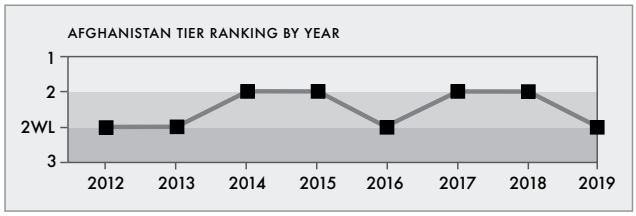
COUNTRY NARRATIVES

Migrants collect asparagus in Italy. Some farmers and labor recruiters use threats, intimidation, and violence to control and exploit such workers, especially in the harvesting of agricultural products.

AFGHANISTAN: TIER 2 WATCH LIST

The Government of Afghanistan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included investigating some allegations of official complicity in trafficking, establishing five new Child Protection Units (CPUs) to prevent the recruitment of children into the Afghan National Police (ANP), and partnering with an international organization to finalize and publish standard operating procedures (SOPs) for victim identification and referral to care. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Afghan security forces continued to unlawfully recruit and use child soldiers and exploit boys in *bacha bazi* with impunity. Members of the Afghan National Army (ANA) and Afghan Local Police (ALP) reportedly recruited boys specifically for *bacha bazi* by enticing them and by promising food and money. Authorities continued to refer the majority of trafficking cases to mediation in lieu of criminal prosecution and penalized sex trafficking victims for "moral crimes." Sex trafficking victims reported prosecutors and judges solicited sexual favors from them while investigating their cases. Officials conflated trafficking and smuggling, could not confidently identify trafficking victims, and relied on NGOs and foreign donors for nearly all victim assistance. Therefore Afghanistan was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Cease the unlawful recruitment and use of children by Afghan security forces and demobilize children from all armed groups with adequate protection and reintegration support. • Issue a directive to law enforcement to pursue criminal investigations in cases of human trafficking, including *bacha bazi*. • Increase criminal investigations and prosecutions of trafficking—especially of law enforcement and military officials allegedly complicit in trafficking—and convict and adequately sentence perpetrators. • Cease support to non-state armed groups that recruit and use child soldiers. • Cease penalization of victims for unlawful acts their traffickers forced them to commit, including "moral crimes." • Significantly increase training for judicial officials on the anti-trafficking provisions in the new penal code, the prohibition on mediation to settle sex trafficking cases per the 2009 Elimination of Violence Against Women Act, and ensure judges have sufficient copies of the penal code. • Disseminate, and conduct widespread training on, the SOPs for victim identification and referral to services. • Strengthen law enforcement's capacity to address trafficking, including increased training and resources for the Ministry of Interior (MOI)'s provincial anti-trafficking/smuggling units. • Dedicate resources for trafficking victim shelters and services, including for male victims. • Amend Chapter 5 of the penal code to increase the penalties for *bacha bazi* in line with penalties prescribed for other forms of trafficking. • Raise awareness of trafficking at the local level, including its definition, law enforcement and social service resources available, and community prevention efforts. • Ensure all ministries support the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling (high commission) and its sub-committee and contribute to data collection efforts.

PROSECUTION

The government maintained minimal law enforcement efforts and overall efforts—especially prosecution of allegedly complicit officials—remained negligible, allowing traffickers to operate with impunity. The 2017 Law to Combat Crimes of Trafficking in Persons and Smuggling of Migrants criminalized sex trafficking and labor trafficking, including *bacha bazi*. The law prescribed penalties between five and eight years' imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes. Aggravating factors increased the maximum sentence to between 10 and 15 years and the imposition of the death penalty if exploitation for armed fighting resulted in the victim's death. Article 510 of the new 2018 criminal code criminalized sex trafficking and labor trafficking, including *bacha bazi*. Article 511 prescribed penalties of five to 10 years' imprisonment for trafficking offenses involving adult male victims, and 10 to 16 years' imprisonment if the victim was a woman or child, or exploited in *bacha bazi*. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. Article 512 outlined aggravating factors and increased penalties to 16 to 20 years' imprisonment for sex trafficking or forced armed fighting and between 20 to 30 years if the victim forced to fight died while subjected to trafficking. While the 2018 penal code also specifically criminalized more crimes related to *bacha bazi*, some of which would constitute trafficking offenses, it also prescribed lower penalties for certain acts constituting *bacha bazi* than those prescribed under Article 510. Most of these penalties were not sufficiently stringent, nor commensurate with the penalties prescribed for other serious crimes, such as rape. The government also used the 2009 Law on the Elimination of Violence Against Women (EVAW) to prosecute and convict sex traffickers. NGOs continued to express concern over the limited enforcement of anti-trafficking laws, citing both lack of resources and lack of political will to hold perpetrators accountable. The absence of a strong judiciary disproportionately affected female trafficking victims' access to justice; in rural areas outside of the formal legal system, male community leaders often settled both criminal and civil disputes, which often penalized female sex trafficking victims for "moral crimes." In urban areas, if judges or prosecutors assessed that no clearly defined legal statute applied or they were unaware of the statutory law, then they enforced customary law, which often resulted in outcomes that discriminated against women. While the EVAW law expressly prohibited the use of mediation and other Afghan laws neither permit nor prescribe mediation in criminal cases, police and judges often referred trafficking victims to mediation.

The government did not provide comprehensive data on anti-trafficking law enforcement efforts. While some ministries provided data, the statistics appeared to contradict one another in some areas, making it difficult to draw conclusions and compare to previous years. Data demonstrated investigation of 138 alleged traffickers, prosecution of 64 suspects, and conviction of 34 traffickers under the anti-trafficking and EVAW laws, including six convictions for attempted human trafficking. This is compared to investigation of 132 alleged traffickers, prosecution of 73, and conviction of 33, including four for attempted trafficking, in the previous reporting period.

The 138 investigations included investigations initiated by the ANA into 13 officers for *bacha bazi*, including witnessing and failure to report *bacha bazi*. Military authorities sentenced one perpetrator of *bacha bazi* to four months' imprisonment; the government did not report the status of the other 12 *bacha bazi* investigations.

Law enforcement and judicial officials continued to have a limited understanding of trafficking. While the 2017 law used separate terms and definitions for trafficking and smuggling, Dari, the most widely spoken language in Afghanistan, historically used the same word for human trafficking and migrant smuggling. Training to ensure officials understood the distinction was limited, especially at the local and provincial levels. MOI continued to operate dedicated trafficking/smuggling units in each of the 34 provinces and in Kabul, with two officers in each province. The National Directorate of Security (NDS) and the Afghan Border Police (ABP) also had mandates to address human trafficking. While ABP's anti-trafficking unit had the lead for transnational trafficking cases, the unit did not receive training on trafficking. During the reporting period, the government and INTERPOL established an additional anti-trafficking unit within MOI, funded by international donors, with nationwide jurisdiction. Officials acknowledged personnel, resources, and knowledge of trafficking remained inadequate in all units. NGOs and international organizations, with in-kind assistance from the government, conducted 91 capacity-building workshops in 2018 for more than 1,850 members of the public, government officials, and civil society, including religious leaders and lawyers.

Widespread disregard for the rule of law and official impunity for trafficking remained serious concerns. While the government reportedly initiated some investigations into *bacha bazi* and sentenced one perpetrator, the government did not consistently or effectively prosecute officials for this crime and acknowledged the pervasive lack of accountability. Afghan security forces, in particular the ANP and ALP, reportedly exploited boys in *bacha bazi* in every province of the country, and NGOs reported Afghan security forces and pro-government militias—some of whom may have received direct financial support from the government—recruited boys specifically for use in *bacha bazi*. In some instances, ANA officials reportedly used promises of food and money to entice boys into *bacha bazi*. Despite these credible reports, the government did not take action to investigate the alleged perpetrators or execute arrest warrants in the vast majority of cases. Observers noted perpetrators of *bacha bazi* often paid bribes to, or had relationships with, law enforcement, prosecutors, or judges that protected them from prosecution. During the reporting period, an international organization verified three cases of *bacha bazi* by the ANP and ALP and reported three additional credible allegations, involving a total of 10 suspected perpetrators from ANP and ALP. Police did not arrest any of the 10 alleged sex traffickers by the close of the reporting period. In February 2017, police arrested a district chief of police and six members of the security forces for allegedly participating in a *bacha bazi* gathering; the district chief of police was fired from his position in early 2018, and the investigation remained pending at the close of the reporting period. A public health official who conducted forensic exams for criminal cases reported state prosecutors pressured him not to report confirmed evidence of abuse, including in cases of *bacha bazi*.

The UN verified the continued use of children in combat and non-combat roles by the Afghan security forces, including at least two verified cases of recruitment by the ANP, five by the ALP, and credible allegations of one by the NDS. ANA soldiers as young as thirteen were killed, wounded, and captured by Taliban insurgents. Pro-government militias that may have received direct financial support from the Afghan government reportedly recruited and used child soldiers, primarily in non-combat roles. Some officials accepted bribes to produce identity documents for boys stating they were at least 18 years old. Many female sex trafficking victims detained during the judicial process alleged prosecutors and judicial officials sought sexual favors while investigating their cases. During the reporting period, a religious official allegedly coerced into sex trafficking women who sought his spiritual advice; one police officer allegedly facilitated the sex trafficking and a second officer allegedly obtained sexual services from the victim. Authorities arrested both officers.

PROTECTION

The government decreased victim identification and protection efforts and continued to penalize sex trafficking victims. The government did not compile comprehensive victim identification, referral, and assistance statistics. The high commission reported identifying 434 potential trafficking victims in 2018, compared to 476 identified in 2017; NGOs expressed concern about the accuracy of those figures. The government did not use systematic victim identification procedures during the reporting period. District and provincial-level officials continued to conflate trafficking and smuggling, and the vast majority of officials could not confidently identify or protect trafficking victims. In partnership with an international organization, the high commission published a training manual for law enforcement, NGOs, and community leaders on trafficking victim identification. With international assistance, the high commission also finalized and published a national referral mechanism for victim care and began to implement an online database to register trafficking victims for assistance. The organization began training officials and NGO staff on the manual, referral mechanism, and database.

NGOs operated, and international donors funded, approximately 27 women's shelters in 20 provinces that provided protection, legal, medical, and social services to female victims of violence, including trafficking. A few women's shelters closed during the reporting period due primarily to security challenges and a lack of donor funds. The shelters did not report how many trafficking victims they assisted during the reporting period. The Ministry of Women's Affairs monitored all women's shelters for compliance with national regulations. Family guidance centers in 19 provinces provided non-residential legal and social services for women and children, including trafficking victims. The government acknowledged the dearth of shelters and government resources impeded victim protection. Police referred trafficking victims to shelters on an ad hoc basis. The Child Protection Action Network (CPAN), a conglomerate of NGOs, civil society, and government entities overseen by the Ministry of Labor and Social Affairs (MoLSA), remained active in 151 districts and could provide shelter and some services to child victims of crime; in the previous reporting period, CPAN operated in all 185 districts. CPAN was the only entity that addressed child protection issues, including child trafficking, outside of Kabul. NGOs operated two shelters for boy victims of crime that could assist boy trafficking victims younger than 18. No government or NGO shelter could accommodate adult male trafficking victims. At times, the government placed child trafficking victims in orphanages, and some orphanages subjected children to trafficking. Afghans continued to both voluntarily return and be deported from Iran and Pakistan,

and traffickers had exploited some of the returnees in Iran and Pakistan. While international organizations noted that traffickers specifically targeted these returnees for forced labor upon return to Afghanistan, the government did not screen returnees for trafficking or refer them to services. In cases of parental complicity in child trafficking, authorities often returned children to their parents without sufficient efforts to ensure parents would not subject their children to trafficking again. The government did not encourage victims to participate in investigations; it did not provide adequate support or security for victims to safely do so. Afghan law allows trafficking victims to seek restitution; there were no reports any victims did so. Afghan law allows foreign victims to remain in Afghanistan for at least six months. Authorities reportedly identified some foreign victims in Afghanistan but did not report if they received this benefit.

The penal code provides that authorities shall not prosecute trafficking victims for unlawful acts their traffickers compelled them to commit, including "moral crimes" and the possession or use of fraudulent travel documents. Nonetheless, officials continued to arrest, imprison, or otherwise punish sex trafficking victims for prostitution or sex outside of marriage. Authorities referred some male sex trafficking victims to juvenile rehabilitation centers on criminal charges. Officials sometimes prosecuted victims for possessing forged identity documents. The government did not demobilize child soldiers associated with governmental or nongovernmental armed groups or refer such children to reintegration support. It arrested, detained, and prosecuted for terrorism-related crimes some children younger than 12 years old that non-state armed groups had forcibly recruited. Authorities sometimes placed male and female victims in prison if they could not accommodate them in shelters. NGOs reported authorities housed some child trafficking victims in juvenile detention centers, sometimes for several years. NGOs reported authorities within the MOI, MoLSA, and the Ministry of Justice (MOJ) demonstrated reluctance to pursue justice and provide care for victims of *bacha bazi*. In some cases, police sexually abused *bacha bazi* victims who tried to report their exploitation and then treated them as criminals. Fear of law enforcement, threats of retaliation from traffickers and one's community, and the stigma associated with trafficking prevented many victims from bringing cases forward to law enforcement or seeking care, especially those involving *bacha bazi*.

PREVENTION

The government maintained modest efforts to prevent trafficking. The high commission, an autonomous government office under MOJ scheduled to meet quarterly, only met once in 2018 with limited attendance, compared to three meetings in 2017. The commission's working-level technical committee, held 11 meetings in 2018, compared to eight meetings in 2017. NGOs reported the high commission did not devote significant attention or political will to anti-trafficking efforts, especially data collection; members continued to conflate trafficking with smuggling; and activities relied on individual members' commitment. The sub-committee lacked resources and influence over member ministries and relied heavily on NGOs for funding and technical assistance to implement the commission's policies. The high commission had 33 provincial commissions to implement national anti-trafficking policy at the local level, although the majority of commissions did not meet or conduct activities. The government's anti-trafficking national action plan expired in April 2018, and the high commission reportedly extended the action plan to cover 2018-2021. During the previous reporting period, the high commission, in partnership with an international organization, published its first annual national report on human trafficking. The government disputed the report's findings, however, and did not produce a second iteration during the reporting period. The high commission, in partnership with international organizations and NGOs, continued public awareness programs. The government attended a regional forum that promoted the use of a common trafficking victim referral mechanism and signed a memorandum of understanding with three countries to address transnational trafficking.

MOI opened five new CPUs throughout the country, for a total of 27, to prevent the recruitment of children into the ANP. According to an international organization, the CPUs prevented the recruitment of 30 children from October through December 2018. In addition, some of the high commission's awareness raising events addressed child recruitment by armed groups. Nevertheless, recruitment of children continued, and contacts noted the CPUs did not oversee ALP recruitment centers, which also recruited children. The government did not have a sufficient referral pathway for children identified by CPUs and prevented from joining the security forces to provide shelter, services, and family reintegration; thus, the children remained highly vulnerable to other forms of forced labor. The government utilized a policy and action plan for the reintegration of Afghan returnees and internally displaced persons (IDPs), in partnership with the UN; however, the government's ability to assist vulnerable persons, including more than 820,000 new returnees from Iran and Pakistan in 2018, remained limited, and it relied on the international community for assistance. The government made efforts to reduce the demand for commercial sex acts. The government did not provide anti-trafficking training for diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Afghanistan, and traffickers exploit victims from Afghanistan abroad. Internal trafficking is more prevalent than transnational trafficking. NGOs report an increase in human trafficking within Afghanistan. Traffickers exploit men, women, and children in bonded labor—a form of forced labor by which the traffickers offer loans to vulnerable people and manipulate the debts to coerce the workers into continued employment. At times, traffickers exploit one worker's initial debt to entrap other family members, sometimes for multiple generations. There are entire Afghan families trapped in bonded labor in the brick-making industry, predominately in eastern Afghanistan and in carpet weaving countrywide. Most Afghan trafficking victims are children exploited in carpet making, brick kilns, domestic servitude, commercial sex, begging, poppy cultivation and harvesting, salt mining, transnational drug smuggling, and assistant truck driving. NGOs assessed significant internal displacement exacerbated organized criminal groups' exploitation of children in forced begging. Some members of the *Shia Hazara* minority group are victims of forced labor. Some Afghan families force their children into labor with physical violence or knowingly sell their children into sex trafficking, including *bacha bazi*. Opium-farming families sometimes sell their children to settle debts with opium traffickers, and some drug-addicted parents subject their children to sex trafficking or force them into labor, including begging. There were allegations some orphanages run by NGOs and overseen by the government subjected children to trafficking. Police and education officials acknowledged some teachers coerce male students to perform commercial sex acts to pass exams. During the reporting period, authorities reported

a religious official and two police officers coerced women seeking spiritual advice into sex trafficking. Members of the Afghan national women's soccer team reported Afghan Football Federation officials forced them to have sex in exchange for a spot on the team.

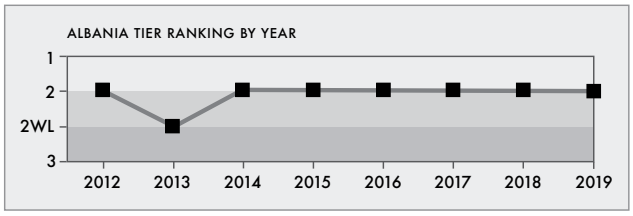
Afghan security forces and non-state armed groups continue to unlawfully recruit and use children in combat and non-combat roles with impunity. Non-state armed groups, primarily the Taliban and the Islamic State in Khorasan Province (ISIL-KP) account for most child recruitment and use and used children younger than age 12 during the reporting period. Insurgent groups increasingly use children as suicide bombers. Some families receive cash payments or protection in exchange for sending their children to the Taliban-run schools for military and religious indoctrination. Children from impoverished and rural areas, particularly those under Taliban control, are particularly vulnerable to recruitment. ANP and ALP use children in combat and non-combat roles, including as personal servants, support staff, and bodyguards. ANA, NDS, and ABP also recruit and use children in both combat and non-combat roles, although to a lesser extent. ANA soldiers as young as thirteen were killed, wounded, and captured by Taliban insurgents. Pro-government militias that may receive direct financial support from the government reportedly recruited and used child soldiers, primarily in support roles. Traffickers, including government and military officials, continued to exploit children in sex trafficking through *bacha bazi* in every province of the country. An NGO interviewed many survivors of *bacha bazi* whose testimonies noted an "overwhelming understanding that *bacha bazi* is committed by the powerful," including military commanders and community leaders. International organizations reported cases of *bacha bazi*, by nearly all groups, including the ANA, ANP, ALP, pro-government militias, and the Taliban, and stated cases are widely underreported. ALP officials and pro-government militias reportedly recruited children specifically for *bacha bazi*, and ANA officials reportedly lured boys into *bacha bazi* with promises of food and money. Some traffickers, including military officials, abduct children or promise fake jobs to lure them into *bacha bazi*. While the vast majority of *bacha bazi* cases involve boys and young men, government officials have exploited children as young as 12 years old in *bacha bazi* and at least one girl. Perpetrators of *bacha bazi* sometimes offer bribes or use their relationships with law enforcement officials, prosecutors, and judges to evade punishment.

Afghan returnees from Pakistan and Iran and internally displaced Afghans are vulnerable to labor and sex trafficking. During the reporting period, Afghanistan received more than 805,850 undocumented returnees from Iran and Pakistan, many of them unaccompanied minors. An international organization estimated it assisted only four percent of the more than 773,000 of the Afghans undocumented or deported from Iran, and traffickers specifically targeted the unassisted returnees in Herat, Nangarhar, Badakhshan, and Nimroz provinces for forced labor in agriculture, brick kilns, and carpet weaving. Afghans residing in Pakistan—including 1.4 million Afghan Proof of Registration card holders, 878,000 Afghan Citizen Card holders, and an unknown number of undocumented Afghans—continued, to varying degrees, to lack access to education, social services, and basic assistance, and be vulnerable to deportation, all of which increased vulnerability to trafficking. A severe drought and the continued internal conflict created more than 600,000 new IDPs within Afghanistan during the reporting period. International organizations documented an increase in IDPs selling their children to local shopkeepers in servitude to repay debts; between July and September 2018, one organization reported 161 cases of IDPs selling children into either marriage or servitude. NGOs reported some corrupt shopkeepers exploit IDPs' debts by increasing their prices. Some traffickers targeted indebted IDPs and sold them into forced labor and sex trafficking.

Afghan men, women, and children pay intermediaries to assist them in finding employment, primarily in Iran, Pakistan, India, Europe, or North America; some intermediaries force Afghans into labor or sex trafficking. Afghan women and girls are subjected to sex trafficking and domestic servitude primarily in Afghanistan, Pakistan, Iran, and India, including through forced marriage. Afghan boys and men are subjected to forced labor and debt bondage in agriculture and construction, primarily in Iran, Pakistan, Greece, Turkey, and the Gulf states. Traffickers in Iran, including Iranian criminal groups, exploit Afghan children in forced labor as beggars and street vendors and forced criminality, including drug trafficking and smuggling of fuel and tobacco. The Iranian government and the Islamic Revolutionary Guards Corps continue to force and coerce Afghan migrants, including children as young as 12 years old, to fight in Iranian-led and -funded Shia militias deployed to Syria by threatening them with arrest and deportation to Afghanistan. Trafficking networks smuggle Afghan nationals living in Iran to Europe and force them to work in restaurants to pay off debts incurred by smuggling fees. Some Afghan boys are subjected to sex trafficking in Greece after paying high fees to be smuggled into the country. Some Afghan traffickers subjected Afghan boys to *bacha bazi* in Germany, Hungary, Macedonia, and Serbia. Traffickers have subjected women and girls from China, Iran, Pakistan, Philippines, Sri Lanka, and Tajikistan to sex trafficking in Afghanistan. Under the pretense of high-paying employment opportunities, some labor recruiting agencies lure foreign workers to Afghanistan, including from Sri Lanka, Nepal, India, Iran, Pakistan, and Tajikistan and subject them to forced labor after arrival.

ALBANIA: TIER 2

The Government of Albania does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Albania remained on Tier 2. These efforts included updating standard operating procedures (SOPs) for victim identification and referral, allocating funding for victim coordinators in every prosecution office starting in 2019, and institutionalizing training on trafficking within the Border and Migration Police (BMP). The government also doubled the budget for the Office of the National Anti-Trafficking Coordinator (ONAC) and adopted the 2018-2020 national action plan. However, the government did not meet the minimum standards in several key areas. The government continued to investigate, prosecute, and convict fewer cases, leading to the lowest level of reported law enforcement actions in four years. Additionally, the government lacked proactive identification efforts and law enforcement, in particular, did not consistently participate in mobile victim identification units or consistently screen vulnerable populations. The government continued to delay funding for NGO-run shelters and did not consistently apply victim-centered approaches to investigations and prosecutions.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers—including complicit officials—under Articles 110(a) and 128(b) of the criminal code. • Institutionalize and provide training for law enforcement, prosecutors, and judicial officials, particularly district prosecutors, on investigating, prosecuting, and trying trafficking cases, including guidance on overlapping elements of exploitation of prostitution and trafficking. • Increase efforts to screen vulnerable populations and train police, labor inspectors, and other front-line officials on proactive identification of victims. • Create funding mechanisms that allocate adequate funding and resources on a consistent and regular basis to the government-run and NGO-run shelters for trafficking victims. • Expand the jurisdiction of labor inspectors to inspect businesses that are not legally registered. • Improve the sustainability of, and law enforcement participation in, mobile trafficking victim identification units. • Increase reintegration services, including access to education for child victims. • Implement victim-centered approaches and victim-witness protection measures during court proceedings.

PROSECUTION

The government decreased law enforcement efforts. Articles 110(a) and 128(b) of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of eight to 15 years' imprisonment for a trafficking offense involving an adult victim, and ten to 20 years' imprisonment for an offense involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Albanian State Police (ASP) investigated 38 trafficking cases with 51 suspects (69 cases with 80 suspects in 2017); nine of these suspects were investigated for child trafficking (22 in 2017) and 42 for adult trafficking (58 in 2017). The ASP also investigated three suspects for knowingly soliciting or patronizing a sex trafficking victim to perform a commercial sex act (none in 2017). The Serious Crimes Prosecutor's Office (SCPO) prosecuted two cases with six defendants (five cases with five defendants in 2017); three of these defendants were prosecuted for child trafficking (two in 2017) and three for adult trafficking (three in 2017). Courts convicted five traffickers (seven in 2017); four for child trafficking (one in 2018) and one for adult trafficking (six in 2017). All convicted traffickers received prison sentences; one trafficker received two years and eight months for adult trafficking and four traffickers received sentences between six years and eight months to eighteen years for child trafficking. The appeals court reviewed and confirmed decisions on five traffickers.

