anti-trafficking issues. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained efforts in victim protection. The government identified 49 trafficking victims (36 in 2015). Of these, 29 were victims of sex trafficking, seven of forced labor, one for forced begging, one of forced criminality, and 11 of multiple types of exploitation. In 2015, 21 victims were subjected to sex trafficking, three to forced labor, ten to forced begging, and two to forced criminality. In 2016, 21 victims were children, compared to 22 in 2015. The Center for Protection of Trafficking Victims (CPTV) reported the majority of identified victims were Serbian citizens exploited in Serbia. CPTV reported Serbian victims exploited and identified abroad and foreign nationals exploited abroad but identified in Serbia. The government did not provide information on funds allocated for victim protection in 2016. In 2015, the government budgeted 19.7 million Serbian dinars (\$168,330) for the operation of the CPTV.

The government did not have formal victim identification procedures and used an outdated national referral mechanism (NRM) to refer victims to support services. Observers reported the NRM lacked established roles and responsibilities. First responders referred potential victims to CPTV, which officially identified victims. First responders referred 150 potential victims to CPTV (106 in 2015); the government referred 81, social welfare organizations referred 42, and NGOs and international organizations referred 27. The government reported approximately 100,000 migrants and refugees transited Serbia in 2016. Authorities identified two migrants as trafficking victims; however, NGOs suspected many more victims remained unidentified. Observers reported CPTV staff lacked proper resources to travel to the location of potential victims and interview them in person. CPTV designed and distributed checklists of trafficking indicators and trained 630 first responders on them. CPTV trained 120 education professionals on identifying child victims. However, observers reported law enforcement in charge of investigating prostitution-related offenses received limited to no training on victim identification.

CPTV had two units, the protection agency and the urgent reception center; however, for the fourth consecutive year the urgent reception center, designed to provide safe shelter and services, was not functional. An NGO-run shelter remained the only specialized shelter for female trafficking victims; local centers for social work operated shelters for domestic violence victims that accommodated female trafficking victims. The government reported child victims were returned to their families, referred to foster care, or provided shelter in one of the two Centers for Children without Parental Care; however, observers reported CPTV lacked specific procedures for child trafficking victims. For example, the questionnaire used in the identification process was not adapted to children and children often did not understand the questions. Observers reported there were no child-friendly premises for interviews and majority of social workers did not receive specific training on working with children. In previous years, government social

welfare centers lacked the ability to remove children from their families, even if there was evidence the family had exploited the child. Male victims did not have access to a dedicated trafficking shelter, but an NGO rented accommodation as needed and male victims could access all other rehabilitation services offered to female victims. CPTV assessed each victim for individual needs and developed a protection and assistance plan. The government and NGOs provided psycho-social, legal, education, medical, financial, and reintegration support; however, the government did not have procedures outlining cooperation between CPTV and NGOs on victim services. NGOs and international organizations provided assistance to 28 of the 49 trafficking victims. Centers for social work provided social services, but they often lacked the specialized programs, sensitivity, and trained staff necessary for working with trafficking victims.

Victims' ability to access support services and assistance was not contingent on cooperating with law enforcement investigations; however, once a case was reported to police, authorities required victims to cooperate with investigations and testify during prosecution. NGOs reported some victims were threatened with prosecution for non-cooperation. Experts continued to report authorities did not adequately protect victims' rights during lengthy court proceedings and victims frequently had to appear in front of their traffickers; traffickers often threatened or intimidated victims. Observers reported the length of trials and assistance provided to victims depended on the individual prosecutor or judge. Judges did not assign the status of "especially vulnerable witness" to trafficking victims. This status allows witnesses to testify without the defendant present and allows testimony via video link. The law entitles victims to file criminal and civil suits against their traffickers for restitution, but judges continued to encourage victims to seek restitution solely by filing civil suits. Civil suits were lengthy, expensive, and required the victim to face the abuser numerous times; no victims received restitution in 2016. The government provided foreign victims temporary residence permits renewable up to one year; two victims received residence permits in 2016. Observers reported the government did not uniformly apply non-penalization principles for trafficking victims; however, CPTV provided guidelines to prosecutors and judges on non-penalization of trafficking victims.

PREVENTION

The government decreased prevention efforts. The government did not adopt the anti-trafficking strategy and action plan for 2015-2016. The government created an anti-trafficking council in 2005 as a consultative body, which observers noted existed only on paper and did not meet. The national coordinator for combating trafficking in persons continued to lead anti-trafficking efforts despite lacking sufficient resources and support from the government; the coordinator is the head of migration for the border police and did not have independent authority. The national coordinator and CPTV director lectured on anti-trafficking issues at universities and the Police Academy. The government initiated efforts to create an electronic national court statistics database. The government operated a hotline to collect human trafficking-related tips, published anti-trafficking efforts on its website, and provided information on trafficking via social media. Police continued to enforce laws against purchasing commercial sex. The government did not make efforts to reduce demand for forced labor. The government licensed and regulated private employment agencies; however, observers reported in practice, tourist agencies performed labor recruitment and were largely unregulated. Serbian troops

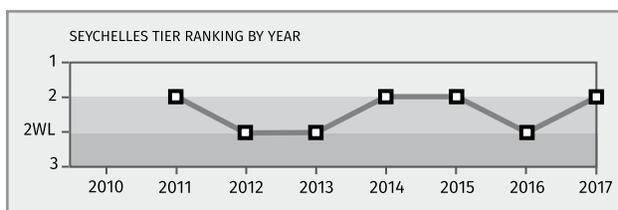
participated in anti-trafficking training prior to their deployment on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Serbia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor, including domestic servitude and forced begging. Serbian women are subjected to sex trafficking by Serbian criminal groups in neighboring countries and throughout Europe, particularly Austria and Germany. Serbian nationals, primarily men, are subjected to forced labor in labor-intensive sectors, such as the construction industry, in European countries (including Azerbaijan, Slovenia, and Russia) and the United Arab Emirates. Serbian children, particularly Roma, are subjected within the country to sex trafficking, forced labor, forced begging, and petty crime. Thousands of migrants and refugees from Afghanistan, Iraq, Syria, and neighboring countries transiting through or stranded in Serbia are vulnerable to trafficking within Serbia. Alleged traffickers reportedly influenced some trafficking cases through bribery of the victim or judge.

SEYCHELLES: TIER 2

The Government of Seychelles 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, Seychelles was upgraded to Tier 2. The government demonstrated increasing efforts by initiating its first investigation and prosecution under the anti-trafficking law, conducting more anti-trafficking trainings, identifying and assisting more trafficking victims, and allocating a budget for the national anti-trafficking committee. However, the government did not meet the minimum standards in several key areas. The government did not report implementation of its standard operating procedures for victim identification and referral mechanism. It did not report allocating specific funding for victims services, making any efforts to identify or assist internal or sex trafficking victims, or convicting any traffickers. The government did not inspect employers of, or screen for indicators of trafficking among, potential labor trafficking victims within the Seychelles International Trade Zone (SITZ) despite vulnerability to trafficking among migrant labor in the country.



RECOMMENDATIONS FOR SEYCHELLES

Increase efforts to investigate and prosecute trafficking, including internal and sex trafficking crimes, under the anti-trafficking law, and convict and punish traffickers; implement standard operating procedures for victim identification and referral; provide specialized training to government officials, including

members of the national committee on human trafficking, law enforcement officials, social workers, immigration officials, and labor inspectors, on victim identification and referral procedures; enforce the law prohibiting the retention of passports by employers of migrant workers; provide adequate oversight of laborers working in the SITZ, and require labor inspectors to conduct regular and comprehensive inspections of migrant workers' work sites; allocate adequate funding for victim services; draft a national action plan to drive national efforts to combat all forms of trafficking; remove the required fee for a migrant worker to lodge a complaint with the Labor Tribunal; screen for potential trafficking offenses among complaints before the Labor Tribunal; implement labor laws in all of Seychelles, including the international trade zone, and authorize officials to monitor domestic workers' employment; and continue to conduct anti-trafficking awareness campaigns to increase the understanding of the crime among the local population and the large number of foreign tourists and migrant workers entering the country.

PROSECUTION

The government modestly increased efforts to combat labor trafficking, but did not initiate investigations of sex trafficking crimes. The Prohibition of Trafficking in Persons Act of 2014 criminalizes all forms of trafficking in adults and children. The law prescribes penalties of up to 14 years imprisonment, and in cases involving children or aggravating circumstances, a maximum of 25 years imprisonment and a fine up to 800,000 Seychelles rupee (\$60,519); these penalties are sufficiently stringent and commensurate with those for other serious crimes, such as rape. Elements of human trafficking are also criminalized in provisions of the penal code, including section 259 prohibiting slavery and section 251 prohibiting forced labor. Although all forms of child sex trafficking are criminalized under the anti-trafficking law, enforcement of this prohibition may be hampered by unclear and conflicting statutes in the penal code that do not clearly define the ages of consent and legal majority, creating confusion between the traditionally understood age of consent (15 years of age) and the legal age of majority (18 years of age).

During the reporting period, the government investigated two potential cases of trafficking. The government initiated its first prosecution under the anti-trafficking law in a case involving alleged forced labor of four Bangladeshi victims; officials identified this case following an inspection of a construction company where officials found non-payment of wages and contractual misrepresentation. The national coordinating committee on trafficking in persons established a case conferencing group, which consisted of the relevant stakeholders to ensure a cohesive approach to the investigation and prosecution of the construction company. This contrasts with the Ministry of Labor resources and development's past practice of treating potential cases of labor trafficking as contract disputes between employer and employee, and seeking arbitration through the labor tribunal rather than referring cases for criminal investigation. The government did not report efforts to investigate or prosecute sex trafficking. In April 2016, the Ministry of Community Development, Social Affairs and Sports, in conjunction with an international organization, conducted training for approximately 30 front-line law enforcement officers on trafficking and screening for potential indicators of human trafficking; however, many officers remained inadequately trained to identify and refer potential human trafficking cases. The government did not report any

investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government modestly increased efforts to identify and assist labor trafficking victims, but did not undertake any such efforts in relation to sex trafficking. The government identified and provided care to four Bangladeshi victims of forced labor and assisted 16 potential victims following their interception, an increase from zero identified during the previous reporting period. The government intercepted the 16 potential trafficking victims from Madagascar en route to Kuwait. After acquiring a translator, the government interviewed these potential victims and determined that it needed further information to formally identify them as trafficking victims. Nonetheless, it coordinated with the Government of Madagascar to repatriate all 16 potential victims. There are no shelters specifically for trafficking victims in the country; however, the social affairs department of the Ministry of Health and Social Affairs provided the Bangladeshi victims with accommodations in a private guest house, per diem, access to a social worker and translator, and new work permits. The government provided the 16 Malagasy nationals with accommodations at a hotel until they were repatriated. The Bangladeshi victims reportedly participated in the investigation. The government did not report efforts to identify or assist sex trafficking victims. The law provides for witness protection, medical services, shelter, psychological support, legal advice, repatriation, social integration, and establishment of a fund to help pay for these expenses. The government did not report whether it allocated capital to the fund; however, it did fund assistance to victims. The government conducted training for social workers on how to implement the victim assistance tool, created in 2015, which established standard operating procedures on victim identification, protection, and referral; although, the government did not report implementation of the tool during the reporting period. There were no reports of victims being penalized for unlawful acts committed as a direct result of being subjected to human trafficking; however, because officials did not use standard victim identification procedures, victims likely remained unidentified in the law enforcement system. For example, migrant workers who strike have historically been considered to be in breach of their work contracts and could be deported at their employers' request. There were no reports of such deportations during the reporting period.

PREVENTION

The government minimally increased prevention efforts. The national anti-trafficking committee served to foster coordination and communication on trafficking matters across government agencies and successfully drove national anti-trafficking efforts during the reporting period. It met every month and a half, received a dedicated budget, planned and delivered several trainings for officials, formed a case conferencing group to ensure the coordinated handling of the government's first labor trafficking prosecution, organized the provision of assistance to trafficking victims, and coordinated public awareness efforts. Customs and immigration officials prevented 16 potential Malagasy trafficking victims from transiting the country by screening at the international airport. The government did not report progress in implementing the 2014-2015 national action plan or undertaking efforts to draft an updated plan. The government continued to run annual awareness campaigns in both broadcast and print media, and publicized World

Day on Trafficking in Persons. The Ministry of Employment, Entrepreneurship Development and Business Innovation (MOE) continued to provide leaflets in Chinese and Hindi to migrant workers arriving in the Seychelles detailing their rights and worked with local embassies to provide translation services as needed. The government maintained a help line for reporting instances of trafficking, but the government did not report whether it received any calls.

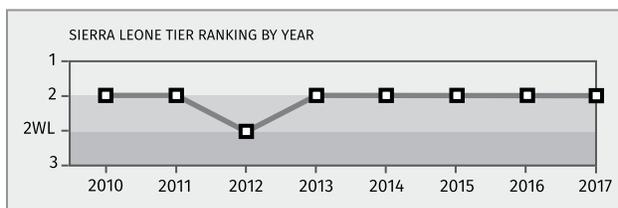
Trafficking vulnerabilities in labor recruitment and monitoring persisted throughout the country during the reporting period. Seizure and retention of passports is illegal under Seychellois law; however, the government reported no efforts to enforce this law. The MOE employed 13 labor inspectors responsible for conducting inspections of all workplaces in the country and informing all migrant workers of their employment rights. The MOE lacked authority to conduct inspections in the SITZ, where many migrant laborers work, as it is considered ex-territorial and is managed by the Financial Services Authority (FSA). The FSA did not provide adequate oversight of laborers working in the SITZ, nor conduct any inspections during the reporting period. The MOE did not have authority to enter private homes to monitor employers of domestic workers, limiting the government's ability to identify and investigate indicators of trafficking among this community. The Ministry of Health had authority to inspect migrant worker dwellings but did not have the mandate to investigate labor violations or potential trafficking crimes. The MOE reported an increase in the demand for expatriate domestic workers. The government made no discernible efforts to decrease the demand for commercial sex acts or forced labor during the reporting period. The government funded anti-trafficking training for the Honorary Consuls of the Seychelles on victim identification abroad.

TRAFFICKING PROFILE

Seychelles is a destination country for foreign men and women subjected to labor trafficking and sex trafficking and a source country for children subjected to sex trafficking. Seychellois girls and, according to some sources, boys are subject to child sex trafficking, particularly on the main island of Mahe; they are exploited by peers, family members, and pimps in nightclubs, bars, guest houses, hotels, brothels, private homes, and on the street. Young drug addicts are vulnerable to being forced into prostitution. Eastern European women have been subjected to forced prostitution in hotels. Migrant workers—including from China, Kenya, Madagascar, and countries in South Asia—make up 20 percent of the working population in Seychelles and are primarily employed in fishing and construction. Malagasy women who transit the Seychelles may be subjected to forced labor in the Middle East. Some migrant workers are subjected to forced labor in the construction sector. NGOs report migrant workers face exploitative conditions in fish processing plants, and fishermen aboard foreign-flagged fishing vessels in Seychelles' territorial waters and ports are subjected to abuses indicative of forced labor, including non-payment of wages and physical abuse. Migrant workers sign their employment contracts upon arrival in the Seychelles, which increases their vulnerability to fraudulent recruitment tactics. There were reports of employers routinely retaining migrant workers' passports to prevent them from changing jobs prior to the expiration of their two-year contracts.

SIERRA LEONE: TIER 2

The Government of Sierra Leone 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, Sierra Leone remained on Tier 2. The government demonstrated increasing efforts by investigating and initiating prosecutions of trafficking cases, identifying and referring 34 victims to services, and funding repatriation for 25 Sierra Leonean trafficking victims exploited abroad. However, the government did not meet the minimum standards in several key areas. The government reported a decreased number of investigations and for the sixth consecutive year did not convict a trafficker. Judicial inefficiency and procedural delays impacted access to justice generally. Due to the lack of government support for victims during investigations and prosecutions, and an overreliance on victim testimony, courts did not complete any trafficking prosecutions, and law enforcement and judges dismissed many trafficking cases initiated during the reporting period. The government continued to rely on NGOs to provide nearly all victim assistance, and uneven implementation of the national referral mechanism resulted in delayed assistance for some victims. The government did not provide funding for the anti-trafficking taskforce to adequately fulfill its mandate or implement the 2015-2020 national action plan.



RECOMMENDATIONS FOR SIERRA LEONE

Increase efforts to prosecute and convict traffickers with sufficiently stringent sentences that include imprisonment; address procedural delays and judicial corruption so victims can participate in trials and judges cease dismissing cases against alleged traffickers; train prosecutors and judges to investigate and prosecute trafficking cases; amend the anti-trafficking law to increase penalties to be sufficiently stringent and commensurate with penalties for rape, and harmonize penalties for forced labor and forced prostitution across all laws; train all actors on the national referral mechanism to ensure all trafficking victims receive timely services; increase partnerships with and financial or in-kind support to NGOs providing assistance to trafficking victims; improve coordination among government agencies responsible for combating trafficking in persons; train law enforcement officers and social workers to identify trafficking victims among vulnerable populations, including children in domestic servitude; sufficiently fund anti-trafficking activities in the national budget and allocate funds to relevant entities, such as the anti-trafficking taskforce, to implement the national action plan; in collaboration with civil society organizations, increase efforts to raise public awareness of trafficking; ratify the Economic Community of West African States (ECOWAS) Convention on Mutual Assistance in the Fight Against Trafficking; and continue to improve data collection on anti-trafficking law enforcement and victim assistance efforts.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. The 2005 anti-trafficking law criminalizes all forms of human trafficking and prescribes a maximum penalty of 10 years imprisonment and/or a fine of 50 million leones (\$6,710) for sex trafficking and a maximum penalty of 10 years imprisonment and/or a fine of 30 million leones (\$4,030) for labor trafficking; these penalties are sufficiently stringent, but the penalties for sex trafficking are not commensurate with those prescribed for other serious crimes such as rape. Chapter 215 of the Laws of Sierra Leone of 1956 also prohibits forced labor but prescribes an insufficiently stringent penalty of six months imprisonment or a fine of 100 pounds sterling (\$123). In addition, two other laws prescribe penalties for sex trafficking offenses that differ from the anti-trafficking law. The Child Rights Act imposes a penalty for the prostitution of a child by a third party of 30 million leones (\$4,030) and/or two years imprisonment, which is neither sufficiently stringent nor commensurate with penalties for rape. The Sexual Offences Act criminalizes forced prostitution and child prostitution with penalties of up to 15 years imprisonment, which are sufficiently stringent and commensurate with penalties for rape, and also requires the police after receipt of a trafficking complaint to assist victims and protect vulnerable witnesses. Penalties consisting of fines in lieu of imprisonment are not adequate to deter the crime. During the reporting period, the anti-trafficking taskforce continued to review the 2005 law with an aim to strengthen penalties for adult trafficking.

The government reported 34 investigations, prosecution of four suspects in seven labor trafficking cases, and no convictions, a decrease from 54 investigations, six prosecutions, and no convictions in the previous reporting period. Judicial inefficiencies and procedural delays impacted access to justice generally. At times, judges required victims of crime, including trafficking, to travel frequently to the capital for court appearances. Victims often could not do so and, as a result, judges dismissed many of the trafficking cases initiated during the reporting period and did not reach judgment on any prosecutions. The government last convicted an individual for trafficking or trafficking-related offenses in 2011. Due to corruption and a lack of faith in the justice system, victims' families often accepted payments from traffickers rather than pursue cases in court. Officials collaborated with Guinean authorities to intercept and repatriate a caravan of Sierra Leonean adults and children reportedly destined for exploitation in Niger and Mali. The government attempted to coordinate with three other foreign governments on transnational trafficking investigations but was not successful, which impeded investigations and prosecutions of suspected traffickers. The government reported its non-ratification of the ECOWAS Convention on Mutual Assistance in the Fight Against Trafficking compounded the difficulties in cross-border investigations. The government did not provide training for police, prosecutors, or other law enforcement officials on investigating and prosecuting trafficking crimes during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, corruption, particularly within the judiciary, remained a serious problem and affected the provision of justice to trafficking victims.