ASP maintained an Anti-Trafficking Unit, which investigated trafficking in persons in addition to drug and contraband trafficking. The government continued judicial reforms that will eventually change court jurisdiction for trafficking cases, including transferring cases not related to organized crime from the Serious Crimes Court to district courts. However, SCPO reported district prosecutors did not have the experience and capacity to prosecute adequately trafficking cases. Authorities reported confusion between overlapping elements of exploitation of prostitution and trafficking and at times applied the lesser charge because it required less specialization and time, or due to the false belief that trafficking crimes required a transnational element. Limited resources and constant turnover within law enforcement created additional obstacles in maintaining capacity to investigate trafficking. NGOs reported improved cooperation with law enforcement and prosecutors. The BMP institutionalized anti-trafficking training and the government, at times in cooperation with civil society, trained 59 police officers, 53 judges, 119 district prosecutors, and three Supreme Court inspectors. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, official complicity and corruption were significant concerns. ASP arrested 20 suspected sex traffickers on behalf of Italian and Greek authorities. The government signed a memorandum of understanding with Bulgarian prosecutors and extradited three suspects, one each to Greece, Kosovo, and Hungary.

PROTECTION

The government maintained victim protection efforts. The government and NGOs identified 95 official and potential victims (105 in 2017). Of these, 28 were adults and 67 were minors (49 adults and 56 children in 2017), 60 were female and 35 male (80 female and 25 male in 2017), and one was foreign (nine foreign victims in 2017). Authorities identified 93 as potential victims and two as official victims (79 potential victims and 26 official victims in 2017). The government could not provide details about the type of exploitation for all official and potential victims but at least 36 were subjected to sex trafficking, 25 to forced labor, and 27 to forced begging. The government maintained a multi-disciplinary national referral mechanism (NRM) and updated SOPs for identifying and referring victims to services. First responders referred potential victims to law enforcement and state social services who conducted joint interviews to determine official victim status. The law provided equal services for both potential and officially recognized victims. NGOs identified the majority of victims; the government identified only 33 of the 95 official and potential victims (60 in 2017), including only five identified by law enforcement (11 in 2017). NGOs, with the support of the government, maintained mobile victim identification units consisting of social workers and police in three regions, but the units' sustainability was uncertain due to the lack of permanent staff, formalization, and resources. Mobile victim identification units identified 51 potential victims (26 in 2017). Experts reported police did not participate consistently in the mobile victim identification units despite signing a memorandum of understanding that formalized their participation. Law enforcement rarely initiated cases when civil society identified a potential victim, but ASP noted definitional differences with civil society on what constituted trafficking caused obstacles in identification. BMP updated internal SOPs on identification and developed daily reporting requirements on trafficking victims; however, BMP could not consistently screen migrants due to increased migrant flows and a lack of BMP officers and interpreters. Observers continued to report police did not consistently screen individuals for potential involvement in prostitution during raids and investigations on commercial sex establishments and the Labor Inspectorate lacked the training to identify victims of forced labor. Similarly, identification efforts for forced begging remained inadequate, particularly among unaccompanied children, street children, and children crossing borders for begging.

The government operated one specialized shelter and supported three specialized NGO-run shelters. The government allocated 21.6 million *leks* ($201,770) to NGO-run shelters to support 29 staff salaries, compared to 20.2 million *leks* ($188,700) to support 29 staff salaries in 2017. The government provided an additional 5.2 million *leks* ($48,580) for food support to NGO-run shelters, compared to 5.5 million *leks* ($51,380) in 2017. The government allocated 22.5 million *leks* ($210,180) to the government-run shelter, compared to 22.2 million *leks* ($207,380) in 2017. The government did not transfer resources to a fund of seized criminal assets for support services, compared to 4.7 million *leks* ($43,900) in 2017. Funding for NGO-run shelters steadily increased over the past four years; however, continued funding delays hindered shelter operations and the government decentralized funding mechanisms for all social programs to municipal governments starting in 2019. Municipality grants prioritized NGOs providing local assistance rather than the national scope needed for trafficking shelters, and experts alleged solicitation and bidding procedures at the municipal level were rife with nepotism and corruption. NGO-run shelters operated under financial constraints and relied on outside sources for operating costs. The four shelters constituted the National Coalition of Anti-Trafficking Shelters (NCATS), and victims who required services not available in one shelter were referred to another shelter within the coalition. NCATS and the government provided assistance to 78 official and potential victims (101 in 2017), including food, mental health counseling, legal assistance, medical care, educational services, employment services, assistance to victims' children, financial support, long-term accommodation, social activities, vocational training, and post-reintegration follow-up. Local Employment Offices collaborated with private businesses and NGOs to provide access to training and employment for trafficking victims. The government provided free health care but access to education for child victims was inadequate. For example, the Ministry of Health and Social Protection did not approve funds for the government-run shelter to hire a part-time teacher for victims unable to attend school. Similarly, the government provided free textbooks to children in "social economic difficulties," which did not explicitly include trafficking victims, and some regional directorates of the Ministry of Education used that omission to exclude child victims from receiving free textbooks. NGO-run shelters allowed adult victims to leave the shelter voluntarily; the state-run shelter required victims to notify the shelter director of their whereabouts in order to assist in their protection. One NGO-run shelter provided specialized services for victims younger than the age of 18 and rented apartments for male victims, where they received assistance from NGOs. Observers reported professional staff and good quality of care at the shelters in the NCATS. Experts reported first responders referred some individuals who were not trafficking victims to the government-run shelter, including individuals with mental health issues, migrants, and victims of other crimes. Foreign victims had access to the same services as domestic victims and the law provided foreign victims a three-month reflection period with temporary residency status and authorization to work for up to two years. The government granted or renewed residency to seven foreign victims (six in 2017).

Unlike some previous years, the government did not knowingly penalize victims, but may have penalized some trafficking victims due to inadequate identification efforts. Five victims cooperated with law enforcement in investigations and prosecutions (23 in 2017); however, the government did not consistently apply a victim-centered approach to investigations and prosecutions. Law enforcement did not consistently offer sufficient security and support, and victims and their families received threats during court proceedings. SCPO possessed equipment that allowed testimony via video conferences, which was used in one case. Victims who testified against traffickers had access to the witness protection program; none participated in the program (one in 2017). Local police improved implementation of child-specific procedures, including consistently involving social workers and psychologists when taking official statements from children. The government issued implementing legislation on providing free legal aid and funded victim coordinators in every prosecution office starting in 2019; prosecution offices hired five victim coordinators. Victims could obtain restitution from the government or file civil suits against traffickers; no victims have received restitution. The law provided repatriation assistance to Albanian citizen victims identified abroad; authorities assisted in the voluntary repatriation of three Albanian victims from Germany, Portugal, and the UK (four in 2017). The government also repatriated foreign victims, including one from Kosovo and one from North Macedonia.

PREVENTION

The government increased efforts to prevent trafficking. The government adopted the 2018-2020 national action plan and committed 488.9 million *leks* ($4.57 million) for its implementation. The government allocated 11.9 million *leks* ($111,160) to ONAC, compared to 5.7 million *leks* ($53,250) in both 2016 and 2017. Observers reported ONAC coordinated anti-trafficking efforts but faced internal and external challenges. The government maintained a multi-disciplinary working group and a separate task force to develop and monitor anti-trafficking policies. Twelve regional anti-trafficking committees comprising local officials and NGOs worked on prevention and victim assistance. ONAC had not published regular activity reports on its website since 2017 but held four meetings with stakeholders involved in the NRM. Observers reported prosecutors rarely attended NRM meetings. ONAC, in cooperation with civil society, conducted awareness campaigns for students, teachers, and the general public. ONAC also conducted informational meetings with representatives from the Romani and Balkan Egyptian communities. The government did not make efforts to regulate or punish labor recruiters for illegal practices that increase migrants' vulnerability to exploitation abroad. Labor inspectors did not have authority to inspect informal work activities, including unregistered businesses. The State Police Directorate's hotline received three trafficking-related calls, which were referred to the appropriate authorities. The government did not take steps to reduce demand for commercial sex or forced labor.

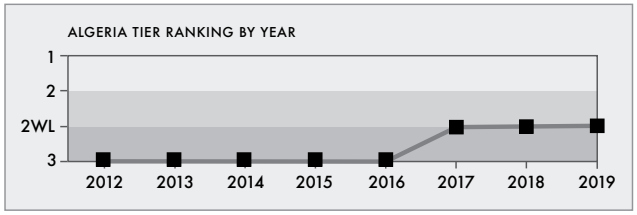
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Albania, and traffickers exploit victims from Albania abroad. Albanian women and children are subject to sex trafficking and forced labor within the country, especially during tourist season. Traffickers use false promises such as marriage or employment offers to force victims into sex trafficking. Children are commonly forced to beg or perform other types of compelled labor such as selling small items. Albanian children, mainly from the Romani and Balkan-Egyptian communities, are exploited regionally for seasonal work and forced begging. There are also instances of forced child labor in cannabis fields in Albania and some traffickers are likely involved in drug trafficking. Albanian victims are subject to sex trafficking in countries across Europe, particularly Kosovo, Greece, Italy, Belgium, Germany, Switzerland, North Macedonia, Norway, the Netherlands, and the UK. NGOs report

an increase in the number of Albanian children subjected to forced labor in Kosovo and the UK. Albanian migrants who seek employment in Western Europe face forced labor and forced criminality. Foreign victims from European countries and the Philippines were subjected to sex trafficking and forced labor in Albania. Irregular migrants from Asia are employed as domestic workers by wealthy families and vulnerable to domestic servitude. Middle Eastern, Central Asian, and African migrants transit Albania to reach Western Europe and are vulnerable to trafficking.

ALGERIA: TIER 2 WATCH LIST

The Government of Algeria does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by continuing to investigate, prosecute, and convict forced labor perpetrators. It also identified 34 victims of trafficking and referred some of them to care. The government dedicated resources for its national anti-trafficking committee, and the Prime Minister officially approved the government's 2019-2021 national anti-trafficking action plan for implementation. The government also raised awareness of trafficking issues among law enforcement and other government officials. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not systematically identify trafficking victims, leaving potential victims—especially among the African migrant population—at risk of penalization for unlawful acts traffickers compelled them to commit, such as immigration violations and prostitution. It did not have a standardized mechanism in place to refer potential victims to protection services and also did not consistently make these services available to all trafficking victims. The government did not report investigating, prosecuting, or convicting sex trafficking offenders. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Algeria was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Algeria remained on Tier 2 Watch List for the third consecutive year.



PRIORITIZED RECOMMENDATIONS:

Amend the trafficking provision of the penal code to specifically categorize all child sex crimes as trafficking as is stipulated by the Palermo protocol. • Vigorously investigate, prosecute, and convict sex and labor trafficking offenders and punish them with adequate to adequate penalties, which should involve significant prison terms. • Establish formal procedures for proactive victim identification and referral to care, and train law enforcement, judicial, labor inspectorate, health care officials, and social workers on these procedures. • Develop formal mechanisms to provide appropriate protection services, including the provision of designated shelters, adequate medical and psycho-social care, legal aid, and repatriation assistance to all trafficking victims. • Ensure victims of trafficking—especially among vulnerable populations—do not face arrest, prosecution, deportation, or other punishment for unlawful acts traffickers compelled them to commit. • Ensure the safe and voluntary repatriation of foreign victims, including through collaboration with relevant organizations and source country embassies, and provide foreign victims with legal alternatives to their removal to countries where they may face retribution or hardship. • Continue efforts to raise public awareness on the indicators and risks of trafficking. • Continue to dedicate sufficient resources to and carry out implementation of the national anti-trafficking action plan.

PROSECUTION

The government maintained efforts to prosecute and convict suspected labor traffickers, but it did not report investigating or prosecuting alleged sex traffickers. Algeria criminalized most forms of sex trafficking and all forms of labor trafficking under Section 5 of its penal code and prescribed penalties of three to 10 years' imprisonment and fines of 300,000 to 1 million Algerian *dinar* ($2,540-$8,480). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, Section 5 required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. Article 143 of Law 12-15 stated that crimes committed against children, including those involving sexual exploitation, would be vigorously penalized; it generally referenced other penal code provisions which could potentially be applied to child sex trafficking offenses that did not involve force, fraud, or coercion. Law No.14-01, which criminalized the buying and selling of children younger than the age of 18, prescribed penalties of three to 20 years' imprisonment for individuals and groups convicted of committing or attempting to commit this crime; however, this law could be interpreted to include such non-trafficking crimes as migrant smuggling or illegal adoption.

In 2018, the government investigated and prosecuted 16 alleged perpetrators and convicted nine traffickers, in comparison to 26 trafficking investigations, 22 prosecutions, and convicted 14 traffickers in 2017. Of these 16 prosecutions, the government prosecuted nine perpetrators under anti-trafficking statutes and sentenced two convicted traffickers to a five-year ban on entering Algeria and fines; the government did not report additional details for the other cases. Of the cases prosecuted in 2018, three involved forced labor crimes; the rest of the cases involved forced labor and kidnapping for ransom crimes, but it did not disaggregate this data. The government did not investigate, prosecute, or convict any perpetrators for sex trafficking crimes in 2018, despite reports that sex trafficking occurred in Algeria, especially among the migrant population. In comparison to 2017, the government investigated and prosecuted alleged perpetrators of both forced labor and child sex trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses during this reporting period.

The General Directorate of National Security (DGSN) maintained six police brigades to monitor illegal immigration

and human trafficking and provided staff with specialized training. It also maintained 50 brigades specializing in combating crimes against children, including trafficking. The government also continued to contribute to INTERPOL's databases on human trafficking and migrant smuggling. The government provided multiple trainings for law enforcement, gendarmerie, and judicial officials during the reporting period. Government officials also participated in several international and multilateral training sessions and meetings on human trafficking in the region.

PROTECTION

The government maintained efforts to identify and refer some trafficking victims to protection; however, unidentified victims, especially among the sub-Saharan African migrant population, remained vulnerable to penalization. The government identified 34 trafficking victims during the reporting period, which included 31 men and three children; this compared to 33 male, female, and child victims identified in the prior reporting period. Of the 34 identified trafficking victims, the National Gendarmerie referred eight victims to an NGO for care and referred one child victim to a judge advocate within the Ministry of Justice responsible for ensuring vulnerable children receive appropriate social services. The DGSN also referred two child trafficking victims to a youth and sports center in Tamanrasset, but it did not report what types of protection services the victims received at this center. The government did not report what type of protection services it provided to the remaining 23 identified victims. The government reported ongoing efforts to disrupt the operations of begging rings involving many women and children; however, it did not report screening for, or identifying, potential trafficking victims among this vulnerable population. The government did not have standard operating procedures or a formal mechanism to identify and refer victims to protection services, especially victims among vulnerable groups such as migrants and persons in prostitution. During the reporting period, however, the government—in cooperation with international organizations and civil society—trained law enforcement, judicial, and social services personnel, and labor inspectors on ad hoc approaches to identifying trafficking victims among high-risk populations. The DGSN also continued to provide its officers with an INTERPOL-produced manual on the trafficking and sexual exploitation of women, and the National Gendarmerie continued to provide investigators with a guide outlining human trafficking indicators. Nevertheless, government officials had difficulty distinguishing trafficking victims from irregular migrants and identifying trafficking victims among ethnically cohesive migrant communities.

Observers reported that victim protection services were an area of needed improvement for the government. The government did not have shelter or other protection services specifically tailored to the needs of trafficking victims, nor could it quantify the amount of resources it dedicated to victim protection services during the reporting period. However, the government reported the Ministries of Health and Solidarity could provide trafficking victims with services as needed, to include safe shelter, food, medical services, interpretation services, legal consultations, psychological counseling, and repatriation assistance.

The government did not report screening migrants for trafficking indicators before arresting, detaining, and deporting them. Thus, potential trafficking victims among African migrant populations continued to face punishment—such as arrest, detention, prosecution, and deportation—for illegal migration, prostitution, and other crimes traffickers compelled them to commit. Officials continued to rely on victims to report abuses to authorities; however, trafficking victims among the migrant populations typically did not report potential trafficking crimes to the police. Many undocumented migrants in Algeria, fearing deportation, avoided public services, and the government acknowledged that foreign victims sometimes did not come forward to bring trafficking cases to the attention of police. The government's operations to deport irregular migrants—without authorities' efforts to screen for trafficking during these operations—may have further discouraged foreign trafficking victims from making their presence known to authorities. Since January 2018 and into the current reporting period, international NGOs and the media reported the government deported thousands of migrants primarily from sub-Saharan Africa, including children and pregnant women, to the desert border or neighboring countries.

The government provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship. The government reported it allowed relief from deportation for identified trafficking victims for an indefinite period of time and allowed all foreign victims to stay in Algeria temporarily; however, it did not grant work permits to trafficking victims while under temporary residency status. The government did not report if it encouraged victims to participate in the investigation and prosecution of traffickers. Trafficking victims were legally entitled to file civil suits against their offenders, but the government did not report cases in which victims did so during the reporting period.

PREVENTION

The government maintained efforts to prevent human trafficking. At the end of the reporting period, the government finalized and implemented a new national anti-trafficking action plan for 2019-2021 and dedicated sufficient resources to implement the plan. The national inter-ministerial anti-trafficking committee met regularly and held six public events to raise awareness about human trafficking throughout the reporting period. In the last five months of 2018, the Prime Minister's office allocated sufficient financial resources to the national anti-trafficking committee. The presidential decree that formally institutionalized the committee required the committee to submit a report to the President on the situation of trafficking in Algeria; however, it did not produce a report in 2018. The National Council on Human Rights (CNDH), which monitored and evaluated human rights issues in Algeria, continued to lead a sub-committee dedicated to human trafficking issues. In January 2019, the Ministry of Solidarity, Family Affairs, and Status of Women initiated an awareness campaign to stop the use of children in begging networks. The government continued to operate three hotlines, which were operational 24 hours a day, and a public website to report abuse and other crimes, including potential human trafficking crimes. The government did not make efforts to reduce the demand for commercial sex or forced labor.

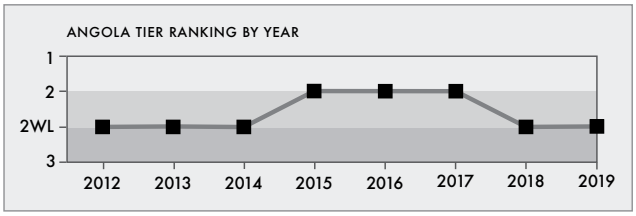
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Algeria. Undocumented sub-Saharan migrants, primarily from Mali, Niger, Burkina Faso, Cameroon, Guinea, Liberia, and Nigeria, are most

vulnerable to labor and sex trafficking in Algeria, mainly due to their irregular migration status, poverty, and language barriers. Unaccompanied women and women traveling with children are also particularly vulnerable to commercial sexual exploitation and forced domestic work. Sub-Saharan African men and women, often en route to neighboring countries or Europe, enter Algeria voluntarily but illegally, frequently with the assistance of smugglers or criminal networks. Many migrants, impeded in their initial attempts to reach Europe, remain in Algeria until they can continue their journey. While facing limited opportunities in Algeria, many migrants illegally work in construction and some engage in prostitution to earn money to pay for their onward journey to Europe, which puts them at high risk of exploitation. Some migrants become indebted to smugglers, who subsequently exploit them in forced labor and sex trafficking upon arrival in Algeria. For example, female migrants in the southern city of Tamanrasset—the main entry point into Algeria for migrants and for the majority of foreign trafficking victims—are subjected to debt bondage as they work to repay smuggling debts through domestic servitude, forced begging, and forced prostitution. Some migrants also fall into debt to fellow nationals who control segregated ethnic neighborhoods in Tamanrasset; these individuals pay migrants' debts to smugglers and then force the migrants into bonded labor or prostitution. Tuareg and Maure smugglers and traffickers in northern Mali and southern Algeria force or coerce men to work as masons or mechanics; women to wash dishes, clothes, and cars; and children to draw water from wells in southern Algeria. Victims also report experiencing physical and sexual abuse at the hands of smugglers and traffickers. Many sub-Saharan migrant women in southern Algeria willingly enter into relationships with migrant men to provide basic shelter, food, income, and safety, in return for sex, cooking, and cleaning. While many of these relationships are purportedly consensual, these women are at risk of trafficking, and migrants in Tamanrasset reported instances of women prevented from leaving the home and raped by their "partner." Foreign women and children, primarily sub-Saharan African migrants, are exploited in sex trafficking in bars and informal brothels, typically by members of their own communities nationwide, including in cities such as Tamanrasset and Algiers. In 2019, civil society organizations reported anecdotal reports that criminal networks exploit young adult women from sub-Saharan Africa, aged 18-19, in sex trafficking in Algeria. Criminal begging rings are common and reportedly increasing in Algeria. Media sources suggest leaders of begging networks coerce or force Sub-Saharan African migrant children to beg through the use of punishment. Local leaders suggest migrant children may also be coerced into work by their parents as a result of extreme economic pressures. Nigerien female migrants begging in Algeria, who often carry children—sometimes rented from their mothers in Niger—may be forced labor victims. Nigerien children, ranging from four- to eight-years-old, are brought to Algeria by trafficking networks with the consent of their parents and forced to beg for several months in Algeria before being returned to their families in Niger.

ANGOLA: TIER 2 WATCH LIST

The government of Angola does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included investigating more potential trafficking cases, convicting more traffickers, training front-line responders, conducting some awareness-raising activities, and improving data collection on trafficking crimes, including by deploying the Southern African Development Community (SADC) regional data collection tool. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government prosecuted fewer suspected traffickers and identified fewer victims. Victim protection services remained limited, especially shelters and provision of basic aftercare services. Law enforcement and social services officials did not implement the standardized mechanism for identifying trafficking victims and screening vulnerable populations. The government did not screen for trafficking indicators among vulnerable groups, including migrants, and, thus potentially penalized victims. The government did not finalize a national action plan to combat trafficking for the fourth consecutive year. Therefore Angola remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Implement standardized nationwide procedures for identifying trafficking victims, and train officials on such procedures. • Increase efforts to provide shelter, counseling, and medical care for adult and child trafficking victims either directly or in partnership with NGOs. • Increase efforts to investigate and prosecute sex trafficking cases. • Develop nationwide standards for data collection, synthesis, and analysis of anti trafficking law enforcement and victim protection data. • Train law enforcement officials on the 2014 money laundering law's anti trafficking provisions. • Investigate labor trafficking in the construction sector and in animal herding. • Increase proactive engagement of the inter-ministerial committee to engage on anti-trafficking efforts. • Launch a nationwide anti-trafficking public awareness campaign.

PROSECUTION

The government increased law enforcement efforts. The 2014 Law about the Criminalization of Infractions Surrounding Money Laundering criminalized sex trafficking and labor trafficking. Article 18 criminalized slavery and servitude, as well as the buying and selling of a child under 14 years of age for adoption or for slavery, with a penalty of seven to 15 years' imprisonment. Article 19 criminalized the trafficking of adults and children for the purpose of sexual exploitation, forced labor or trafficking in organs and prescribed penalties of eight to 12 years' imprisonment. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with the penalties for other serious crimes, such as rape. Additional provisions in the law also criminalized forms of sex trafficking. Article 20 criminalized enticing or forcing a person to practice prostitution in a foreign country, with a penalty of two to 10 years' imprisonment. Article 21 criminalized pimping using force, fraud, or coercion of adults and prescribed penalties of one to 6 years' imprisonment. Article 22 criminalized "pimping of minors" under the age of 18 and prescribed penalties of

two to 10 years' imprisonment; if force, fraud or coercion was used or the child was less than 14 years old, the penalties were increased to five to 12 years' imprisonment. Article 23 made it a crime to entice children to engage in prostitution in a foreign country, with sentences of three to 12 years' imprisonment; with force, fraud or coercion, the sentence was increased to three to 15 years' imprisonment.

The government investigated 23 potential trafficking cases, primarily involving forced labor, compared with three potential sex trafficking cases in the previous reporting period. Nineteen of the cases originated in Cunene Province, which borders Namibia, one case was in neighboring Huila Province, and the provinces of Huambo, Kwanza Norte, and Luanda each had one case. The investigations involved at least 40 potential child and adult victims, primarily Angolan, and at least 15 perpetrators, primarily of Angolan or Namibian nationality. The government prosecuted four potential trafficking cases, three in Cunene Province involving four defendants and one in Lunda Norte involving a single defendant, compared with six prosecutions in the previous reporting period. The government convicted nine traffickers compared with no convictions during the previous reporting period. Eight of the nine convictions were for forced labor involving children and adults forced to work in animal herding along the border with Namibia, in Cunene Province; sentences ranged from one to five years' imprisonment. One conviction occurred in Zaire Province and the government sentenced the trafficker to eight years' imprisonment. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

In coordination with international organizations, the government trained front-line responders on trafficking vulnerabilities among unaccompanied children and migrants, protection of victims, child forced labor, and conducted two trainings on the SADC data collection tool. In conjunction with an international organization, the government held a technical seminar on child trafficking in Angola to raise awareness about the vulnerability of children to trafficking, the legal framework for prosecuting traffickers, and protection services for victims. National police academy training continued to include human trafficking provisions. The government cooperated with Portuguese authorities in the case of three children exploited by two Angolan traffickers in Portugal. A Portuguese court convicted the traffickers and deported them to Angola, per Angola and Portugal's judicial cooperation agreement; it was unclear if the men served out their sentences in Angola.