PROTECTION

The government made limited efforts to protect trafficking victims. The government identified 34 trafficking victims—including Indian and Kenyan forced labor victims—a decrease

from 65 victims identified in the previous reporting period. Among the victims identified, at least fifteen were subjected to forced labor, five to sex trafficking, and two to both domestic servitude and sex trafficking; the type of exploitation of the other victims was not reported. The Ministry of Social Welfare, Gender, and Children's Affairs operated a temporary shelter for victims of gender-based violence that trafficking victims could access. The government referred an unknown number of trafficking victims to this shelter during the reporting period, and it was unclear how much government support the shelter received. The government reported referring all identified trafficking victims to NGOs for care, and government social workers and prosecutors provided psycho-social services and legal representation to victims residing in NGO-run shelters. The government allocated approximately 119 million leones (\$15,970) to the Ministry of Social Welfare, Gender, and Children's Affairs to support an NGO shelter that cared for trafficking victims; however, it did not actually disburse the funding during the reporting period and did not provide any other financial support to NGOs that rendered all victim shelter and nearly all victim care. NGOs reported identifying and providing services to an additional 11 victims. One NGO operated a shelter specifically for trafficking victims and offered medical, psycho-social, legal, and reintegration support. The center cared for both foreign and domestic victims; however, the victims were not permitted to leave the shelter unchaperoned. Two additional NGOs operated shelters that cared for vulnerable children, including trafficking victims. The Ministry of Social Welfare, Gender, and Children's Affairs and an NGO trained 42 social workers on identifying and assisting trafficking victims. The government had a national mechanism to refer trafficking victims to services, but a lack of training on the mechanism caused delays; in some cases, victims slept at police stations because authorities had not referred them for care. In October 2015, the government requested the government of Lebanon repatriate two Sierra Leonean female domestic workers it believed had been subjected to trafficking in Lebanon; however, the women remained in Lebanon at the end of the reporting period. During the reporting period, the Ministry of Foreign Affairs and International Cooperation disbursed approximately 149 million leones (\$20,000) to support Sierra Leonean trafficking victims identified abroad. The Sierra Leonean embassy in Kuwait provided food, shelter, and trauma counseling and subsequently repatriated 20 female labor trafficking victims. The embassy in Guinea provided food, shelter, and repatriation for five Sierra Leonean child trafficking victims. This is compared with repatriating 49 victims the previous reporting period. The government did not report whether it systematically encouraged victims to participate in investigations and prosecutions of their traffickers. The anti-trafficking law does not provide for restitution, and while victims could file civil suits against their traffickers, none did so during the reporting period. The law provides alternatives to removal to countries in which victims would face retribution or hardship, including temporary residency. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking, but inadequate screening for trafficking indicators may have resulted in some victims remaining unidentified in the system.

PREVENTION

The government decreased efforts to prevent trafficking. The anti-trafficking taskforce had a 2015-2020 national action plan, but the government did not provide funding to the taskforce or for implementation of the plan, which hampered implementation. While the Ministry of Labor and Social Security (MLSS) had

strict licensing procedures for new recruitment agencies to prevent exploitation of intending migrant workers, in practice it often issued business registration certificates before the transnational organized crime unit had finished vetting the prospective agencies. MLSS's draft labor migration policy to expand protections for migrant workers remained pending for the second year. To increase regional anti-trafficking cooperation, Sierra Leonean, Guinean, and Liberian authorities met regularly to discuss border security, including trafficking. Although the government did not have comprehensive research on its trafficking problem, it implemented a centralized database for trafficking information better analyze trafficking trends. The government did not make discernible efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

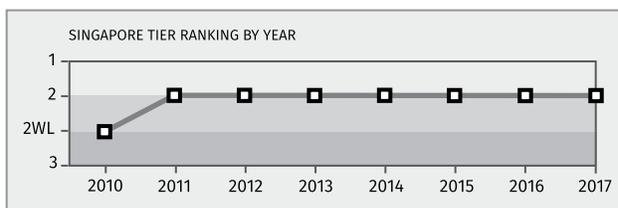
TRAFFICKING PROFILE

As reported over the past five years, Sierra Leone is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Victims originate largely from rural provinces and are recruited to urban and mining centers for exploitation in sex trafficking and forced labor in domestic service, artisanal diamond and granite mining, petty trading, portering, making ceramics, rock breaking, street crime, and begging. At times, sex trafficking occurs on beaches and in nightclubs. Trafficking victims are also exploited in fishing and agriculture and subjected to sex trafficking or forced labor through customary practices, such as forced marriages. Traffickers typically operate individually, convincing parents to hand over their children and promising to provide an education or better life but instead exploiting the children in trafficking. Sierra Leonean girls are increasingly exploited in Guinea. Traffickers have exploited boys and girls from Sierra Leone to reportedly work as "cultural dancers"—and possibly also for sexual exploitation—in The Gambia. Sierra Leonean adults voluntarily migrate to other West African countries, including Mauritania and Guinea, as well as to the Middle East and Europe, where some are subjected to forced labor and forced prostitution. As in previous years, Sierra Leonean women are subjected to trafficking in Kuwait and Lebanon. Children from neighboring West African countries have been exploited in forced begging, forced labor, and prostitution in Sierra Leone. Indian and Kenyan men were exploited in forced labor in Sierra Leone during the reporting period, and Chinese and Sri Lankan men have been victims in previous years.

SINGAPORE: TIER 2

The Government of Singapore 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, Singapore remained on Tier 2. The government demonstrated increasing efforts by prosecuting and convicting more traffickers. It provided protective services to victims, including through the distribution of funds to an NGO that offered trauma recovery services. However, the government did not meet the minimum standards in several key areas. Large numbers of migrant workers experience conditions indicative of labor trafficking in Singapore, and, although the government began to prosecute its first labor trafficking cases, it has yet to secure the conviction of a labor trafficker under the trafficking

law. Authorities did not effectively identify victims compelled into service through psychological coercion, leaving some victims unidentified and subject to punishment or deportation.



RECOMMENDATIONS FOR SINGAPORE

Using the 2015 anti-trafficking law, increase investigations and prosecutions of sex and labor trafficking offenses, including debt bondage, and convict and stringently sentence traffickers; strengthen efforts to identify trafficking victims, including by conducting training for front-line law enforcement officials with a focus on screening for psychological coercion among women in prostitution and individuals in debt bondage; strengthen the legal framework to enhance protection for victims from punishment for acts committed as a result of being subjected to trafficking; develop formal policies to provide all victims the right to robust protective services, regardless of their individual circumstances; conduct law enforcement operations using victim-centric methods; increase resources for investigative and prosecutorial training on human trafficking for Ministry of Manpower officials who handle labor violations; strengthen efforts to increase victims' awareness of available protective services and incentives for participating in investigations and prosecutions; develop transparent communication with service providers during the duration of court cases; and expand cooperation with and funding to NGOs for developing and implementing anti-trafficking policies and assisting victims.

PROSECUTION

The government increased efforts to prosecute and convict traffickers. The Prevention of Human Trafficking Act (PHTA) criminalizes all forms of human trafficking and prescribes penalties of up to 10 years imprisonment and fines up to 100,000 Singapore dollars (\$69,200), which are sufficiently stringent and commensurate with those prescribed for other serious crimes. In addition, article 140 of the Women's Charter criminalizes forced prostitution involving detention or physical force and article 141 criminalizes the movement of women and girls for "trafficking" but does not define the term. Penalties prescribed for these sex trafficking offenses in the Women's Charter include a maximum of five years imprisonment, which are sufficiently stringent but not commensurate with other serious crimes. The government investigated most suspected labor trafficking cases as labor law offenses under the Employment of Foreign Manpower Act (EFMA) or the Employment Act, laws that carry significantly lower penalties than the anti-trafficking law and exclude domestic workers and fishing crews.

In 2016, the government prosecuted eight suspects (three for sex trafficking and five for labor trafficking) and convicted two sex trafficking offenders, compared with two traffickers prosecuted and one convicted in 2015. Police investigated 20 cases of suspected sex trafficking and initiated a prosecution of one alleged sex trafficker under the anti-trafficking law; this case, which involved a Malaysian national accused of recruiting a minor for sexual exploitation and receiving

payment in connection with the exploitation of a trafficked victim, was ongoing at the end of the reporting period. During the reporting period, the high court upheld a 56 month prison sentence handed down in 2015 for the first Singaporean to be convicted of organizing child sex tourism. The Ministry of Manpower investigated two potential labor trafficking cases involving four suspects under the anti-trafficking law and 11 potential labor trafficking cases under employment laws. The government initiated prosecutions of five suspects in three cases of labor trafficking—the first in Singapore—which remained ongoing at the close of the reporting period. In one case, two suspects were alleged to have subjected seven Bangladeshi women to forced labor as performing artists in a nightclub, and the other involved five victims and one suspect. The government obtained two sex trafficking convictions in cases begun in the previous year, both involving multiple victims; the convicted offenders received sentences of three years and two months imprisonment and four years imprisonment. Two defendants convicted the previous year under the EFMA for starving a domestic worker, forcing her to work excessive hours, and restricting her access to communication in 2013—prior to the passage of the PHTA—received prison sentences in March 2017 of three months and three weeks and a 10,000 Singapore dollars (\$6,920) fine. The prosecutors reported they were in the process of filing an appeal to secure a one year sentence—the maximum sentence available under the EFMA—at the end of the reporting period. The government has not obtained a labor trafficking conviction, nor has it prosecuted any cases of domestic servitude under the trafficking law.

The government organized a two-day conference with international experts to educate prosecutors and law enforcement officers on trafficking issues, delivered a training session for front-line Ministry of Manpower officers, and funded more than 150 officials to attend international trainings and conferences in 2016. Despite these efforts, authorities' investigative progress—particularly in cases involving debt bondage or prostitution—was hampered by a lack of awareness among some officials regarding the role of psychological coercion in trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking.

PROTECTION

The government increased protection efforts, but insufficient communication between the authorities and service provision NGOs continued to hamper victim identification and referral processes. Police and labor officials had standard operating procedures for identifying victims, and the government had a victim referral process among government officials, civil society organizations, and foreign embassies. The government reported identifying 20 sex trafficking and 13 labor trafficking victims in 2016, compared to seven sex trafficking and seven labor trafficking victims in 2015. The government reported providing services to 22 adult women, including 10 sex trafficking victims and 12 labor trafficking victims. The government did not identify or provide services to any child victims during the year. Several NGOs reported officials failed to recognize key indicators of trafficking when interviewing potential victims, particularly in cases involving sex or labor exploitation through various forms of psychological coercion or debt bondage, and among migrant workers. NGOs reported authorities' opaque victim identification and referral standards sometimes complicated effective use of the government's referral mechanism.

The government allocates funds for anti-trafficking activities in its annual budget, and the PHTA authorizes the social welfare department to provide shelter and counseling services to all victims. The government has administrative discretion to provide a range of additional support measures, customized according to victims' needs, including interpreters, medical services, temporary work permits, and resettlement assistance. However, absent a formal policy mandating the provision of these services to all victims, and due to front-line officers' incomplete understanding of psychological coercion, some victims likely did not benefit from these services. The 2015 trafficking law mandates some additional protections for child victims, including a requirement that their testimony be held via video conference. NGOs reported supplementing certain government-funded victim services deemed insufficient, such as healthcare.

The government provided partial funding and oversight to 22 shelters serving vulnerable children, four shelters for vulnerable women and their children, and two shelters for male foreign workers. One shelter was designated exclusively for adult female sex trafficking victims and exploited female domestic workers. Authorities permitted freedom of movement outside of the shelter for most residents, but restricted movement for any residents deemed to be under physical threat or in need of psychological care. The government allocated funding for an NGO that provided trauma recovery services for 12 female labor trafficking victims and 10 female sex trafficking victims, 18 of whom were residing in the shelter for female victims. One of the shelters was designated for adult male trafficking victims, although no male trafficking victims were identified during the year. Other NGO-identified victims who did not meet the government's referral standards received shelter or services from privately funded NGOs. The government granted 12 victims short-term work permits, available for the duration of their legal processes, under a temporary job scheme.

The government issued a statement of its policy not to punish victims for crimes committed as a direct result of being subjected to trafficking. According to NGOs, police did not always screen for trafficking indicators among women apprehended in law enforcement operations despite a government policy requiring it; the government may have prosecuted and punished unidentified sex trafficking victims among them for immigration violations or soliciting. The government offered assistance for victims participating in investigations and prosecutions of trafficking offenses. NGOs reported that victims of trafficking were offered pro bono legal assistance to pursue civil court claims for restitution, but that all declined the offer; some purportedly did not wish to file official complaints out of skepticism that they would secure said restitution. Others who incurred significant debt burdens as a result of trafficking returned to their home countries instead of seeking redress. As a result, there were no reports of trafficking victims pursuing or receiving restitution through civil claims or criminal court proceedings. NGOs and foreign embassies reported coordination between public and private stakeholders had improved, but the government's lack of detailed feedback regarding ongoing cases remained a problem for some NGOs and interfered with service providers' ability to assist victims. During the reporting period, authorities facilitated the repatriation of eight labor trafficking victims per their request. The government did not provide long-term alternatives to removal to countries where victims may face hardship or retribution.

PREVENTION

The government increased efforts to prevent trafficking. The interagency taskforce coordinated anti-trafficking efforts in line with Singapore's "National Approach Against Trafficking in Persons," which was developed and launched in 2015 following consultation with NGOs. The taskforce conducted campaigns through social media, newspapers, television, posters, and other outreach materials to educate workers on their rights, raise public awareness of trafficking, and publicize efforts to punish employers for trafficking-related violations. The National Crime Prevention Council funded a television program focusing on Singapore's first sex trafficking conviction; the program, broadcasted in Singapore's four main languages, reportedly reached 1.7 million viewers. The taskforce also launched a public awareness-raising grant to individuals and anti-trafficking NGOs. The government provided pre-departure trainings and materials to educate foreign workers on their rights prior to migrating to Singapore. In April 2016, amendments to the Employment Act came into effect requiring Singaporean employers to issue all workers key employment terms in writing and provide itemized pay slips.

NGOs reported migrant workers in Singapore face barriers to recovering unpaid wages, as their single-employer work permit makes them ineligible to change employers while the government considers their claim. Further, employers who were found at fault in civil cases sometimes failed to comply with court rulings in the employee's favor and the government did not take action to enforce these decisions. The government investigated and imposed fines on unlicensed employment agencies and those that engaged in other illegal practices that could facilitate trafficking. NGOs reported some agencies still engaged in contract switching and charged workers fees over the legal limit. The government provided anti-trafficking training for its diplomatic personnel. The government made some efforts to reduce the demand for commercial sex acts, including through public information campaigns, and made limited efforts to address the demand for forced labor.

TRAFFICKING PROFILE

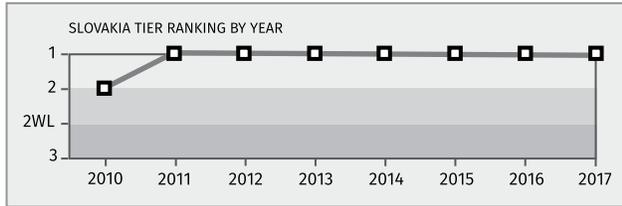
As reported over the past five years, Singapore is a destination country for men, women, and girls from other Asian countries subjected to sex trafficking and forced labor, a source country for Singaporean women and children subjected to sex trafficking, and a transit country for Asian men subjected to forced labor on fishing vessels that transit through Singapore or its territorial waters. Some of the 1.4 million foreign workers that comprise approximately one-third of Singapore's total labor force are vulnerable to trafficking; most victims migrate willingly for work in construction, domestic service, performing arts, manufacturing, the service industry, or commercial sex. Domestic workers from countries such as Cambodia and Burma, whose nationals have a small presence in Singapore, experience language barriers that increase their isolation and vulnerability to trafficking; some employers exacerbate this vulnerability by denying workers access to mobile phones. NGO-released research found some domestic workers in Singapore experience conditions indicative of forced labor including restriction on their movement and communications; verbal, physical, or sexual threats and abuse; and denial of a legally-required weekly day off of work. In September 2014, the Burmese government imposed a ban on emigration to Singapore for domestic work, citing concerns of abuse and non-payment of wages. Although Singaporean law limits agency fees and mandates prosecution for those

who exceed them, many foreign workers assume large debts to recruitment agencies or individual recruiters in their home countries and sometimes in Singapore, making them vulnerable to forced labor, including debt bondage. Victims are also compelled into sex or labor exploitation through illegal withholding of their pay, threats of forced repatriation without pay, restrictions on movement, and physical and sexual abuse. Withholding identity documents such as passports and work permits is illegal; however, it is common practice for some employment agencies to encourage employers to hold employees' documents and the practice remains widespread, increasing workers' vulnerability to trafficking. Research conducted by the government in 2014 found six of 10 foreign work permit holders did not possess their passports and work permits. Foreign workers have credible fears of losing their work visas and deportation, since employers have the ability to repatriate workers legally at any time during their contracts with minimal notice. Unscrupulous employers exploit the non-transferability of low-skilled work visas to control or manipulate workers. Some employers rely on repatriation companies to seize, confine, and escort foreign workers to the airport for departure from Singapore, including through the use of assaults, threats, and coercion, to prevent them from complaining about abuses to authorities.

Foreign women sometimes enter Singapore with the intention of engaging in prostitution but are subjected to forced prostitution under the threat of serious harm, including financial harm, or other forms of coercion. A small number may be recruited for work in the service sector and forced into prostitution upon arrival. Singaporean women and children are at risk of sex trafficking in the country. A small number of Singaporean residents facilitate and engage in child sex tourism abroad. An NGO reported that some men are subjected to forced labor and abuse by captains on long-haul fishing vessels that depart from Singapore or dock in Singaporean ports, and that some agencies in Singapore use deceptive tactics to recruit Filipino and Cambodian men for this work.

SLOVAKIA: TIER 1

The Government of the Slovak Republic, or Slovakia, fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Slovakia remained on Tier 1. The government demonstrated serious and sustained efforts by increasing investigations and collaboration with foreign law enforcement authorities to identify and prosecute traffickers. The government proactively identified more victims and launched extensive trafficking prevention and public awareness campaigns to engage the general public and at-risk populations. Although the government meets the minimum standards, it did not adequately identify foreign trafficking victims. Legal support to victims was inadequate, and victims who cooperated with prosecution were at risk of re-traumatization. The government supported some innovative prevention activities, but NGOs continued to report that they were not given adequate time to prepare effectively for the expert working group.



RECOMMENDATIONS FOR SLOVAKIA

Vigorously investigate, prosecute, and convict traffickers, and sentence those convicted to prison terms; establish sentencing guidelines that sensitize judges to the severity of trafficking crimes and instruct them on the need for sentences to have a deterrent effect for future crimes; strengthen training and capacity building for investigators, prosecutors, and judges on a victim-centered approach to law enforcement efforts; clarify formal written procedures for victim referral; improve legal assistance to victims; train government officials, particularly border police, on proactive victim identification among vulnerable groups; facilitate more effective consultation with NGOs in the expert working group; improve data gathering on Slovak victims of trafficking abroad and foreign trafficking victims in Slovakia.

PROSECUTION

The government maintained law enforcement efforts. Section 179 of the criminal code prohibits all forms of trafficking and prescribes penalties between four and 25 years imprisonment for trafficking offenses. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2016, government officials initiated 25 new investigations, compared with 18 investigations in 2015 and 15 in 2014. Of these, 10 cases involved sex trafficking; six forced begging; six labor trafficking; two sex trafficking combined with forced marriage; and one labor trafficking, sex trafficking, and forced marriage. The national police reported 22 of the 25 new investigations involved Slovak victims exploited in other countries. The government initiated 10 prosecutions under section 179 of the criminal code (22 in 2015, 18 in 2014, and 12 in 2013). Prosecutors obtained convictions of four Slovak citizens under the trafficking law (21 in 2015, 19 in 2014, 14 in 2013, and 11 in 2012) and sentenced two of the convicted traffickers to 72-months imprisonment, the third to 56 months imprisonment, and sentenced the fourth to probation. Over the past five years, a large number of trafficking convictions have resulted in short or suspended sentences. National police cooperated with other countries' police authorities, as well as with EUROPOL and INTERPOL. During 2016, the government extradited three individuals on trafficking charges to Czechia, Germany, and United Kingdom (UK). U.S. and Slovak law enforcement collaborated on a December 2016 investigation of two potential Slovak trafficking victims recruited to work in a strip club in New York.

The Irregular Migration Unit within the Bureau of Border and Alien Police (BBAP) coordinated law enforcement efforts. NGOs commended the head of the trafficking unit within BBAP for promptly and proactively investigating suspected trafficking and for facilitating improved referral of cases to specialized police officers. Differences in how various institutions gathered law enforcement statistics hindered the effective comparison and monitoring of trafficking-related law enforcement efforts. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human

trafficking. The judicial academy and the Ministry of Interior conducted one seminar on identifying trafficking victims for judges, prosecutors, and police officers. The government held additional trafficking trainings for members of the national police unit. The Ministry of Interior launched an accredited trafficking curriculum at the police high school in Bratislava.

PROTECTION

The government maintained efforts to protect victims. In 2016, the government identified 32 victims (25 in 2015). NGOs identified an additional 13 victims. Of the 45 total victims identified, 25 of their cases resulted in police investigations; 18 were female, including three underage girls, and 27 were male, including five underage boys; and four were foreign citizens. Experts criticized the government for lacking reliable data on the prevalence of foreign trafficking victims in Slovakia. Some NGOs continued to criticize the government's victim care program for placing too high a burden of proof on the victim, impeding access to care services, and allowing too much discretion by law enforcement to decide whether a potential victim can enroll in the program. Of the 45 victims, 21 entered the government-funded victim care program in 2016 (25 of 28 total victims in 2015 and 34 of 41 total victims in 2014). In 2016, the government provided €221,617 (\$233,530) to three NGOs for the protection of trafficking victims, including repatriation assistance, compared to €212,927 (\$224,370) in 2015 and €225,100 (\$237,200) in 2014. This funding covered the support and care of victims, voluntary return of victims, and the national trafficking hotline. During the reporting period, the Ministry of Interior allocated €95,000 (\$100,110) in grants for projects addressing trafficking issues, the same amount as in 2015.

NGOs provided victims shelter and care services, including financial support, repatriation to Slovakia, healthcare, psychosocial support, and legal and interpretation services. Shelters for domestic violence victims housed trafficking victims separately. There were limited accommodations for victims with families. Child trafficking victims could be accommodated in government-run children's homes or an NGO-run crisis home for children; six children entered into the care program in 2016. Whether the government's system to refer identified victims to protection services can be considered unified remained unclear, but some government institutions had procedures to refer victims to the National Coordinator or care facilities. An NGO won a Supreme Court appeal against a 2014 government decision not to enroll a Vietnamese migrant in the care program, who the NGO suspected of being a trafficking victim. The Court concluded that the victim should be able to appeal its decision not to enroll the victim into the care program directly with the government. The government did not adequately identify foreign trafficking victims, with NGOs reporting authorities did not properly identify potential victims among migrants or refer them to services because it encouraged them to take advantage of assisted voluntary return. Border police did not always proactively screen migrants for indicators of trafficking, despite having received numerous victim identification trainings. The Slovak Embassy in London reported 11 trafficking cases of Slovak victims during 2016 (none in 2015 and 151 in 2014). The Slovak Embassy in London assisted potential trafficking victims through local NGOs.

All victims were eligible for up to 180 days of care support. Slovak law allows foreign victims to seek employment, but due to uncertain length of their tolerated residency status while participating in an investigation, employers were reluctant to

hire foreign victims. Limited funding for legal representation impaired foreign victims' ability to justify their cases for temporary residency. Moreover, experts noted lawyers provided by the government may not have relevant experience and knowledge to handle trafficking cases. The law authorizes the extension of permanent residency to foreign trafficking victims who would face hardship or retribution if returned to their country of origin; however, authorities have issued no such residence permits.

Thirty-two victims of the total 45 identified cooperated with police and prosecutors in investigating and prosecuting trafficking cases. Court proceedings, however, were not always adapted, nor law enforcement professionals sufficiently trained, to avoid re-traumatization of victims. Victims have been discouraged from participating in trafficking investigations due to these conditions. Victims provided testimony multiple times and in close proximity to suspected traffickers during the pre-trial and trial process. NGOs deemed the expertise of the legal advice available to victims through the government program insufficient. NGOs not contracted by the government have provided private, specialized legal assistance to aid victims. Although Slovak law allows for victims to pursue restitution through civil and criminal cases, experts noted judges did not award damages in the majority of criminal cases, and victims lacked legal and financial support to pursue damage claims. The government did not report cases of victims being awarded restitution. There were no reports of the government penalizing victims for unlawful acts committed as a direct result of being subjected to trafficking, however, unidentified foreign victims may have been prosecuted or deported, and the government passed an amendment in 2013 that authorizes prosecutors not to prosecute trafficking victims for crimes committed during their exploitation.

PREVENTION

The government increased efforts to prevent human trafficking. A national program to fight trafficking, covering 2015-2018, continued to guide all government anti-trafficking efforts. The interior ministry's crime prevention office coordinated the government's anti-trafficking activities, including overseeing victim care services, training officials on victim identification, conducting awareness campaigns and trainings, and convening the expert working group, consisting of government and NGO representatives. Some NGOs continued to report that they were not given sufficient time to comment on issues before the working group. The crime prevention office housed an information center, which was designated as the national rapporteur. The center also collected statistics on the government's anti-trafficking efforts, but did not produce a comprehensive report assessing the government's efforts. The government launched extensive trafficking prevention and public awareness campaigns to engage the general public, students, employers, and at-risk children in orphanages. In October 2016, the government launched a nationwide public awareness campaign to promote the national trafficking hotline. The government continued to implement a new internet-based computer application that allowed the families of Slovaks traveling abroad to receive alerts should the user cease online activity. The government continued to support an anti-trafficking hotline operated by an NGO, which received over 255 substantive calls and helped identify and refer one victim to services. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for 36 of its diplomatic personnel and 403 military personnel eligible

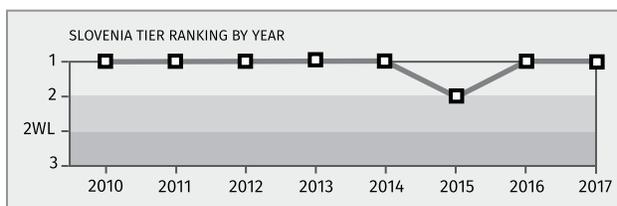
to serve in peacekeeping missions abroad. The government's consular affairs office conducted "consular days" in 12 cities outside London and in the United States to provide consular services, including trafficking prevention information, to Slovak migrants.

TRAFFICKING PROFILE

As reported over the past five years, Slovakia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Slovak men and women are subjected to forced labor in agriculture and construction in Western Europe, primarily in the UK. Slovak women are subjected to sex trafficking in Germany, Austria, the UK, Ireland, Switzerland, Poland, and other European countries, as well as the United States. Ukrainian, Moldovan, Bulgarian, Romanian, Thai, and Vietnamese men and women are subjected to forced labor in Slovakia. Eastern European women are also reportedly transported to and through Slovakia and forced into prostitution within the country and throughout Europe. Roma from marginalized communities are disproportionately vulnerable to trafficking. Slovak children of Romani descent are subjected to sex trafficking within marginalized communities in the Slovak Republic and forced criminal behavior in the UK. Slovak men, women, and children of Romani descent are subjected to forced begging throughout Western Europe. Traffickers find victims through family and village networks for sex and labor trafficking, and have also exploited men in forced labor. Children without family or relevant support structures who leave institutional care facilities are subjected to sex and labor trafficking.

SLOVENIA: TIER 1

The Government of Slovenia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Slovenia remained on Tier 1. The government demonstrated serious and sustained efforts by convicting more traffickers and sentencing them to more severe sentences than in previous years. The government offered more training for government personnel and conducted campaigns to sensitize officials, the public, and the private sector on labor trafficking. Although the government meets the minimum standards, it did not consistently sentence convicted traffickers to penalties proportionate to the crime and did not consistently implement a victim-centered approach in prosecutions. It also did not provide proper and safe facilities to assist child victims of trafficking, nor did it assist all victims to have access to restitution.



RECOMMENDATIONS FOR SLOVENIA

Increase specialized training for investigators, prosecutors, and judges in applying the human trafficking statute and improve efforts to develop a victim-centered approach to prosecutions; expand efforts to identify victims of both sex and labor

trafficking among vulnerable populations, including individuals in prostitution, foreign migrant workers, unaccompanied children, and children in begging; provide proper systems and safe facilities to assist child victims of trafficking; increase efforts to facilitate all victims' access to restitution, such as through court-ordered restitution from convicted traffickers; continue prevention outreach to vulnerable populations, such as Roma; vigorously prosecute sex and labor trafficking offenses, and convict traffickers under the trafficking in persons law with sentences that reflect the severity of their crime; and continue to raise awareness of forced labor and sex trafficking among healthcare providers, social workers, the general public, and include in school curricula.

PROSECUTION

The government increased law enforcement efforts, but the judiciary did not impose dissuasive sentences on all convicted traffickers. Article 113 of the criminal code criminalizes all forms of trafficking and prescribes penalties ranging from one to 15 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2016, the police conducted five trafficking investigations, which involved 31 criminal acts and 15 perpetrators, compared with six investigations in 2015. Authorities initiated or continued prosecutions involving 21 defendants under article 113 (four of these were initiated during this reporting period), compared with 23 in 2015. The government convicted nine traffickers under article 113 in 2016, compared with three in 2015, none in 2014, and two in 2013. The courts sentenced two traffickers to five years in prison, one person to 3.6 years in prison, and another to 1.6 years in prison, marking an increase in prison terms from previous years. These individuals also received fines ranging from €1,240 to €10,230 (\$1,307-\$10,780); one of them was also required to turn over €850,000 (\$895,680) of illegally gained property. In addition, for four defendants who pled guilty and cooperated with law enforcement, the court issued conditional sentences of one to three years imprisonment if they repeat their crime in the next two to five years. In one additional case, the convicted trafficker had not yet been sentenced at the end of the reporting period. The government conducted specialized training for investigators, prosecutors, judges, border control, and general police forces. Slovenian and Italian police conducted a joint operation to arrest two Slovenians in Brazil involved in an international sex trafficking network that forced young Brazilian women into prostitution in Slovenia. In September 2016, Ljubljana police uncovered a sex and drug trafficking ring that had victimized Slovenian and Serbian women. The government cooperated with Romanian justice authorities to prosecute and convict in Romania four sex traffickers operating in Slovenia who had victimized young Romanian women and a minor.

PROTECTION

The government maintained weak victim protection efforts. The government allocated €85,000 (\$89,568) for victim protection, similar to 2015 support. The government identified 27 adult sex trafficking victims in 2016 (47 in 2015 and 36 in 2014); four of these victims received shelter in a government-funded, NGO-operated safe house or crisis accommodation (seven in 2015). Three of these victims were Slovenian and 24 were foreigners. NGOs identified an additional 18 potential sex trafficking victims in 2016. The 45 total victims identified by government and NGOs compared to 75 total victims in 2015, 36 total victims in 2014, and 37 total victims in 2013. Child victims of trafficking lacked adequate facilities for housing and assistance. Experts noted that health care providers and social

workers need more training. The government-funded two NGOs that provided services for all 45 adult trafficking victims in 2016, compared with 75 victims in 2015. The government did not have specific facilities for unaccompanied child trafficking victims. All foreign victims are allowed a 90-day reflection period to reside legally in Slovenia while recovering and considering whether to participate in an investigation. During this time, they are eligible to stay in crisis accommodation, after which victims from non-EU countries can elect to stay in safe accommodation for an additional three-month period (for a total of 180 days), regardless of whether they cooperate with law enforcement. During the reporting period, none of the victims requested accommodation. In cases of participation in pre-trial and criminal proceedings, foreign victims are eligible to receive a temporary residency permit for the duration of the legal proceedings and could receive additional services, including safe, long-term accommodation, translation and interpretation services, and a protective escort. One victim extended a permit from 2015. In 2016, no victims cooperated with Slovenian law enforcement on trafficking cases, although some did cooperate with law enforcement from their country of origin; this compared with two victims who cooperated with law enforcement in 2015. No victims sought restitution in civil cases in 2016; GRETA previously reported no victims have ever received restitution from their traffickers. Not all trafficking victims were eligible for restitution from the state fund for crime victims; according to Slovenian law, restitution is only available for citizens of Slovenia and the EU. There were no reports of victims inappropriately penalized for unlawful acts committed as a direct result of being subjected to human trafficking. However, there remained concerns that unidentified victims, especially in forced labor, were possibly being penalized or deported. There were three repatriation cases organized by an NGO during the reporting period; the rest of the victims returned to their home countries on their own.

PREVENTION

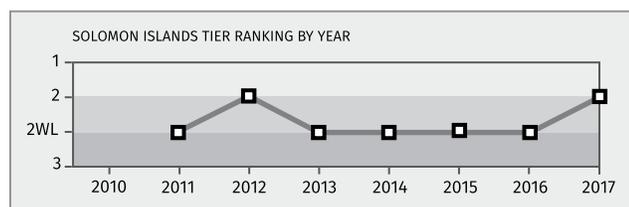
The government increased prevention efforts. The Ministry of Interior's interdepartmental working group (IWG), led by the national coordinator, organized national efforts and produced an annual monitoring report available to the public. The working group implemented the 2015-2016 action plan. As part of the plan, the government provided trafficking-specific training for all government personnel. In May 2016, the government adopted the Manual for Identification of Victims of Trafficking in Persons and distributed it to relevant government officials. The IWG drafted the 2017-2018 action plan, but it was not approved by the close of the reporting period. The IWG allocated approximately €20,000 (\$21,075), which is a similar sum as 2015, for awareness campaigns targeting potential trafficking victims, particularly schoolchildren and migrant workers. The government launched a web portal for the public to promote awareness of forced labor and labor exploitation. The government made efforts to prevent labor exploitation and forced labor by increasing labor trafficking training at the state labor inspectorate and at the criminal police administrative and by publishing an electronic handbook on preventing hidden forced labor. It promoted the handbook to various local companies and in the Slovene chamber of commerce. The government partnered with Serbia in a project to improve Serbia's trafficking investigation systems. The government provided anti-trafficking awareness and training for diplomatic, military, and police personnel before deployment overseas. The government did not take significant measures during the reporting period to reduce the demand for commercial sex or forced labor.

TRAFFICKING PROFILE

Slovenia is a destination, transit, and, to a lesser extent, a source country for women and children subjected to sex trafficking and for men, women, and children subjected to forced labor and forced begging. Men from Bosnia and Herzegovina, Romania, Serbia, Slovakia, Slovenia, and Ukraine are forced to beg and labor in the construction sector. Sometimes these persons transit through Slovenia to Italy, Austria, and Germany where they are subjected to forced labor. Women and children from Slovenia—as well as other European countries, Brazil, and the Dominican Republic—are subjected to sex trafficking within the country, and also transit through Slovenia to Western Europe where they face sexual exploitation. Ethnic Roma are particularly vulnerable to trafficking in Slovenia.

SOLOMON ISLANDS: TIER 2

The Government of the Solomon Islands 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 Solomon Islands was upgraded to Tier 2. The government demonstrated increasing efforts by amending its legal framework to prohibit all forms of trafficking, implementing new victim identification procedures, and dedicating resources for the provision of food and shelter for victims. However, the government did not meet the minimum standards in several key areas. It did not prosecute or convict any traffickers, and victim protection was severely lacking. The government did not conduct any anti-trafficking training, and low awareness among government officials and the public hindered progress.



RECOMMENDATIONS FOR THE SOLOMON ISLANDS

Investigate and prosecute both sex and labor trafficking offenses and convict and punish traffickers with dissuasive prison sentences; increase efforts to identify sex and labor trafficking victims, including in the fishing, logging, and mining industries; provide training on human trafficking laws and victim identification procedures to immigration officials, law enforcement officers, and social service providers, including at the provincial level; increase government support for victim services, including through the allocation of funding; institute a campaign to raise public awareness of human trafficking; allocate funding to relevant ministries to implement the national action plan for combating trafficking in persons; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts by adding provisions to its penal code criminalizing internal trafficking. These amendments enacted in May 2016, together with existing provisions in the immigration act, prohibit and punish all forms

of trafficking. Article 143 of the amended penal code prohibits child sex trafficking and prescribes penalties of up to 15 or 20 years imprisonment, based on the child's age. Article 145 of the amended penal code prohibits all forms of trafficking in which the act occurs within the country and prescribes penalties of up to 15 years imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes. The immigration act prohibits and punishes other forms of trafficking, including crimes in which the act (recruitment, transportation, harboring, or receiving) occurs outside the Solomon Islands. The immigration act prescribes a penalty of up to five years imprisonment or a fine of up to 45,000 Solomon Island dollars (\$5,670), or both for the trafficking of adults; it prescribes a penalty of up to 10 years imprisonment or a fine of up to 90,000 penalty units (\$11,340), or both for the trafficking of children. These penalties are sufficiently stringent, but not commensurate with penalties for other serious offenses, such as rape. Further, fines in lieu of imprisonment are inadequate to deter trafficking crimes and are disproportionately low compared to the seriousness of the crime.

As in the previous reporting period, the government did not prosecute or convict any traffickers. Authorities investigated two new cases of suspected trafficking, compared to two in 2015. One was a possible sex trafficking case involving a girl from the Solomon Islands and the second was a labor trafficking case involving ten foreign men—both occurring at logging camps. Law enforcement officials referred the case of suspected child sex trafficking to the director of public prosecutions; authorities were awaiting guidance from the prosecutor's office at the end of the reporting period. Courts dropped the forced labor investigation due to insufficient cooperation from key government officials. Two suspected cases of forced labor identified in previous reporting periods remained under consideration by the director of public prosecution. Because the government did not adequately fund enforcement agencies, authorities were slow to respond to reports of trafficking; agencies lacked logistical resources and technical expertise to pursue investigations. A foreign donor conducted training for law enforcement officials, including two "train the trainer" courses, but the government did not conduct any training itself. Many officials remained unaware of anti-trafficking legislation and an overall lack of awareness of trafficking hindered effective law enforcement activity. The government did not conduct any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government moderately increased efforts to protect trafficking victims. It began implementing and training officials on the new victim identification guidelines and, in collaboration with an international organization, developed a screening tool to assess potential cases. The government conducted four multiagency monitoring and inspection operations at logging companies and identified 11 potential trafficking victims: 10 men from Indonesia, Malaysia, and the Philippines suspected to be victims of forced labor and one girl exploited in sex trafficking. In comparison, authorities identified 15 labor trafficking victims in 2015 and no victims in 2014. The government spent 30,000 Solomon Islands dollars (\$3,780) to provide three weeks of food and shelter for each of the potential labor trafficking victims. It provided medical services to the sex trafficking victim and referred her to a civil society organization that sheltered her for one night. One local organization operated a shelter for domestic violence victims that could provide shelter to female

child sex trafficking victims; it was unknown whether it housed any trafficking victims in 2016. No trafficking-specific services existed in the country. A lack of long-term protective services left victims vulnerable to re-trafficking after being returned to their home communities.

The immigration act granted the government authority to provide temporary residence permits to allow foreign victims to assist police in investigations and provided victims protection from prosecution for immigration-related crimes committed as a result of being subjected to trafficking. It was unclear whether these protections would be extended to victims whose cases were investigated under the penal code. Authorities may have arrested and prosecuted sex trafficking victims for prostitution violations without screening by officials to determine whether they were trafficking victims. Due to lengthy legal processes, fear of retaliation by traffickers or prosecution by police, and a lack of incentives to remain and participate in cases, foreign victims typically opted to return to their home countries, which hindered prosecutions. An international organization coordinated and paid for the repatriation of 10 victims. The government reported trafficking victims are able to seek compensation from their employers through civil suits, although no trafficking victims have ever filed such suits.

PREVENTION

The government maintained limited efforts to prevent trafficking. The Anti-Human Trafficking Advisory Committee (AHTAC), which included members of the government and civil society, met on a quarterly basis. The AHTAC began implementation of the 2015-2020 national action plan by enacting new legislation, including a law on internal trafficking, and finalized the action plan's terms of reference, which were awaiting cabinet approval. The government did not conduct any campaigns to raise public awareness of human trafficking. The government reported it increased its scrutiny of agents applying for visas on behalf of young foreign women, and as a result rejected 39 tourist visa applications for women it suspected to be at risk of trafficking; however, this practice may have unduly restricted the migration of young women into the Solomon Islands. The government did not report taking action to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. The Solomon Islands is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

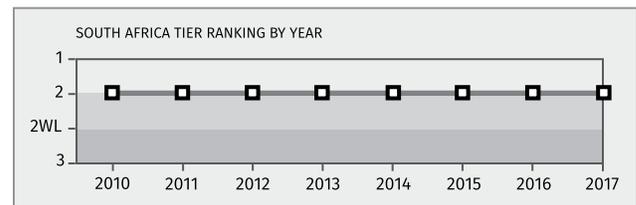
As reported over the past five years, the Solomon Islands is a source, transit, and destination country for local and Southeast Asian men and women subjected to forced labor and forced prostitution, and local children subjected to sex and labor trafficking. Women from China, Indonesia, Malaysia, and the Philippines are recruited for legitimate work, some paying large sums of money in recruitment fees, and upon arrival are forced into prostitution. Men from Indonesia and Malaysia are recruited to work in logging and mining industries and some are subsequently subjected to forced labor in industrial camps. Fishing crew members from Indonesia, the Philippines, Vietnam, Sri Lanka, the Democratic People's Republic of Korea, and Fiji have reported situations indicative of human trafficking, including non-payment of wages, severe living conditions, violence, and limited food supply on Taiwan-flagged fishing vessels in the Solomon Islands' territorial waters and ports.