PROTECTION

The government decreased protection efforts. Although the government did not report official victim identification or referral data, it identified and referred to care or directly assisted at least 35 potential victims, compared to 79 victims during the previous year. The government provided some protective services for 19 children and 10 adults in Cunene Province, including foster care and family tracing services. The government also assisted two child victims in Lunde Norte Province, but did not provide any additional details. In a case of three Angolan children exploited in Portugal, Portuguese authorities transported the children to Angola, where Angolan authorities placed them in a Luanda shelter and initiated family reunification, which remained ongoing at the close of the reporting period. The government referred one male Congolese child trafficking victim to a shelter, notified the Congolese authorities, and initiated family reunification, which was ongoing at the close of the reporting period. The government did not adequately fund victim protection mechanisms, including shelters and legal, medical, and psychological services. Law enforcement and social services officials lacked a standardized mechanism for screening vulnerable populations, including foreign workers and persons in prostitution. The government reported it had formal guidelines in six of Angola's 18 provinces to refer trafficking victims to care; however, it did not adequately implement any such guidelines during the reporting period.

In an initiative to eliminate irregular diamond mining operations in several Angolan provinces, border security forces forcibly expelled more than 400,000 migrants, primarily from the DRC, without screening to identify potential trafficking victims. Security forces detained 8,000 migrants from primarily West Africa and Asia, who largely constituted the work force that ran the unofficial mining operations without screening to identify potential trafficking victims. While security forces successfully shut down illegal mining cooperatives, human rights observers operating along the Angola-DRC border reported numerous cases of abuse and the UN reported at least 1,500 refugees were among those forcibly expelled.

The National Institute of Children (INAC) received referrals of child victims and managed child support centers in all 18 provinces, which provided food, shelter, basic education, and family reunification for crime victims younger than age 18. The Ministry of Social Action, Family and the Promotion of Women (MASFAMU) managed a national network of safe houses for women, counseling centers, and children's centers, which trafficking victims could access. The government did not report on whether foreign victims were afforded the same protective services as Angolan trafficking victims. In the absence of screening for indicators of trafficking, authorities may have penalized victims for unlawful acts traffickers compelled them to commit. The government did not encourage victim cooperation in the investigation and prosecution of trafficking cases, but in coordination with an international organization, did draft legislation to increase protections for victims through all stages of an investigation and prosecution, which remained pending at the close of the reporting period. Angolan law did not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution.

PREVENTION

While the government increased its efforts to prevent human trafficking, the inter ministerial commission—established in 2014 under the direction of the Ministry of Justice and Human Rights and the Ministry of Social Assistance and Reintegration—did not finalize or adopt a national action plan for the fourth consecutive year. The Inter-Ministerial Commission to Combat Trafficking in Persons met internally. In conjunction with an international organization, the Inter-Ministerial Commission held a training workshop on combatting trafficking in persons in Luanda. The Inter-ministerial Commission also held a training workshop to raise awareness of trafficking in persons in Bengo province. In coordination with an international organization, the government deployed the SADC regional data collection tool. In coordination with international organizations, the government launched the Blue Heart Campaign to raise awareness about trafficking among the general public. The Ministry of Public Administration, Labor, and Social Security conducted awareness raising campaigns on forced labor with businesses operating in Soyo, particularly civil construction companies, due to reports that companies, primarily Chinese-owned and operated, engage

in forced labor. The government did not have procedures in place to oversee and regulate labor recruitment beyond periodic labor inspections. The provincial government in Cunene and the Namibian province of Oshikango created a cross-border commission comprised of law enforcement, prosecutors, and child protection officials to combat trafficking in persons and child labor. The Ministry of Justice and Human Rights previously operated a hotline for potential victims and for the public to report suspected trafficking cases; it was unclear whether the government continued to operate the hotline during the reporting period. The government did not report any efforts to reduce the demand for commercial sex or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

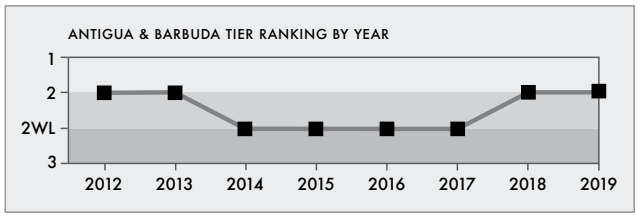
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Angola, and traffickers exploit victims from Angola abroad. Traffickers exploited Angolans, including minors, in forced labor in the brick-making, domestic service, construction, agricultural, and artisanal diamond mining sectors within the country. Angolan girls as young as 13 years old are victims of sex trafficking. Angolan adults use children younger than age 12 for forced criminal activity, because children cannot be criminally prosecuted. The provinces of Luanda, Benguela, and the border provinces of Cunene, Lunda Norte, Namibe, Uige, and Zaire are the most high-threat areas for trafficking activities. Traffickers take some Angolan boys to Namibia for forced labor in cattle herding, while they force others to serve as couriers to transport illicit goods, as part of a scheme to skirt import fees in cross-border trade with Namibia. Traffickers exploit Angolan women and children in domestic servitude and sex trafficking in South Africa, Namibia, and European countries, including the Netherlands and Portugal.

Women from Brazil, Cuba, Democratic Republic of the Congo (DRC), Namibia, and Vietnam engaged in prostitution in Angola may be victims of sex trafficking. Traffickers exploit Brazilian, Chinese, Kenyan, Namibian, Southeast Asian, and possibly Congolese migrants in forced labor in Angola's construction industry; traffickers may withhold passports, threaten violence, deny food, and confine victims. At times, traffickers coerced workers to continue work in unsafe conditions, which at times reportedly resulted in death. Chinese companies that have large construction or mining contracts bring Chinese workers to Angola; some companies do not disclose the terms and conditions of the work at the time of recruitment. Undocumented Congolese migrants, including children, enter Angola for work in diamond-mining districts, where traffickers exploit some in forced labor or sex trafficking in mining camps. Trafficking networks recruit and transport Congolese girls as young as 12 years old from Kasai Occidental in the DRC to Angola for labor and sex trafficking.

ANTIGUA AND BARBUDA: TIER 2

The Government of Antigua and Barbuda does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Antigua and Barbuda remained on Tier 2. These efforts included amending the trafficking law so that penalties are commensurate with penalties of other serious crimes, passing a national action plan for 2019 to 2021, drafting formal standard operating procedures on victim referral specific to each agency, increasing training on indicators of trafficking, and liaising with another government on trafficking investigations. However, the government did not meet the minimum standards in several key areas. The government did not initiate any prosecutions and identified fewer victims. To date, the government has failed to convict a trafficker, and did not report the decision on penalties for complicit police officers in a 2015 case during the reporting period.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, convict and punish traffickers, including complicit officials. • Increase efforts to identify victims through proactive screening of vulnerable populations, such as migrants and individuals in commercial sex. • Provide adequate funding to implement the national action plan across all agencies. • Fully implement government-wide standard operating procedures to guide front line agencies on proactive identification and referral of local and foreign victims of forced labor and sex trafficking. • Develop formal agreements with international organizations and countries for cooperation and information sharing, including on evidence and data collection, and conducting joint investigations on trafficking cases. • Conduct and publish reports on government anti-trafficking efforts and accomplishments.

PROSECUTION

The government maintained prosecution efforts. The 2010 Trafficking in Persons (Prevention) Act criminalized sex trafficking and labor trafficking and prescribed penalties of up to 20 years' imprisonment and a fine of up to 400,000 Eastern Caribbean dollars ($148,150) for offenses involving an adult victim, and up to 25 years' imprisonment and a fine of up to 600,000 Eastern Caribbean dollars ($222,220) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. During the reporting period, the government adopted amendments to the trafficking law, notably removing penalty provisions that previously allowed for fines in lieu of imprisonment for trafficking offenses. Authorities investigated seven cases of potential trafficking, compared to eight in 2017. One of the investigations arose out of a joint, multi-country operation involving the national Trafficking in Persons Prevention Committee (TPPC), police, immigration and other agencies, and Interpol in a raid on two nightclubs. Five of the investigations arose from referrals from immigration officials to the TPPC under an inter-departmental memorandum of understanding. Upon review of the seven new investigations, prosecutors determined only three were trafficking-related. In two cases, the victims chose not to assist the investigation and returned home and the government did not prosecute those cases. Authorities determined the third case was not trafficking. Four of eight investigations begun in 2017 were still pending at the end of the reporting period. Prosecutors did not initiate any new prosecutions during the

past two reporting periods. The government has never reported any trafficking convictions, due in part to judicial delays.

The police standards committee completed a hearing on a pending 2015 case of three police officers suspected of indirect involvement in trafficking crimes, but it did not publish the penalties for the officers. Over the past three years, the police force typically chose administrative sanctions for officers suspected or implicated in trafficking, rather than charging them with a crime under the country's trafficking laws. The government did not report any other investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The Trafficking in Persons (Prevention) Secretariat and the Education Task Force trained a total of 108 police officers, labor inspectors, labor union officials, immigration officers, airline employees, and TPPC members in using trafficking indicators. The TPPC, together with an international organization, also trained 19 police officers to be trainers, enabling them to conduct future trainings in-house. The government liaised with Jamaican and Trinidadian government authorities on trafficking cases.

PROTECTION

The government increased protection efforts. The government had formal written procedures to guide law enforcement, immigration, and social services officials in screening and identification of potential victims. The government identified five victims (all adult females from Jamaica), compared to nine victims in 2017. The TPPC, police, immigration, and Interpol identified the victims in a joint operation in which they screened 47 vulnerable individuals for trafficking. All five identified victims received medical care, lodging, clothing, and repatriation assistance and had the option of participating in an international agency reintegration program. The TPPC provided an on-call consultant physician to provide medical care to victims for the first time. The gender affairs unit provided shelter for one labor trafficking victim during the reporting period. TPPC, together with an international organization, drafted agency-specific standard operating procedures for immigration, labor, law enforcement, and healthcare personnel to refer victims to care. The gender affairs department, which worked with its network of providers, was responsible for supplying care to the victims and obtained in-kind contributions for victim care donated from businesses. The government operated a crisis center for trafficking victims and victims of gender-based violence.

The government trained 36 doctors and nurses, 14 aviation managers, seven business owners, and 50 police recruits in victim screening and identification. All five identified victims cooperated with law enforcement investigations, which led to charges against a suspected trafficker. The government could provide temporary residency status for foreign victims who desired to stay in the country; this assistance was not contingent on assisting law enforcement. The government allowed testimony via video or written statement, although they had not used these methods in court to date. The government provided victim identification training for 107 participants from the police, medical professions, aviation management, and business.

PREVENTION

The government maintained prevention efforts. The government approved the new 2019 to 2021 national action plan; however, it decreased the budget for anti-trafficking efforts to 53,242 Eastern Caribbean dollars ($19,720), compared to 330,430 Eastern Caribbean dollars ($122,380) in 2017 and 109,410 Eastern Caribbean dollars ($40,520) in 2016. The government received in-kind donations from businesses for awareness print material and public service announcements. The regular budget of the gender affairs department funded social services for victims. Government agencies, however, cited lack of human resources as a key deficiency in increasing anti-trafficking efforts. The Permanent Secretary of the Ministry of National Security and Labor chaired the TPPC, the coordinating body for anti-trafficking efforts. The TPPC, which included representatives from various government agencies and one NGO, oversaw implementation of the 2019-2021 national action plan. While government agencies cited lack of funding as a key deficiency in increasing anti-trafficking efforts, the TPPC noted that they had adequate funding during the reporting period.

The working-level anti-trafficking unit within the Ministry of National Security worked under the TPPC on the coordination of anti-trafficking training and hosted a variety of anti-trafficking activities around the country. The TPPC made awareness presentations to schools, community groups, NGOs, churches, and college students. The TPPC jointly trained medical professionals including 21 doctors, 100 nurses, and 15 emergency room staff on trafficking indicators with international partners. The government held an anti-trafficking week of prevention activities in collaboration with NGOs and social partners for a second year. The TPPC hosted online chats, produced public service announcements, placed billboards around the country, and designed and presented plays at 10 primary, secondary, and tertiary schools. The gender affairs department provided awareness training in its gender-based violence awareness sessions. The government had completed, but not published, its 2018 annual report on anti-trafficking efforts by the end of the reporting period. The government did not report any trafficking calls to a 24-hour gender-based violence hotline that also served trafficking victims. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel.

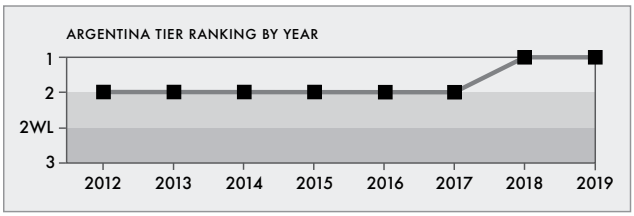
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Antigua and Barbuda, and traffickers exploit victims from Antigua and Barbuda abroad. Documented and undocumented immigrants from the Caribbean region, notably Jamaica, Guyana, and the Dominican Republic, are vulnerable to sex trafficking and forced labor. Authorities reported an increased number of trafficking victims in multiple-destination trafficking, arriving in Antigua and Barbuda for a few months before their traffickers exploited them in other Caribbean countries such as St. Kitts and Nevis and Barbados. Sex trafficking occurs in bars, taverns, and brothels, including with minor girls. There are anecdotal reports of parents and caregivers subjecting children to sex trafficking. Forced labor occurs in domestic service and the retail sector, particularly in family-owned businesses. There have been reports of trafficking-related complicity by police officers who tend to receive administrative sanctions instead of being tried under the trafficking law.

ARGENTINA: TIER 1

The Government of Argentina fully meets the minimum standards for the elimination of trafficking. The government

continued to demonstrate serious and sustained efforts during the reporting period; therefore Argentina remained on Tier 1. These efforts included increasing investigations, prosecutions, and convictions, including those of complicit officials, and identifying and assisting more victims. Although the government meets the minimum standards, it did not provide a dedicated budget to its national action plan; or provide integrated, specialized, and comprehensive mid- to long-term victim assistance, including housing for male victims. Official complicity in trafficking crimes remained a significant concern and its anti-trafficking law continued to be inconsistent with the 2000 UN TIP Protocol by including force, fraud, or coercion as aggravating factors rather than essential elements of the crime.



PRIORITIZED RECOMMENDATIONS:

Strengthen efforts to investigate, prosecute, convict, and punish officials complicit in trafficking crimes. • Provide adequate funding to fully implement the national action plan. • Improve victim assistance to include more specialized shelters, including dedicated shelters for male victims. • Increase availability of mid- to long-term assistance for victims, including legal, medical, and employment services. • Increase the number of labor inspections and ensure that inspections are conducted in rural areas. • Strengthen coordination among the federal and provincial governments and NGOs. • Improve victim restitution procedures. • Improve efforts to collect and integrate data on victim protection efforts and assistance. • Revise the definition of human trafficking under Argentine law to more closely align with the definition in the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. Law 26.842 of 2012 criminalized labor trafficking and sex trafficking and prescribed punishments of four to eight years' imprisonment for offenses involving an adult victim, and 10 to 15 years for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, or coercion as aggravating factors rather than essential elements of the crime; penalties were increased to five to 10 years' imprisonment if such factors were involved. The law also defined trafficking broadly to include facilitating or profiting from the prostitution of others and the illegal sale of organs without the use of force, fraud, or coercion. Due to these inclusions, it was unknown how many of the cases prosecuted under Law 26.842 involved trafficking offenses as defined by international law.

The Ministry of Security (MOS) reported it cooperated with judicial authorities in 3,254 preliminary trafficking investigations during the reporting period, compared to 3,310 trafficking investigations in the previous period. The anti-trafficking prosecutor's office (PROTEX) opened 332 preliminary investigations, compared with 237 investigations in 2017. MOS identified and referred for prosecution 49 human trafficking cases (33 labor trafficking and 16 sex trafficking). The government prosecuted 106 suspected traffickers (71 for sex trafficking, 19 for labor trafficking, eight for both sexual and labor trafficking, and eight for forced marriage) under the trafficking law, compared with 63 in 2017 (35 for sex trafficking and 24 for labor trafficking). The government convicted 71 traffickers in 48 cases (30 cases for sex trafficking, 18 cases for labor trafficking), compared with 38 traffickers in 32 cases in 2017. The average prison sentence was 5.5 years, and the majority of mandatory prison terms exceeded six years. Under Argentine law, defendants sentenced to less than three years for any crime were eligible to have their sentences suspended; eight percent of all trafficking convictions were less than three years and suspended.

Corruption and official complicity in trafficking crimes remained significant concerns, although the government made progress on two previously reported cases and three new cases. In one case, the appellate court overturned the acquittal of labor inspectors in a trafficking case. In a second case that involved two members of the security forces and the judiciary, the federal appeals court upheld the indictments and the case was set for trial. In a third case, the federal court indicted a misdemeanor court judge of complicity in sex trafficking. The fourth case involved a federal court indictment of a mayor for sex trafficking. In a fifth case, currently under investigation, prosecutors pursued a labor trafficking case involving city and provincial government officials. However, there were additional cases of complicity reported. Prosecutors initiated investigations of a sex trafficking ring in Santa Fe province that involved the complicity of a mayor; the local court acquitted the mayor. A second case under investigation involved prison officials in a suspected sex trafficking at the Melchor Romero Penitentiary; however, law enforcement failed to find evidence to support the case. Another case involved the complicity of a federal judge in facilitating sex trafficking crimes of a retired police commissioner. A court dismissed the commissioner's charges, although PROTEX appealed the dismissal, and the judge only received a fine as punishment. The government provided numerous anti-trafficking trainings to law enforcement, prosecutors, and judicial officials, among others. The security minister and attorney general signed an agreement to endorse general guidelines when conducting raids that involve trafficking crimes. The National Supreme Court of Justice worked on the implementation of a national database of human trafficking cases brought to the courts since 2015. PROTEX cooperated in 26 international trafficking investigations during the year.

PROTECTION

The government increased protection efforts. The Rescue Program was the government office responsible for coordinating emergency victim services; in 2018, it reported assisting 1,501 victims (972 labor, 522 sex trafficking and 7 for other types of exploitation), compared with 1,107 victims in 2017 and 666 in 2016. The Ministry of Production and Labor reported identifying 215 victims, all adults, mostly in rural businesses, that had evidence of labor trafficking. The MOS reported law enforcement operations during the year resulted in the identification of 786 victims (173 sex trafficking victims, 542 labor trafficking victims, and the remainder unspecified). The majority of victims were foreigners (492). The Ministry of Social Development (SENAF) was responsible for identifying and assisting foreign victims; SENAF reported identifying and assisting 47 foreign victims, compared to 80 in 2017. SENAF assisted and funded the repatriation of 33 victims during 2018. In absence of a unified database for trafficking victims, the government did not report if the MOS, Ministry of Production

and Labor, and SENAF numbers were included in the total number of victims that the Rescue Program identified. The new national action plan aimed to develop a unified database to track victims.

Law 27.362, enacted in July 2017, provided a legal framework and more public defenders to secure rights and guarantees for victims of crimes. Victims and prosecutors did not utilize this law in any trafficking cases in the reporting period. Federal officials had formal procedures for victim identification and assistance; however, in practice, the procedures to identify victims among vulnerable populations varied by province. Some front-line responders had limited understanding of trafficking. SENAF and each provincial government were responsible for both mid- and long-term assistance for foreign and domestic victims; however, experts noted the need for more integrated and comprehensive victim assistance. Regional governments in 10 provinces operated anti-trafficking centers which provided psychological, social, medical, and judicial assistance to trafficking victims. The government reportedly had 10 shelters spread across various provinces that trafficking victims could access; however, only two were specialized shelters. SENAF reported operating one shelter specifically for foreign victims, regardless of gender or age. There were no other specialized shelters for male victims; therefore, the government often placed male victims in other government-funded shelters or in hotels for temporary housing. NGOs reported a need for specialized shelters, long-term housing, skills training and employment, childcare, legal assistance, and financial assistance for victims after testifying in court cases. NGOs also stressed the need for the government to improve the implementation of a witness protection program that provided adequate security and safety for victims during trials. Foreign victims had the same access to care as Argentine nationals; however, foreign victims were sometimes unaware of available services. The government did not report its funding allocations to support victim assistance.

The government encouraged the participation of victims in trials of their traffickers by assisting victims throughout the initial testimony and during any subsequent appearances. The Rescue Program provided tribunals with reports on the psychological state of victims and what requirements they might have to assist in the prosecution of their traffickers. Other support for victim testimony included the possibility of video testimony and the use of recorded testimony. Victims could file for compensation by bringing civil suits against traffickers; there were limited examples of success under this procedure. Observers noted lower courts might disregard the issue of restitution for various reasons, including that they do not know how to calculate appropriate restitution or that they believe prison sentences to be an adequate resolution. A 2017 draft bill regarding compensation for trafficking victims lost parliamentary status in 2018. However, in October 2018, the Federal Council for Human Trafficking drafted a bill that was introduced in Congress to establish an assistance trust fund for trafficking victims; the fund would include the seized assets of traffickers and would serve as restitution for all victims.

PREVENTION

The government increased prevention efforts. The Federal Council for Human Trafficking held four meetings, each in a different province, compared to one meeting in 2017. The government launched the 2018-2020 biennial anti-trafficking action plan in July 2019. However, the government did not allocate a special budget for the plan. Observers remained concerned about the government's ability to fund its anti-trafficking programs. Observers noted some NGOs were frustrated with the level of NGO participation in the government's anti-trafficking efforts. In March 2018, the government established a new secretariat under the Ministry of Production and Labor that provided guidance, conducted labor inspections, and developed plans for the promotion of safe and ethical work conditions. In June 2018, the new secretariat established an ethics code for workers performing official duties in an effort to increase accountability regarding official complicity with trafficking. In addition, the Secretariat of Labor issued new guidance and standardized electronic forms for national labor inspections to facilitate the identification of indicators for trafficking during inspections; the forms also provided a documentary record for use in criminal investigations and victim assistance efforts. The immigration department developed better accounting and controls for migrant workers to prevent labor trafficking. Authorities penalized foreign labor recruiters for fraudulent recruiting.

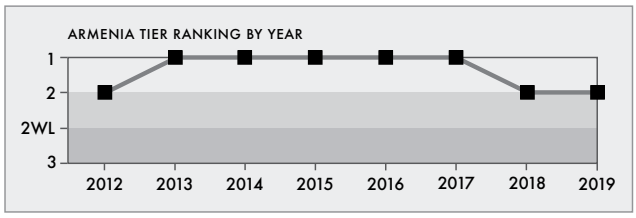
The government launched several new trafficking awareness campaigns at the federal, provincial, and municipal level to NGOs, civil society groups, high school and university students, and children. NGOs and experts continued to express concern about child sex tourism, although there were no reported investigations or prosecutions in the reporting period related to this crime. The Secretariat of Tourism developed training in the prevention of trafficking for the tourism sector and worked with international organizations and hotels to draft best practices for hotels to prevent child sex trafficking. Neuquen province passed legislation to strengthen the monitoring of hotel guests who travel with minors who are not their children. PROTEX continued operating the national hotline system with response assistance from the Rescue Program. There were 1,858 trafficking-related calls during the year; of these, 522 were referred to the federal courts and 440 to the provincial courts. The Federal Council for Human Trafficking drafted its first-ever Annual Report during the reporting period, which it presented to the Chamber of Deputies' Committee on Human Rights and Guarantees in November 2018. The government did not make efforts to reduce the demand for commercial sex acts. The government made efforts to reduce the demand for forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Argentina, and to a more limited extent, Argentine men, women, and children are victims of sex and labor trafficking in other countries. Traffickers exploit victims from other Latin American countries in Argentina, particularly the Dominican Republic, Paraguay, Peru, Bolivia, Uruguay, Venezuela, and Brazil. Transgender Argentines are exploited in sex trafficking within the country and in Western Europe. Men, women, and children from Argentina, Bolivia, Paraguay, Peru, and other countries are subjected to forced labor in a variety of sectors, including sweatshops, agriculture, street vending, charcoal and brick production, domestic work, and small businesses. Traffickers exploit minors participating in domestic youth sports clubs in sex trafficking. Traffickers exploit Chinese citizens working in supermarkets to debt bondage. Traffickers compel trafficking victims to transport drugs through the country's borders. Official complicity, mainly at the sub-national levels, continues to hinder the government's efforts to combat trafficking. Revelations in 2018 of an active prostitution ring in Argentina's soccer minor league that victimized youth athletes raised concerns about child sex trafficking in domestic sports and athletic clubs.

ARMENIA: TIER 2

The Government of Armenia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Armenia remained on Tier 2. The government demonstrated overall increasing efforts by providing robust training for law enforcement, organizing various awareness campaigns, hiring and training 64 social workers who will work in part on trafficking issues, and proactively identifying some forced labor victims. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers and prosecuted fewer trafficking cases compared to the previous year. The government identified fewer victims for the third consecutive year, and first responders continued to rely on victims to self-identify due to a lack of standard indicators to screen vulnerable populations. Victims faced low access to justice, including an absence of victim-centered procedures and formal victim-witness protection measures. The lack of resources for reintegration, including transitional housing and foster care, resulted in the re-victimization and homelessness of some victims. The government did not conduct a single labor inspection during the reporting period due to the suspension of the majority of Labor Inspectorate functions, hindering its ability to identify, investigate, and prevent forced labor.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers under Articles 132 and 132-2. • Develop standard operating procedures for screening trafficking victims and train officials on screening for trafficking among individuals in prostitution, migrants, refugees, and other at-risk populations. • Establish and implement preventative measures for child labor and potential child trafficking in state child care institutions. • Train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including for children, and provide advanced training on trafficking investigations and prosecutions. • Establish and implement legal authorities for labor inspectors to conduct regular inspections and identify victims through unannounced visits. • Increase resources for reintegration services for victims. • Establish formal procedures for repatriating trafficking victims from abroad, including measures to cover logistical costs. • Make available to victim-witnesses the protections afforded under the Criminal Procedure Code and the 2016 decree. • License, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad. • Work with Russian authorities to identify Armenian forced labor victims and prosecute labor traffickers.