Solomon Island children are subjected to sex trafficking and forced labor within the country, sometimes in exchange for

money or goods, particularly near foreign logging camps, on foreign and local commercial fishing vessels, and at hotels and entertainment establishments. Girls and young women are recruited to travel to logging camps for domestic work and some are subsequently exploited in prostitution. Some parents receive payments for sending young women and girls into forced marriages with foreign workers at logging and mining companies; many of them are exploited in domestic servitude or prostitution. Local boys and girls are put up for "informal adoption" by their families to pay off debts; some are subjected to forced labor as domestic servants or sexual servitude by the adopted family or guardians. Boys are forced to work as domestic servants and cooks in logging camps.

SOUTH AFRICA: TIER 2

The Government of South Africa 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, South Africa remained on Tier 2. The government demonstrated increasing efforts by identifying more than double the number of trafficking victims and referring all identified victims to care. The government convicted 11 traffickers, including its first under the Prevention and Combating of Trafficking in Persons Act (PACOTIP), and handed down stringent sentences in 10 cases. The government established a national anti-trafficking hotline in collaboration with a NGO, launched a program with another NGO to screen individuals for trafficking indicators prior to deportation at one international airport, and led awareness campaigns. However, the government did not meet the minimum standards in several key areas. The government severely under-budgeted the funds required to implement the anti-trafficking law and consequently could not fully implement the law. The government did not comprehensively monitor or investigate forced child labor or the labor trafficking of adults in the agricultural, mining, construction, and fishing sectors. The government did not prosecute or convict any officials allegedly complicit in trafficking offenses, despite allegations of complicity involving immigration and law enforcement officials. The South Africa police service (SAPS) was widely criticized for not identifying victims, even after NGOs conducted preliminary identification screenings. Officials across the government had difficulty identifying labor trafficking victims and differentiating between trafficking and smuggling crimes.



RECOMMENDATIONS FOR SOUTH AFRICA

Fund and increase efforts to fully implement PACOTIP and related regulations; continue to train law enforcement and social service officials on these provisions; amend the anti-trafficking law to ensure penalties are sufficiently stringent and do not allow for fines in lieu of prison time; increase efforts to investigate, prosecute, and convict traffickers, including employers who

use forced labor, under PACOTIP; investigate and prosecute officials suspected of complicity in trafficking crimes; ensure victims are issued the appropriate identification documents in order to receive protective services; train law enforcement and social service providers to use a victim-centered approach when interacting with potential victims and recognize initial consent is irrelevant; improve efforts to screen vulnerable groups, including potential deportees and women in prostitution, for trafficking indicators; replicate the coordinated anti-trafficking law enforcement and victim referral mechanisms of KwaZulu-Natal (KZN) and Western Cape in all provinces; extend the availability of drug rehabilitation services to trafficking victims; certify or establish additional shelters for male victims; provide anti-trafficking training for diplomatic personnel and troops deployed abroad; and institute formal procedures to compile national statistics on traffickers prosecuted and victims assisted.

PROSECUTION

The government maintained prosecution efforts, although official complicity in trafficking crimes remained a serious concern. The PACOTIP of 2013 criminalizes all forms of human trafficking. Articles 4-11 provide a range of penalties for trafficking in persons, ranging from fines, up to 100 million South African rand (\$7.3 million), to life imprisonment, depending on the severity of the offense. The penalties are sufficiently stringent; however, by allowing for a fine in lieu of imprisonment, the prescribed punishment is not commensurate with those for other serious crimes, such as rape. The implementing regulations for PACOTIP's immigration provisions found in sections 15, 16, and 31(2)(b)(ii) have not been promulgated. The Sexual Offenses Act (SOA) also criminalizes the sex trafficking of children and adults and prescribes penalties of up to 20 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The Basic Conditions of Employment Act of 1997 (BCEA), amended in 2014, criminalizes forced labor and prescribes maximum penalties for forced labor for both children and adults from three to six years imprisonment. In addition, the Children's Amendment Act of 2005 prescribes penalties of five years to life imprisonment or fines for the use, procurement, or offer of a child for slavery, commercial sexual exploitation, or to commit crimes. Where relevant, prosecutors sometimes relied on the Prevention of Organized Crime Act of 1998 in combination with SOA, which added additional charges—such as money laundering, racketeering, and criminal gang activity—and increased penalties of convicted defendants.

The government did not report the number of cases it investigated; it initiated prosecutions of six cases, involving 11 sex traffickers, and obtained convictions of 11 sex traffickers, compared five traffickers prosecuted and 11 convicted in 2015. Sentences ranged from suspended jail time to life imprisonment. In March 2017, the government convicted a Nigerian trafficker under PACOTIP to 20 years imprisonment for child sex trafficking of a girl made dependent on drugs as a means of coercion. In one case, the Durban regional court convicted and sentenced three defendants to 254, 304, and 315 years respectively; however, two will serve 25 years and the third 35 years. The government did not report action on the pending prosecutions of 19 alleged sex traffickers, some from previous years, which had remained ongoing at the end of the last reporting period. While the government obtained the conviction of one Nigerian trafficker, the government has made little progress in prosecution of traffickers connected to international syndicates involving Nigerian, Thai, Chinese, Russian, or Bulgarian traffickers, who dominate the commercial sex industry

in several South African cities. During the reporting period, an NGO reported the government severely under-budgeted funding required to implement PACOTIP and consequently the act could not be fully implemented until additional funds were allocated to government entities responsible for its implementation. The Department of Priority Crime Investigation (DPCI) proactively investigated trafficking cases and collaborated closely with the National Prosecuting Authority (NPA) to build cases. NGOs reported local police stations often declined to investigate trafficking cases, even when NGOs provided case information.

The government did not prosecute or convict any officials allegedly complicit in trafficking offenses, despite allegations of complicity involving immigration and law enforcement officials. A police station near Pretoria allegedly notified traffickers to retrieve their victims when the victims sought help. Reports alleged that SAPS officers used an official vehicle to transport victims to a brothel, where they were exploited. SAPS officers allegedly accepted bribes not to investigate sex trafficking. NGOs reported some police officers solicited commercial sex acts from victims. There were allegations that officials within the Department of Home Affairs (DHA) produced fraudulent birth certificates, passports, and other identification documents that facilitated trafficking crimes. Immigration officials, private security companies, and airline officials may have been involved in facilitating trafficking operations at international airports.

While the majority of trafficking victims in South Africa are labor trafficking victims, the government did not prosecute or convict any labor traffickers in 2016. The government did not comprehensively monitor or investigate forced child labor or the labor trafficking of adults in the agricultural, mining, construction, and fishing sectors. Department of Labor (DOL) inspectors continued to use administrative provisions within the BCEA as their core enforcement mechanism and rarely referred cases for criminal investigation. The NPA, DHA, SAPS, Department of Social Development (DSD), Department of Health (DOH), and DOL continued to include anti-trafficking trainings developed by an international organization within their trainings for new staff.

PROTECTION

The government increased protection efforts. The government identified and referred to care in government shelters 220 trafficking victims, compared to 103 victims identified in 2015. The government identified victims in eight provinces, mainly in Gauteng. In one potential forced labor case, in January, 2017, the SAPS and DPCI identified 72 potential victims from a factory in KZN province.

DSD continued oversight of and funding to 13 accredited NGO-run multipurpose shelters and continued to oversee 17 NGO-run safe houses designed to temporarily shelter victims before transfer to an accredited shelter, providing a stipend on a per person, per night basis to the safe houses. There was only one shelter, in Gauteng, available for male trafficking victims. The government identified four Filipino fishermen victims and referred them to an NGO-operated shelter in Cape Town. Serious concerns were raised that NGOs without training, expertise, or accreditation from the DSD failed to screen potential victims prior to placing them in shelters and created vulnerability within shelters housing legitimately screened trafficking victims; the DSD confirmed the high rate of new NGOs that ran unaccredited shelters housing trafficking victims. DSD ran a nine-week rehabilitation program to address the psycho-social well-being of victims and paid for victims

to receive residential treatment at rehabilitation centers for overcoming drug addiction; however, not all provinces had such centers. The government operated a network of Thuthuzela Care Centers (TCCs) —full service crisis centers to assist victims of rape and sexual violence, including potential trafficking victims; it reported the 53 TCCs assisted five victims of trafficking. Per a DSD policy, staff prevented both adults and children from leaving shelters unaccompanied, reportedly for security reasons. Rapid-response teams comprised of government agencies and NGOs in Gauteng, Mpumalanga, Western Cape, and KZN continued to coordinate protective services, including shelter, for victims. DSD, which is responsible for designating and certifying trafficking victim status, continued to accept victims from law enforcement and coordinate their placement in a registered shelter.

SAPS, DSD, NPA, DHA, and the Department of Justice (DOJ) had uniform formal procedures to identify and refer trafficking victims to care, in accordance with PACOTIP. Implementation of these procedures varied by department and province; not all officials were aware of referral procedures. SAPS was widely criticized for not identifying victims, even after NGOs had conducted preliminary identification screening. Officials in all departments had difficulty identifying labor trafficking victims and differentiating between trafficking and smuggling crimes. KZN and Western Cape provincial task teams used an interagency protocol to guide law enforcement interactions with women in prostitution. Law enforcement generally did not screen women and LGBTI persons in prostitution for trafficking indicators, and instead sometimes charged them with prostitution and other violations. Male labor trafficking victims remained largely unidentified and were frequently detained, deported, jailed or fined. In March 2017, immigration officials at the international airport in Johannesburg signed an agreement with an NGO to profile and identify potential trafficking victims prior to deportation. Through this initiative, the government and NGO partner conducted over 100 screenings and referred an unknown number of victims to care.

Systemic hurdles inhibited progress in providing justice and protection for victims. A lack of language interpretation impeded the investigation of trafficking cases, prosecution of suspected offenders, and screening of victims. Officials encouraged victims to participate in the investigation and prosecution of traffickers and the government provided security and long-term care for an unknown number of victims who did so during the reporting period. PACOTIP provides trafficking victims relief from deportation; however, regulations to implement this provision have not been promulgated. Law enforcement may petition DHA on behalf of foreign victims to prevent their deportation; however, reports indicated foreign victims lacking appropriate documentation or residency status in South Africa were not allowed to study in any registered institution or work for the duration of an investigation or court proceeding, limiting foreign victims' willingness to testify in court. Foreign victims did not have the same access to health care as South African victims. DSD policy required evidence of force, fraud, or coercion immediately after victims' rescue and their classification as victims of trafficking to facilitate placement in facilities. Suspected criminals could only be held for 48 hours without evidence; because many traumatized victims were unable or unwilling to provide statements within that period, some suspected offenders were released.

PREVENTION

The government increased efforts to prevent trafficking. The

government finalized and began to implement its national action plan during the reporting period; however, civil society reported implementation was uneven. In August 2016, the government, in coordination with an NGO, launched a national anti-trafficking hotline; professionally-trained hotline specialists received calls 24-hours a day, seven days a week. In October, DPCI conducted a three-day awareness campaign on trafficking in Northern Cape. The campaign was intended to foster community support and participation in fighting trafficking in the area. The government conducted awareness campaigns via social and traditional media, including radio, and held awareness events at malls. The government provided consular and immigration officials basic anti-trafficking training in order to screen for trafficking indicators of visa applicants and individuals entering the country. NPA and DOJ oversaw six provincial task teams coordinated through the national task team, which met quarterly to discuss counter-trafficking efforts and worked collaboratively to address challenges.

The government did not make efforts to reduce the demand for commercial sex or forced labor. The government did not provide anti-trafficking training to its peacekeepers prior to their deployment abroad on international peacekeeping missions. In coordination with an international organization, the government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

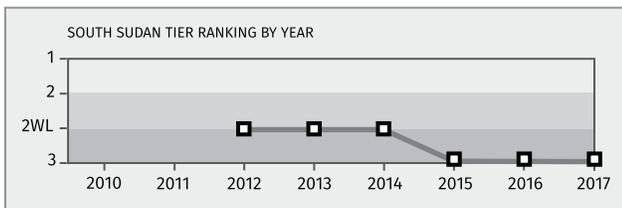
As reported over the past five years, South Africa is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. South African children are recruited from poor rural areas to urban centers, such as Johannesburg, Cape Town, Durban, and Bloemfontein, where girls are subjected to sex trafficking and domestic servitude and boys are forced to work in street vending, food service, begging, criminal activities, and agriculture. Many children, including those with disabilities, are exploited in forced begging. Non-consensual and illegal *ukuthwala*, the forced marriage of girls as young as 12 to adult men, is practiced in some remote villages in Eastern Cape Province; some of these girls are subjected to forced labor and sex slavery. Local criminal rings organize child sex trafficking, while Russian and Bulgarian crime syndicates facilitate trafficking within the Cape Town commercial sex industry, and Thai and Chinese nationals organize the sex trafficking of Asian men and women. Nigerian syndicates dominate the commercial sex industry in several provinces. To a lesser extent, syndicates recruit South African women to Europe and Asia, where some are forced into prostitution, domestic servitude, or drug smuggling. Law enforcement reported traffickers employ forced drug use to coerce sex trafficking victims.

Thai women remained the largest group of identified foreign victims, but officials reported an increased number of Chinese victims. Women and girls from Brazil, Eastern Europe, Asia, and neighboring African countries are recruited for work in South Africa, where some are subjected to sex trafficking, domestic servitude, or forced labor in the service sector, or transported to Europe for similar purposes. NGOs in Western Cape have reported an increased number of Nigerian sex trafficking victims, many coerced through voodoo rituals, and more Nigerians in domestic servitude. Central African women are reportedly subjected to forced labor in hair salons. Foreign and South African LGBTI persons are subjected to sex trafficking. Foreign male forced labor victims have been identified aboard fishing vessels in South Africa's territorial waters; NGOs estimated 10

to 15 victims of labor trafficking each month disembark in Cape Town. Young men and boys from neighboring countries migrate to South Africa for farm work; some are subjected to forced labor and subsequently arrested and deported as illegal immigrants. Forced labor is reportedly used in fruit and vegetable farms across South Africa and vineyards in Western Cape. The government and NGOs report an increase in Pakistanis and Bangladeshis subjected to bonded labor in businesses owned by their co-nationals. Official complicity—including by police—in trafficking crimes remained a serious concern. Some well-known brothels previously identified as locations of sex trafficking continued to operate with officials' tacit approval.

SOUTH SUDAN: TIER 3

The Government of the Republic of South Sudan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, South Sudan remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including the development and dissemination of a manual and training module covering human trafficking for customs and border officials during the year. In addition, officials put in place military enlistment procedures that require an age assessment to prevent the future recruitment of child soldiers. However, the government continued to recruit—often by force—and use child soldiers and failed to hold the Sudan People's Liberation Army (SPLA) officers criminally accountable for these unlawful actions. Authorities did not investigate or prosecute forced labor or sex trafficking crimes, and officials generally lacked understanding of existing laws prohibiting human trafficking. The government made negligible efforts to protect trafficking victims and continued to indiscriminately arrest and imprison individuals for prostitution, including child sex trafficking victims, without screening for indicators of trafficking.



RECOMMENDATIONS FOR SOUTH SUDAN

Cease all recruitment and use of children younger than 18 years of age by the SPLA and its associated militias; end armament or assistance to armed groups that conscript and/or use children younger than age of 18 years; pursuant to article 1.10 of the Agreement on the Resolution of the Conflict in South Sudan, undertake the immediate release of child soldiers under command or influence of the SPLA and affiliated militias in conjunction with the International Committee of the Red Cross (ICRC) and UNICEF for transfer to appropriate civilian rehabilitation and reintegration programs; investigate, prosecute, and convict military officials allegedly complicit in the recruitment, use, and exploitation of children; investigate and prosecute suspected trafficking offenses, and convict and punish traffickers, including complicit government officials, under existing laws; expedite the establishment of a hybrid court pursuant to the peace agreement or request the International

Criminal Court to investigate potential war crimes and crimes against humanity committed during the conflict, including the recruitment and use of child soldiers; provide financial and political support to the SPLA's Child Protection Directorate and the army's military justice section, so that they can identify perpetrators and refer cases to civilian courts; train law enforcement and judicial officials to recognize trafficking victims among vulnerable groups, particularly children and individuals in prostitution; establish and implement procedures to prevent penalization of trafficking victims for crimes committed as a direct result of being subjected to trafficking; conduct a public awareness campaign to educate government officials and the general public on all forms of human trafficking; develop robust partnership with civil society so they may provide adequate care to victims; develop an inventory of service providers, and train government officials on procedures to refer victims to these entities to receive care; allow unimpeded access to all military barracks, including unannounced inspections to identify and remove any children; develop and implement a national anti-trafficking strategy; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government demonstrated no discernable anti-trafficking law enforcement efforts. South Sudanese law does not criminalize all forms of trafficking, but the 2008 penal code does address some forms of the crime. Article 282 prohibits and prescribes a sufficiently stringent punishment of up to seven years imprisonment for the sale of a person across international borders. Articles 278 and 279 prohibit and prescribe punishments of up to seven years imprisonment for the abduction and transfer of control over a person for the purpose of unlawful compulsory labor; the prescribed punishment of up to two years imprisonment for compulsory labor without aggravating circumstances, is not sufficiently stringent. Article 276 criminalizes buying or selling a child for the purpose of prostitution and prescribes a punishment of up to 14 years imprisonment, which is sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Punishments prescribed in article 254 for procuring a child—up to 10 years imprisonment—or an adult—up to two years imprisonment—for the purposes of prostitution are not commensurate with those for rape. Article 258 prescribes punishments of up to 10 years imprisonment for parents or guardians who compel or allow their child to be involved in the sex trade. South Sudan's 2008 Child Act prohibits the recruitment and use of children for military or paramilitary activities, and prescribes punishments of up to 10 years imprisonment for such crimes.

The government reported no investigations, prosecutions, or convictions for trafficking crimes, including offenses that were reported to have been committed by officials, including SPLA members. Despite the ongoing unlawful recruitment and use of child soldiers by the SPLA and its allied militias, the government had never held an offender criminally or administratively accountable for such crimes. The critical lack of capacity throughout the justice sector impeded law enforcement efforts. Courts lacked lawyers, judges, and defense attorneys knowledgeable on trafficking issues or South Sudanese laws prohibiting trafficking, and resources to investigate and prosecute most crimes, including human trafficking, were scant. Pervasive corruption in both the judicial and law enforcement sectors, including the use of intimidation and bribery, hampered prosecutions of traffickers. During the reporting year, with technical support from an international organization, the Ministry of Interior developed a manual and training module

covering human trafficking and smuggling for the Directorate of Nationality, Passports, and Immigration and disseminated them to customs and border officials. In 2016, more than 20 immigration officials participated in an anti-trafficking train-the-trainer program in Tanzania, which was sponsored by an international organization.

PROTECTION

The government maintained negligible efforts to protect victims. The government did not identify or refer to care any trafficking victims during the reporting year, and front-line officers failed to remove trafficking victims from exploitative situations. Lacking a mechanism to distinguish or identify potential victims among vulnerable populations, security forces continued to indiscriminately arrest individuals in prostitution, some of whom were trafficking victims, without screening. The Ministry of Social Development (MSD), an international organization, and multiple NGO partners supported a private shelter for orphaned and adolescent girls at risk of exploitation. The MSD, with backing from an international organization, also ran a transition center for victimized children and mothers—including potential trafficking victims. There were no specialized services available for trafficking victims. During the reporting period, an international organization, in partnership with the government, continued to demobilize and reintegrate children; efforts included release negotiation, screening and registration, familial reunification, educational placement, or vocational training. In October 2016, the same international organization reported securing the release of 145 children from armed groups, and providing them with psycho-social support, food assistance, medical screenings, civilian clothing, and reintegration support. The government did not provide financial support to aid in these efforts, though it did provide staff.

Social stigma and justified fears of punitive law enforcement actions discouraged victims—particularly those subjected to sex trafficking—from communicating with law enforcement authorities. There were no laws or policies to protect victims from prosecution for crimes committed as a direct result of being subjected to trafficking. The government did not provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution or encourage victims to assist in the investigation and prosecution of trafficking crimes.

PREVENTION

The government made minimal efforts to prevent trafficking. Neither the National Aliens Committee—tasked in 2015 to address trafficking issues in the country—nor its child labor unit was active during the reporting year. The Police Services Act of 2009 designated the South Sudan police service as the lead on investigation of potential trafficking crimes and enforcement of the law. Some SPLA representatives denied the military's recruitment of children into its ranks and continued to actively recruit child soldiers, at times by force, and failed to implement the action plan to demobilize child soldiers. During the reporting year, officials put in place military enlistment procedures that require an age assessment to prevent the future recruitment of child soldiers. The government did not have a national action plan against trafficking; trafficking awareness remained low among government officials and the public. The government launched a campaign against sexual exploitation, designed to raise awareness among vulnerable groups and how to identify, prevent, and report gender-based violence crimes, including trafficking. In September 2016, officials organized a two-day, high-level dialogue on impunity associated with sexual

exploitation and crimes against women and child victims of the Lord's Resistance Army (LRA); the conference reached an unknown number of government personnel and civil society stakeholders. Authorities failed to make efforts to address the labor exploitation of South Sudanese nationals working abroad or foreign nationals within South Sudan. The government made no discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel. South Sudan is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, South Sudan is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. South Sudanese women and girls, particularly those from rural areas or who are internally displaced, are vulnerable to domestic servitude throughout the country. Some of these women and girls are sexually abused by male occupants of the household or forced to engage in commercial sex acts. South Sudanese girls are subjected to sex trafficking in restaurants, hotels, and brothels in urban centers—at times with the involvement of corrupt law enforcement officials. Children working in construction, market vending, shoe shining, car washing, rock breaking, brick making, delivery cart pulling, and begging may be victims of forced labor. Girls are forced into marriages, at times as compensation for inter-ethnic killings; some may be subsequently subjected to sexual slavery or domestic servitude. South Sudanese and foreign business owners recruit men and women from regional countries—especially Eritrea, Ethiopia, and Somalia—as well as South Sudanese women and children, with fraudulent offers of employment opportunities in hotels, restaurants, and construction; many are forced to work for little or no pay or are subjected to sex trafficking. Some traffickers operate in organized networks within the country and across borders. Authorities occasionally assisted traffickers in crossing international borders, and some South Sudanese officials subjected women and girls to domestic servitude; others purchased sex from child trafficking victims, facilitated child sex trafficking, or protected establishments that exploited victims in the sex trade.

Local civil society organizations reported instances of trafficking during the reporting period, which predominantly affected South Sudanese victims because general insecurity, continued deterioration of the economy, protracted violence, and the July 2016 collapse of the ceasefire between the government and the armed opposition compelled many foreigners to flee the country. Violent conflict continued throughout the year, increasing the number of internally displaced people to 1.9 million and the number of refugees in neighboring states to nearly 1.5 million. These groups, including orphaned children, were at increased risk of trafficking and other forms of exploitation. The UN-estimated 20,000 unaccompanied minors in refugee camps or moving between camps, particularly while crossing the Kenya-South Sudan and Democratic Republic of the Congo-South Sudan border, were vulnerable to recruitment as child soldiers or abduction for sex or labor trafficking. Inter-ethnic abductions, as well as abductions by external criminal elements, continued between some communities in South Sudan, especially in Jonglei, Unity, and Upper Nile states. In previous years, abduction was also pervasive in Warrap, Northern Bahr el-Ghazal, and Lakes states. Some abductees were subjected to domestic servitude, forced labor in animal herding, or sex trafficking. South Sudanese girls were reportedly abducted from Northern Bahr el-Ghazal State and taken into

Sudan, where they may have been forced into domestic servitude or other forms of slavery.

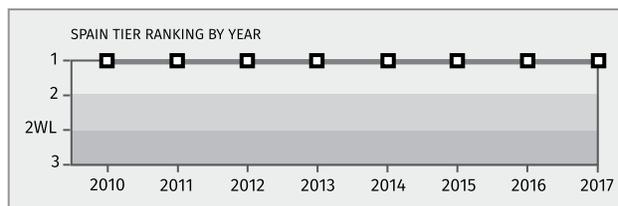
Since the start of the conflict in December 2013, the UN estimates warring parties have recruited approximately 17,000 child soldiers in South Sudan. In the first half of 2016, the government and armed opposition groups recruited more than 650 children, and during the second half of the year an international organization documented incidents of recruitment and use throughout the country, including in Eastern Equatoria, where no instances of recruitment or use had been historically reported. During the reporting year, both government and armed opposition groups recruited boys and transported them from their home areas to other parts of the country for redeployment or to engage in military training where children act as bodyguards for commanders, man checkpoints, and assume other security support roles. A 2015 NGO research report reported one-third of the boys interviewed were forcibly and violently recruited; SPLA and opposition groups recruited boys at gunpoint, arrested and detained them until they agreed to fight, or abducted and provided them with guns, forcing them to fight on the front-lines. According to the Agreement on the Resolution of the Conflict in South Sudan, signed by the warring parties in August 2015, SPLA and the SPLA in Opposition (SPLA-IO) committed to the immediate and unconditional release of child soldiers under their command or influence, to be carried out by UNICEF and ICRC. However, throughout the reporting period both groups continued to retain, recruit, and use child soldiers, including on the front-line, and evidence persisted of the re-recruitment of numerous children.

During the reporting period, the UN, in partnership with the National Disarmament, Demobilization, and Reintegration Commission (NDDRC), continued the demobilization and reintegration of 1,755 child soldiers released by David Yau Yau, the former militia commander of the South Sudan Democratic Movement/Army-Cobra Faction (SSDM/A-CF), who had approximately 3,000 children under his command when SPLA began to integrate his forces in 2014; integration was ongoing during the reporting period. The SPLA continued to recruit child soldiers despite the NDDRC program to release all children associated with the SSDM/A-CF as it integrated with SPLA. Predominant accounts of recruitment and use of child soldiers were documented in Unity State, and over half of all verified cases were reportedly perpetrated by the SPLA. Child soldiers were also present within the SPLA-IO and within groups affiliated with the opposition. During the reporting period, observers reported the recruitment and use of 486 children; international observers verified instances in several of the country's states, including Western Equatoria, Upper Nile, Jonglei, Warrap, Central Equatoria, and Northern Bahr el Ghazal. Almost half of the reported instances of child soldiering were documented in the Greater Upper Nile region, and observers noted a sharp increase in Western Bahr el Ghazal State. During the reporting period, reports also indicated boys and girls were abducted from their houses and schools to fight and perform domestic duties, respectively; observers previously reported local children stopped attending school for fear of abduction.

SPAIN: TIER 1

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

period; therefore, Spain remained on Tier 1. The government demonstrated serious and sustained efforts through increased prosecutions of traffickers, including the first prosecutions of defendants who allegedly forced victims to commit crimes. Authorities cooperated extensively with multinational law enforcement efforts, trained more police and judicial officials, and strengthened collaboration with NGOs in victim identification and assistance. Although the government meets the minimum standards, it convicted fewer traffickers, initiated fewer investigations, and identified fewer labor trafficking victims than in the prior reporting period.



RECOMMENDATIONS FOR SPAIN

Increase prosecutions and convictions of trafficking offenses, particularly for forced labor; increase training on proactive victim identification, in particular among women in prostitution, irregular migrants, unaccompanied minors, and workers in industries and agricultural regions with high incidences of labor exploitation; increase efforts to reduce demand for forced labor, including in supply chains and government procurement; train all prosecutors and judges, not just those specializing in trafficking cases, on a victim-centered approach to law enforcement; extend protections for all victims under the 2015 Law of the Statute of Victims of Crime, including through increased training for judges; increase witness protection resources available to victims; continue improvements in police training at both national and provincial levels, including increased focus on effective and accurate interviewing standards of victims; further strengthen levels of cooperation between NGOs and law enforcement officials at both national and regional levels; continue implementation of the national plan, adding benchmarks and indicators of progress; provide victims with access to compensation, including from assets seized from traffickers.

PROSECUTION

The government maintained law enforcement efforts. Article 177 bis of the criminal code criminalizes forced labor or begging, sexual exploitation and organ removal by means of force, fraud or coercion. In keeping with international law, reliance on means of force, fraud or coercion is not necessary to prove a crime of trafficking when the victim is a child. The law prescribes penalties from five to eight years imprisonment, with enhanced penalties of up to 12 years in certain circumstances, including when the trafficker is a public official or part of a criminal conspiracy. These penalties are sufficiently stringent and generally commensurate with the prescribed penalties for other serious crimes. Trafficking for purposes of the commission of crimes is expressly prohibited in the criminal code. The Office of the Prosecutor reported investigating 272 cases for sexual or labor trafficking in 2016, compared to 344 cases in 2015 and 293 cases in 2014. The government initiated prosecutions of 54 defendants (37 for sex trafficking and 17 for labor trafficking) in 2016, compared with 45 in 2015 (30 and 15, respectively). For the first time the government prosecuted four defendants under

article 177 bis for trafficking for the purpose of the commission of crimes. Courts convicted 24 traffickers in 2016, of which 22 were for sex trafficking and two for labor trafficking, a decrease compared with 58 convictions for sex trafficking and two for labor trafficking in 2015.

While the government did not provide comprehensive sentencing data, examples included a 34-year sentence for the leader of a sex trafficking ring, plus a fine of €80,000 (\$84,300) to be provided to the victims. A court sentenced two traffickers to 10 and 13.5 years in prison, respectively, for sex trafficking of Nigerian women, plus a fine of €100,000 (\$105,370) used for victim compensation. Two traffickers received sentences of 34.5 and 36 years, respectively, for labor exploitation of four Spaniards. Traffickers serve an average of 75 percent of their sentence before being eligible for parole, and courts may impose separate sentences on multiple criminal offenses.

The government did not report any new investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Authorities collaborated with transnational investigations, including one 2016 operation in which national police detained 24 members of a sex trafficking ring and assisted 21 Nigerian female victims. The government provided specialized training on trafficking to law enforcement officials developed with input from NGOs. In 2016, the government trained 300 new civil guard officers on victim identification, all new prosecutors on trafficking issues, and 600 civil servants and social workers in rural areas. The government included sessions on trafficking for the annual required training for judges. NGOs noted inconsistent application of victim protections by judges, and along with the Office of the National Rapporteur recommended increased training for judges on human trafficking. The government continued anti-trafficking training for consular and immigration officials.

PROTECTION

The government maintained protection efforts. Authorities reported identifying 73 victims of sex trafficking and 12 victims of labor trafficking in the first six months of 2016, compared with 65 sex trafficking victims and 104 labor trafficking victims identified in the first six months of 2015. Authorities also identified 274 victims of sexual exploitation and 207 victims of labor exploitation, who may also be trafficking victims. Since 2013, the government has used a victim identification protocol developed with NGO input. NGOs reported good cooperation with law enforcement in the identification and referral of victims for assistance, including NGO participation in inspections of brothels and at locations where victims may have been present.

The government maintained funding levels equal to those of the prior year, allocating €4.9 million (\$5.2 million) for the protection and support of trafficking victims, including €2 million (\$2.1 million) for NGOs providing services and shelter to victims. The government provided free health care, legal assistance, social welfare benefits, and funds for repatriation to trafficking victims, and also referred some victims to an NGO network running facilities, which received funding from national and local governments and private sources. There were specialized centers for child victims of crime and seven trafficking shelters—all NGO-run—to assist child victims. Two multipurpose NGO-run shelters were available for adult male victims. NGOs provided victims temporary shelter and access to legal, medical, and psychological services. The Ministry of Health, Social Services and Equality, collaborating with NGOs,

continued to update and use a victim resource guide, available in 12 languages, also for use by victims. The guide listed by region 50 NGOs providing services, 164 shelters for victims and their children, and covered social, psychological, medical, legal, training, housing, and job search tools.

In 2015, the government enacted laws providing additional protections to sex trafficking victims, including more time to appeal the dismissal of cases against alleged traffickers; the ability to appeal decisions made by court officials regarding terms of incarceration, parole, and release; as well as requiring that victims receive updates on the status of cases. The government had not yet reported on implementation of these provisions. Police in Catalonia often asked NGOs to join investigations to better assist victims and provide information to victims on resources available to them. Assets seized from convicted defendants supported a fund used to fight or prevent trafficking or to assist victims, although NGOs reported that seized assets were rarely used for victim compensation. NGOs called for legal reform to better protect witnesses, including permitting video testimony in all cases and increased resources to the Office of Witness Protection to provide adequate assistance to victims, as fewer victims were willing to testify against criminal networks in cases where the court allowed release of witness names. NGOs noted while police training improved with increased use of NGO trainers and materials in victim identification trainings, law enforcement personnel in some provinces did not have sufficient knowledge on the sensitivities and techniques required for interviewing and advising victims.

Foreign victims could request a renewable residence permit for up to five years based on their cooperation with law enforcement or, in some cases, on the basis of their personal situation without regard to whether they assisted law enforcement. Victims could also receive assistance to return to their country of origin if they were not participating in a criminal prosecution. The government allowed for reflection periods of a minimum of 90 days—time during which victims from outside the European Union could recover while deciding whether to assist law enforcement—however, the government did not report how many victims received this benefit in 2016. Citizens of EU member states, however, are not limited to the 90-day reflection period and face no deadline for claiming social services or cooperating with authorities. Under the 2012 penal code reform, approved in March 2015, victims are protected from prosecution for any unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government maintained prevention efforts. The national anti-trafficking working group, operationally led by the Ministry of the Interior, and including the Ministries of Health, Justice, and Labor, set goals for fighting trafficking, established quarterly reviews, and facilitated data sharing between law enforcement and other agencies. The government extended the national plan through 2018, with an increased focus on protection of women and girls, identification of and provision of services to victims, and multi-sectoral coordination. A wide range of government and non-government stakeholders provided input, and NGOs supported these priorities, although noted a need to add indicators of progress and projected dates for achieving goals. The government continued a multi-year funding commitment of €104 million (\$109.6 million) to the national plan.

Toward fulfillment of objectives in the national plan, the government continued expanded prevention efforts through

public awareness campaigns, including a television series, traditional media, digital media, and social media that reached up to two million people, with extensive press coverage. The government and NGOs operated hotlines for reporting suspected trafficking cases. While the government continued efforts to discourage newspapers from publishing classified ads for sexual services offered by individuals engaged in prostitution, of which NGOs estimated 90 percent may be trafficking victims, nearly all major newspapers, with one exception, continued to publish some ads. The government monitored victim assistance efforts, shared its assessments on trafficking with domestic and international organizations, and continued to publish data on the numbers of victims, accused traffickers, prosecutions, and convictions.

The government partnered with an international organization to discourage international sex tourism and warned Spanish citizens they may be prosecuted under Spanish law for such acts committed overseas. The government's efforts to reduce demand for forced labor included a nine percent increase in civil guard labor inspections. The government further increased cooperation with Romanian law enforcement officials to thwart labor trafficking rings, and supported public awareness campaigns in Romania to inform workers of their employment rights in the EU. The Romanian embassy reported that labor trafficking of its citizens in Spain has decreased by more than 30 percent over the past 10 years. Spanish troops received anti-trafficking training prior to their deployment on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel and distributed guidance to all foreign diplomatic missions in Madrid on identification of trafficking victims.

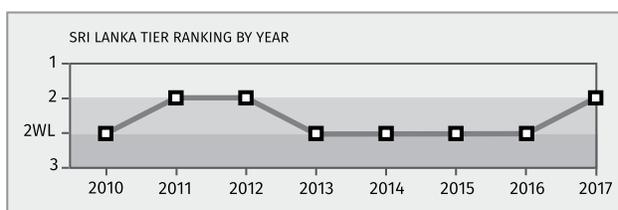
TRAFFICKING PROFILE

As reported over the past five years, Spain is a destination, source, and transit country for men, women, and children subjected to forced labor and sex trafficking. Women from Eastern Europe (particularly Romania and Bulgaria), South America (particularly Paraguay, Brazil, Colombia, and Ecuador), China, and Nigeria are subjected to sex trafficking in Spain. Men and women from South and East Asia, particularly China, are subjected to forced labor in the textile, agricultural, construction, industrial, and service sectors. Victims are recruited by false promises of employment in the service industry or agriculture and forced into prostitution and debt bondage upon their arrival to Spain. Traffickers also lure some victims from within Spain and the EU. Prostitution is allowed under certain conditions in Spain, although NGOs believe a large percentage of individuals in prostitution in Spain are trafficking victims. Many women in prostitution in Spain are held under the control of Nigerian, Romanian, and Spanish trafficking networks that operate out of major cities in Spain. However, victims are increasingly subjected to trafficking by individuals and smaller groups of traffickers, often in homes or apartments where detection and investigation are more difficult. Unaccompanied migrant children continue to be vulnerable to sex trafficking and forced begging.

SRI LANKA: TIER 2

The Government of Sri Lanka 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, Sri Lanka was upgraded to Tier 2. The government demonstrated increasing efforts by establishing new anti-trafficking units and creating a special police division for the protection of witnesses and victims of all crimes. While official complicity in human trafficking persisted, the government investigated 18 officials for allegedly creating fraudulent documents to provide workers employment abroad, and it prosecuted and convicted more traffickers than in the previous reporting period. However, the government did not meet the minimum standards in several key areas. At times, the government's inconsistent identification of victims resulted in the penalization of victims for prostitution and for immigration violations committed as a result of the victim's subjection to trafficking. The government provided no specialized services to male victims and sometimes housed child victims in government detention centers. The government maintained specific requirements for migration of female migrant workers including those migrating for domestic work, which observers stated increased the likelihood women would migrate illegally and therefore heightened their vulnerability to human trafficking.



RECOMMENDATIONS FOR SRI LANKA

While respecting due process, improve efforts to investigate and prosecute suspected traffickers, including complicit officials, and convict and punish offenders with sentences commensurate with other serious crimes; increase efforts to proactively identify trafficking victims and train officials on victim identification and referral procedures, especially to ensure victims are not detained or otherwise penalized for unlawful acts, such as immigration violations or prostitution, committed as a direct result of having been subjected to human trafficking; improve protection services to ensure identified victims, including men and children, receive specialized care services; take steps to eliminate all recruitment fees charged to workers by labor recruiters and instead ensure they are paid by employers; expand the bureau of foreign employment's (SLBFE) mandate to include the regulation of sub-agents; promote safe and legal migration and ensure migration regulations do not discriminate on the basis of gender; and increase efforts of the task force to meet regularly with all members to enhance government coordination efforts.

PROSECUTION

The government increased its law enforcement efforts to address human trafficking. Article 360(C) of the penal code prohibits all forms of trafficking, although the law also covers some non-trafficking offenses, such as selling children. The law prescribes punishments of up to 20 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The government also frequently used article 360(A), the procurement statute that criminalizes obtaining a person to become a prostitute, to prosecute sex trafficking cases. Procurement crimes, unlike trafficking, carry lesser penalties of up to 10 years imprisonment, although these cases are often brought before magistrate judges that are generally only authorized to issue sentences of up to two years imprisonment.

During the reporting period, the criminal investigation department (CID) initiated seven trafficking investigations, compared with six investigations in 2015. Of the seven investigations, five were categorized as forced labor cases and two as sex trafficking cases; six cases involved the alleged exploitation of Sri Lankan citizens overseas and one case involved a foreign national allegedly subjected to sex trafficking in Sri Lanka. The government initiated 35 prosecutions during the reporting period, 10 under article 360(C), which included three forced labor and seven sex trafficking cases, and 25 under the procurement statute. This was a significant increase compared to the previous reporting period, which had 12 prosecutions, five under 360(C) and seven under the procurement statute. The courts did not convict any traffickers under article 360(C). Courts did, however, convict seven persons under the procurement statute during the reporting period, an increase from one person convicted for procurement in 2015. One case involved the conviction of a person who procured a 16-year old male victim for a foreign tourist who sexually exploited the child. Sentences for the seven convictions ranged from one year to seven years imprisonment, and four of the sentences also included fines ranging from 1,500 Sri Lanka rupees (LKR) to 500,000 LKR (\$10 to \$3,340). Courts also ordered two of the convicts to pay restitution to two victims of 100,000 LKR (\$670) and 500,000 LKR (\$3,340). The government's reliance on procurement charges resulted from police not thoroughly investigating potential human trafficking cases for elements of force, fraud, or coercion and difficulty securing evidence from victims—prosecutors could pursue procurement cases without the cooperation of the victim.