PROSECUTION

The government maintained law enforcement efforts. Articles 132 and 132-2 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of five to eight years' imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. The government investigated nine cases (six cases in 2017). Of these, five were forced labor and one was both sex trafficking and forced labor (two cases of sex trafficking and four of forced labor in 2017). The government prosecuted one defendant for forced labor (one for sex trafficking, one for forced begging, and one for forced labor in 2017). Courts did not convict any traffickers (one sex trafficker in 2017).

The Armenian Police maintained an Anti-Trafficking Unit (ATU) within the Organized Crime Department that investigated trafficking. ATU conducted the initial investigations and referred cases to the Investigative Committee (IC) for an in-depth investigation. Local police units also designated an officer as the main point of contact for trafficking within their jurisdiction. Local investigators lacked the skills to properly interview victims, especially children. Although guidelines restricted interviews to four hours for adults and two hours for children, observers reported cases where police repeatedly interrogated victims for long hours, including children up to 10 hours. IC set up 20 child-friendly interview rooms in five regional divisions and ATU hired one female investigator during the reporting period but some procedures did not incorporate gender-sensitive approaches, such as the use of female medical professionals for invasive examinations on female victims. Observers continued to report IC or Prosecutor General's Office dropped or reclassified cases categorized as trafficking by local police due to a lack of evidence; two cases were dropped and one was reclassified (one case was dropped and two were reclassified in 2017). Civil society reported good cooperation with ATU and IC investigators.

The government trained 208 police officers, 50 investigators from IC, and 540 employees from penitentiary institutions on trafficking issues. The government also trained 198 civil servants on fighting official complicity in trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. Prosecution of forced labor cases involving Russia remained a challenge, where Armenian investigators continued to face difficulties collaborating with law enforcement. Similarly, the absence of diplomatic relations with Turkey continued to hinder law enforcement and victim protection efforts for cases involving Turkey.

PROTECTION

The government slightly increased protection efforts. The government identified nine victims (13 in 2017). Of these, eight were subjected to forced labor and one to both sex trafficking and forced labor (eight were subjected to sex trafficking and five to forced labor in 2017); two were children in both 2017 and 2018; four were foreign (none in 2017); and eight were males and one female (10 were females and three were males in 2017). The 2014 Law on Identification and Assistance to Victims of Human Trafficking and Exploitation defined identification, referral, and assistance procedures for relevant actors. First responders did not use standard indicators to screen vulnerable populations and experts continued to report a lack of proactive identification and a reliance on victims to self-identify; however, ATU proactively identified four forced labor victims and the Migration Service screened 203 asylum seekers for trafficking indicators. The government provided temporary shelter, emergency medical aid, and psychological

aid to potential trafficking victims during the "pre-identification stage," a stage where the government collected information on the potential victim within a maximum of 10 days. The Victim Identification Commission, which consisted of representatives from the Ministry of Labor and Social Affairs, the Prosecutor General's office, police, and NGOs, officially recognized victims based on information collected during the "pre-identification stage." Civil society reported the referral procedures functioned well and they had positive cooperation with the government.

The government allocated 19.07 million drams ($39,320) in both 2017 and 2018 for victim protection efforts, including operational costs for an NGO-run shelter. The government and local NGOs jointly provided legal, medical, and psychological assistance; housing; a one-time monetary compensation of 250,000 drams ($515); and access to social, educational, and employment projects. The government offered free health care but relied on NGOs to provide legal assistance, including the cost for attorneys. Three victims received health care (two in 2017), six victims received the one-time monetary compensation (five in 2017), and five victims received legal assistance from an NGO (nine in 2017). The government maintained a cooperation agreement and partially funded one specialized NGO-run shelter to provide services to victims; the NGO-run shelter assisted three newly identified victims (19 in 2017) and 41 people in total (36 in 2017). The NGO-run shelter required adult victims to notify staff when they left shelters unescorted, but victims were free to leave if they no longer wanted assistance. Authorities afforded foreign victims the same rights and services as Armenian citizens. Male victims did not have access to a shelter and only NGOs rented apartments; four victims were accommodated in rented apartments. The government hired and trained 64 new social workers on trafficking issues and provided vocational training classes to victims. Despite these efforts, civil society continued to provide the bulk of reintegration and long-term support services. Experts reported cases of re-victimization or homelessness due to the lack of transitional housing and reintegration opportunities for victims. Additionally, the government did not include trafficking victims in the list of vulnerable people eligible for state housing. The NGO-run shelter and childcare institutions accommodated child victims but experts reported a shortage in accommodation and foster families for children, which resulted in some cases where authorities returned children to family members who were involved in their exploitation. GRETA and OSCE reported in 2017 cases of child labor and child abuse in state childcare institutions; staff at state childcare institutions considered child labor to be normal. The law designated the Ministry of Foreign Affairs to coordinate repatriation of Armenian victims from abroad, but an absence of established procedures and funds to cover logistical costs created obstacles in repatriation; the government did not repatriate victims in 2018 (three victims in 2017). The law entitled foreign victims to receive a permanent residence permit but applications required evidence of employment.

Observers reported anecdotal accounts of some sex trafficking victims penalized with administrative fines due to inadequate identification. Law enforcement officers in some remote areas lacked information and training to inform victims of their rights to protection or assistance. Victims hesitated to assist in prosecutions due to a lack of confidentiality in public testimonies creating a fear of retaliation from traffickers and stigmatization from their family and community. Authorities did not protect victims' rights during court proceedings and victims, including children, always appeared in front of their traffickers in court, risking re-traumatization. The government continued to lack a formal victim-witness protection program. The Criminal Procedure Code and a 2016 decree stipulated some victim-witness protection measures but none were used in 2017 and 2018. Victims were legally entitled to obtain restitution during criminal proceedings or through a separate civil suit; no victims filed a civil suit in 2017 and 2018. In previous years, judges had not issued damages in civil suits, asserting that victims did not substantiate the financial damages they had suffered. The law allowed investigators to place defendants' property in custody to fund potential civil claims, but this rarely occurred in practice.

PREVENTION

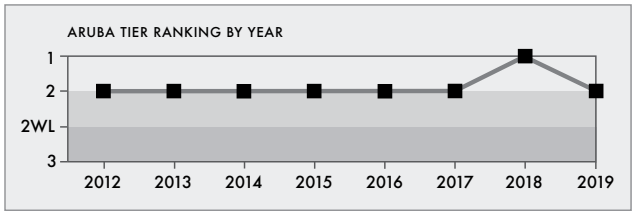
The government maintained prevention efforts. The Anti-trafficking Ministerial Council and the Inter-Agency Working Group against Trafficking in Persons continued to implement the 2016-2018 national action plan (NAP) and published semi-annual and annual reports of its activities. Civil society reported good cooperation with members of the working group. Observers reported the government did not monitor for progress or assess the impact and outcomes of the NAP. There was no mechanism for oversight and regulation of labor recruitment agencies. As a result of a legal change suspending most Labor Inspectorate functions in July 2015, inspectors were unable to conduct regular inspections and identify indications of forced labor. The Ministry of Health formed the Health Inspection Body (HIB) in 2017, but their mandate was limited to workplace health and safety inspections and did not have authority to conduct unannounced inspections; HIB did not conduct any inspections in 2017 or 2018. The government adopted a regulation requiring all foreigners to obtain a work permit for employment. The government held awareness-raising discussion at schools and campaigns targeting students and teachers. The government distributed informative materials on the risks of trafficking to individuals crossing the border, as well as Armenians residing in the Middle East and European countries. The Ministry of Labor and Social Affairs aired an annual trafficking program on television and government agencies posted trafficking information on their websites, including information on hotlines operated by police and NGOs; the government did not report the number of calls. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Armenia, and traffickers exploit victims from Armenia abroad. Armenian migrants who seek employment in Russia, the United Arab Emirates (UAE), and Turkey face forced labor, often following recruitment fraud and exorbitant recruitment fees charged by labor brokers; Armenian women and children are subjected to sex trafficking in the UAE and Turkey. Armenian women and children are subjected to sex and labor trafficking and forced begging within the country. Some children work in agriculture, construction, and service provision within the country, where they are vulnerable to labor trafficking. Ukrainian, Belarusian, and Russian women working as dancers in nightclubs are vulnerable to sex trafficking. An increasing number of Indian migrants who willingly seek employment in the informal sector face forced labor. Men in rural areas with little education and children staying in childcare institutions remain highly vulnerable to trafficking.

ARUBA: TIER 2*

The Government of Aruba does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government launched an anti-trafficking campaign, allocated some funding to victim assistance, and worked closely with a victim to bring traffickers to justice. However, these efforts were not serious and sustained compared to efforts during the previous reporting period. The government investigated, prosecuted, and convicted fewer traffickers and did not issue adequate penalties. In addition, authorities identified and assisted fewer victims. Therefore Aruba was downgraded to Tier 2.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers. • Sentence convicted traffickers to significant prison terms. • Amend existing legislation to ensure penalties prescribed for sex trafficking offenses are commensurate with those prescribed for other serious crimes, such as rape. • Proactively identify victims among all vulnerable groups, including women in prostitution, those who hold adult entertainment visas, domestic workers, and migrants working in construction, supermarkets, and retail. • Implement guidelines for proactive victim identification and increase referral of possible trafficking victims among Venezuelan migrants and asylum-seekers. • Dedicate funding to the anti-trafficking task force and national coordinator. • Train law enforcement officials, coast guard, labor inspectors, prosecutors, and judges on victim-centered approaches to trafficking cases. • Provide information to all migrant workers and tourists arriving in Aruba on their rights and resources for assistance, including Venezuelans. • Formalize agreements with local NGOs and private sector accommodations to shelter adult and child victims. • Finalize the implementation strategy for the construction of the multifaceted shelter for victims of crimes, including trafficking.

PROSECUTION

The government decreased prosecution efforts. Article 2:239 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to eight years' imprisonment or a fine for offenses involving a victim 16 years of age or older, and up to 12 years' imprisonment or a fine for those involving a victim under the age of 16. These penalties were sufficiently stringent and, with respect to sex trafficking of victims under the age of 16, commensurate with those prescribed for other serious crimes, such as rape. However, for sex trafficking offenses involving victims 16 years of age or older, these penalties were not commensurate with those prescribed for other serious crimes, such as rape. The Human Trafficking and Smuggling Unit (UMM) investigated three new trafficking cases; one remained open, one dismissed for lack of evidence, and one sent back to the Ministry of Labor for administrative action (seven cases in 2017). The government prosecuted one individual (five in 2017) and convicted one trafficker for smuggling, issuing a sentence of eight months' imprisonment. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Law enforcement officials, including police and immigration personnel participated in an annual regional training event focused on investigations of trafficking crimes. Authorities participated and shared best practices at the regional Interpol Conference on Human Trafficking in the Caribbean.

PROTECTION

The government decreased protection efforts. In 2018, two victims were identified (compared with 71 in 2017 and nine in 2016) after a large INTERPOL operation involving 13 countries; both victims received hygiene kits, shelter, and financial support. The anti-trafficking task force continued to provide law enforcement and social services officials with a checklist of the most common signs of trafficking. Multi-disciplinary teams comprised police, labor, and immigration officials continued to operate; however, the government did not report identifying any victims. In 2018, there was a mass influx of Venezuelan migrants and refugees overstaying their visa and working illegally, which likely affected Aruba's efforts to combat trafficking. Although authorities reported screening illegal migrants for trafficking indicators ahead of deportation some members of civil society claimed to have seen an increase of trafficking victims seeking assistance. The government had a formal victim referral mechanism to guide officials; however, the government did not report referring victims using this mechanism. The government maintained informal verbal agreements with local NGOs and private sector accommodations to shelter adult and child victims of trafficking. Authorities placed unaccompanied child victims in foster care centers, foster homes, or local churches. Officials conducted risk assessments before deciding whether victims could leave shelters unchaperoned and restricted their movement if their lives were threatened. In 2017, the government began drafting a plan for the development of a multifunctional shelter for victims in the Dutch Caribbean; however, officials did not report any progress on the shelter in this reporting period. In 2018, the Ministry of Justice (MOJ) provided a portion of its funding for victim assistance; however, the government did not confirm the amount provided. Authorities reported one victim assisted the government in the prosecution of their traffickers during the reporting period. Although foreign victims were entitled to the same rights and protection as Arubans, the government did not report how many received benefits. The law authorized the extension of temporary immigration relief for foreign victims for three to six months on a case by case basis and allowed foreign victims whose employers were suspected of trafficking to change employers. Authorities did not report whether any victims received these benefits. The criminal code enabled victims to file civil suits against traffickers and if the trial resulted from a criminal investigation, the victim could seek compensation not to exceed 50,000 *florin* ($28,090) for financial and emotional damages. The Bureau of Victim Assistance operated a hotline for potential victims of all crimes, including trafficking; however, the government

** Aruba is an autonomous entity within the Kingdom of the Netherlands. For the purpose of this report, Aruba 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 Aruba would be assessed if it were a separate, independent country.*

did not identify any victims using the hotline, compared with four in 2017.

PREVENTION

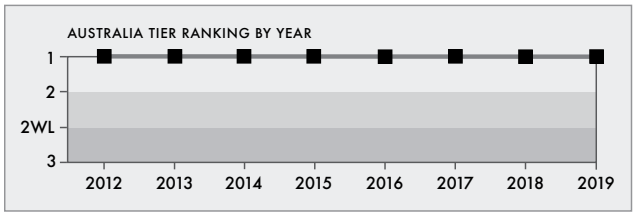
The government decreased prevention efforts. The government continued the implementation of the 2018-2022 national action plan and made a request to parliament for an annual budget; approval remained pending at the end of the reporting period. The government continued to raise awareness of trafficking and the hotline via social media, posters, and flyers in four languages. The government educated students leaving Aruba to study abroad on the risks of becoming victims. In connection with the National Day Against Human Trafficking, the task force helped disseminate a documentary on trafficking that was produced and financed by a local TV station. The government reported using the content of the video to train local officials; however, authorities did not report how many individuals were trained. The government continued procedures to screen and inform adult entertainers from Colombia, who must meet with Dutch consular officers to ensure the applicants know their rights and their work agreement before picking up their in-flight letter at the Dutch embassy in Colombia. Upon arrival, such visa recipients received information about their rights, risks, and resources. The government did not report efforts to reduce the demand for commercial sex or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Aruba. Traffickers exploit Venezuelan women in sex trafficking and foreign men and women to forced labor in Aruba's service and construction industries. Due to the deteriorating situation in Venezuela, the number of Venezuelans overstaying their visa increased, leaving many with expired documentation and more likely to seek employment opportunities in sectors with high vulnerability to trafficking, such as domestic service, construction, and prostitution. Chinese men and women working in supermarkets, Indian men in the retail sector and domestic service, and Caribbean and South American women in domestic service are also at risk of forced labor. Women in regulated and unregulated prostitution, domestic workers, and employees of small retail shops are the most vulnerable to trafficking. Children may be vulnerable to sex trafficking and forced labor in Chinese-owned supermarkets and restaurants.

AUSTRALIA: TIER 1

The Government of Australia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Australia remained on Tier 1. These efforts included passing legislation that requires businesses disclose efforts to combat human trafficking in their supply chains, increasing staffing levels in the Witness Assistance Service to provide support to victims of trafficking testifying against their traffickers, increasing funding for their victim support program, and identifying and referring victims to services. Although the government meets the minimum standards, it did not convict any traffickers, initiated fewer prosecutions, did not adequately screen for indicators of trafficking among vulnerable groups, and limited some victims' access to services based on their participation in law enforcement investigations.



PRIORITIZED RECOMMENDATIONS:

Significantly strengthen efforts to investigate and prosecute trafficking offenses, with increased focus on labor trafficking, and sentence convicted traffickers to significant prison terms. • Strengthen efforts to proactively identify trafficking victims among vulnerable groups, such as undocumented migrants and agricultural workers. • De-link the provision of services from participation in the criminal justice process, and increase services available to victims who are unable or unwilling to participate in the criminal justice process. • Ensure that the statutory definition of trafficking under the criminal code does not require movement of the victim as an element of the crime. • Increase efforts to train police, immigration officials, and other front-line officers to recognize indicators of trafficking and respond to suspected cases of both sex and labor trafficking. • Increase training for prosecutors and judges on Australian trafficking laws. • Conduct initial screening interviews with potential victims in a safe and neutral location, and in the presence of a social service professional. • Increase multi-year funding to NGOs for robust victim protection services and prevention campaigns. • Consider establishing a national compensation scheme for trafficking victims. • Implement or fund awareness campaigns, particularly among rural communities and migrant populations vulnerable to forced labor. • Strengthen efforts to prosecute and convict Australian child sex tourists. • Increase efforts to investigate and hold accountable foreign diplomats posted in Australia suspected of complicity in trafficking.

PROSECUTION

The government decreased law enforcement efforts. Divisions 270 and 271 of the Commonwealth Criminal Code, when read together, criminalized sex trafficking and labor trafficking. Inconsistent with international law, the definition of "trafficking" under Division 271 required the element of movement of a victim. However, Division 270, which criminalized "slavery," "servitude," and "forced labor" offenses, could be utilized to prosecute trafficking offenses that did not involve victim movement. Division 271 prescribed penalties of up to 12 years' imprisonment for offenses involving an adult victim, and up to 25 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Division 270 prescribed penalties of up to 25 years' imprisonment for slavery, up to 15 years' imprisonment for servitude, and up to 9 years' imprisonment for forced labor. These penalties were all sufficiently stringent.

In 2018 the government investigated 179 suspected cases of trafficking (166 in 2017, 105 in 2016) and initiated prosecutions against two defendants, one for forced labor and one for forced labor and sex trafficking (six in 2017, five in 2016). Authorities continued prosecutions from previous reporting periods against 11 defendants. There were no convictions under the trafficking provisions of the criminal code in 2018 (five convictions in 2017, one conviction in 2016). The government also prosecuted 11 defendants for allegedly traveling overseas to engage in

child sex tourism but did not report any convictions (four prosecutions in 2017). Authorities often opted to pursue labor or employment violations in lieu of trafficking charges, resulting in potential labor traffickers receiving only fines and other civil penalties that were inadequate to deter trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The government funded and facilitated training on trafficking investigations, legal provisions, and victim support for more than 400 Australian Federal Police (AFP) officers and 380 immigration officials. The government also updated its Victims of Crime Manual, including providing guidance on working with child victims and more comprehensive information on victim impact statements in sentencing proceedings.

PROTECTION

The government increased efforts to protect victims. Authorities identified 75 potential victims, including 35 for sex trafficking and forced labor, and 40 for which the form of exploitation was unclear (38 in 2017, 36 in 2016). Authorities referred all 75 potential victims to the Australian government's Support for Trafficked People Program (support program). The government also assisted 25 potential Australian trafficking victims abroad, 16 of whom were returned to Australia (15 individuals abroad, four of whom returned to Australia in 2017); however, it was not clear how many of the individuals were victims of trafficking compared to victims of forced marriage or individuals vulnerable to forced marriage. Authorities identified most victims through the efforts of joint agencies, task forces, and cooperative action with foreign governments. Authorities utilized a list of indicators to identify trafficking victims and refer them to services; however, authorities did not routinely screen for indicators of trafficking among vulnerable groups, and authorities often linked trafficking to migration. The government did not report screening for trafficking indicators among individuals smuggled via sea before forcing intercepted boats back outside of Australian territorial waters, or among refugees and asylum seekers held in offshore detention centers. Immigration authorities forcibly deported some asylum seekers who may have been vulnerable to trafficking after returning to their home countries. Civil society continued to report that some victims may have been reluctant to communicate with law enforcement officers due to fear of detainment and deportation.

Authorities provided formally identified trafficking victims with accommodation, living expenses, legal advice, health services, vocational training, and counseling through the support program. The government allocated 2.22 million Australian dollars ($1.57 million) to the support program in the 2018-2019 funding year (1.71 million Australian dollars [$1.21 million] during the 2017-2018 funding year). However, the increased funding was made available to support victims of forced marriage who may or may not have been victims of trafficking. Only AFP had the legal authority to refer victims to the support program. The support program included four support streams. The assessment and intensive support stream refers victims for up to 45 days irrespective of whether they are willing or able to assist with the investigation or prosecution of a human trafficking or slavery related offense. The extended intensive support stream allows for an additional 45 days of access to the program on a case by case basis for victims willing to assist with investigation or prosecution but not yet able to do so due to age, ill health, trauma or a practical impediment. Minors are automatically entitled to the extended support program. The justice support program provides victims with support until the investigation and/or prosecution of their case is finalized. The temporary trial support program provides intensive support to victims giving evidence pertaining to a human trafficking related prosecution. NGOs previously reported the government denied access to or ceased provision of services to some victims who were unable or unwilling to participate in law enforcement investigations, or when investigation of their case ended. The government did not report on how it provides services to adults unable or unwilling to participate in law enforcement investigations. In 2018, the government provided temporary stay visas to 12 foreign trafficking victims (13 in 2017, 33 in 2016), and granted permanent "referred stay" visas to five individuals (eight in 2017, six in 2016), including victims and their immediate family members, although some of these cases may have been forced marriage rather than trafficking. The government increased the staffing levels within the Commonwealth director of Public Prosecutions' (CDPP) Witness Assistance Service, which provides support to victims of human trafficking during the court process. Authorities provided witness assistance services to 18 victims while they participated in prosecutions (nine in 2017). The government did not have a centralized victim compensation system and victims relied on civil proceedings to access compensation.

PREVENTION

The government increased efforts to prevent trafficking. The Australian Interdepartmental Committee on Human Trafficking and Slavery coordinated the government's anti-trafficking efforts. The government continued implementation of its five-year national action plan to combat trafficking, launched in 2014, funded research projects, and facilitated awareness sessions for government agencies and civil society groups. The government also allocated 500,000 Australian dollars ($353,110) to four NGOs for projects dedicated to raising community awareness and building resilience among vulnerable groups; however, it was not clear to what extent these campaigns focused on forced marriage, potentially to the exclusion of sex and labor trafficking. NGOs reported the government's transition from multiyear funding for programs to support and prevent human trafficking to single year funding hampered their ability to provide program continuity and adequate staffing. The government continued to fund anti-trafficking initiatives and deliver trainings in the Asia-Pacific region. The Fair Work Ombudsman continued to administer a program to fund community groups to deliver services assisting vulnerable workers, continued to conduct awareness-raising campaigns on migrant workers' rights and conducted inquiries into potential labor abuses committed against migrant workers.

In November 2018, the government passed the Modern Slavery Act, which requires businesses and entities with annual revenue of 100 million Australian dollars ($70.62 million) or greater to publish an annual modern slavery statement detailing their efforts to combat modern slavery in their supply chains and operations. The Act includes a legislative commitment for the government to establish a modern slavery statement covering Australian government procurement. The government, along with Canada, New Zealand, the United Kingdom, and the United States, launched a set of principles for governments to use as a framework for preventing and addressing forced labor in public and private sector supply chains. The government continued to publish materials for passport applicants outlining the application of Australian child sexual exploitation and child sex tourism laws to Australians overseas, and cancelled 88 passports and denied 2,028 passports to registered child sex offenders during the reporting period. The government did

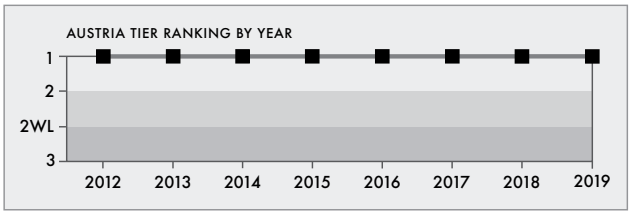
not make efforts to reduce the demand for commercial sex acts within Australia, but it operated a ministerial labor exploitation working group and migrant workers task force aimed at reducing the demand for forced labor. The Department of Foreign Affairs and Trade conditioned the departure of diplomatic personnel to overseas posts on compliance with Australia's anti-trafficking legislation, and Home Affairs distributed a training package to its overseas staff and visa service providers.