During the reporting period, the government created two new trafficking investigative units. In October 2016, it created an anti-trafficking unit in the CID, and in April 2016, the SLBFE created a special unit to investigate trafficking-related complaints. Previously, SLBFE police officers automatically categorized most complaints migrant workers filed as an “employment or contract dispute” and did not screen for labor trafficking. During the reporting period, the SLBFE anti-trafficking unit received 62 complaints and referred 14 of the complaints to CID for further investigation of possible trafficking.

Official complicity in trafficking offenses remained a serious problem. Some sub-agents reportedly worked with officials to procure forged or modified documents, or genuine documents with falsified data, to facilitate travel abroad. The Ministry of Foreign Employment (MFE) reported it investigated 18 officials for allegedly creating fraudulent documents to provide workers employment abroad and referred six of the cases to the police for further investigation. There were ongoing allegations police and other officials accepted bribes to permit brothels to operate; some of the brothels exploited trafficking victims. There were no reports of investigations into such cases of bribery.

PROTECTION

The government made modest improvements in protection efforts. The government continued to implement the 2015 Assistance to and Protection of Victims of Crime and Witnesses Act by creating a special police division in November 2016 and drafting national guidelines for treatment, reparation, restitution, and rehabilitation of all crime victims. The government reported identifying 23 trafficking victims, compared with 30 victims identified in 2015. The Ministry of Women and Child Affairs (MWCA) continued to operate a shelter for female trafficking victims. The government did not have specialized rehabilitation services available for male trafficking victims. Child victims

were referred to child-specific rehabilitation centers; however, an NGO reported some children arrested for exploitation in commercial sex were held in government detention centers. The government acknowledged the possible arrest and detention of children who may be sex trafficking victims and commenced a survey to identify and refer such victims to rehabilitation services. SLBFE continued to operate 12 short-term shelters for female migrant workers in distress at Sri Lankan diplomatic missions in ten countries. During the reporting period, the shelters served 3,552 migrant workers; authorities did not report how many were trafficking victims. SLBFE also continued to operate a transit shelter near the Colombo international airport for returning male and female migrant workers who encountered abuse abroad. In 2016, the transit shelter provided medical, counseling, transportation, food, and accommodation, as needed, to 3,310 female and 3,049 male migrant workers, some of whom may have been trafficking victims.

The government had standard operating procedures (SOPs) for the identification and referral of victims to protection services; however, an international organization stated the government needed to issue circulars and directives to each relevant agency to guide staff to follow the SOPs. The government conducted multiple trainings for SLBFE, MWCA, probation, and police officials on victim identification and referral. However, the government's implementation of these procedures and efforts to ensure victims were not jailed or penalized for crimes committed as a direct result of being subjected to human trafficking remained inconsistent. Observers reported Sri Lankan authorities jailed and charged individuals, possibly including children, for prostitution, vagrancy, or immigration offenses without adequate efforts to evaluate whether they were victims of trafficking. Authorities' treatment of potential foreign victims was inconsistent. The government reported airport immigration officials identified nine Nepali citizens as potential trafficking victims and, after recording their statements, voluntarily repatriated them; however, media reported immigration officials detained and deported some Nepali women who were held by an alleged trafficker in Sri Lanka until they could be sent to the Middle East as domestic workers. The victim identification SOPs allow foreign victims who cooperate in prosecutions to receive a visa extension until the end of the trial; however, the government did not provide foreign victims with legal alternatives to deportation to countries where they might face hardship or retribution after trial completion or for victims who did not cooperate with prosecution.

PREVENTION

The government maintained efforts to prevent trafficking. The inter-ministerial anti-trafficking task force continued to implement the national action plan to combat human trafficking; however, observers reported overall government coordination on anti-trafficking was weak and that all members of the taskforce were not meeting regularly. Several government agencies conducted awareness events on human trafficking, including for civil society, school children, and the general public. The police collaborated with the Nepali government to investigate allegations traffickers and smugglers were increasingly using Sri Lanka as a transit point to send female Nepali migrant workers to other destinations. In October 2016, NCPA re-established a position to monitor online safety of children, reportedly to target and reduce child sex tourism. SLBFE maintained its ban on migration of domestic workers younger than age 23 to the Middle East and younger than age 25 to Saudi Arabia, and required all female migrant workers below age 45 to submit a “family background report” to

ensure the woman did not have children younger than age 5. Observers reported these policies increased the likelihood such women would migrate illegally and therefore heightened their vulnerability to human trafficking. During the reporting period, SLBFE's legal division filed 214 cases against licensed and 101 cases against unlicensed recruiters for fraudulent practices, compared with a total of 189 cases in 2015. The MFE did not have the legal authority to regulate foreign employment recruitment sub-agents under SLBFE, which officials recognized as a problem contributing to trafficking. MFE drafted a memo to the Cabinet recommending the law be amended to regularize sub-agents and began a national survey on the use of sub-agents. The government did not report efforts to reduce the demand for commercial sex acts or forced labor during the reporting period. The government provided anti-trafficking training to military personnel prior to their deployments abroad on international peacekeeping missions and to some of its diplomats.

TRAFFICKING PROFILE

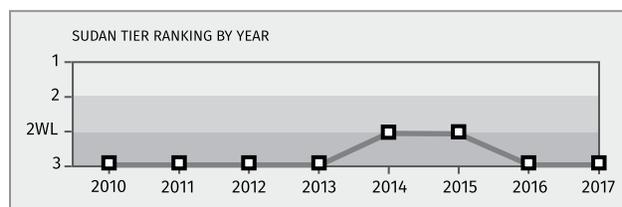
As reported over the last five years, Sri Lanka is primarily a source and a destination, and to a lesser extent, a transit country for men, women, and children subjected to forced labor and sex trafficking. Some of the Sri Lankan men, women, and children who migrate to the Middle East, Southeast Asia, and Afghanistan to work in the construction, garment, and domestic service sectors are subjected to forced labor. Before leaving Sri Lanka, many migrant workers go into debt to pay high recruitment fees imposed by unscrupulous labor recruitment agencies—most of them members of Sri Lanka's association of licensed foreign employment agencies—and their unlicensed sub-agents. Migrant laborers, especially women, receive a monetary advance as an incentive to move abroad, only to be trapped in debt bondage upon arrival at their destination. Some recruitment agencies commit fraud by changing the agreed upon job, employer, conditions, or salary after the migrant's arrival. Some Sri Lankan women are subjected to forced prostitution in Maldives, Malaysia, Singapore, and elsewhere. Sri Lanka is a transit point for Nepali women subjected to forced labor in the Middle East.

Within the country, women and children are subjected to sex trafficking in brothels. Boys are more likely than girls to be exploited in commercial sex in coastal areas for child sex tourism. Children, individuals with physical deformities, and those from socially vulnerable groups are forced to beg or engage in criminal activity in Sri Lanka's largest cities. Some child domestic workers in Colombo, generally Tamils from the tea estate region, are subjected to physical, sexual, and mental abuse, non-payment of wages, and restrictions of movement—indicators of labor trafficking. In recent years, a small number of women from other Asian and Central Asian countries have been subjected to forced prostitution in Sri Lanka. Police reportedly accept bribes to permit brothels to operate, some of which exploit trafficking victims. Sub-agents collude with officials to procure fake or falsified travel documents to facilitate travel of Sri Lankans abroad.

SUDAN: TIER 3

The Government of Sudan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Sudan remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including providing some

demobilized child soldiers with modest protective services and investigating potential trafficking cases. However, the government continued to deny the existence of sex trafficking of adults and children. It failed to identify victims of sex trafficking or forced labor. It did not operationalize or allocate a budget to implement the activities in its national anti-trafficking action plan. Officials routinely conflated trafficking with other crimes, such as smuggling or immigration violations, and authorities continued to punish some trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. The government lacked capacity and resources to provide adequate protective services to victims.



RECOMMENDATIONS FOR SUDAN

Prevent the recruitment of child soldiers by all armed groups and demobilize all child soldiers from the ranks of government-aligned militias and rebel groups and provide them access to protective services; criminalize sex trafficking of children in the absence of coercion, and amend the anti-trafficking law to define exploitation; establish clear legal distinctions between human trafficking and smuggling crimes, including enacting federal anti-smuggling legislation and harmonizing national and state-level anti-trafficking legislation; implement the anti-trafficking law to increase prosecutions and convictions of traffickers as distinct from smugglers, and significantly increase penalties imposed on convicted traffickers; train law enforcement authorities on distinguishing trafficking from other crimes, and establish procedures for authorities to identify and provide protective services to trafficking victims among vulnerable populations, such as domestic workers, women and children in prostitution, refugees and asylum-seekers, foreign migrants, and Sudanese nationals abroad; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; allow victims full freedom of movement from the government safe houses; amend the Law of 1955 Regarding Domestic Servants to provide equal rights and protections for domestic workers; implement and dedicate adequate resources to the national anti-trafficking action plan; provide adequate protective services for all trafficking victims, regardless of their participation in law enforcement or prosecution efforts, and ensure protective services to victim witnesses; institute regular anti-trafficking training for relevant government officials and Sudanese diplomats posted abroad; and develop awareness campaigns that address all forms of trafficking, including forced labor and sex trafficking.

PROSECUTION

The government demonstrated negligible law enforcement efforts, and officials continued to conflate trafficking and smuggling, which impaired effective application of anti-trafficking legislation. The 2014 anti-trafficking law criminalizes seducing, transporting, kidnapping, receiving, holding or grooming them "with the intention of exploiting them or using them in illegal acts." However, it fails to define what constitutes exploitation, which in international law includes forced labor and the forced prostitution of others. And, while it requires that means of force,

fraud, or coercion be used for the purpose of exploitation—as set forth in the international law definition—it makes no exception for the use of such means with regard to the trafficking of children, which is a critical part of the international law definition. The law prescribes between three and 10 years imprisonment for acts of trafficking, between five and 20 years imprisonment for aggravated offenses, and capital punishment in cases where the victim dies; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Sudan Armed Forces Act of 2007 prohibits members of the armed forces from recruiting children younger than 18 years old, enslaving civilians, or coercing civilians into prostitution.

As in previous years, anti-trafficking resources and investigative capacity remained insufficient. Law enforcement and judicial officials inconsistently applied the national anti-trafficking law and often utilized other legal frameworks, some carrying lesser penalties, to punish traffickers. During the reporting period, the national anti-trafficking committee reported the government initiated more than 450 investigations, compared to 127 the prior year; however, the government did not provide details regarding the nature of the crimes it investigated or prosecuted, and it is likely these reported cases included the crime of migrant smuggling. A local news article reported the government achieved 129 convictions of alleged traffickers, whom it sentenced to imprisonment between five and 10 years, yet it was unclear if any of the perpetrators were prosecuted under the 2014 anti-trafficking law. During the previous reporting period, the government reportedly obtained the convictions of at least nine traffickers. As some perpetrators were charged under the passport and immigration act, it is unclear whether the government charged trafficking victims—rather than traffickers—for crimes during the reporting period. There were unverified reports that police officers and local officials in eastern Sudan were complicit in trafficking crimes; the government did not report any investigations, prosecutions, or convictions of allegedly complicit officials. Additionally, the government did not report any investigations or prosecutions of officials in security and military entities allegedly complicit in the use and recruitment of children. The government did not directly provide, or support with in-kind assistance, any anti-trafficking trainings to officials, and instead it continued to rely on international organizations to lead such efforts.

PROTECTION

The government made weak efforts to identify and assist trafficking victims. During the reporting period, the government reported it identified and referred to care 142 potential trafficking victims; however, an international organization reported that none were victims of sex or labor trafficking. The government did not have systematic procedures to identify trafficking victims among vulnerable populations, nor did it consistently use a standard mechanism to refer victims to protective services. As a result, trafficking victims who may have committed unlawful acts as a direct result of being subjected to trafficking were likely detained or deported from Sudan—or prosecuted—without access to protections afforded to them. Many trafficking victims did not report abuses due to fear of retaliation by an employer or arrest by government authorities. In 2016, the government discontinued the practice of detaining witnesses to ensure their participation as witnesses at trial, yet it did not further incentivize victim-witness testimony or provide sufficient care or protection for victims during court proceedings. Authorities—particularly in eastern Sudan—continued to charge some trafficking victims for immigration violations

and held them in custody throughout the duration of court processes, and some victims participating in investigations risked retaliation by traffickers.

The government did not provide information about whether it funds victim support and protection directly or through other entities. It continued to rely on international organizations and civil society to provide safe shelter, medical care, psycho-social support, translation services, and witness protection. The government did not report if any potential trafficking victims stayed or received care in either of two safe houses in Kassala state that an international organization operated with funding from a nongovernment body. Reportedly for security reasons, authorities did not permit victims to leave the shelters unchaperoned. In September 2016, the government released 21 previously detained children purportedly associated with Justice and Equality Movement (JEM) fighters. In collaboration with an international organization, the government provided the children with psycho-social support and reintegration assistance. The Law of 1955 Regarding Domestic Servants provides a legal framework for employing and registering domestic workers with limited labor rights and protections. The government did not report if any domestic workers were registered and protected under the law during the reporting period. There were reported to be legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution, but the government provided no information that those alternatives were made available to trafficking victims during the reporting year.

PREVENTION

The government maintained limited efforts to prevent trafficking, but some Sudanese policies may have increased the likelihood that some vulnerable populations were exploited. A 2016 policy requires South Sudanese immigrants to register formally within one week of arriving in Sudan. This policy restricted South Sudanese' access to legal work and potentially exposed them to exploitative work situations. The government sporadically granted protections—including legal representation and residency—to foreigners who lacked refugee or asylum status, but only registered such applications at original points of entry, which compelled some fleeing persecution in other parts of the country to do so clandestinely. During the reporting year, the government acknowledged that child soldiering and labor exploitation constitutes trafficking; however, it continued to deny that sex trafficking of adults and children occurred in the country. The government continued its public commitment to ending the recruitment and use of children in the armed forces; however, it was unclear if any perpetrators of these practices were held administratively or criminally accountable for their actions. The government remained without mechanisms to identify underage recruits. In 2017, the Sudan People's Liberation Movement-North signed the Child Soldiers Action Plan in Geneva to end and prevent the recruitment of children, and the child protection unit of the Sudanese armed forces continued to spearhead this effort. Sudan's Disarmament, Demobilization, and Reintegration Commission maintained its mandate pertaining to the recruitment of child soldiers but ostensibly lacked the capacity and financial resources to carry out its mandate.

The government's national anti-trafficking committee continued to meet during the reporting year, and continued to focus its coordination efforts at the federal level. The committee lacked the resources to become an operational body, which impeded its ability to effectively and holistically execute its mandate.

The government did not operationalize or allocate a budget to implement activities in its 2016-2017 national anti-trafficking action plan. Two international organizations, in coordination with Sudanese authorities, produced and disseminated posters on the dangers of irregular migration, including trafficking. Local media continued to raise public awareness on general trafficking issues external to Sudan, targeting primarily third country nationals. The government did not make efforts to reduce the demand for commercial sex acts and forced labor, nor did it raise awareness of child sex tourism. The government did not report providing anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Sudan is a transit, source, and destination country for men, women, and children subjected to forced labor and, to a lesser extent, sex trafficking and child soldiering. During the reporting period, an international organization documented an increase in male migrants in forced labor or situations indicative of trafficking who were lured to Sudan under pretenses of employment. Street children in Khartoum—including Sudanese and unaccompanied migrant children—who beg in the streets and work in public transportation and large markets are particularly susceptible to forced labor; some experience sexual abuse and extortion. Human rights groups observe children working in brick-making factories, gold mining, and agriculture; these children are exposed to threats, physical and sexual abuse, and hazardous working conditions, with limited access to education or health services, making them highly vulnerable to trafficking. Sudanese women and girls, particularly internally displaced persons or those from rural areas, and refugee women are vulnerable to domestic servitude; Sudanese girls are also vulnerable to sex trafficking in restaurants and brothels. Some Sudanese officials are reportedly involved in and profit from child sex trafficking rings. Sudanese law prohibits the recruitment of children as combatants and provides criminal penalties for perpetrators; however, children remained vulnerable to recruitment and use as combatants and in support roles by Sudanese non-governmental armed groups and militias. The Sudan Liberation Movement-Minni Minnawi and JEM actively recruit children from displacement camps in Darfur to fight in Libya. The Sudan Liberation Army-Abdul Wahid faction uses child soldiers in the conflict zones around Jebel Marra.

Migrants, including unaccompanied children, refugees, and asylum-seekers, predominantly from East and West Africa, are highly vulnerable to sex trafficking and forced labor in Sudan. During the reporting period, Eritreans represented the highest proportion of trafficking victims in Sudan—mainly in the east—due to their influx as refugees and asylum-seekers and their youth demographic. Ethiopian women are particularly vulnerable to domestic servitude in private homes in Khartoum and other urban centers; some Ethiopian women are forced into prostitution in Khartoum and experience debt bondage. Somalis represent a significant portion of smuggled individuals who become, or are at risk of becoming victims of trafficking. Anecdotal reports indicate Syrian refugees, including children, are increasingly observed begging on the streets in Khartoum and are vulnerable to exploitation. Analogous to Syrian nationals, some Yemenis fleeing conflict in their homeland sought refugee status in Sudan during the reporting period, and their economic vulnerabilities upon arrival likely motivate their onward migration to Europe. Due to the ongoing conflict in South Sudan, during the reporting period there was an uptick in South Sudanese refugees across Sudan, many of whom remained

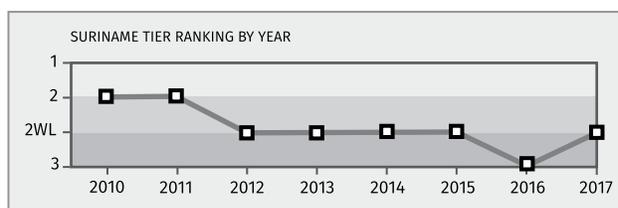
vulnerable to exploitation in Sudan and onward destinations. An international organization continued to document cases of West African nationals—primarily from Niger, Mali, and Chad—who arrived in Sudan via irregular migratory routes and were subsequently vulnerable to trafficking. Anecdotal evidence also suggests that Chinese women working for small-scale Chinese companies, such as restaurants and hotels, may be subjected to forced labor or prostitution. Bangladeshi adults migrating to Sudan for work have previously been reported to be victims of trafficking.

During the reporting year, Darfur became a favored route to Libya, as the porous border and sustained insecurity allow traffickers to operate with impunity across the region. The previously defunct Egyptian route is now being used again in connection with the migration influx to Europe; Sudanese citizens and other African nationalities are allegedly utilizing this course. In past years, some Sudanese citizens en route to Europe via Egypt were detained in the Sinai Peninsula where they were highly vulnerable to exploitation and severe physical and sexual abuse. Some refugee and asylum-seekers from Eritrea and Ethiopia are abducted from Sudan-based refugee camps, eastern border regions, and Khartoum and transported to other countries for exploitative purposes. Eritrean nationals are abducted from refugee camps or at border crossings, extorted for ransom, and brutalized by smugglers primarily linked to the Rashaida and Tabo tribes; some of those abducted are forced to perform domestic or manual labor and experience various types of abuse, indicative of trafficking. Sudanese police and border guards allegedly facilitate abductions of Eritrean nationals, some of whom are trafficking victims, and allow potential victims to be transported across security checkpoints or international borders without intervention.

Sudanese citizens are subjected to forced labor, domestic servitude, and sex trafficking abroad. Some Sudanese men who voluntarily migrate to the Middle East as low-skilled laborers are subjected to forced labor. The government reported Sudanese children are exploited in forced begging and street vending in Saudi Arabia, especially during the Hajj season. Sudanese criminal gangs deceptively promise Sudanese nationals employment in Libya, but instead sell them to Libyans who subject them to forced labor in agriculture.

SURINAME: TIER 2 WATCH LIST

The Government of Suriname 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, Suriname was upgraded to Tier 2 Watch List. These achievements included establishing a dedicated shelter for women and girl trafficking victims and increasing the number of trafficking convictions. Despite these achievements the number of investigations, prosecutions, and victims identified decreased and courts did not impose sufficiently stringent sentences on convicted traffickers.



RECOMMENDATIONS FOR SURINAME

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, with sufficiently stringent sentences; increase efforts to identify victims, including forced labor victims in the interior; hold public officials complicit in trafficking criminally accountable; conduct targeted labor inspections in risk-prone areas, such as the interior of the country; develop and implement formal procedures for the referral of identified victims to care, provide additional training to law enforcement, immigration, health care, labor, and judicial officials to better identify and protect victims; provide reintegration support for all trafficking victims, and offer specialized processes for assisting foreign victims, such as offering translation services; and complete and implement the national anti-trafficking and action plan.

PROSECUTION

The government maintained prosecution efforts. A 2014 criminal code amendment prohibits all forms of trafficking and prescribes penalties of five to 20 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Police reported three investigations for sex trafficking involving four suspects, a decrease from the seven investigations in 2015—six for sex trafficking and one for forced labor—involving 16 suspects, and 15 investigations in 2014—11 for sex trafficking and four for forced labor. The prosecutor's office initiated four new prosecutions for sex trafficking involving five suspects and continued six trafficking prosecutions from 2015, a decrease from the nine prosecutions initiated in 2015. The government convicted three traffickers, an increase from zero in 2015. Convicted traffickers continued to avoid serious punishment as courts issued penalties that were inadequate to deter the crime. The court sentenced one convicted trafficker to 12 months imprisonment with eight months suspended and sentenced two convicted traffickers to eight months and six months imprisonment, respectively, with four months suspended from each. The government did not report any new investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, the 2015 investigation of Alien Affairs Department staff who sold residence permits to Hong Kong criminal networks that allegedly used the documents to fraudulently bring Chinese workers into Suriname for forced labor remained open.

Police operated a specialized 14-person anti-trafficking unit (ATU) responsible for investigating cases. During the reporting period, this unit provided training courses on awareness, identification, and management of trafficking cases for several stakeholders; it also trained other specialized police units on the links between trafficking and other crimes. In December, the government signed a cooperative agreement with Guyana to jointly combat cross-border crime, including human trafficking. Justice officials from both countries also exchanged information on cases and potential suspects.

PROTECTION

The government maintained protection efforts. Police identified five victims of sex trafficking and no victims of forced labor, a decrease from the 12 victims identified in 2015. All five victims received medical assistance and basic services, four victims were provided shelter, and one received counseling. The government did not provide counseling services to all the victims due to foreign language constraints. The government opened a shelter dedicated for women and girl trafficking victims, which occupied a separate annex within an existing domestic violence shelter;

the shelter accommodated three adult female victims and one male child victim during the reporting period.

The ATU assisted military police and immigration officials on identifying and interviewing potential trafficking victims. In 2016, the ATU conducted random checks of international flights approximately three times a week and performed random inspections of brothels, looking for trafficking indicators. Health care workers did not screen for trafficking indicators among persons in prostitution. Victim identification efforts in the country's interior were limited. There were no formal procedures to refer victims to care. The ATU continued to have oversight of victim shelter and services, including medical care. The government did not report what funding, if any, it provided to NGOs for victim assistance; however, the anti-trafficking working group had meetings with NGOs to establish protocols for future cooperation on victim assistance and prevention efforts.

The government did not sponsor any programs to facilitate victims' reintegration, such as a witness-protection program or long-term care. Victims had the option of pursuing civil suits against their traffickers but no such cases were reported. To encourage victims to participate in the investigation against their traffickers, courts implemented a policy of obtaining testimony from victims, which can serve as evidence, in the early stages of the judicial investigation, in case victims were not available during the trial process. Foreign victims who gave statements were given the opportunity to return to their countries of origin or remain in Suriname. Foreign victims could apply to receive work or residency permits on the same basis as any foreign citizen. The government did not have legal alternatives to foreign victims' removal to countries where they would face hardship or retribution. It was unclear whether the government penalized victims for crimes committed as a direct result of being subjected to trafficking.

PREVENTION

The government maintained prevention efforts. The anti-trafficking working group included representatives from six government agencies and focused on awareness-raising programs, interagency coordination, and developing protocols for victim care. The working group made progress in the development of a national strategy and associated action plan, but inadequate funding for the action plan continued to hamper efforts. During the reporting period, the working group trained a total of 603 individuals including government officials, civil society, and members of religious organizations on identifying and handling potential cases of trafficking. The ATU remained active in the press and on social media raising awareness and warning parents about the use of social media as a tool used by traffickers to lure child victims. The ATU held awareness sessions for neighborhood organizations, women's organizations, and youth groups. The government continued to operate a child and youth hotline. Calls to the hotline did not lead investigators to any cases during the reporting period. The government hosted a conference on trafficking and smuggling in which the extent of the problem was discussed, including Suriname's responsibility as a member of the international community and how to improve interagency coordination. The conference led to different training sessions throughout the year. Labor inspectors trained to identify trafficking victims were not legally authorized to conduct inspections outside formal workplaces, which rendered those employed in informal sectors invisible to such inspections. During the reporting period, the government reintroduced a visa requirement for

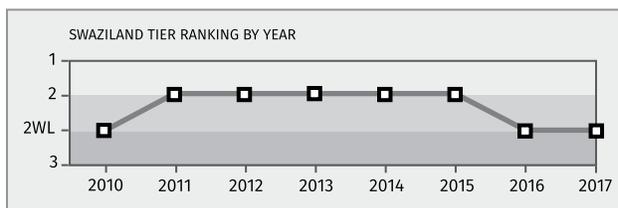
Haitian citizens after a steady influx began entering Suriname, whom authorities suspect smugglers or traffickers bring into the country. The government made no discernible efforts to reduce the demand for commercial sex or forced labor. The ATU provided anti-trafficking training for diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Suriname is a source, transit, and destination country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Reported cases of trafficking in Suriname's remote jungle interior, which constitutes approximately 80 percent of the country, have increased in recent years; limited government presence in the interior renders the full scope of the problem unknown. Women and girls from Suriname, Brazil, Dominican Republic, Guyana, and Venezuela are subjected to sex trafficking in Suriname, including in remote and illegal gold mining camps in Suriname's interior. Some Surinamese parents subject their daughters to sex trafficking. Venezuela's deteriorating economy may increase Venezuelan women's vulnerability to sex trafficking in Suriname. The influx of migrants from Haiti is vulnerable to trafficking. A shift towards in-home brothels makes such establishments, and cases of possible sex trafficking, harder to detect. Migrant workers in agriculture and on fishing boats off Suriname's coast are highly vulnerable to forced labor, as are children working in gold mines and informal urban sectors. Chinese associations, and allegedly some Hong Kong traffickers, recruit and subject Chinese immigrants to sex and labor trafficking in the mining, service, and construction sectors. Surinamese women in neighboring countries engage in prostitution and may be vulnerable to sex trafficking. Traffickers from Suriname exploit Surinamese victims in the Netherlands. Traffickers may transport victims through Suriname's remote interior to bypass official checkpoints. There are reports of corruption and local official complicity in trafficking crimes that may impede anti-trafficking efforts.

SWAZILAND: TIER 2 WATCH LIST

The Government of Swaziland does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by investigating more suspected trafficking cases and training labor inspectors and police officers on victim identification and protection procedures. It increased the number of victims it identified and sheltered, and the amount of funding disbursed to a victim assistance fund for protective services. The government conducted awareness campaigns. However, the government did not demonstrate increasing efforts compared to the previous reporting period. While the government prosecuted and convicted one trafficker under an assault charge, it imposed an inadequate penalty of a fine. The government did not enact the Trafficking in Persons and Migrant Smuggling Bill for the second consecutive year, leaving victims vulnerable to deportation or prosecution for crimes committed as a result of being subjected to trafficking. Although victim identification guidelines and a national referral mechanism were established in 2015, neither was fully functional or implemented during the reporting period. Therefore, Swaziland remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR SWAZILAND

Enact and implement the draft Trafficking in Persons and Migrant Smuggling Bill; vigorously investigate and prosecute trafficking crimes, including internal trafficking cases, and convict and adequately punish traffickers; develop, adopt, and implement an updated multi-year national anti-trafficking strategy and action plan; train officials on procedures for victim identification and referral guidelines; train law enforcement officials and social workers to identify trafficking victims proactively among vulnerable populations; regulate labor brokers and investigate allegations of fraudulent recruitment; implement a unified system for collecting trafficking case data for use by all stakeholders; and conduct anti-trafficking public awareness campaigns.

PROSECUTION

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

The government investigated 19 suspected trafficking cases—18 cases of forced labor and one sex trafficking case, compared with two the previous year. The government prosecuted one alleged trafficker; he was acquitted of trafficking charges but convicted for assault; the court sentenced him to three years imprisonment or a fine of 5,000 Swazi emalangeni (\$360), which he paid. The court required the offender to pay overdue wages to the victim. Officials continued to confuse crimes involving transnational movement with trafficking offenses. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. During the reporting period, the government trained the police and labor inspectorate on victim identification and protection procedures, as well as on measures to improve communication and cooperation among officials. The government, in partnership with a foreign donor, trained 35 anti-trafficking police officers on the difference between trafficking and smuggling, investigation techniques, and how to prepare and give evidence in a trafficking case. The government continued to provide anti-trafficking training at the police college for all in-service and pre-service officers during the reporting period. The government cooperated in international investigations in six cases with South Africa, Mozambique, and Lesotho.

PROTECTION

The government increased efforts to identify victims and allocated more funding to provide protective services. The

government identified and sheltered 19 potential victims in a secure, government-owned witness protection facility, an increase from two the previous reporting period. The government provided victims with basic necessities such as food, clothing, shelter, toiletries, counseling, and medical care in collaboration with NGOs. There were no government-run shelters specifically for trafficking victims and NGO-run shelters had limited ability to house trafficking victims among their general populations due to space constraints. The government increased its allocation to 80,000 Swazi emalangen (5,840) from 10,000 Swazi emalangen (730) to a victim assistance fund for protective services.

Although victim identification guidelines and a national referral mechanism were established in 2015, neither was fully functional or implemented during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking. The government did not finalize review of amendments to the immigration act that would provide victims and witnesses of trafficking immunity from prosecution and would formalize residency status for foreign victims, in conformity with the People Trafficking and People Smuggling (Prohibition) Act. While the draft amendments remained under review, the government developed an ad hoc process among relevant ministries to permit identified victims to remain in Swaziland even if discovered to be present illegally. The government facilitated the repatriation of at least one Swazi victim during the reporting period.

PREVENTION

The government demonstrated modest efforts to prevent trafficking through awareness campaigns. The government did not update its national action plan (NAP), which expired in 2015. The taskforce for the Prevention of People Trafficking and People Smuggling was reestablished in January 2017 after a four month lapse and met in February and April 2017. In coordination with an international organization, the government conducted an analysis of how to improve prevention, protection, and prosecution of trafficking. The taskforce secretariat conducted public awareness activities at the Swaziland international trade fair, targeting traditional leaders, students, young women, and parents with information on preventing child trafficking and how to report suspected cases. The secretariat conducted sessions on human trafficking at schools with the assistance of teachers and police officers. The secretariat continued its border campaign, placing posters at various land borders and the airport to raise awareness on trafficking. Swazi officials also presented messages targeting young women on television and radio. The government's anti-trafficking hotline continued to receive tips on potential cases; the government did not report how many tips it received or what action it took. The government provided technical assistance to Zimbabwe on the framework and operation of an anti-trafficking taskforce in combating trafficking.

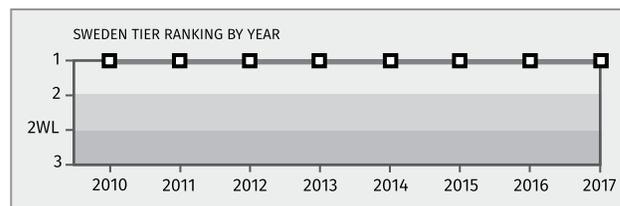
The Ministry of Labor had one investigator dedicated to its child labor unit; however, there were no labor inspections conducted solely to address child labor violations in 2016. Labor brokers were unregulated. The government did not make efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Swaziland is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Swazi girls, particularly orphans, are subjected to sex trafficking and domestic servitude, primarily in Swaziland and South Africa. Swazis are culturally expected to participate in the seasonal weeding and harvesting of the king's fields and those who refuse are subject to coercion through threats and intimidation by their chiefs. Swazi boys and foreign children are forced to labor in commercial agriculture, including cattle herding, and market vending within the country. Mozambican boys migrate to Swaziland for work washing cars, herding livestock, and portering; some are subjected to forced labor. Traffickers use Swaziland as a transit country to transport foreign victims to South Africa for forced labor. Traffickers reportedly force Mozambican women into prostitution in Swaziland, or transport them through Swaziland to South Africa. Some Swazi women are forced into prostitution in South Africa and Mozambique after voluntarily migrating in search of work. Reports suggest labor brokers fraudulently recruit and charge excessive fees to Swazi nationals for work in South African mines—means often used to facilitate trafficking crimes. Swazi men in border communities are recruited for forced labor in South Africa's timber industry. Reports indicate a downturn in the textile industry following loss of eligibility under the African Growth and Opportunity Act in 2015 has led textile workers to follow promises of employment in neighboring countries, potentially increasing their vulnerability to trafficking.

SWEDEN: TIER 1

The Government of Sweden fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Sweden remained on Tier 1. The government demonstrated serious and sustained efforts by completing implementation of a national mechanism to identify and refer victims to care, and it identified more victims, including a significant increase in the number of potential victims identified among asylum-seekers. The government created a new anti-trafficking ambassador position to combat trafficking abroad and foster international cooperation. Although the government meets the minimum standards, the effects of the European migration crisis continued to strain government agencies' resources and limit authorities' ability to conduct sufficient screenings of migrants to identify potential instances of trafficking. While the government increased the number of prosecutions and convictions, including for forced begging, relatively few investigations resulted in prosecutions for trafficking offenses.



RECOMMENDATIONS FOR SWEDEN

Vigorously prosecute and convict labor and sex traffickers using

the anti-trafficking statute; adopt a comprehensive national action plan that incorporates all forms of trafficking, including forced labor; extend to non-law enforcement authorities such as social workers the authority to grant 30-day reflection and recovery periods to ensure all victims, including those not already in contact with law enforcement, are able to receive these benefits in practice; increase efforts to identify and vigorously prosecute Swedish child sex tourism offenders; establish a permanent national anti-trafficking coordinator; provide specialized housing to trafficking victims, including options appropriate for adult male victims and labor trafficking victims; train judges on the anti-trafficking law and provide trainings for judges, prosecutors, police, migration authorities, and service providers that include sessions on labor trafficking and forced begging and criminality; and increase efforts to raise awareness of labor trafficking.

PROSECUTION

The government increased law enforcement efforts. The 2002 anti-trafficking law, as amended, prohibits all forms of trafficking and prescribes penalties of two to 10 years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. A legal review of forced labor laws proposed broadening trafficking penalties to include exploitation of individuals in distress. Police investigated 82 sex trafficking cases in 2016 (including 16 child sex trafficking cases), compared with 58 in 2015. Authorities prosecuted three alleged sex traffickers and convicted two of the three, compared with two prosecutions and convictions in 2015. The convicted sex traffickers were each sentenced to three years and six months imprisonment, fined 75,000 kronor (\$8,280) each in damages, and will be deported to their home countries following their prison terms. Police investigated 114 cases of labor trafficking in 2016 (48 involving children), 33 of which were forced begging (122 cases in 2015). Authorities prosecuted and convicted four traffickers for forced begging in 2016 (none in 2015); one conviction was overturned on appeal. The court sentenced the remaining three traffickers to prison terms of three years and six months, three years, and six months, respectively. The national anti-trafficking coordinator and national rapporteur noted the Swedish police reorganization, concluded in 2016, hindered law enforcement anti-trafficking coordination and effectiveness. The national courts offered training for judges and lawyers that included sections on sex trafficking and child victims; however, anti-trafficking experts reported some judges continued to lack sufficient understanding of human trafficking, which may have resulted in fewer convictions and less stringent sentences. The national rapporteur conducted training for police and judges, and the prosecutor's office offered online training for prosecutors on working with trafficking victims. Swedish authorities collaborated with foreign governments on transnational investigations. The government did not report any prosecutions or convictions of government officials complicit in human trafficking.

PROTECTION

The government increased victim protection efforts. During the reporting period, the government completed implementation of its national referral mechanism to identify victims and refer them to care. Authorities identified approximately 82 victims of sex trafficking and 114 victims of forced labor and forced begging in 2016 (58 sex trafficking and 122 forced labor victims in 2015); 64 of these new victims were children. NGOs identified an additional 47 victims (42 sex and 5 labor). The national police rapporteur noted an increased capacity among

social workers and migration authorities to identify victims resulted in more victim identifications not connected to other police investigations. Despite implementation of the referral mechanism, authorities continued to contend with the ongoing effects of the European migration crisis. The migration agency's anti-trafficking coordinator identified 341 suspected trafficking cases among asylum-seekers in 2016 (91 of which involved children), a 75 percent increase in suspected cases from 2015. Although the migration agency identified significantly more potential victims during the reporting period, the high volume of asylum-seekers entering the country inhibited authorities' ability to conduct sufficient migrant screenings for trafficking indicators. The migrant influx and asylum application backlog strained government resources available to migrants, creating vulnerabilities to trafficking, especially among unaccompanied minors. Changes to asylum and migration policy during 2016, such as changes to financial support eligibility and work placement programs, may have created additional vulnerabilities. During GRETA's most recent visit to Sweden in 2013, it found identification largely depended on victims' willingness and ability to meet with police and provide evidence to start a criminal investigation. Municipalities were responsible for providing services to victims—including medical and psychological care, shelter, and social assistance—in collaboration with NGOs and other government agencies involved in victims' cases. NGOs operated most shelters with public and private funding. The government provided 500,000 kronor (\$55,170) to a civil society platform representing 23 NGOs that provided care to victims. Although there were no shelters dedicated exclusively to trafficking victims, the national coordinator led a network of approximately 40 NGO-run safe houses, and adult female trafficking victims could receive services at women's shelters for victims of domestic and honor-related violence. These shelters offered victims assistance with immigration issues, medical care, and educational and employment needs, including Swedish language training; adults could leave the shelters unchaperoned and at will. Authorities referred child victims to social services officials, who placed child victims in foster care or group housing. The government provided training to safe houses, victim support centers, and professionals who come into contact with victims. In August, the government introduced a support hotline for NGOs and professionals working with potential victims. Police received training in victim identification and all new migration agency staff received anti-trafficking instruction as part of their introductory training.

The government encouraged victims to assist in the prosecution of their alleged traffickers. Victims and witnesses in trafficking cases who cooperated with authorities were granted temporary residence permits, which allowed them to seek employment. Twenty-five trafficking victims and 45 witnesses received these permits in 2016 (12 and 29, respectively, in 2015). The Aliens Act entitles victims to a 30-day reflection period to recover and contemplate cooperation with law enforcement, during which they are eligible for emergency financial aid; however, authorities stated that because only an investigating police officer or prosecutor could file this application, such temporary visas were in practice primarily available to victims already in contact with law enforcement. Although only victims who assisted in investigations were eligible for residence permits, the government continued to provide medical care and repatriation assistance for victims not assisting law enforcement. In 2016, the government repatriated 14 victims through a safe return program in conjunction with an international organization. State prosecutors had the power to file applications for permanent residence permits on behalf of victims during or after trials based upon need of protection, such as in cases in which victims

would face retribution in their countries of origin; the migration agency did not issue any permanent residence permits in 2016 or 2015. The government assigned a legal representative to each victim participating in a trial to provide emotional support and assistance. There were no reports the government penalized victims for acts committed as a direct result of being subjected to human trafficking, and the law allows victims forced to commit criminal acts to avoid prosecution or, if prosecuted, to have the charges withdrawn. In past years, however, GRETA referenced reports of Swedish authorities deporting irregular migrants who had been subjected to trafficking without identifying them as potential victims, despite the presence of trafficking indicators.

PREVENTION

The government increased prevention efforts. In May 2016, the government created a new anti-trafficking ambassador position to improve Sweden's efforts to combat trafficking abroad and foster international cooperation. The government allocated 6.5 million kronor (\$717,200) for the national anti-trafficking coordinator's office in 2016 and announced the creation of a new gender equality authority to monitor and coordinate gender policy, including sex trafficking; the national anti-trafficking coordinator's office will move under this new authority beginning in 2018. The national police rapporteur on trafficking continued to provide an annual report on the trafficking situation and the government's progress in combating trafficking. The government released a new action plan for the protection of children against trafficking in June 2016, and a national strategy to address men's violence against women in November 2016; however, the plans did not address labor trafficking and the government did not have a current comprehensive national action plan to address trafficking. Authorities conducted mandatory interviews with foreign workers employed in at-risk sectors who were seeking to extend their work permits. The migration agency conducted background checks on companies employing foreign workers and occasionally denied work visas in cases where employment contracts did not meet the necessary requirements. A study published in November 2016 on foreign labor exploitation recommended increased government control of labor agreements between domestic employers and foreign employees and stronger sanctions for employer violations. During the reporting period, there were no reports of labor trafficking among berry pickers, who were notably vulnerable to exploitation in recent years, which authorities attributed to increased police efforts, labor reforms, unannounced inspections, efforts to inform workers of their rights, and bilateral cooperation. Authorities conducted or funded awareness training for taxi, hotel, and restaurant staff to detect trafficking at their places of work. The government conducted an awareness campaign to reduce the demand for commercial sex, and the new strategy to address violence against women includes measures aimed at demand reduction. Sweden's law prohibiting child sexual offenses has extraterritorial reach, allowing the prosecution of suspected child sex tourists for crimes committed abroad. A Swedish court prosecuted a Swedish citizen for committing child sexual offenses abroad in 2016, the first such prosecution since 2012. The government provided anti-trafficking training to its diplomatic personnel and training on sexual exploitation and abuse, including on human trafficking, to troops prior to their deployment abroad as part of international peacekeeping missions.