TRAFFICKING PROFILE

As reported over the last five years, human traffickers exploit domestic and foreign victims in Australia. Traffickers primarily exploit women and girls in sex trafficking and women and men in forced labor. Traffickers exploit a small number of children, primarily teenage Australian and foreign girls, in sex trafficking within the country. Some women from Asia and, to a lesser extent, Eastern Europe and Africa migrate to Australia to work legally or illegally in a number of sectors, including commercial sex. After their arrival, traffickers compel some of these women to enter or remain in prostitution in both legal and illegal brothels, as well as massage parlors and private apartments. Traffickers hold some foreign women—and sometimes girls—in captivity, subject them to physical and sexual violence and intimidation, manipulate them through illegal drugs, and force them to pay off unexpected or inflated debts. Traffickers attempt to evade authorities by allowing victims to carry their passports while in brothels and frequently move them to different locations to prevent victims from establishing relationships with civil society or other victims. Some victims of sex trafficking and some women who migrate to Australia for arranged or forced marriages are exploited by their husbands or families in domestic servitude. Unscrupulous employers and labor agencies subject some men and women from Asia and several Pacific Islands recruited to work temporarily in Australia to forced labor in agriculture, cleaning, construction, hospitality, and domestic service. An investigation by the Fair Work Ombudsman found some foreign fraudulent contracting companies exploited farm workers in bonded labor. There have been cases of reported exploitation in the fruit picking industry, where victims have reported excessive work hours, deliberate underpayment of wages, falsification of records and unauthorized deductions from wages. Some identified victims are foreign citizens on student visas who pay significant placement and academic fees. Unscrupulous employers coerce students to work in excess of the terms of their visas, making them vulnerable to trafficking due to fears of deportation for immigration violations. Some foreign diplomats allegedly subject domestic workers to forced labor in Australia.

AUSTRIA: TIER 1

The Government of Austria fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Austria remained on Tier 1. These efforts included implementing the national referral mechanism for adults, increasing funding for victim support, and publishing guidelines for police and prosecutors on non-punishment of victims for unlawful acts traffickers compelled them to commit. Although the government meets the minimum standards, courts continued to issue light or suspended penalties for convicted traffickers. The government has not appointed an anti-trafficking rapporteur, and the government did not identify any victims holding Austrian citizenship in 2018.



PRIORITIZED RECOMMENDATIONS:

Sentence convicted traffickers to adequate penalties, which should involve significant prison terms, consistent with those imposed for other grave crimes, such as rape. • Continue to strengthen cooperation with source country governments to promote awareness of trafficking among potential victims, especially in continued prosecution of trafficking rings. • Increase the level of detail contained in the government database on trafficking investigations, prosecutions, convictions and sentencing, to include all cases on trafficking including disaggregation of convictions and sentencing where defendants have committed multiple crimes. • Increase efforts to identify victims among persons engaged in prostitution. • Appoint a national anti-trafficking rapporteur. • Increase efforts on identifying potential victims among Austrian citizens.

PROSECUTION

The Austrian government maintained law enforcement efforts. Article 104a of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of six months to five years' imprisonment for offenses involving an adult victim, and one to 10 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Additionally, Article 217, which criminalized all transnational prostitution, could be applied to sex trafficking cases when a trafficker induced a foreign individual to engage in prostitution by force, fraud, or coercion. The article prescribed penalties of one to 10 years' imprisonment for offenses involving such means. The government conducted 71 investigations of 129 trafficking suspects under Article 104a, compared with 94 investigations of 144 suspects in 2017. The government prosecuted 16 trafficking defendants, compared with 19 in 2017. Courts convicted eight traffickers under Article 104a, compared with three in 2017 and 10 in 2016. The government prosecuted eight defendants, and convicted five under Article 217, but it was unclear how many involved trafficking offenses. The most recent comprehensive government data on prison sentences was from 2017, during which courts sentenced two traffickers. One received a two-year prison term and one a suspended sentence. In contrast, rape convictions carried substantially longer prison terms and fewer suspended sentences. Of 90 defendants convicted of rape during 2017, courts sentenced 78 (90 percent) to prison and half received prison terms ranging between three and 13 years. It was unclear how many rape cases included convictions for trafficking, as official statistics in multi-offense convictions contained only the single crime for which a court imposed the longest sentence. However, the government reported several cases from 2018 in which convicted traffickers received significant penalties. In March 2018, a court convicted two Chinese nationals for sex trafficking and imposed prison sentences of 3.5 years and 13

months, respectively. In May 2018, a Vienna court sentenced a Bosnian man to four years in prison for trafficking minors into forced begging and theft.

The government, assisted by an NGO, provided specialized trafficking-related training to prosecutors and judicial personnel. Law enforcement officials received training on trafficking within their standard curriculum. National and provincial governments cooperated with authorities from other countries, including neighboring EU countries, to investigate and prosecute trafficking cases. The Federal Crime Office (FCO) increased training on the use of online recruitment by traffickers and their digital methods. The Regional Criminal Court in Vienna assigned specialized prosecutors and judges for handling of trafficking cases.

PROTECTION

The government maintained protection efforts. Police and other government institutions, in cooperation with NGOs, identified and assisted 339 foreign victims in 2018, compared to 327 victims in 2017. Among that total, 28 victims were minors, and 40 victims were not identified by age. The government did not identify any victims of Austrian citizenship. The government provided €960,117 ($1.1 million) to specialized anti-trafficking NGOs to assist and house victims, an increase from €876,000 ($1 million) in 2017. The Ministry of Labor provided an additional €410,000 ($470,180) for support of NGO-run counseling centers for male trafficking victims and undocumented migrants, compared to €415,000 ($475,920) in 2017. Government funding comprised the bulk of support for these organizations. The city of Vienna funded a government-run center for unaccompanied minors, including child trafficking victims, offering legal, medical, psychological, social, and language assistance. Cities throughout the provinces provided services for child victims. For adult victims, government-funded NGOs provided emergency shelter, medical and psychological care, language support, and legal assistance. Some NGOs offered specialized services for victims with physical or mental disabilities. NGOs helped victims prepare for court proceedings and assisted foreign victims with repatriation. Courts provided sensitive interview methods for presenting evidence and testimony when victims needed protection from traffickers during the investigation and prosecution phases.

In November 2018, the Ministry of Interior (MOI) launched Austria's national referral mechanism for adults, a framework for identifying victims, guaranteeing their rights, and ensuring they understand the availability of services and receive care. The government continued to implement the national referral mechanism for child victims launched in 2017. Government officials from multiple agencies and NGOs used guidelines and checklists to identify both child and adult victims. Under a government-funded program, NGOs trained immigration officials on victim identification, including those working at migrant reception centers. The government continued trainings in victim identification for officials in law enforcement, the labor inspectorate, the military, diplomatic services, detention and asylum centers, revenue agencies, and social service agencies.

Trafficking victims had the right to temporary residence status, with possible annual extensions. The government granted 35 residence permits and extended 10 permits to trafficking victims in 2018. Residence permits allowed victims unconditional access to employment. Government benefits were not dependent upon a victim's willingness to participate in the prosecution of their perpetrator. Victims also had a 30-day reflection period with assistance to decide whether to assist or cooperate in criminal investigations. The Ministry of Justice reported that 150 victims provided assistance to law enforcement and prosecutors during 2018. Victims could file civil suits against traffickers for damages and compensation, even in the absence of a criminal prosecution. Upon criminal conviction, courts typically awarded restitution, including in six of the eight 2018 trafficking convictions. The government provided legal aid for victims unable to afford their own legal representation. The Ministry of Justice also published guidelines in 2018 for the non-punishment of victims for unlawful acts traffickers compelled them to commit.

PREVENTION

The government maintained efforts to prevent trafficking. A national anti-trafficking coordinator headed a broad-based task force with representatives from nine federal ministries, provincial governments, NGOs, industry, and civil society. The task force led the drafting and October 2018 adoption of the National Action Plan for 2018-2020 by the Council of Ministers. The plan called for expanded training for officers in detention centers and staff of asylum centers, with a focus on victim identification. Austria did not have an independent anti-trafficking rapporteur to evaluate the effectiveness of government efforts. The government supported distribution of publications and television programming on trafficking and child sex tourism, as well as campaigns to inform persons in prostitution. The Ministry of Labor provided an online resource for migrant workers, available in seven languages, including information on labor laws, minimum wage standards, collective agreements, and rights of workers. The MOI continued to run a 24-hour trafficking hotline that received over 500 calls, with translation available in multiple languages. Austrian embassies and consulates in source countries informed visa applicants of the potential dangers of trafficking. The foreign ministry continued efforts on preventing trafficking among employees of diplomatic households, increasing workers' awareness of their rights, and sensitizing them to trafficking. The FCO implemented programs with China and Nigeria to combat cross-border trafficking and improve and expand joint investigations. The government did not make efforts to reduce the demand for commercial sex. The government subsidized an NGO brochure, in 14 languages, for distribution mainly to persons working in prostitution, to increase awareness of trafficking occurring within the commercial sex industry. The government worked with business and labor organizations in awareness training on labor trafficking and continued to include trafficking in their annual training of labor inspectors that started in 2015. The government continued to enforce public procurement guidelines for the elimination of labor trafficking in the purchase of goods and services.

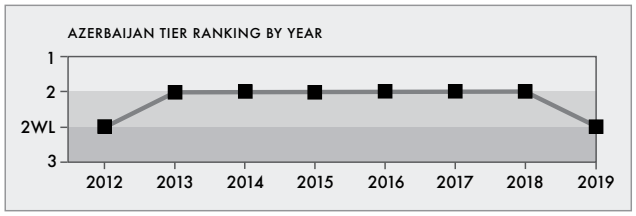
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Austria. Statistics show no Austrian citizens among victims of trafficking. Victims originate primarily from Eastern Europe, with some victims coming from South America, and increasingly from Nigeria, China, and Southeast Asia. Over 95 percent of identified victims are foreign women subjected to sex trafficking. Approximately 65 percent of trafficking victims come from EU member states. There are cases of labor exploitation of domestic household workers, including in diplomatic households, as well as construction, cleaning companies, and agriculture. Children and physically disabled persons are the primary victims of forced begging. Traffickers

subject a growing number of female victims from Nigeria and China to sexual exploitation in massage parlors and brothels. Traffickers use Austria as a transit point in moving victims to other European countries.

AZERBAIJAN: TIER 2 WATCH LIST

The Government of Azerbaijan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included identifying more victims and providing thorough victim assistance at the government-run trafficking shelter and victim assistance center. The government also increased awareness campaigns for Azerbaijani migrants traveling abroad, and the anti-trafficking police unit hired an experienced attorney with a firm understanding of victim-centered approaches. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Prosecution efforts decreased, with courts issuing suspended sentences for nearly all convicted traffickers. The credibility of the Anti-Trafficking Department (ATD) was diminished by credible reports of its arbitrary detention and physical coercion of a confession from a minor; and the government did not regularly screen vulnerable populations and lacked proactive identification efforts, particularly for Azerbaijani victims of internal trafficking. As a result, the government disincentivized cooperation with law enforcement and may have penalized victims due to inadequate identification. The government did not fund NGO-run shelters despite relying heavily on their victim support and reintegration services. Some local officials mobilized and forced some public-sector employees to participate in the autumn cotton harvest. Therefore Azerbaijan was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers and impose strong sentences. • Increase proactive identification efforts, particularly for internal trafficking, forced labor, and child trafficking. • Take action to end forced labor, including during the annual cotton harvest, through such measures as increasing both the public and authorities' understanding of forced labor as trafficking and encourage reporting of incidents to authorities. • Train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including for children, and advanced training on trafficking investigations and prosecutions. • Allocate adequate funding to NGO-run shelters providing victim support services. • Train first responders, including law enforcement, immigration, and social services personnel, on proactive victim identification and inform relevant actors on formal identification procedures. • Strengthen the capacity of the Labor Inspectorate to identify and refer victims of forced labor. • Adopt specific procedures for children, including identification and referral procedures, indicators, and interview questions.

PROSECUTION

The government decreased law enforcement efforts. The 2005 Law on the Fight against Trafficking in Persons and Article 144 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of five to 10 years' imprisonment for offenses involving adult victims and eight to 10 years' imprisonment for offenses involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated 28 cases with 34 suspects (29 cases with 33 suspects in 2017); 26 were for sex trafficking and two for forced labor (25 were for sex trafficking and four for forced labor in 2017). The government prosecuted 34 defendants (29 in 2017). Courts convicted 23 traffickers (29 in 2017), including 21 for sex trafficking and two for forced labor (25 for sex trafficking and four for forced labor in 2017). One trafficker received eight years' imprisonment and another received four years' imprisonment. However, 20 traffickers received suspended sentences and authorities postponed one trafficker's sentence, compared to three traffickers receiving prison sentences between one to five years and 26 traffickers receiving sentences between five to ten years in 2017.

The Ministry of Internal Affairs (MIA) maintained an Anti-Trafficking Department (ATD) that led most trafficking investigations. Observers reported law enforcement lacked an understanding of trafficking and the capacity to investigate trafficking, particularly law enforcement outside of Baku. Authorities often failed to recognize psychological coercion as a means of control leading to internal sex trafficking cases reclassified as organized prostitution. GRETA and international organizations reported most investigations were reactive and lacking corroborative evidence for victim testimony, but law enforcement noted difficulties in conducting proactive investigations due to standard procedures requiring a complaint from a victim to initiate an investigation. ATD hired an experienced attorney with a firm understanding of victim-centered approaches and experts reported good cooperation with ATD. However, ATD's role in protecting the vulnerable was tarnished when they detained a youth activist, who was a legal minor, and held her incommunicado for five days during which ATD officers assaulted and threatened to rape her if she did not sign a document acknowledging involvement in prostitution. Observers continued to report an absence of victim-centered approaches within law enforcement, including local police insulting and dismissing a potential trafficking victim who attempted to self-identify. The government trained new police recruits and ATD, in cooperation with an NGO, trained local police officers. The State Border Service administered annual trainings. The government cooperated with Russia and Ukraine to extradite two suspects to Azerbaijan.

PROTECTION

The government decreased victim protection efforts. The government officially identified 98 victims (71 in 2017), including 82 female victims of sex trafficking and 16 male victims of forced labor (66 female victims of sex trafficking and five male victims of forced labor in 2017). None were foreign victims (three were foreign victims in 2017). The government did not identify any child victims in 2016, 2017, or 2018. GRETA and other observers reported minimal efforts to proactively identify Azerbaijani victims of internal trafficking, including children. As a result, most officially identified victims were Azerbaijani victims identified in destination countries or in previous years, foreign victims exploited in Azerbaijan; officials identified one Azerbaijani victim of internal trafficking in 2018

(none in 2017). The government identified 450 children and 207 parents "involved in begging for the purpose of helping their parents," but it identified no forced begging victims and returned children to their parents without investigating the role of the family in the children's exploitation.

The government had standard operating procedures (SOPs) for victim identification but first responders, including law enforcement, immigration, and social services personnel, were either unaware of the procedures or did not consistently follow or understand them. Observers reported the lack of screening of vulnerable populations for trafficking indicators, including women, children, LGBTI persons in prostitution, and foreign migrant workers. Additionally, the government lacked policies tailored to children, such as interview questions, indicators, and referral procedures. SOPs required first responders to refer potential victims within 24 hours to ATD, who officially recognized victims based on an investigation. NGOs and the government provided support services to some potential victims; however, individuals without official recognition did not receive the one-time government-provided allowance and did not have the ability to bring a civil claim against the alleged traffickers. Civil society referred 57 potential trafficking victims to ATD (six in 2017) and ATD determined two to be victims (none in 2016 and 2017).

The government allocated 147,490 *manat* ($86,760) for victim protection, compared to 150,530 *manat* ($88,550) in 2017. The MIA operated a shelter for trafficking victims, which provided accommodation, financial assistance, legal assistance, and medical and psycho-social support; 95 officially recognized victims and three potential victims received support at this shelter (65 officially recognized victims and six potential victims in 2017). The MIA-run shelter had separate areas for women, men, and children but limited freedom of movement and required victims to submit an application to leave the shelter. The MIA-run shelter accommodated potential victims for up to one month but longer stays required victims to cooperate with law enforcement. The MIA-run shelter provided the only accommodation for male victims. The government allocated a resettlement allowance of 400 *manat* ($240) from an assistance fund for officially recognized victims; 98 victims received the resettlement allowance (71 in 2017). The government raised 13,000 *manat* ($7,650) from private donors in 2018 for a foundation to support potential and official victims. The Victim Assistance Center (VAC) in Baku provided legal, psychological, medical, and employment assistance to officially recognized and potential victims. MIA referred 92 victims to the VAC (68 victims in 2017), civil society referred 27 potential victims (28 potential victims in 2017), and five potential victims self-referred. The VAC provided 28 officially recognized victims with medical aid (44 in 2017), 47 with psychological assistance (52 in 2017), and 32 with legal aid (52 in 2017). Additionally, the VAC provided 25 potential victims with medical aid, 17 with psychological assistance, and nine with legal aid. The government also aided employment of 20 officially recognized and potential victims (21 in 2017) and 23 with vocational training (10 in 2017). Observers reported low pay for VAC employees led to high staff turnover and decreased service quality due to inexperienced staff assisting victims. The government did not provide funding to NGO-run shelters despite relying heavily on their victim support and reintegration services; the government referred 47 victims to NGO-run shelters (41 in 2017). NGOs remained severely underfunded and restrictive legislation governing foreign grants limited NGOs' ability to receive funding from foreign donors. Most NGO-run shelter staff who provided support services worked on a voluntary basis. The State Migration Service (SMS) could issue temporary residence permits for foreign victims, had authorities identified any in 2018.

The government likely penalized victims for unlawful acts traffickers compelled them to commit. Experts reported authorities may have penalized sex trafficking victims with administrative fines for prostitution due to inadequate identification. Similarly, an international organization referred foreign migrant workers who displayed indicators of trafficking, but ATD did not recognize any as a victim and some were subsequently deported. Authorities did not use legally stipulated victim-witness protection measures for trafficking victims. GRETA and other international organizations reported prosecutors believed such measures were unnecessary for trafficking victims and noted the lack of licensed attorneys providing legal assistance to victims due to low pay. Children testified without a child psychologist or attorney to communicate legal terminology in a child-friendly manner.

PREVENTION

The government maintained prevention efforts. The national coordinator led the implementation of the 2014-2018 national action plan and coordinated government wide anti-trafficking efforts; however, lack of cooperation between agencies hindered interagency coordination. The government provided 125,650 *manat* ($73,910) to civil society for awareness campaigns, compared to the 104,000 *manat* ($61,180) in 2017. The government conducted awareness campaigns targeting youth, students, and families. The Ministry of Foreign Affairs created a division responsible for increasing awareness of trafficking for Azerbaijani migrants traveling abroad, and SMS offered weekly training programs for migrants to Azerbaijan. The government publicly released an annual assessment of the country's anti-trafficking efforts, including prosecution data and protection efforts. ATD operated the "152" hotline; the hotline received 6,310 calls (8,565 calls in 2017), 24 of which were related to trafficking. The government did not report measures to reduce the demand for commercial sex or forced labor. A presidential decree in 2015 prevented the Labor Inspectorate from conducting spontaneous employment inspections, which restricted proactive investigations and victim identification efforts. In 2017, the government extended the suspension period of spontaneous labor inspections until 2021.

TRAFFICKING PROFILE

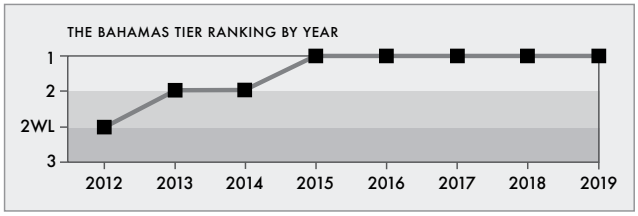
As reported over the past five years, human traffickers exploit domestic and foreign victims in Azerbaijan, and traffickers exploit victims from Azerbaijan abroad. Azerbaijani men and boys are subjected to forced labor in Azerbaijan, Russia, Turkey, and the United Arab Emirates (UAE). Women and children from Azerbaijan are subjected to sex trafficking within the country and in Iran, Malaysia, Pakistan, Russia, Turkey, and the UAE. Azerbaijan is a destination country for sex and labor trafficking victims from China, Russia, Turkmenistan, Ukraine, and Uzbekistan. In previous years, Azerbaijan has been used as a transit country for victims of sex and labor trafficking from Central Asia to Iran, Turkey, and the UAE. Within the country, some children are subjected to forced begging and forced labor as roadside vendors and at tea houses and wedding facilities.

During the year, there were isolated reports that local officials mobilized and forced some public-sector employees to participate in the autumn cotton harvest. Local officials threatened civil servants (including medical practitioners and teachers) and their families, implicitly or explicitly, with job

termination if they did not participate in the cotton harvest. Experts reported labor mobilization from public institutions takes place, but such practices were ad-hoc.

THE BAHAMAS: TIER 1

The Government of The Bahamas 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 Bahamas remained on Tier 1. These efforts included passing a national action plan, increasing funding for victim assistance and anti-trafficking prevention, elevating national anti-trafficking planning to the office of the Prime Minister, and instituting an anti-trafficking course into the training curriculum of the Immigration Department. Although the government meets the minimum standards, authorities initiated significantly fewer investigations and inconsistently applied screening procedures to vulnerable populations. Credible allegations of corruption raised concerns about vulnerabilities of potential trafficking victims during the reporting period.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, convict, and appropriately punish traffickers, including officials complicit in sex or labor trafficking. • Implement robustly the victim identification and referral protocol to identify victims of sex and labor trafficking, especially among vulnerable groups, including Haitians, Venezuelans, and other migrants. • Provide vulnerable individuals with assistance prior to, during, and after screening for trafficking. • Provide language and cultural interpretation in screening and trauma-informed protective services for vulnerable populations, particularly in lesser known languages such as Creole and Spanish. • Increase victim-centered training for prosecutors, judges, and police on the Trafficking in Persons Act and collecting corroborative evidence to support victim testimony. • Increase grassroots outreach to potential trafficking victims among vulnerable groups, in partnership with non-governmental organizations (NGOs). • Strengthen engagement with officials involved in anti-trafficking activities in other countries in the region.

PROSECUTION

The government decreased law enforcement efforts. The Trafficking in Persons (Prevention and Suppression) Act 2008 criminalized sex trafficking and labor trafficking and prescribed penalties ranging from three years to life imprisonment. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses; however, outside reports of official involvement in protecting sex trafficking rings and corruption within the Immigration Department remained a concern, as these created vulnerabilities for potential trafficking victims and reduced victims' willingness to self-identify to or assist law enforcement in the investigation and prosecution of their traffickers. The lack of judges and prosecutors in the country contributed to significant backlogs in all cases and the government did not report whether all judges, prosecutors, and other law enforcement officials received training on the Trafficking in Persons Act. Authorities initiated two new investigations, both for sex trafficking, the lowest number of investigations in the past six years; authorities initiated between 11 and 15 investigations annually in the preceding six years. Authorities initiated one prosecution for sex trafficking, compared to two in 2017. The government convicted one trafficker with a sentence of 12 years' imprisonment, compared to one conviction in 2017 with a sentence of 21 years' imprisonment. The conviction was a result of cooperation with the government of Jamaica. The government reported that one pending prosecution is still under investigation and the second pending prosecution is scheduled to go to court in January 2020. Government officials instituted trafficking training in the curriculum for all new immigration officers and trained 118 immigration and customs officials during the reporting period.

PROTECTION

The government maintained efforts to protect victims. Authorities continued to implement a formal victim-centered protocol to guide front-line responders in identifying both sex and labor trafficking victims and referring them to services. However, concerns remained on the thoroughness of their application when dealing with vulnerable populations, such as migrants. The national trafficking commission funded and trained member agencies and ministries in their roles in identifying and protecting victims and making referrals. During the reporting period, the government identified two victims of sex trafficking out of 28 individuals screened in 2018, compared to five identified victims out of 37 individuals screened in 2017. The identified victims were adult females, one from The Bahamas, and the other from Venezuela. The National Trafficking Committee referred both victims to a care facility and a social worker. Another potential victim self-identified as a trafficking victim when brought to court on visa overstay charges; the trafficking task force, immigration and police authorities investigated her and others involved in her case, determined it was not a trafficking case and subsequently deported her. The government reported it determined which potential trafficking victims to formally screen for trafficking based on referrals from initial screenings by non-governmental and faith based organizations, businesses, and other ministries, although these organizations may be implicated in trafficking. Experts reported authorities did not use formal protocols to screen all migrants, both those residing in country and others upon arrival, for trafficking or to protect those identified as victims. The increasing influx of migrants, inconsistent training of staff, and lack of implementation of identification protocols in migrant languages raised concerns that authorities penalized potential trafficking victims. Experts reported authorities rapidly and routinely detained and deported irregular Haitian migrants without screening for trafficking.

The government reported spending 125,710 Bahamian dollars ($125,710) on trafficking victims' care and prevention activities, an increase from 82,060 Bahamian dollars ($82,060) in 2017. The government also provided 240,000 Bahamian dollars ($240,000, the same as 2017) to four NGOs that provide services to trafficking victims, among other vulnerable groups.

Authorities encouraged identified trafficking victims to assist in prosecutions by providing them with lodging, food, a stipend, clothing, medical assistance and psychological counseling, immigration relief, legal and transportation assistance, support during court proceedings, and witness protection, including a constant presence of police or Royal Bahamian Defense Force as escort or protection outside shelters. There was no dedicated shelter for trafficking victims and authorities placed victims in NGO-managed shelters shared with domestic violence victims. Care could be provided to all victims, although no male victims were identified during the reporting period. Initially, the committee provided short-term lodging and later long-term lodging. Victims did not have a choice in shelter options, but they could choose to reside independently elsewhere, although the government did not report providing lodging assistance in such cases. Government assistance was not contingent upon cooperation by victims. Bahamian law permitted victim testimony via live television links and for the reading of written statements into evidence; however, in 2016, a magistrate acquitted three traffickers in part because the victims could not be cross-examined. One of the identified victims during the reporting period assisted with the investigation and prosecution of her cases while the other left the country. The anti-trafficking act authorized the court to order convicted defendants to pay restitution to victims; however, courts did not order such restitution in the past four years.

PREVENTION

The government increased prevention efforts overall. The National Trafficking Committee coordinated government efforts. Starting in 2018, the Prime Minister met with the Committee quarterly and cleared all of its policies. The government approved a new national action plan from 2019 to 2023 and increased overall funding for anti-trafficking activities. Outside experts noted the government conducted insufficient outreach to vulnerable populations, such as the Haitian community. The government conducted assessments of its anti-trafficking efforts but did not make them public. The government and an NGO administered a survey to 130 students assessing their understanding of trafficking at 29 schools. The Department of Labor and an NGO delivered awareness campaigns explaining indicators of trafficking in more outer islands most affected by trafficking and in Creole to Haitian migrant communities. The Department of Public Health, together with the Committee, delivered awareness training to 153 health professionals and student nurses.

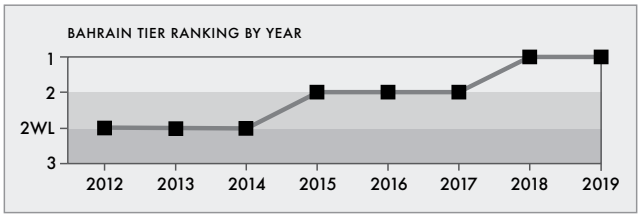
The Department of Labor did not continue past practices of distributing pamphlets or letters about labor trafficking and workers' rights to foreign nationals with work permits and advising employers of the prohibition against document retention. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. In February 2019, the government launched a new trafficking hotline with one staff member and purchased a vehicle to promote the hotline in vulnerable communities.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in The Bahamas, and traffickers exploit victims from The Bahamas abroad. Traffickers recruit migrant workers, especially those from Haiti, Jamaica, the Dominican Republic, China, Costa Rica, Cuba, Colombia, Venezuela, the Philippines, and the United States through false offers of employment, such as through advertisements in foreign newspapers; upon arrival, traffickers subject them to sex trafficking and forced labor, including in domestic service and in sectors with low-skilled labor. Children born outside The Bahamas to female citizens or in The Bahamas to foreign-born parents who do not automatically receive Bahamian citizenship are at heightened risk of trafficking. Individuals lured for employment and those involved in prostitution and exotic dancing and illegal migrants are particularly vulnerable to trafficking.

BAHRAIN: TIER 1

The Government of Bahrain fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Bahrain remained on Tier 1. The government demonstrated serious and sustained efforts by increasing overall trafficking convictions, sentencing two complicit officials to significant jail time, and establishing and disbursing funds from the new Victim's Assistance Fund to 10 victims. The government also allowed more undocumented workers to sponsor themselves independent from an employer, and it digitized its victim case management system within its National Referral Mechanism (NRM) to increase efficiency of referrals from a broad array of stakeholders and enable better monitoring and evaluation. Although the government meets the minimum standards, it did not regularly investigate as potential trafficking crimes cases of unpaid or withheld wages, passport retention, and related abuses—all potential indicators of forced labor—which it handled administratively as labor law violations. Its law enforcement efforts were disproportionately focused on sex trafficking, as it infrequently investigated, prosecuted, or convicted cases of forced labor. Incomplete legal authorities and limited access of labor inspectors and other relevant authorities to domestic worksites hindered implementation of existing laws governing the sector.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, particularly suspects of labor trafficking crimes, indicators of trafficking among domestic workers, and allegedly complicit officials. • Expand and actively enforce labor law protections for domestic workers. • Strengthen and expand efforts to reform the sponsorship system by extending labor law protections to all workers in Bahrain, including domestic workers and all workers holding flexible work permits; and include all employment sectors under the Wage Protection System. • Increase investigations and prosecutions of potential trafficking cases involving passport retention and non-payment of wages as trafficking crimes. • Increase proactive identification of trafficking victims among vulnerable groups, such as domestic workers, migrant workers, and women in prostitution. • Routinely use tripartite labor contracts for domestic workers. • Strengthen training for officials, particularly police personnel,

on the anti-trafficking law and victim identification. • Continue to conduct national anti-trafficking awareness campaigns, strategically targeting migrant and domestic workers.

PROSECUTION

The government increased its law enforcement efforts. The anti-trafficking law, Law No. 1 of 2008, criminalized sex trafficking and labor trafficking. It prescribed penalties ranging from three to 15 years' imprisonment, plus a fine of between 2,000 and 10,000 Bahraini *dinar* ($5,310-$26,530) and the cost of repatriating the victim(s), which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Additionally, Article 325 of the penal code prescribed imprisonment of two to seven years for forced prostitution and three to 10 years if the victim was a child.

The Ministry of Interior (MOI) reported investigating 19 potential trafficking cases during the reporting period, of which 16 were for sex trafficking and three for forced labor, and involved adult females from Bangladesh, Ethiopia, India, Indonesia, Morocco, the Philippines, Russia, Sri Lanka, and Thailand; this is compared to 31 potential sex trafficking cases investigated during the previous year. Labor authorities reportedly referred an unknown number of cases of passport retention to the police for further investigation, as they violated the penal code. Officials referred eight investigations for prosecution, seven sex trafficking cases and one forced labor case, down from 18 it referred the prior year, while the remaining 11 cases remained under investigation as non-trafficking cases. It convicted 23 traffickers for sex trafficking crimes from a total of seven cases and sentenced them to between five and 10 years' imprisonment plus a fine of 2,000 Bahraini *dinar* ($5,310); officials investigated four of these cases during the previous reporting period. Those convicted were of Bahraini, Bangladeshi, Indian, Indonesian, Pakistani, and Sri Lankan nationality. In 2017, Bahrain convicted and sentenced seven sex traffickers. As a supplemental penalty, the traffickers paid all costs associated with funding the repatriation of the victims to their respective home countries. The government planned to deport all non-Bahraini trafficking offenders upon the completion of their sentences. The government reported and local press broadcasted the convicting and sentencing of two police officers for sex trafficking crimes investigated during the previous reporting period. One law enforcement officer accepted bribes from traffickers and used his position of authority to preclude any investigations of the sex trafficking ring. The other officer, over a five-year timeframe, used his position and connections with hotels and residential buildings and colluded with a Colombian woman to lure women to Bahrain through social media under false pretenses of high salaries in legitimate jobs. The High Criminal Court sentenced both complicit officials involved in separate cases during this reporting period to 10 years in prison and a fine of 2,000 Bahraini *dinar* ($5,310). Additionally, local press reported the initial investigation of a police officer for his alleged involvement in forcing foreign women into prostitution; however, due to insufficient evidence, authorities acquitted the accused officer.

The government did not routinely investigate unpaid or withheld wages, passport retention, and related abuses as indicators of trafficking, but instead treated these cases as administrative labor law violations. The public prosecutor did not receive any referrals from the Labor Market Regulatory Agency (LMRA) for recruitment agencies allegedly involved in forced labor; it received four such referrals during the previous reporting period. More than 500 government officials from key ministries participated in various targeted anti-trafficking workshops during the reporting period. The LMRA fully funded a donor-led, three-part training seminar for 85 government staff focused on investigating cases of forced labor and sex trafficking. Officers and MOI personnel continued to receive annual, mandatory anti-trafficking training at the Royal Academy for Police.

PROTECTION

The government maintained efforts to protect victims. The government identified twelve adult trafficking victims (11 sex trafficking victims and one victim of forced labor), among 259 potential victims it provided shelter to during the reporting period, a decrease from 31 adult trafficking victims it identified the previous year out of a total 516 assisted. The confirmed victims hailed from Bangladesh, Colombia, Sri Lanka, Indonesia, India, and Thailand. Officials reported the vast majority of the individuals it assisted were not confirmed trafficking victims, but rather vulnerable workers involved in labor disputes and employees requiring temporary shelter prior to repatriation. The government continued to employ and distribute its NRM designed to proactively identify trafficking victims, ensure proper documentation of cases, refer cases to the MOI and public prosecutor's office for an official determination as a trafficking case, and provide adequate protective provisions to victims until case resolution or voluntary repatriation. Officials distributed the 30-page, bilingual English-Arabic NRM booklets to all relevant ministries and nongovernmental stakeholders, and trainers from two international organizations, with governmental financial and in-kind support, continued to provide trainings to key stakeholders on its effective implementation. In November 2018, the government digitized the case management process of the NRM to increase its speed and effectiveness, and used the online platform to monitor and analyze trafficking and prosecution trends. The LMRA reportedly received direct referrals from a variety of sources, including the national anti-trafficking committee's hotline, police stations, other government entities, and foreign embassies. The LMRA's Expatriate Protection Unit (EPU) hosted 182 females—12 of whom were trafficking victims—and provided them with shelter, food, clothing, medical care, religious support, psycho-social counseling, rehabilitation, transportation, familial reunification, translation assistance, legal counsel, and repatriation or job placement in Bahrain. The EPU continued to oversee the safe house and shelter available to both male and female workers, regardless of their legal status in Bahrain. It also maintained onsite offices for medical and mental health professionals and a representative from the police anti-trafficking unit, and provided a room for training shelter residents and a conference space for the national anti-trafficking committee. Embassies of labor-sending countries reported they temporarily housed some potential victims involved in labor disputes or abusive situations who refused to go to the EPU or were unable to reach it. In April 2018, the national anti-trafficking committee allocated 200,000 Bahraini *dinar* ($530,500) for the establishment of a victim assistance fund from which trafficking victims were entitled to small grants ($3,000) to help them reestablish themselves either in Bahrain or in their home country. Trafficking victims were also eligible for an additional monthly compensation for loss of income in the event their presence for an extended period in Bahrain was requested by the judge to conclude a criminal trial. The fund has supported 10 trafficking victims since its official launch. Additional funding was available through the LMRA's budget to cover the costs of victim repatriation and daily EPU expenditures.

Labor Law No. 36 of 2012 established some protections for domestic workers, requiring employers to provide a labor contract specifying working hours, annual leave, and bonuses, and to pay workers at least monthly. However, Article 22 of the Labor Law—which prohibits contract switching or changes to preset work conditions outlined in the contract—was not applicable to domestic workers, which increased their vulnerability to forced labor. Multiple agencies cited difficulties conducting unannounced inspections of domestic worker accommodations and investigating allegations of abuse in the absence of an official complaint, due to cultural norms surrounding privacy in homes, which may have left some victims at risk of exploitation and without protective provisions. The LMRA made available on its homepage as well as disseminated to all registered recruitment agencies in Bahrain copies of the standard tripartite labor contract, which required domestic workers to sign, prior to their arrival, a comprehensive work agreement that outlined labor rights and employment obligations. The unified contract aimed to strengthen protections for domestic workers by requiring employers to declare the nature of the job, hours to be worked, and salary, among other critical information. This mechanism allowed domestic workers brought in by recruitment agencies to accept or reject an employment contract in their respective countries of origin, and the LMRA maintained copies of the contracts to assist in any future labor disputes. The government reported that licensed recruitment agencies used the standardized labor contracts for newly arrived domestic workers during the reporting period. In March 2019, the LMRA announced streamlined processes for obtaining initial visas and visa renewals for domestic workers. The inclusion of domestic workers in the Expat Management System, along with all other expatriate workers, increased visibility through standardizing the application process and retaining all worker-employee documents on the LMRA's systems. The government mandated all applications for domestic workers, whether through a licensed recruitment office or directly from the employer, must be accompanied by the standard tripartite labor contract.

There were no reports the government penalized victims for unlawful acts traffickers compelled them to commit; however, it did not universally employ its proactive identification mechanism among vulnerable groups, such as domestic workers, migrant workers who fled employers, and women in prostitution, meaning some potential victims may have remained unidentified and unprotected. Bahraini officials provided full assistance to trafficking victims regardless of their willingness to participate in investigations and court proceedings of their traffickers and relieved them from all legal and financial penalties related to actions committed as a result of being subjected to trafficking. The government reported it shared with all victims a full evaluation of their cases and their legal right to restitution in the event of a conviction. Victims were permitted to testify in person, via written correspondence, video recording, a closed-circuit live video, or in private. During the reporting period, 12 trafficking victims assisted with law enforcement investigations compared to no reported participation during the previous reporting period. NGOs reported workers who overstayed the legal validity of their tourist or work visa did not routinely benefit from Bahraini legal protections. Some migrant workers who fled abusive situations chose not to contact police to report the abuse due to being a "free visa" holder—laborers in violation of the local labor law because they are working for an employer who was not their sponsor, after leaving the employment of the sponsor that facilitated their entry into the country. The labor law allowed foreign workers to change sponsors during investigations and court proceedings. The government reported that 18,063 workers transferred employment from one sponsor to another during the year. Workers infrequently filed complaints against employers due to distrust of the legal system, protracted court processes, inability to afford legal representation, lack of interpretation and translation services, concern over potential loss of residence permits during proceedings, and fear of additional mistreatment due to employer reprisal. During the reporting period, per the victim's request the government repatriated 12 third country national trafficking victims to their countries of origin.

PREVENTION

The government strengthened overall efforts to prevent trafficking. Since its inception in July 2017, the LMRA's "flexible (or flexi) work permit" program has served to regularize thousands of undocumented workers while simultaneously permitting previously exploited and irregular laborers to sponsor themselves independent of an employer. The "flexi" permit ultimately aimed to reduce trafficking vulnerabilities inherent to the sponsorship-based employment system. During the reporting period, the number of "flexi" permit holders increased from 5,000 to more than 24,000, comprised more than 50 different nationalities, and approximately 90 percent of "flexi" recipients hailed from Bangladesh. Under the "flexi" permit, expatriates can reside and work in Bahrain without a sponsor. Successful applicants can work any full- or part-time job with any chosen employer—including multiple jobs concurrently with various employers—and are able to directly negotiate wages and working hours. To address the concerns of NGOs and source country embassies regarding equity in coverage, in November 2018, the government temporarily extended eligibility for a six-month amnesty period to non-domestic workers and domestic workers—which includes agricultural workers, home security personnel, nannies, drivers, and cooks—who absconded from their employers. In addition, legal workers were eligible to enroll in the program without the consent of their employer after the termination or expiry of their work permit. Furthermore, in November the LMRA amended the "flexi" permit to allow new enrollees to purchase either a one- or two-year permit for 449 Bahraini *dinar* ($1,190) or 277 Bahraini *dinar* ($730), respectively. However, in February as part of the government's launch of a National Employment Program, designed to promote the hiring of Bahrainis in the private sector, it subsequently increased fees for companies that hire Bahrainis over expatriates as well as the overall cost of the "flexi" permit fee. The two-year permit increased by 300 Bahraini *dinar* ($800) and the one-year permit increased by 150 Bahraini *dinar* ($400). The latter form of the "flexi" permit included a work permit, health care coverage, a refundable deposit for travel tickets, an extension of residency timeframes, and waived immigration fines incurred while in irregular status. During the reporting period, the Government of the Philippines began paying for its citizens' "flexi" permit application fees with an estimated budget of $1.4 million to encourage wider participation in the program. However, some NGOs and labor rights organizations continued to express concerns that the "flexi" program created a system of day laborers, overly shifted legal responsibilities to the employees, and generated economic coercion given the associated costs of eligibility.

Passport retention was a crime punishable under Article 395 of the Bahraini penal code, although it remained a ubiquitous practice by employers of unskilled laborers and domestic workers. It was a crime to limit or otherwise control any person's freedom of movement in accordance with Article 19(b) of the constitution of Bahrain. Laborers may file a grievance for

passport withholding with the police, the Ministry of Labor (MOL), or LMRA; a worker may also register a complaint to the court directly if the employer refuses to return the passport. Labor authorities reportedly referred an unknown number of cases of passport retention to the police as they violated the penal code vice labor law; however; they did not report investigating any such cases as potential trafficking crimes. The government typically treated indicators of forced labor—cases of unpaid or withheld wages, passport retention, and related abuses—administratively as labor law violations and resolved through arbitration rather than routinely investigating for trafficking crimes; however, if arbitration was unsuccessful a worker could file a grievance against the employer in a labor court. The government piloted a recruitment integrity system, designed by an international organization, to identify agencies for auditing to ensure they adhered to global ethical standards on labor recruitment. Moreover, in partnership with the international organization, officials funded several workshops to certify that eight labor recruitment agencies had ethical labor recruitment and employment methods in compliance with international standards. During the reporting period, the government permanently shut down two recruitment agencies and revoked both licenses for contravening Bahraini labor law, and it cancelled the licenses of an additional 14 agencies due to non-compliance with LMRA regulations; in 2017, the government closed three agencies and cancelled 17 licenses. The LMRA's Enforcement and Inspection Department employed 70 inspectors responsible for enforcement of employment violations, immigration violations, and worksite inspections; the inspectorate body conducted quarterly visits to all recruitment agencies.

The national committee's budget remained at 500,000 Bahraini *dinar* ($1.3 million) for operations and 376,000 Bahraini *dinar* ($997,350) for anti-trafficking outreach programming. The government also earmarked an annual budget of 190,000 Bahraini *dinar* ($503,980) to establish and run a center of excellence for an international organization for the purposes of capacity building for victim assistance among government and regional stakeholders. The government maintained its anti-trafficking awareness campaign in both local and expatriate communities in Bahrain, involving youth of various nationalities, schools, religious institutions, NGOs, and foreign embassies. In partnership with an international organization, the national committee held a workshop targeting media personnel to enhance their understanding of trafficking, more accurately report on such issues, and improve the overall role of the media in combating the crime. Also during the reporting period, the government regularly hosted students from the University of Bahrain's legal clinic to enrich their understanding of trafficking, in addition to the protective services officials provide to foreign and domestic laborers. The LMRA continued to provide booklets outlining labor rights in 14 languages common among expatriate and migrant worker populations, and distributed them to such populations upon their arrival at the Bahrain International Airport and at LMRA when applying for initial or renewed residency cards. The LMRA's hotline was active to both collect reports and serve as a resource to educate workers about their rights and available services in Arabic, English, Hindi, Malayalam, Sinhalese, Tagalog, Tamil, Telugu, and Urdu. During the reporting period, the hotline received 5,654 calls, most of which pertained to labor rights, advice on workplace situations, and miscellaneous requests; however, officials did not identify any trafficking victims through this hotline. MOL investigated 1,373 cases of delayed or withholding of wages based on calls received, of which they resolved 48 percent in amicable out-of-court settlements and referred the remainder to the labor courts. The government had memoranda of understanding with several labor exporting countries, including Pakistan and India, which focused on oversight of recruitment agencies and protection of migrant workers in Bahrain. The government did not make discernable efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

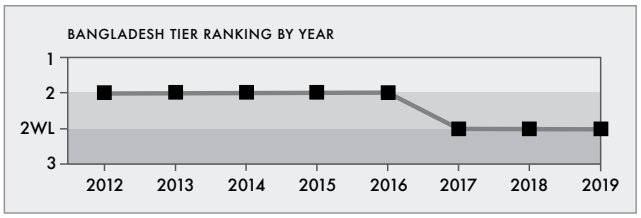
As reported over the past five years, human traffickers exploit foreign victims in Bahrain. Men and women, primarily from India, Bangladesh, Pakistan, Philippines, Ethiopia, Nepal, Egypt, Jordan, Yemen, Thailand, Syria, and Kenya, among other countries, migrate voluntarily to Bahrain to work as semi-skilled or unskilled laborers in the construction and service industries. In recent years, the greatest influx of workers hailed from Bangladesh, and Bangladeshis made up the majority of Bahrain's 61,000 undocumented workers; their illegal residency status renders them vulnerable to under- and non-payment of wages, debt bondage, and other forms of labor exploitation. During the reporting period, 78 percent of the total Bahraini workforce was comprised of foreigners. Domestic workers—male and female—and unskilled laborers, mostly in the construction sector, remain the most vulnerable to trafficking. Some employers subject migrant workers to forced labor in Bahrain; indicators include passport retention, strict confinement, contract substitution, non-payment of wages, debt bondage, threats or intimidation, and physical or sexual abuse. Nationals of countries without diplomatic presence in Bahrain are particularly vulnerable to trafficking, as are domestic workers, who are only partially protected under Bahraini labor law and cultural norms and existing legal infrastructure avert private home inspection. Government and NGO officials report physical abuse and sexual assault of female domestic workers are significant problems in Bahrain; controlled freedom of movement, withholding of workers' identity cards and passports, and employer coercion precludes employees from reporting instances of exploitation.

The government maintained regulatory authority over recruitment agencies, but many migrant workers arrive in Bahrain independent of regulated agencies. Local press reported traffickers recruit women from Sri Lanka, India, and Bangladesh to Bahrain via social media platforms or Bahrain-based acquaintances under false pretenses of high-paying jobs and subsequently force them into prostitution. Traffickers also convince other women, mostly domestic workers already in Bahrain, to abscond from their employers with false promises of higher paying jobs; after being recruited some women are also reportedly compelled into prostitution through physical threats and debt-related coercion. Domestic workers hailing from African countries are increasingly vulnerable to labor trafficking and arrive in Bahrain through direct recruitment by local employers. Many migrant workers are paired with employers through intermediaries in Bahrain and unlicensed recruiters in their respective countries of origin, in addition to back-and-forth movement between Saudi Arabia and Bahrain via the causeway as Saudi nationals are able to sponsor foreign workers in Bahrain. Some migrant workers are not given or in possession of their employment contracts and are generally unfamiliar with the employment terms contained therein. Some unscrupulous employers continue to lure migrant workers to Bahrain and release them illegally in the labor market under the "free visa" scheme—laborers who work for an employer who was not their sponsor, after leaving the employment of the employer who sponsored their entry into the country,

in violation of the local labor law—thereby rendering them vulnerable to trafficking. Although some reforms are underway, Bahrain's sponsorship-based employment system continues to put some workers at risk of trafficking by restricting their ability to change employers or leave the country, and by giving employers the unilateral power to control the status of residency permits.

BANGLADESH: TIER 2 WATCH LIST

The Government of Bangladesh does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included adopting a national action plan to combat trafficking, convicting traffickers, initiating an investigation into a police officer accused of child sex trafficking, and continuing to investigate some potential trafficking crimes against Rohingya refugees. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government identified significantly fewer trafficking victims and did not consistently refer victims to care, and reports of it doing so were far fewer than the number of victims it identified. Victim care remained insufficient; Rohingya and foreign trafficking victims could not access protective services, and the government did not have shelter for adult male victims. The government acknowledged investigations, prosecutions, and convictions for trafficking remained inadequate compared to the scale of the problem. Despite at least 100 credible reports of forced labor and sex trafficking of Rohingya within Bangladesh, the government did not report investigating or prosecuting these potential crimes, and the Bangladesh High Court did not entertain anti-trafficking cases filed by Rohingya. However, the government allowed significant humanitarian access to the Rohingya camps and cooperated closely with UN and NGOs in counter-trafficking efforts. Official complicity in trafficking crimes remained a serious problem, and the government did not report taking any action against some high-profile allegations. The government continued to allow employers to charge high recruitment fees to migrant workers and did not consistently address illegally operating recruitment sub-agents, which left workers vulnerable to trafficking. Because the government has devoted significant resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Bangladesh was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Bangladesh remained on Tier 2 Watch List for the third consecutive year.



PRIORITIZED RECOMMENDATIONS:

Significantly increase prosecutions and convictions for trafficking offenses, particularly of labor traffickers and complicit government officials, while strictly respecting due process. • Take steps to eliminate recruitment fees charged to workers by licensed labor recruiters and ensure recruitment fees are paid by employers. • Increase investigations and prosecutions of credible allegations of trafficking of Rohingya, including cases that do not involve movement. • Establish guidelines for provision of adequate victim care and standard operating procedures (SOPs) for the referral of victims to such services. • Expand services for trafficking victims, including adult male victims, foreign victims, and victims exploited abroad. • Allow Rohingya freedom of movement and access to education and employment to reduce their risk of trafficking. • Enhance training for officials, including law enforcement, labor inspectors, and immigration officers, on identification of trafficking cases and victim referrals to services. • Expand the Ministry of Expatriate Welfare and Overseas Employment's (MEWOE) mandate to include the regulation of sub-agents. • Improve quality of pre-departure trainings, including sessions on labor rights, labor laws, and access to justice and assistance. • Establish clear procedures for Rohingya to file complaints in the legal system, and train law enforcement and camp management on the procedures. • Improve collaboration with NGOs and civil society for more effective partnership on anti-trafficking efforts, including allowing service providers increased access to assist victims. • Resource and implement the 2018-2022 National Plan of Action. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts and took some steps to address one case of official complicity in trafficking, which remained pervasive and serious. The 2012 Prevention and Suppression of Human Trafficking Act (PSHTA) criminalized sex trafficking and labor trafficking and prescribed penalties of five years to life imprisonment and a fine of not less than 50,000 Bangladeshi Taka (BDT) ($595). Bonded labor was treated as a separate offense and prescribed lesser penalties of five to 12 years' imprisonment and a fine of not less than 50,000 BDT ($595). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government continued to train police officers through an anti-trafficking module at the police academy. The government also provided in-kind support to international organization- and NGO-run trainings for police and immigration officials. While the government reported training 23,890 police officers on human trafficking in 2018, it did not report if police and other relevant officials received training on the PSHTA implementing rules, which it disseminated in 2017. Many law enforcement officers did not understand human trafficking and, at times, conflated it with migrant smuggling.