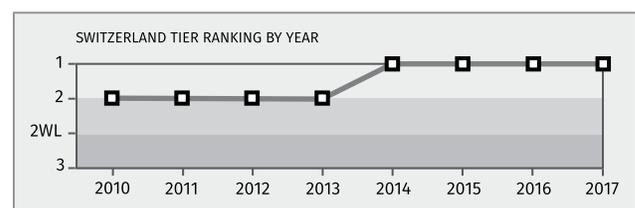
TRAFFICKING PROFILE

As reported over the past five years, Sweden is a destination and, to a lesser extent, source and transit country for women and children subjected to sex trafficking, and a destination

country for men, women, and children subjected to forced labor, including forced begging and stealing. Sex trafficking victims largely originate from Eastern Europe, West Africa, Asia, and—to a lesser extent—Western Europe. Although sex trafficking remains the most common form of trafficking in Sweden, reported cases of labor trafficking are increasing. Victims of labor trafficking, who largely originate from Eastern Europe, Africa, the Middle East, and Asia, face exploitation in domestic service, hospitality, construction, agriculture, and forestry; cases among seasonal berry pickers have decreased significantly in recent years. Roma, primarily from Romania and Bulgaria, are vulnerable to forced begging and criminality and, to a lesser extent, sex trafficking. The government reports most traffickers are the same nationality as their victims and are often part of criminal networks engaged in multiple criminal activities, although an increasing number of reported cases involve traffickers who are family members or have no ties to organized crime. The approximately 29,000 migrants who applied for asylum in 2016, primarily from Syria, Afghanistan, Iraq, Somalia, and Iran, as well as many stateless individuals, are vulnerable to human trafficking. Identified victims among this group also originate from West Africa and East Asia. Unaccompanied children are especially vulnerable; more than 2,100 unaccompanied foreign children applied for asylum in Sweden in 2016, 30 percent of whom were from Afghanistan. A 2015 study found more than half of suspected child trafficking victims identified since 2012 arrived in Sweden as unaccompanied minors, primarily from Africa and Eastern Europe. Police note street children, especially boys from Morocco, are vulnerable to child sex trafficking and forced criminality. A 2013 study found between 4,000 and 5,000 Swedes commit child sex tourism offenses abroad annually, primarily in East Asia. Swedish women and girls are also vulnerable to sex trafficking within the country.

SWITZERLAND: TIER 1

The Government of Switzerland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Switzerland remained on Tier 1. The government demonstrated serious and sustained efforts by increasing prosecutions, the number of identified victims, and public funding for NGOs that provide victim care. The government opened a new shelter dedicated to serving trafficking victims and provided training to law enforcement officials, judicial officials, migration officials, NGOs, social service providers, and shelter staff. Although the government meets the minimum standards, it continued to sentence the majority of convicted traffickers to short sentences, suspended sentences, or fines. The government often treated forced labor as less serious labor violations.



RECOMMENDATIONS FOR SWITZERLAND

Sentence convicted traffickers to significant terms of

imprisonment, including in forced labor cases; strengthen or revise existing criminal code articles, particularly article 182, to better differentiate between sex and labor trafficking; establish a comprehensive referral system and increase access to specialized services, especially for asylum-seekers, male, child, and transgender victims; improve the process for issuing short- and long-term residency permits for potential victims, especially those in the asylum registration and transition centers; and provide additional police and judicial training to better equip law enforcement personnel and judiciary to address trafficking.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Articles 180, 181, 182, 195, and 196 of the penal code prohibit all forms of trafficking with penalties from one to 20 years of imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 182 prescribes the same penalties for trafficking for labor exploitation as for sex trafficking. The government provided law enforcement data from the most recent year for which it was compiled; this resulted in the government reporting data from 2016 for some categories and 2015 for others. The government did not disaggregate data on law enforcement efforts between sex trafficking and forced labor. The government initiated 233 human trafficking investigations in 2016, compared to 306 in 2015. Cantonal authorities prosecuted 190 defendants in 2016, compared to 96 in 2014, the most recent year for which complete data was available for comparison. The government obtained convictions of 22 defendants on trafficking charges in 2015, compared to 28 in 2014, the most recent year for which complete data was available for comparison. Authorities continued one of the largest trafficking investigations in its history involving a network of approximately 25 suspects accused of subjecting Thai nationals to trafficking. The main suspect was formally charged with a trafficking crime and awaited trial at the end of the reporting period. Of the 22 convictions, only 11 resulted in prison time. Of those 11 prison sentences, only seven received a prison sentence of one year imprisonment or more, with four partially suspended and seven fully suspended prison sentences or receiving monetary fines. The highest sentence issued for trafficking crimes was for six years in prison, while the lowest sentence was a suspended monetary fine that would have corresponded to a 180-day prison sentence. Observers reported judges often treated forced labor crimes as lesser labor violations and perpetrators consequently received lesser penalties not commensurate with the crimes committed.

The Special Brigade against Human Trafficking and Illicit Prostitution (BTPI), a cantonal anti-trafficking police unit based in Geneva, consisted of 22 inspectors that undertook house searches, which are the result of house warrants and patrolled areas known for prostitution to investigate suspicions of human trafficking. The government partnered with international law enforcement organizations such as EUROPOL and INTERPOL to conduct international investigations on trafficking and extradite traffickers. It also participated in several joint expert working groups, including EUROPOL's "Blue Amber" action days, focusing on human trafficking and people smuggling. The Swiss Federal Police (Fedpol) regularly collaborated with counterparts from Romania, Hungary, Thailand, Greece, Austria, Germany and Kosovo, among others, investigate and prosecuted both sex and labor trafficking offenses. In 2016, authorities provided training to German-speaking and French-speaking law enforcement officials. Following the federal administrative

court's first hosting of a trafficking education seminar for judicial officials in December 2015, the court organized two more sessions in 2016 to train an additional 30 police officers and one public prosecutor. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The government increased protection efforts. The federal government continued to lack standard procedures across cantons for victim protection and victim identification. Cantonal authorities reported identifying 197 victims, 107 of whom were victims of forced prostitution during the reporting period. Assistance for victims of violence was available in almost all of the 26 cantons but did not always include anti-trafficking services and varied canton to canton. In 2015, the latest year for which assistance data was available, 91 victims and/or relatives of victims received government trafficking-specific counseling. Federal and cantonal government sources financed the vast majority of a leading NGO's 2.5 million Swiss franc (\$2.45 million) operating costs of its trafficking victim protection program. One NGO, using funding provided by the government during the previous reporting period, established a new shelter that served trafficking victims. A leading NGO reported assisting 172 trafficking victims, 34 of which were referred by the police. Fifty-six were sex trafficking victims, while 12 were forced labor victims. One NGO reported an increase in the number of trafficking victims among asylum-seekers. The State Secretariat for Migration (SEM) maintained a nationwide circular to educate personnel on how to more effectively identify trafficking victims in the asylum system.

Under the Swiss Victim Assistance Law (OHG), all trafficking victims are entitled to help from the government-funded women's shelters or victim assistance centers for victims of abuse, and enjoy special safeguards during criminal proceedings. Cantonal authorities maintain jurisdiction on providing protection for victims, and trafficking victims are entitled to free and immediate assistance centers that vary from canton to canton. Many cantons have referral agreements with NGO-operated victim assistance facilities that specialize in trafficking. Through the anti-human trafficking ordinance the government dispersed a total of 333,312 Swiss francs (\$327,100) to seven public and private service providers from a total annual allocation of 400,000 Swiss francs (\$392,540). The government supported specialized trafficking and other shelters. The ordinance allows all organizations involved in implementing anti-trafficking measures to apply for a government grant. NGOs regularly provide anti-trafficking services to victims, including a network of therapists and medical specialists for counseling. The BTPI did not report the number of victims during the reporting period. Services for child and male victims were limited, especially shelter, counseling, and victim referral resources. The government provided male victims temporary shelter in centers, hotels, or NGO-operated shelters for men, and NGOs that received government support provided limited services to such victims. One of the leading NGOs also assisted male victims and helped four transgendered victims. NGOs reported more resources are needed to address the shortcomings for protection services of male and child trafficking victims. The government also facilitates assistance to foreign victims of trafficking; however, due to strict residency requirements, few are granted long-term residency permits and instead are provided with repatriation assistance to help them return home. The government held a series of anti-trafficking workshops for both German- and French-speaking police officers, cantonal

migration officials, NGOs, and social service providers during the reporting period. The training included advice and best practices for victim identification.

Services for asylum-seekers in transition between registration and reception centers within Switzerland's asylum system were insufficient, especially for underage trafficking victims. The government granted 48 individuals reflection periods, 85 short-term residence permits, and 21 hardship-based residence permits. Sixteen victims received restitution payments in 2015, but no information was provided for the number of restitutions payments received in 2016. NGOs expressed concern that it remained difficult for victims to obtain victim protection and hardship residence permits without the assistance of a judge. In May, a conference of cantonal social directors published recommendations on care for unaccompanied minor asylum-seekers, which also included a chapter on the protection of underage trafficking victims.

PREVENTION

The government maintained prevention efforts. A specialized unit within Fedpol coordinated national efforts, including anti-trafficking policy, information exchange, cooperation, and training. The government co-hosted and co-funded several awareness events organized by cantonal authorities and NGOs during the national anti-trafficking week in October 2016. In November 2016, the Swiss Coordination Unit against the Trafficking in Persons and Smuggling of Migrants (KSMM) hosted its third national meeting of the heads of the cantonal anti-trafficking roundtables to exchange information on trafficking issues and anti-trafficking measures. The government conducted an annual assessment of its anti-trafficking efforts, which it provided to the Council of Europe, OSCE, and UN. The SEM also provided 10,000 Swiss francs (\$9,810) to the IOM for the production of German and French anti-TIP flyers disseminated in restaurants, bars, cinemas, and shops. Also on the European Day against Human Trafficking in October, the Federal Department of Foreign Affairs (FDFA) and IOM co-hosted an international roundtable with anti-trafficking experts from Romania and Bulgaria on strengthening transnational cooperation for fighting trafficking. The government provided anti-trafficking training for its diplomatic personnel. The FDFA educates incoming diplomats and consular officers each year on human trafficking and refers them to the OSCE handbook on forced labor within diplomatic households, which the government co-financed. The government continued to maintain prevention efforts and increased awareness about trafficking issues throughout the year.

Fedpol initiated a program for strengthening the work of NGOs to prevent crimes in commercial sex. Federal, cantonal, and municipal authorities provided a combined total of 285,000 Swiss francs (\$279,690) to a leading NGO that fights trafficking. The federal government also provided 579,599 Swiss francs (\$68,790) to a leading international organization that serves trafficking victims. The government formally adopted its new national action plan and began implementation during the reporting period.

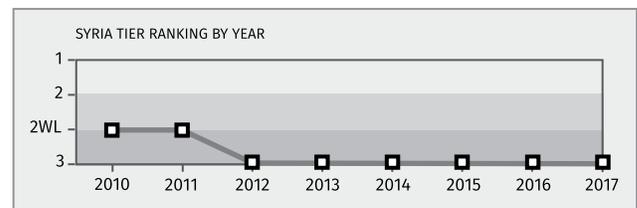
TRAFFICKING PROFILE

As reported over the past five years, Switzerland is primarily a destination and, to a lesser extent, a transit country for women, children, and transgender people subjected to sex trafficking, as well as men, women, and children subjected to forced labor, including forced begging and forced criminal activity. Foreign

trafficking victims originate primarily from Central and Eastern Europe—particularly Romania, Hungary, Bulgaria, Slovakia, and Albania, although victims also come from Thailand, Nigeria, China, Brazil, Cameroon, the Dominican Republic, and Morocco. Forced labor exists in the domestic service and health care sectors, and in agriculture, catering, construction, and tourism. Female victims among asylum-seekers came from Nigeria, Eritrea, and Ethiopia, and were often forced into prostitution and domestic servitude. Male victims among asylum-seekers came primarily from Eritrea and Afghanistan and were exploited both in the sex trade and for forced labor.

SYRIA: TIER 3

The Government of Syria does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Syria remained on Tier 3. The government did not demonstrate any efforts to address human trafficking through prosecution, protection, or prevention measures. The government's actions directly contributed to the vulnerability of the population to trafficking and continued to perpetrate human trafficking crimes routinely. The government maintained its forcible recruitment and use of child soldiers, subjecting children to extreme violence and retaliation by opposition forces; it also did not protect and prevent children from recruitment and use by government and pro-regime militias, armed opposition forces, and designated terrorist organizations such as the Islamic State of Iraq and Syria (ISIS). The government continued to arrest, detain, and severely abuse trafficking victims, including child soldiers, and punished them for crimes committed as a direct result of being subjected to human trafficking. The government did not investigate or punish traffickers, including officials complicit in recruiting and using child soldiers, nor did it identify or protect any trafficking victims.



RECOMMENDATIONS FOR SYRIA

Stop the forcible recruitment and use of child soldiers by government forces, pro-government militias, armed opposition forces, and designated terrorist organizations such as ISIS; provide adequate protection services to demobilized children; ensure trafficking victims are not punished for crimes committed as a direct result of having been subjected to trafficking, particularly children forcibly recruited as soldiers by the regime and other armed groups; implement the anti-trafficking law through investigations and prosecutions of traffickers, including officials complicit in the recruitment and use of child soldiers; and proactively identify potential trafficking victims and provide them with appropriate protection services.

PROSECUTION

The government did not report any anti-trafficking law enforcement efforts, and the government and government-

affiliated militias remained complicit in trafficking crimes, including child soldiering. The violent civil war continued to directly amplify the magnitude of human trafficking crimes occurring within Syria and affecting displaced Syrians. Decree No. 3 of 2011 provides a legal foundation for prosecuting trafficking offenses and protecting victims, but it does not include a clear definition of human trafficking. This decree prescribes a minimum punishment of seven years imprisonment, a penalty that is sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. The government adopted Law No. 11/2013 in June 2013, which criminalizes all forms of recruitment and use of children younger than the age of 18 by armed forces and armed groups; however, the government made no efforts to prosecute child soldiering crimes perpetrated by government and government-affiliated militias, armed opposition groups, and designated terrorist organizations. The government did not report investigating, prosecuting, or convicting suspected traffickers, nor did it investigate, prosecute, or convict government officials complicit in human trafficking, including officials who forcibly recruited and used child soldiers in combat and support roles. The government did not provide anti-trafficking training for officials.

PROTECTION

The government made no efforts to identify or protect trafficking victims; instead, it directly punished victims for crimes committed as a direct result of being subjected to human trafficking. The government did not protect children from forcible recruitment and use as soldiers, human shields, and in support roles by government forces and pro-government armed groups, armed opposition groups, and terrorist organizations. Furthermore, the government arrested, detained, raped, tortured, and executed children for alleged association with armed groups; the government made no efforts to exempt these children from punishment or to offer them any protection services. The government neither encouraged trafficking victims to assist in investigations or prosecutions of their traffickers nor provided foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

PREVENTION

The government made no efforts to prevent human trafficking; the government's actions continued to amplify the magnitude of human trafficking crimes. The government did not implement measures to prevent children from recruitment and use as combatants and in support roles by government, government-affiliated militias, opposition armed groups, and terrorist organizations. The government did not raise awareness of human trafficking among the general public or officials. The government did not report efforts to reduce the demand for commercial sex acts or forced labor, nor did it prevent child sex tourism by Syrian nationals abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Syria is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. The situation in Syria continues to deteriorate amid the ongoing civil war with sub-state armed groups of varying ideologies exerting control over wide geographic swathes of the country's territory. Human rights groups and international organizations estimate more than 400,000 persons have been killed since the beginning of protests against the Bashar al-Assad regime in March 2011.

More than half of Syria's pre-war population of 23 million has been displaced; as of March 2017, five million have fled to neighboring countries and, as of December 2016, roughly 6.3 million are internally displaced. Syrians, both those that remain in the country and refugees in neighboring countries, continue to be highly vulnerable to trafficking.

Incidents of human trafficking continue to increase and trafficking victims remain trapped in Syria, particularly as ISIS consolidated its control of the eastern governorates of Raqqah and Deir al-Zour. Syrian children are reportedly vulnerable to forced early marriages—which can lead to commercial sexual exploitation and forced labor—and children displaced within the country continue to be subjected to forced labor, particularly by organized begging rings. In March 2016, the media reported that women from Nepal and Bangladesh were forced to work in domestic servitude or the sex industry in Syria. In June 2014, ISIS announced the establishment of an Islamic “Caliphate” in Iraq and Syria, and during 2015, ISIS seized control of areas in southern Syria in and around Palmyra, Homs, Damascus, and Aleppo. In December 2014, ISIS publicly released guidelines on how to capture, forcibly hold, and sexually abuse female slaves. In April 2015, an international organization reported the system of organized sexual slavery and forced marriage—which can lead to commercial sexual exploitation and forced labor—by ISIS militants is a central element of the terrorist group's ideology. ISIS continues to force local Syrian girls and women in ISIS-controlled areas into marriages with its fighters, and it routinely subjects women and girls from minority groups to forced marriage, domestic servitude, systematic rape, and sexual violence. ISIS routinely forces Syrian girls to undergo virginity tests before trading them in “slave bazaars” and sending them to various Syrian provinces and other countries for sexual slavery. In 2016, ISIS began moving thousands of abducted women and girls, from the Yezidi minority group in Iraq, into Syria ahead of Iraqi government forces' push to drive ISIS out of Mosul, Iraq. Additionally, following the February 2015 ISIS incursion into Assyrian villages in the northeastern province of al-Hasaka, it captured as many as 30 Assyrian Christian women and forced them into sexual slavery.

As reported by an international organization in June 2015, the recruitment and use of children in combat in Syria has become “commonplace”, and documented cases of child soldiers continued to increase in 2016. Syrian government forces, pro-regime militias, and armed groups, including the Free Syrian Army (FSA) and FSA-affiliated groups, Kurdish forces, ISIS, and Jabhat al-Nusra—the al-Qa'ida affiliate in Syria—continue to recruit and use boys and girls as soldiers, human shields, suicide bombers, and executioners, as well as in support roles. Some armed groups fighting for the Syrian government, such as Hezbollah, and pro-regime militias known as the National Defense Forces (NDF), or “shabiha,” forcibly recruit children as young as six years old. Militants also use children for forced labor and as informants, exposing them to retaliation and extreme punishment. In the first documented incident by an international organization of the re-recruitment of children, 15 boys who were recruited and trained by ISIS in 2013 were re-recruited by the FSA in 2014 and subsequently used in combat in 2016. ISIS actively deploys children—some as young as eight years old—in hostilities, including coercing children to behead Syrian government soldiers; the terrorist group has deliberately targeted children for indoctrination and used schools for military purposes, endangering children and preventing their access to education. ISIS operates at least three child training camps in Raqqah; forces children to attend indoctrination seminars; and promises children salaries,

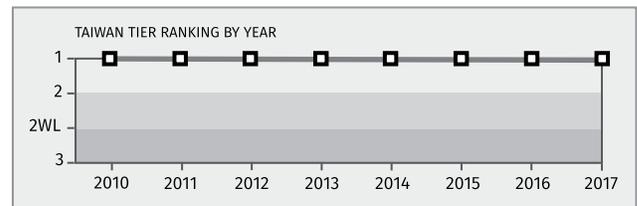
mobile phones, weapons, a martyr's place in paradise, and the "gift" of a wife upon joining the terrorist group. By forcibly recruiting and using children in combat and support roles, ISIS has violated international humanitarian law and perpetrated war crimes on a mass scale. Despite having signed a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

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

TAIWAN: TIER 1

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

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



RECOMMENDATIONS FOR TAIWAN

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

PROSECUTION

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