The government recorded 592 cases involving 1,324 suspects under the PSHTA during the reporting period, a decrease from 778 cases the previous reporting period. The vast majority of cases involved the smuggling of Rohingya and Bangladeshis, and it is unclear how many of those cases also contained crimes of trafficking in persons. Courts did not report how many trafficking prosecutions they initiated or continued from previous reporting periods. Courts reported conviction of eight traffickers in five potential trafficking cases, all involving the transportation of women abroad for sex trafficking or forced labor. Six convicted traffickers received life imprisonment and a 50,000 BDT ($595) fine, one received life imprisonment, and one received 15 years' imprisonment. This is compared to one conviction in the previous reporting period, in which the trafficker received life imprisonment. The government

acknowledged investigations, prosecutions, and convictions for trafficking remained inadequate compared to the scale of the problem. According to media analysis of police data, the government's conviction rate for trafficking crimes under the PSHTA from 2013-2019 was 0.4 percent. The government continued to allow mobile courts, established under the executive branch, to adjudicate smuggling cases, some of which might have contained elements of human trafficking.

Mobile courts could only prescribe penalties of up to three years' imprisonment—less than the minimum penalty of five years' imprisonment for trafficking offenses under the PSHTA. In addition to the cases under the PSHTA, mobile courts convicted 11 individuals in two cases for "human trafficking" during the reporting period and sentenced them to between two and six months' imprisonment. However, case information indicated the individuals had likely committed migrant smuggling crimes without evidence of exploitation in forced labor or sex trafficking. Despite more than 100 reports from NGOs of Rohingya subjected to forced labor and sex trafficking within Bangladesh, the only Rohingya-related cases reported by law enforcement involved movement via boat—cases that might have been migrant smuggling without elements of trafficking. An NGO expressed concern that some village courts, five-person panels of local government officials and villagers, adjudicated trafficking cases but could only administer financial penalties, and the courts may have subjected victims to intimidation, fraud, and corruption. The government had not established the anti-trafficking tribunal, stipulated in the PSHTA to specialize in human trafficking cases. The Women and Children Violence Protection Tribunal continued to hear trafficking cases in the interim; however, observers commented the prosecutors lacked expertise in trafficking. Observers stated the government generally did not dedicate sufficient resources to pre-trial investigations and prosecutors persisted with trials to meet the statutorily required timeline of 180 working days for the disposal of cases, even if inadequately prepared.

The government deployed the Rapid Action Battalion and the Bangladesh Army to bolster security around Rohingya refugee camps, including to stem human trafficking and migrant smuggling. The Bangladeshi High Court did not entertain anti-trafficking cases filed by Rohingya, despite the law allowing Rohingya to file trafficking cases in Bangladeshi courts. The government did not establish clear legal reporting mechanisms within the camps, which impeded Rohingya trafficking victims' access to justice and increased impunity for offenders. In an effort to remedy these deficiencies, police and international donors established one help desk in one refugee camp to provide legal assistance to Rohingya female and child victims of crime, and an international organization trained 55 female police on victim-centered investigations and interviews for cases of sexual- and gender-based violence. Public distrust of police and security services deterred many victims of crime, including trafficking, from approaching law enforcement for assistance.

Official complicity in human trafficking and impunity for offenders remained serious concerns. Observers reported some police took bribes and sexual favors to ignore potential trafficking crimes at brothels, and some labor attachés, local politicians, judges, and police requested bribes from victims and their families to pursue cases. Observers alleged some officials from district employment and manpower offices allegedly facilitated human trafficking, and some traffickers in rural areas had political connections that enabled them to operate with impunity. According to NGOs, some local politicians convinced victims to accept payment from recruitment sub-agents to not report fraudulent or exploitative labor recruitment actions to police. International organizations alleged some Bangladeshi border guard, military, and police officials facilitated trafficking of Rohingya women and children, ranging from accepting bribes to provide traffickers access to refugee camps, to direct involvement in facilitating their exploitation. Other observers reported some police conducted slow and flawed investigations to allow traffickers to evade punishment, including when suspects included fellow officers. During the reporting period, police arrested a law enforcement officer for allegedly recruiting two 12-year-old girls for employment and exploiting them in sex trafficking and forced criminality; he remained in police custody while the investigation continued. In a second case, two Bangladeshi border guards propositioned two girls for commercial sex and raped them. The commanding officer referred to the allegations as "rumors" and did not report law enforcement action against the suspects; police prevented NGO personnel from visiting the girls in the hospital. Media reported that from 2015-2018, Malaysian employment agencies and 10 Bangladeshi recruitment agencies formed a monopoly on recruitment of Bangladeshi workers to charge higher recruitment fees—which increased Bangladeshi migrant workers' vulnerability to debt-related coercion—and reportedly bribed politicians and officials in both countries to facilitate the monopoly. In October 2018, the Dhaka High Court directed the Bangladesh government to form a committee to investigate the alleged monopoly and submit a report within six months; the government did not report if it created this committee, investigated any officials in connection with the case, or received the six-month report. In September 2016, a federal court in New York entered a default judgment against a former Bangladeshi consular officer and his wife and ordered them to pay approximately $920,000 to a Bangladeshi citizen in a civil suit in which the plaintiff alleged violations of the TVPA as well as federal and state labor laws. The consular officer left the United States and remained in the Bangladesh foreign service as an ambassador. The default judgment remained unpaid while the case was on appeal. The plaintiff had alleged experiencing retaliatory actions by the Bangladesh Consulate in New York. In another case, in June 2017, a Bangladeshi consular officer was indicted in a New York court on charges of labor trafficking and assault for allegedly forcing a Bangladeshi citizen to work without pay through threats and intimidation. In January 2018, the consular officer pled guilty to the charge of failure to pay a minimum wage and paid $10,000 in restitution to the victim. The government did not report taking any action during the reporting period to hold either consular officer accountable.

PROTECTION

The government decreased victim identification and protection efforts. Through its 592 cases recorded under the PSHTA, the government identified 419 potential trafficking victims, including 155 adult males, 172 adult females, and 92 children. The government did not provide a breakdown of the type of trafficking or nationality of victims. This is a significant decrease from the identification of 770 potential victims in 2017. The government reported identification of an additional 1,472 individuals, including many Rohingya, intercepted during alleged smuggling operations; it was unclear how many were also victims of forced labor or sex trafficking. Two organizations reported identifying 969 additional potential trafficking victims. Among the 969, one organization identified 99 Rohingya that traffickers removed from refugee camps and exploited in sex trafficking (nine females) and labor trafficking (90 males and females) within Bangladesh between October 2017 and October 2018. The second organization identified hundreds of Rohingya

and Bangladeshi smuggling victims, but it did not report if they also endured forced labor or sex trafficking. The Ministry of Home Affairs (MHA), the government's lead agency for combating trafficking, had SOPs for proactive trafficking victim identification; however, the government did not report how widely officials disseminated or used these SOPs. Some police officers used a checklist to proactively identify victims when they came into contact with commercial sex establishments; however, the government did not formally adopt or disseminate the checklist, and its use was inconsistent.

The government did not report referring any trafficking victims to government or NGO-run services in 2018, compared to referring one victim to care in 2017. One NGO, however, reported receipt of 25 trafficking victim referrals from the government. While the government did not provide services specifically designed for trafficking victims, the Bangladesh police operated centers for women and child victims of violence, including trafficking, in each of Bangladesh's eight divisions, and these centers assisted some trafficking victims during the reporting period. The centers provided temporary shelter for up to five days and medical and psychological counseling. With partial funding from a foreign government, the Ministry of Social Welfare (MSW) operated one-stop crisis centers at medical facilities for women and child victims of violence to provide shelter, medical care, counseling, and referral to other services, including legal assistance; these shelters could assist trafficking victims. Neither the government nor NGOs provided shelter or rehabilitation for adult male victims; they could each provide some basic services for males, including repatriation and job placement. The government did not have a standard, adopted policy to refer victims to services, although it retained a court-order mechanism to do so and some officials followed an NGO's written guidelines for referral to and provision of care. The government did not allow foreign victims to access government services. NGOs could provide some care for foreign trafficking victims, but it was inadequate to prevent re-trafficking. NGOs could provide two or three days of temporary care to Rohingya trafficking victims in "safe homes" but then were required to return Rohingya trafficking victims to refugee camps, where they remained vulnerable to trafficking. NGOs continued to state government services did not meet minimum standards of care, and the insufficient rehabilitation resources contributed to re-trafficking of victims. In addition, the government's NGO Affairs Bureau sometimes withheld its approval for foreign funding to NGOs working in areas the bureau deemed sensitive, such as human rights or humanitarian assistance, which hampered the provision of services to some trafficking victims. Government shelters did not allow victims to leave without a court order, and the government also required NGOs and international organizations to obtain a court order to contact victims in government shelters to provide further rehabilitation services.

The government made minimal efforts to assist Bangladeshis exploited abroad. It continued to implement its 2015 memorandum of understanding with the Government of India on human trafficking, which included coordination on the identification and repatriation of Bangladeshi victims. In practice, NGOs reported the Bangladesh government sometimes provided only the necessary travel documents for repatriation; NGOs or the victim's family frequently paid the cost of repatriation from India and other countries, and at times this resulted in family members incurring burdensome debt. In a few cases, Bangladeshi embassies provided short-term shelter or funded repatriation of a trafficking victim. The government provided some compensation to migrant workers upon return to Bangladesh, although it was unclear if any were trafficking victims. One NGO reported repatriation of 355 Bangladeshi trafficking victims exploited abroad, but it did not report what the government contributed to these repatriations. The government continued to operate five safe houses at embassies abroad for female Bangladeshi workers fleeing abusive employers, and these shelters housed 169 females during the reporting period. The government maintained 29 labor offices in embassies and consulates overseas to provide welfare services to Bangladeshi migrant workers, including legal and interpretation services. During the reporting period, Vanuatu authorities reported identification of 101 Bangladeshi male forced labor victims. Despite repeated requests for information from the Government of Bangladesh, Vanuatu authorities reportedly did not share information or coordinate on repatriation options. Overseas Bangladeshi workers who secured their employment through MEWOE could lodge complaints with MEWOE to seek restitution for labor and recruitment violations, including allegations of forced labor, through an arbitration process, although observers stated the process often yielded minimal awards. The government did not report how many sought or achieved restitution. MEWOE reported settlement of 660 complaints from 2017-2018 and the recovery of 25.7 million BDT ($305,950) from recruiting agencies; it did not report if any complaints involved forced labor. Victims could also file civil suits seeking compensation.

The PSHTA entitled victims to protection during judicial proceedings, including police security. The government and NGOs noted insufficient implementation of this provision, however, resulted in the vast majority of trafficking victims choosing not to pursue cases against their traffickers. In some cases this was a result of traffickers intimidating victims. Because law enforcement did not uniformly employ SOPs to identify trafficking victims among vulnerable populations, including women in prostitution, law enforcement may have penalized sex trafficking victims for unlawful acts their traffickers compelled them to commit. For example, law enforcement raided brothels and arrested foreign women in prostitution for violation of their visas without efforts to screen for trafficking indicators. NGOs reported some authorities detained and fined Bangladeshi trafficking victims who transited through various land and sea routes for failure to carry a passport; one NGO noted the government may have deported some victims without screening for trafficking. The government did not provide legal alternatives to the removal of foreign trafficking victims to countries where they might face hardship or retribution.

PREVENTION

The government maintained efforts to prevent trafficking. In partnership with an international organization, the government drafted and adopted a 2018-2022 anti-trafficking national action plan. The plan notably designated MHA as the lead for anti-trafficking efforts, created a supervisory inter-ministerial committee to oversee the plan's implementation, and included objectives specifically aimed at investigating and preventing human trafficking of Rohingya in Cox's Bazar. MHA, however, relied substantially on international organizations and foreign donors for both financial and technical support to achieve nearly all of the plan's objectives. During the reporting period, MHA published its 2017 annual report on human trafficking. Contacts reported collaboration remained weak between MHA, MSW, and MEWOE on trafficking cases, including case referrals for investigation and victim referrals to care. The government had 555 district- and sub-district level counter-trafficking committees, and some allocated funding for coordination and victim support while others did not function.

The 2013 Overseas Employment and Migrants Act (OEMA) criminalized fraudulent recruitment and unlawful amounts of recruitment fees; however, these provisions still permitted the government to set legal recruitment fees at rates between 85,000 and 262,000 BDT ($1,010-$3,120), high enough to render many migrant workers indebted and vulnerable to trafficking through debt-based coercion. The Bangladesh Association of International Recruiting Agencies (BAIRA) oversaw 1,115 licensed labor recruitment agencies. Its vigilance task force conducted 15 operations in 2018, compared to 14 in 2017, against corrupt recruitment agencies, travel agencies, and *dalals*—illegal and unregulated sub-agents who operated in rural locations and connected prospective migrant workers to licensed employment agencies. MEWOE convicted three labor recruitment agency workers for illegal recruiting practices, sentenced them to three months' imprisonment and a fine, and canceled their registrations. This is a decrease from 2017, when MEWOE suspended 29 recruitment agencies, fined 12, and convicted four individuals with terms of imprisonment for violations of OEMA. The Ministry of Foreign Affairs acknowledged the absence of a legal framework to regulate *dalals*, including those who fraudulently recruited migrant workers for exploitation or used unlawful recruitment fees. BAIRA acknowledged migrant workers frequently paid *dalals* fees in addition to the legal amount BAIRA agents charged before the worker began the formal recruitment process. *Dalals* also directly connected workers to overseas jobs by providing fake visas and other documentation, and in some cases, incorrect information about the migration process and the job in the destination country. Observers stated a migrant worker's financial situation often determined job placement, not his skills or abilities, and migrant workers frequently paid as much as five times above the government's maximum fee level.

The government continued to use a number of bilateral labor agreements, in part intended to protect Bangladeshi workers abroad. During the reporting period, the government signed an MOU with the United Arab Emirates that established standards for the recruitment of Bangladeshi workers, including fixed recruitment fees; however, the fixed recruitment fees remained high enough to render migrant workers indebted and vulnerable to trafficking through debt-based coercion. The Saudi Arabian and Malaysian governments deported hundreds of undocumented Bangladeshi workers during the reporting period, some of whom employers had coerced into forced labor or had allowed their documents to expire. The government did not report engagement with these governments or assistance to the deportees. The government continued to require pre-departure training, including safe migration and anti-trafficking components, for some migrant workers, including a 30-day pre-departure training course for female domestic workers. The government provided safe migration information through its 42 district employment and manpower offices and 64 Technical Training Centers (TTCs), an increase from 47 TTCs the previous reporting period. Labor inspectors had responsibility for both the formal and informal sectors. While international organizations estimated 93 percent of child labor—including forced child labor—took place in the informal sector, inspectors did not inspect the informal sector despite their role of monitoring child labor in that sector under the Child Labour Elimination Policy. While inspectors removed more than 375 child laborers from factories in 2018-2019, including forced child labor victims, they did not have a mechanism to refer these children to social services for care or to law enforcement to screen for trafficking. Resources, inspections, and remediation efforts for such offenses remained inadequate. The government continued to conduct national awareness campaigns through print media, television, and text message, at times in partnership with NGOs.

The government continued biometric registration for Rohingya refugees and allowed the UN, international organizations, and foreign governments to provide some assistance to refugees. The government increased the number of security forces deployed to guard and control access to Rohingya camps, which may have contributed to the prevention of some trafficking crimes. However, the government continued to deny Rohingya access to formal schooling, prevent them from working legally, restrict their movement, and suspend birth registration for nearly one year, all of which increased vulnerability to trafficking. The government provided anti-trafficking training to its troops prior to their deployment as peacekeepers and provided anti-trafficking training for its diplomatic personnel. During the reporting period, the UN substantiated two sex trafficking claims against two Bangladeshi peacekeepers that had taken place in 2015-2017. The UN repatriated the peacekeepers, and the Bangladeshi authorities' investigations were pending at the end of the reporting period. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not make efforts to reduce the demand for child sex tourism. Bangladesh is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, traffickers exploit domestic and foreign victims in Bangladesh, and traffickers exploit victims from Bangladesh abroad. Traffickers exploit some Bangladeshi men, women, and children who migrate willingly to work in the Middle East, Southern and East Africa, South and Southeast Asia, Europe, and the United States in forced labor. An international organization estimates more than 700,000 Bangladeshis migrate for work each year through illegal channels and are vulnerable to traffickers. Before departure, many migrant workers assume debt to pay high recruitment fees, imposed legally by recruitment agencies belonging to BAIRA and illegally by unlicensed sub-agents; this places migrant workers at risk of debt-based coercion. Some recruitment agencies, agents, and employers also commit recruitment fraud, including contract switching, in which they promise one type of job and conditions but then change the job, employer, conditions, or salary after arrival; this includes promising women and children jobs and exploiting them in sex trafficking upon arrival. During the reporting period, Vanuatu authorities identified more than 100 Bangladeshi male forced labor victims in construction and administration allegedly recruited by the same company between March 2017 and August 2018. Women and girls who migrate for domestic work are particularly vulnerable to trafficking. Traffickers have sold some women who migrated through Bangladeshi recruitment agencies to Lebanon or Jordan for domestic work into forced labor and sex trafficking in Syria. Some Chinese men exploit Bangladeshi women in domestic servitude and sex trafficking through arranged marriages. Some traffickers falsify identity documents to make children appear older than age 18 to send them abroad. Saudi Arabia and Malaysia deported hundreds of undocumented Bangladeshi workers during the reporting period, some of whom employers had coerced into forced labor due to their irregular status, or for whom employers had allowed documents to expire.

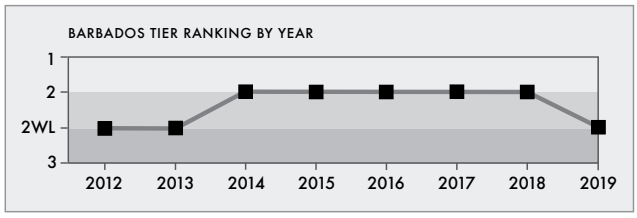
Bangladesh hosts more than one million undocumented Rohingya in refugee camps and host communities in Cox's Bazar near the Burmese border and other parts of the country, approximately 700,000 of whom arrived after August 2017.

Traffickers exploit Rohingya men, women, and children from refugee camps for both sex and labor trafficking, including domestic servitude, although the scale is unknown, including in comparison to the local host community. The Bangladesh government has allowed significant humanitarian access to the Rohingya camps and cooperates closely with UN and NGOs in counter-trafficking efforts. Traffickers sometimes transport Rohingya girls within Bangladesh to Chittagong and Dhaka and transnationally to Kathmandu and Kolkata for sex trafficking; some traffickers "trade" these girls over the internet. Some Rohingya traffickers defraud and coerce Rohingya women and girls from refugee camps into sex trafficking through fraudulent job or marriage proposals, and abduction. Local criminal networks take Rohingya women from refugee camps at night, exploit them in sex trafficking, and bring them back to the camps during the day. International organizations allege some Bangladeshi border guard, military, and police officials facilitate trafficking of Rohingya, including accepting bribes from traffickers to gain access to camps. Rohingya girls and boys are recruited from refugee camps to work as shop hands, fishermen, rickshaw pullers, and domestic workers in Bangladesh. Some Bangladeshi fishermen use debt-based coercion to exploit Rohingya men if they place their shelter on the fishermen's land. Some Rohingya men who fled to Bangladesh from Burma decades ago have been trapped in forced labor through debt-based coercion to Bangladeshi fishermen for 20 years. In the recent past, some traffickers sold into forced labor Rohingya and Bangladeshi migrants, who traveled by boat to Southeast Asian and could not pay ransoms. The stateless status and inability of Rohingya to receive formal schooling or work legally increases their vulnerability to human trafficking. Multiple NGOs and humanitarian officials assess these restrictions have increased forced labor and sex trafficking of Rohingya over the past year. Bangladeshis and foreigners create demand for child sex tourism, including exploitation of Rohingya girls near Cox's Bazar.

Within the country, traffickers exploit Bangladeshi children and adults in sex trafficking and forced labor, including domestic servitude and bonded labor, in which traffickers exploit an initial debt assumed by a worker as part of the employment terms. Traffickers further exploit children in forced labor in fisheries, aluminum and garment factories, and dry fish production. Traffickers use false promises of work to lure poor women and children into sex trafficking. In some cases, traffickers force sex trafficking victims to become addicted to drugs and use drug addictions to keep them in sex trafficking and forced criminality. Child sex trafficking remained widespread. Traffickers coerce street children into criminality or force them to beg, and begging ringmasters sometimes maim children to increase their earnings. Bangladeshi children are vulnerable to forced labor in tanneries. According to an international expert on debt bondage, traffickers subject Bangladeshi families and Indian migrant workers to bonded labor—a form of forced labor—in some brick kilns; some kiln owners sell bonded females into prostitution purportedly to recoup the families' debts. Some traffickers exploit Bangladeshi families in debt bondage in shrimp farming. Traffickers force ethnic Indian families to work in the tea industry in the northeastern part of the country. NGOs allege some officials allow human traffickers to operate at brothels, at India-Bangladesh border crossings, and at maritime embarkation points.

BARBADOS: TIER 2 WATCH LIST

The Government of Barbados does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included conducting raids on nightclubs suspected of trafficking, screening vulnerable individuals for trafficking, providing anti-trafficking training for immigration officials and the police force, and conducting public awareness campaigns. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government identified no victims for the past two reporting periods, initiated no new prosecutions for the fifth consecutive year, and has never secured a trafficking conviction. The government did not complete its national action plan or an anti-trafficking manual for interviewing and providing assistance for suspected trafficking victims. Government agencies continued to report a lack of resources for their anti-trafficking activities. The government's anti-trafficking law did not provide penalties that were commensurate with other serious crimes. Therefore Barbados was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Proactively screen for trafficking indicators and identify victims in vulnerable populations and areas, including children and migrants. • Vigorously investigate, prosecute, and convict traffickers, and apply adequate sentences. • Complete and implement an anti-trafficking manual for law enforcement on identifying, referring and protecting potential trafficking victims. • Complete and implement a national action plan to combat trafficking. • Provide adequate funding to implement the national action plan and support government agencies' anti-trafficking activities. • Amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment. • Provide adequate accommodations with trauma-informed service providers for potential and identified trafficking victims. • Amend the Recruiting of Workers Act to specify the responsible government agency for the enforcement functions.

PROSECUTION

The government decreased prosecution efforts. The Trafficking In Persons Prevention Act (TIPPA) criminalized sex trafficking and labor trafficking. The penalties prescribed for adult trafficking were up to 25 years' imprisonment, a fine of up to 1 million Barbados dollars (BDS) ($495,050), or both. The penalties prescribed for child trafficking were up to life imprisonment, a fine of up to 2 million BDS ($990,100), or both. These penalties were sufficiently stringent. However, by allowing for a fine in lieu of imprisonment, the prescribed punishment for sex trafficking was not commensurate with those for other serious crimes, such as rape. Authorities conducted two investigations in 2018, compared with five in 2017, three in 2016, and six in 2015. Police and immigration officials conducted the investigations into suspected trafficking activities in a nightclub and the

airport. Authorities did not initiate any prosecutions under the TIPPA; the government has not reported initiating a prosecution since 2013. The 2013 prosecution of two suspected traffickers remained pending before the court. The government has never convicted a trafficker. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government acknowledged limited instances of men engaging children for commercial sex; however, it did not report investigating any such cases as trafficking crimes. The Immigration Department and police force conducted trafficking training and sensitization for their officials.

PROTECTION

The government decreased already minimal efforts to protect victims. Officials did not identify any trafficking victims during the past two reporting periods; this compared with eight victims identified in 2016, 12 in 2015, and five in 2014. The government screened 60 vulnerable individuals for trafficking; however, it did not report screening vulnerable children for trafficking. A UN expert noted that Barbados was a transit country for trafficked children and the government was doing little to address the problem. The government did not report any activities of the National Committee for Monitoring the Rights of the Child, which was responsible for outreach on protections for children, including against commercial sexual exploitation.

A formal referral process for government authorities and NGOs existed for victim care, as required by law. The gender affairs bureau was the designated government coordinator for local NGO assistance to victims. There was no shelter on Barbados specifically for trafficking victims. Female trafficking victims could reside at the NGO-operated women's domestic shelter; however, this shelter did not have the resources for, and previously struggled to assist, trafficking victims. The government had a separate agreement with an NGO to provide accommodations to male victims. The child care board could care for child victims if authorities identified any.

The government maintained an informal policy allowing foreign victims to receive temporary legal status as an alternative to their removal to countries where they face hardship or retribution by traffickers; the minister of national security could authorize victims, on a case-by-case basis, to remain and work in the country. The government did not grant any such statuses during the reporting period as it identified no victims. The TIPPA authorized the government to provide safeguards for victims' identities and those of their families, issue work permits, and provide transportation and security during legal proceedings. Government policy permitted victims to leave the country and return for hearings. The TIPPA allowed courts to order restitution from a trafficker after a conviction; however, no victims received restitution because no cases had reached conviction. The government did not complete an anti-trafficking manual to outline procedures for law enforcement or immigration to use when interviewing and assisting suspected trafficking victims begun in 2014.

PREVENTION

The government maintained minimal prevention efforts. The government appointed the new attorney general to lead the government's anti-trafficking task force, which included 10 heads of government ministries. The task force continued developing the draft 2016-2020 national action plan but reported the government diverted all resources towards a national election, delaying the plan's development. All agencies cited a lack of resources, particularly financial, which hampered anti-trafficking efforts. The government was unable to conduct formal monitoring or data collection efforts for the third year due to budget constraints. The labor department regulated recruitment agencies under the Recruiting of Workers Act; however, the law did not identify the responsible agency for the associated enforcement functions.

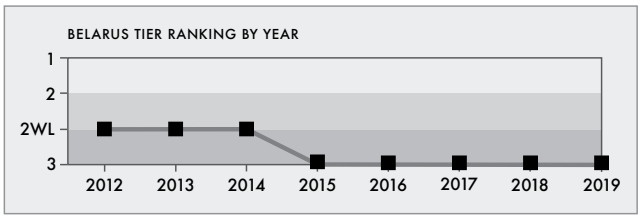
The police, together with the gender affairs bureau and the child care board, jointly conducted seminars and awareness campaigns about trafficking. The government has not approved the Mandatory Reporting Protocol on Child Abuse, which addresses migrant labor conditions, employers' legal responsibilities, and employee rights, although it has begun to promote it. The government did not report whether the labor department monitored migrant labor in the construction and agriculture sectors for trafficking indicators. The government reported providing anti-trafficking training for its diplomatic personnel for the first time. The government did not make efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Barbados. Contacts report traffickers coerce foreign women into sex trafficking in Barbados. Documented and undocumented immigrants from Guyana, Haiti, Jamaica, and Venezuela are especially vulnerable to trafficking, although individuals from Colombia, the Dominican Republic, and St. Vincent and the Grenadines are increasingly vulnerable. There are anecdotal reports of parents and caregivers subjecting children to sex trafficking. Previously, traffickers operated as part of an organization; more recently, they appear to operate individually. Authorities have noted an increased use of social media as a means of recruiting victims.

BELARUS: TIER 3

The Government of Belarus does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Belarus remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including investigating and prosecuting significantly more trafficking cases under its trafficking statute. However, the government maintained policies that actively compelled the forced labor of its citizens, including civil servants, students, and citizens suffering from drug or alcohol dependency, among others. For the sixth consecutive year, authorities did not convict any traffickers under the trafficking statute.



PRIORITIZED RECOMMENDATIONS:

Reform state policies to end all forms of state-sponsored forced

labor, including reforming laws and presidential decrees that result in civil servants, students, and citizens suffering from drug or alcohol dependency, among others being subjected to forced labor. • Amend the criminal code to remove the possibility of forced "corrective" labor, or involuntary employment, as a penalty for political dissent. • Continue to increase efforts to investigate and prosecute cases of forced labor and sex trafficking. • Increase resources devoted to trafficking victim assistance and protection within Belarus, including for state-owned territorial centers for social services and for NGOs. • Provide child sex trafficking victims with services specialized to their needs and refer all identified victims to care facilities. • Train all relevant officials on the national identification and referral mechanism. • Proactively screen all vulnerable groups, including migrants and individuals in prostitution, for indicators of trafficking. • Increase labor inspections to identify internal forced labor. • Allocate sufficient resources for the full implementation of the national referral mechanism.

PROSECUTION

The government increased law enforcement efforts, although for the sixth consecutive year, the government did not convict any traffickers under its trafficking statute. Article 181 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties ranging from five to seven years' imprisonment and forfeiture of assets for offenses involving adult victims and seven to fifteen years' imprisonment and forfeiture of assets for those involving child victims. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government reported six trafficking investigations in 2018 under Article 181, compared with one each year from 2014 to 2017 and six in 2013. Authorities initiated four investigations under Article 181-1, which criminalized the use of forced labor, compared with one case in 2017 and no cases in 2016. The government initiated six trafficking prosecutions under Article 181, compared to one each year from 2015 to 2017 and none in 2014. The government did not convict any traffickers under Article 181; the last conviction was in 2012. Authorities prosecuted seven individuals for potential child sex trafficking offenses under other articles in the criminal code in 2018, compared with three individuals in 2017 and four in 2016. The government reported investigations and convictions under other articles that contain elements of trafficking, but did not provide sufficient details to determine if the reported statistics related to sexual exploitation met the definition of trafficking under the TVPA. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The Main Department for Drug Control and Combating Trafficking in Human Beings led law enforcement efforts. The interior ministry's law enforcement academy continued to provide trafficking-specific training to Belarusian law enforcement; the government collaborated with an international organization on training for officials to improve victim identification and assistance.

PROTECTION

The government maintained victim protection efforts. The government identified 22 confirmed and 140 potential trafficking victims during law enforcement investigations, compared with two confirmed and 129 potential victims in 2017 and 184 confirmed and potential victims in 2016. Of the 22 confirmed victims the government identified in 2018, 11 victims, including two children, were subjected to sex trafficking. Twelve victims were trafficked in Belarus, 10 for forced labor. Nine of the 10 victims trafficked abroad were exploited in prostitution. The government routinely referred trafficking victims to NGOs for assistance through the national referral mechanism; however, some state agencies with identification responsibilities lacked the capacity to fully comply with the mechanism. NGOs reported law enforcement officials referred 68 confirmed and potential victims to international organizations and NGOs for care, compared with 134 in 2017. The government reported 230 potential victims formally applied for victim status and it approved 142 applications. According to a GRETA report, authorities did not identify some victims who had initially consented to perform a certain job or service in which they were later exploited; identification procedures did not specify the initial consent of victims was irrelevant when there was the presence of force, fraud, or coercion. The government reported increased screening of individuals arrested for prostitution for trafficking indicators and exempting them from any legal liability. The government identified 114 individuals forced into prostitution in 2018, compared to 101 in 2017; the victims were not held liable for any offense. The government reported detaining 228 illegal migrants from North African countries in July 2018 who were attempting to transit Belarus en route to the European Union after entering Russia to attend the World Cup. The government did not report screening these migrants for trafficking indicators.

The government provided in-kind assistance to anti-trafficking NGOs in the form of facilities for seminars, conferences, and training; expedited approval of projects and grants; and tax-exempt status. The government did not provide financial support for NGOs. NGOs identified and assisted 130 trafficking victims in 2018, compared to 137 in 2017; 56 victims were female and 74 were male, 81 were trafficked for forced labor, and 39 were sex trafficked. The majority of the victims (72) were trafficked in Russia, while 46 were trafficked internally in Belarus. The government did not have trafficking-specific facilities available to care for victims, but local authorities operated 132 "crisis rooms" that offered temporary shelter, including beds, meals, and personal hygiene products to vulnerable adults, including victims of trafficking, regardless of nationality; the government reported four trafficking victims used these facilities. Observers reported most victims sought assistance at private shelters because the government's centers were poorly equipped and lacked qualified caregivers. The education ministry maintained 138 centers that could provide vulnerable children with shelter and basic provisions, including 103 orphanages. An NGO assisted with operating child friendly rooms for interviews, the provision of assistance, and reintegration services at 18 of these centers; however, similar to past years, no child trafficking victims received services at these facilities, despite the government identifying child sex trafficking victims.

PREVENTION

The government maintained efforts to prevent trafficking. The Minister of Interior served as the national rapporteur on TIP issues and coordinated implementation of the 2017-2019 State Program on Countering Crime and Corruption, which included anti-trafficking activities. Interdisciplinary bodies comprised representatives from law enforcement, education, healthcare, labor, and social welfare sectors, judiciary, media, clergy, and civil society and met on an annual basis to discuss implementation of the national referral mechanism. The government conducted public awareness campaigns through television, radio, and print media and provided in-kind assistance to NGOs' campaigns in the form of advertising hotlines, production assistance,

and placement of awareness-raising materials on state-owned television, radio, and billboards. The interior ministry continued to operate a hotline for safe travel abroad to inform potential labor migrants and identify illegal recruitment practices; the hotline received 1,422 calls for consultations in 2018. For the second consecutive year, the government did not investigate or file charges related to illegal recruitment in 2018, compared to 50 companies charged in 2016; authorities seldom enforced forced labor regulations and resources and inspections dedicated to preventing forced labor were minimal and inadequate to deter violations. The government reported efforts to reduce the demand for commercial sex.

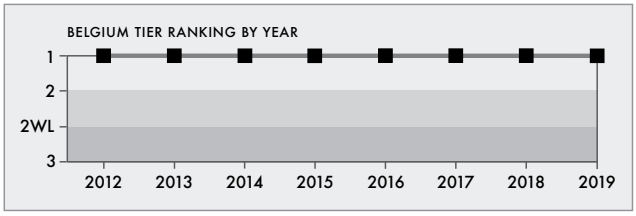
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Belarus, and victims from Belarus are exploited abroad. Data collected by NGOs suggests the majority of trafficking victims are men subjected to labor exploitation, primarily in Russia. Belarusian victims are trafficked primarily in Belarus and Russia, as well as in Poland, Turkey, and other countries in Eurasia and the Middle East. Some Belarusian women traveling for foreign employment in the adult entertainment and hotel industries are subjected to sex trafficking. The government has identified Belarusian, Moldovan, Russian, Ukrainian, and Vietnamese victims exploited in Belarus.

State-sponsored forced labor continues to be an area of concern. In 2018, the UN Special Rapporteur on the Situation of Human Rights in Belarus, in his report to the Human Rights Council (HRC), noted that forced labor remained the most visible violation of economic and social rights in Belarus. In an observation released in 2017, the ILO Committee of Experts reported a 2010 law allows for Belarusians suffering from alcoholism or drug dependencies to be "interned in 'medical labor centers' for a period of 12 to 18 months and have an obligation to work; refusing to work results in punishment, such as solitary confinement, for up to ten days." Authorities have sent more than 8,000 people to "medical labor centers" since 2016. In January 2018, the government rescinded Presidential Decree Number 3 of 2015, the so-called "parasite tax," which required unemployed persons to pay a fee to the state or potentially face compulsory community service. Presidential Decree Number 1 of 2018, which was adopted with the rescindment of Decree Number 3 and entered into force on January 1, 2019, requires the unemployed to pay for utilities in full without the benefit of government subsidies. The UN Special Rapporteur on Human Rights in Belarus, in his 2018 report to the HRC, expressed concern that under Presidential Decree 1, the unemployed may be labeled "anti-social" and potentially sent to "medical labor centers" under the 2010 law. The government continued the practice of *subbotniks*, which required employees of the government and state enterprises to work on some Saturdays; in lieu of payment to employees for work performed, the government allocated their wages to finance government projects. Although the government does not require private businesses to participate, the UN Special Rapporteur on the situation of human rights in Belarus reported repercussions for non-participation in *subbotniks*, including non-renewal of employment contracts and the revocation of monthly bonuses. State employers and authorities also intimidate and fine some workers who refuse to participate. Authorities require university and high school students to participate, without compensation, in public works projects; in rural areas, they may also help farmers during the harvest season. University students who fail to participate risk the loss of housing in subsidized dormitories or penalization during exams. Per a 2006 presidential decree, parents who have had their parental rights removed may be subjected to compulsory labor, and the government retains 70 percent of their salaries. The ILO Committee of Experts noted its continued concern in 2018 that, although there have been no recently reported cases, some provisions of the Belarusian criminal code, which included forced labor as possible punishment, are worded broadly enough to lend themselves to application as a means of punishment for the expression of views opposed to the government.

BELGIUM: TIER 1

The Government of Belgium fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Belgium remained on Tier 1. These efforts included publishing a child trafficking addendum to the national action plan, identifying more victims, and increasing training and awareness across the healthcare sector. Although the government meets the minimum standards, authorities failed to follow protocol to immediately refer all children to child protective services, its appropriation mechanism continued to cause funding uncertainty and undue administrative burden for NGO-run shelters, and it did not report complete law enforcement data.



PRIORITIZED RECOMMENDATIONS:

Train first responders on child victim referral protocol. • Allocate regular and timely funding for NGO-run shelters for trafficking victims. • Coordinate and centralize the collection of timely trafficking data across the government in order to effectively analyze efforts. • Officially recognize a child shelter to improve the national victim referral protocol, as recommended by the national rapporteur. • Increase resources to assist unaccompanied child victims. • Sentence convicted traffickers to significant prison sentences and ensure convicted traffickers serve those sentences in practice. • Increase legal representation for victims. • Permit courts to implement victim-friendly procedures during trial proceedings to minimize the risk of re-traumatization. • Revise the definition of human trafficking under Belgian law to more closely align with the definition in the 2000 UN TIP Protocol.

PROSECUTION

The government maintained law enforcement efforts. Belgium criminalized sex and labor trafficking through a 2005 amendment to the 1995 Act Containing Measures to Repress Trafficking in Persons. The prescribed penalties ranged from one to 20 years' imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Belgium's definition of trafficking in persons was broader

than the definition in the 2000 UN TIP Protocol. The failure of an employer to meet the prevailing wage and working conditions can constitute "exploitation" under Belgian law, and the government included these cases in its prosecution data. Contrary to the definition of trafficking under international law, coercion is considered an aggravating factor rather than an integral part of the base offense for adults. Belgian law did not require evidence of any form of coercion to secure a trafficking conviction. GRETA reported the overly broad definition could lead to confusion between trafficking and other criminal offenses and possible difficulties in mutual legal assistance with foreign governments that used a definition more consistent with the UN TIP Protocol.

The government did not report any investigation data and unlike previous years, did not report complete data on prosecutions, convictions and sentencing, making it difficult to assess its law enforcement efforts. Despite pressing recommendations from GRETA in both of its evaluation reports, the government continued to lack a coherent system to collect law enforcement and victim data for trafficking cases. In the first six months of 2018, the government prosecuted 339 defendants (328 in the full calendar year 2017), including 174 defendants for sex trafficking-related offenses, 148 for labor exploitation, 11 for forced criminality, and six for forced begging. In the first six months of 2018, authorities convicted and sentenced 71 individuals under the trafficking statute (93 in the full calendar year of 2017). Some convicted traffickers received no prison time or a partially or fully suspended prison sentence. Of the 71 individuals convicted in the first six months of 2018, the government sentenced 67 to prison terms (of which 28 were fully or partially suspended), compared to 84 prison sentences (41 of which were fully or partially suspended) in the full calendar year of 2017; one offender was sentenced to one year, 10 were sentenced to one to three years, 14 were sentenced to three to five years, and 13 were sentenced to five years or more. The government trained about 60 police, lawyers, and judges who handled trafficking cases on advanced investigations and collection and preservation of evidence. Social security inspectors and social and housing inspectors in Brussels received trafficking training. Each judicial district appointed a magistrate to specialize in trafficking who stood available as a resource to their district. The government's national training center provided basic trafficking training to federal police officers, as well as advanced training for officers specializing in cases of labor and sexual exploitation. The government mandated trafficking trainings for judicial officials who were on the career track to become magistrates and who may eventually become judges. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The government participated in international investigations, including a joint investigation team on forced criminality with Portugal, and cooperated with extradition requests during the reporting period.

PROTECTION

The government maintained efforts to protect victims. In 2018, the government identified and assisted 139 victims (including 80 victims of labor exploitation, 38 victims of sexual exploitation, and 21 victims of other forms of exploitation), compared to 137 victims in 2017 (including 61 victims of labor exploitation, 59 victims of sex exploitation, and 17 victims of other forms of exploitation). First responders followed a national victim referral protocol and the government distributed victim identification guidelines to relevant stakeholders across the government and NGO community. The government established a pool of tutors available to train authorities on victim identification; however, the national rapporteur on trafficking reported challenges in accurately identifying child victims. Specifically, in some cases authorities failed to follow the protocol and did not properly notify child protective services when they identified an unaccompanied child victim. The government continued to train staff at asylum centers on identifying and assisting trafficking victims in migrant populations. Conditions existed in order to qualify for victim status; victims must have broken off all contact with traffickers, and agreed to counseling at a specialized trafficking shelter.

The government's victim protection infrastructure was based on three specialized NGO-run shelters, for which the government allocated approximately €426,000 ($488,530) each in 2018, compared with €428,000 ($490,830) in 2017. The NGO-run shelters also received unspecified amounts of funding from regional governments. While NGOs referred many victims to the shelters, law enforcement, social workers, and medical professionals identified most victims. NGO-run shelters provided psycho-social, medical, and legal care and were open to all victims regardless of gender, immigration status, or nationality. Despite the government's complete reliance on these three NGO-run shelters for the majority of victims' services, NGO-run shelters continued to carry the perennial administrative burden of requesting funding each year from different levels of government (region, community, federal), often with severe delays in receiving the appropriation. The government also funded two shelters for children; child trafficking victims shared these facilities with victims of other crimes. GRETA reported the government's child safety services lacked sufficient capacity to accommodate unaccompanied child victims. The national rapporteur recommended the government officially recognize one child shelter to solidify its position within the national victim referral protocol, mitigating the risk of incorrect child victim referral. The government reportedly did not penalize identified victims for unlawful acts their traffickers coerced them to commit; however, child sex trafficking victims were vulnerable to such penalization.

The government granted identified foreign victims temporary residence and employment permits and protective services; suspected trafficking victims could receive a reflection period, which granted them 45 days to receive services while they decided whether to work with law enforcement. If they decided to make a formal complaint, they could receive a three-month residence permit that provided them the right to work. If a public prosecutor confirmed the individuals were trafficking victims, they could receive a six-month residence and work permit, renewable until the end of the criminal case. Victims who were not citizens of EU member states could obtain permanent residency only upon the successful prosecution and sentencing of traffickers. Few child victims received residency permits and GRETA expressed concern that residency permits for non-EU child victims were contingent upon cooperation with law enforcement instead of factors relating to the best interest of the child. The government issued or renewed 248 residency permits to trafficking victims, compared with 235 in 2017. Some victims obtained restitution from traffickers in criminal and civil court during the reporting period. Belgium maintained a compensation fund for victims of violence, but victims of labor trafficking reportedly found it difficult to access this fund. Government-appointed pro bono lawyers could be provided to victims who had a monthly income of less than €1,200 ($1,380). The high costs of legal representation discouraged victim cooperation in criminal and civil proceedings. During

criminal proceedings, witness protection laws provided only those victims under the physical threat of violence or living abroad options to testify via video. Child victims had a specific provision that allowed courts to permit video testimony.

PREVENTION

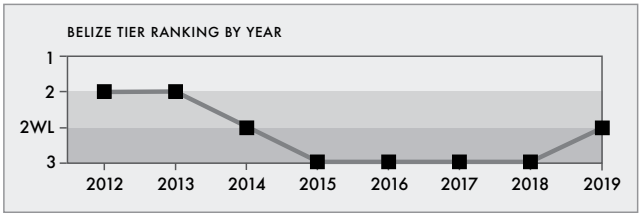
The government maintained efforts to prevent trafficking. The Inter-Departmental Coordination Platform (ICP), chaired by the Minister of Justice, continued to coordinate government-wide anti-trafficking efforts and monitored the implementation of the national action plan for 2015-2019. The government published an addendum to its national action plan that set priorities to improve the detection, identification, referral, and protection of all child victims of trafficking. Representatives of the three government shelters were also included in the ICP. The Federal Migration Center (Myria), an independent public body, served as the secretariat for the ICP as well as the independent national rapporteur, and produced its own annual report on governmental anti-trafficking efforts. Myria reported the government lacked a coherent system of trafficking data, making it difficult to analyze efforts and policy. The government conducted several awareness campaigns during the reporting period. A large-scale campaign for the medical sector reached 150 hospitals. Other awareness campaigns targeted the banking sector, businesses schools, and vulnerable populations. Awareness-raising flyers were available in the consular sections of Belgian embassies and consulates abroad. The government did not make efforts to reduce the demand for commercial sex acts; however, the government continued to implement programs to reduce the demand for forced labor, such as a widely used program that subsidized the wages of maids and domestic workers. The government maintained a system to prevent the exploitation of domestic employees of foreign diplomats. Each of the three government-funded shelters operated a 24/7 victim hotline.

TRAFFICKING PROFILE

As reported over the past five years, sex and labor traffickers exploit foreign and domestic victims in Belgium. Foreign victims come primarily from Asia, Eastern Europe, North and Sub-Saharan Africa, among them Thailand, India, Romania, Morocco, and Nigeria. Labor traffickers exploit male victims in restaurants, bars, sweatshops, horticulture, fruit farms, construction, cleaning businesses, and retail shops. Sex traffickers exploit Belgian girls, some of whom are recruited by local pimps, and foreign children, including Roma. Forced begging within the Romani community in Belgium also occurs. Labor traffickers exploit foreign workers in forced domestic servitude. Asylum seekers that had their applications for legal status denied and migrants transiting through Belgium to the United Kingdom are highly vulnerable to trafficking.

BELIZE: TIER 2 WATCH LIST

The Government of Belize does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government made key achievements during the reporting period; therefore Belize was upgraded to Tier 2 Watch List. These achievements included initiating two new prosecutions for the first time in four years and appointing new leadership and dedicating five officers to the anti-trafficking police unit. Despite these achievements, the government did not investigate or prosecute any public officials for complicity in trafficking-related offenses, despite allegations of official complicity. Authorities arrested or deported victims for immigration violations due to improving, but inconsistent application of formal victim identification procedures. The government did not convict any traffickers for the third consecutive reporting period, due in part to a slow and cumbersome justice system.



PRIORITIZED RECOMMENDATIONS:

Implement the anti-trafficking law by vigorously investigating and prosecuting suspected traffickers, including complicit officials, and imposing strong prison sentences on convicted traffickers. • Consistently apply formal procedures to identify victims of sex and labor trafficking among vulnerable groups and refer identified victims to services. • Ensure victims are not penalized for unlawful acts, including immigration violations, traffickers compelled them to commit. • Sustain and increase funding for specialized victim services for both male and female victims, directly and by funding NGOs. • End the practice of allowing off-duty police officers to provide security for bars and restaurants where commercial sex acts frequently occur. • Investigate and prosecute child sex tourists. • Implement the national anti-trafficking plan in accordance with its agreed timeline and disburse resources to its implementation. • Increase efforts to identify forced labor through the national labor recruiter registry and prevention program with migrant workers. • Amend laws to criminalize the knowing solicitation and patronizing of child sex trafficking victims, including 16- and 17-year-olds.

PROSECUTION

The government slightly increased efforts. The 2013 Trafficking in Persons (Prohibition) Act criminalized sex trafficking and labor trafficking and prescribed penalties of up to eight years' imprisonment for offenses involving adult victims, and up to 12 years' imprisonment for offenses involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes, such as rape. Additionally, the 2013 Commercial Sexual Exploitation of Children (Prohibition) Act criminalized various offenses relating to the prostitution of anyone younger than 18. This law, however, did not prohibit adults from engaging in sexual activity with 16- and 17-year-old children in exchange for remuneration, gifts, goods, food, or other benefits if there was no third party involved—leaving children of this age group vulnerable to sex trafficking.

The government investigated nine trafficking cases—eight for forced labor and one for sex trafficking; three new cases and six from previous years—compared to nine in 2017 and 10 in 2016. For the first time in four years, authorities initiated two new prosecutions. In addition, the government reported two prosecutions initiated in 2015 remained open. The government did not convict any traffickers; the government's only conviction under the 2013 trafficking law occurred in early 2016. The

judiciary designated a Supreme Court Justice and a Magistrate judge to provide specialized attention to trafficking cases, who along with other justices and judges received anti-trafficking training. Observers reported the government had an inconsistent and insufficient police response and investigative capacity, a slow and cumbersome justice system, lack of accountability at all levels, and an overall lack of resources dedicated to address crime, including trafficking.

In 2018, the government appointed new leadership to the anti-trafficking police unit who brought in five full-time officers, including one female and four male officers, who worked exclusively on trafficking cases. The government cooperated with a foreign government, which resulted in the identification of eight potential victims and the arrest and prosecution of two traffickers—one in Honduras and one in Belize. The government provided, or collaborated with NGOs funded by international donors to provide anti-trafficking training, including on victim identification and referral, to law enforcement and immigration officers, prosecutors, judges, prison officials, and social workers. However, limited intelligence gathering, inconsistent application of formal victim identification procedures, and suspected complicity among some law enforcement officials hampered the identification of trafficking crimes. In 2017, the national anti-trafficking council recommended a policy to end the practice of allowing off-duty police officers to provide security for bars and restaurants where commercial sex acts frequently occur, but the practice continued throughout 2018 and may have inhibited police from investigating allegations of trafficking in brothels and dissuaded victims from reporting trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action.

PROTECTION

The government slightly increased efforts to protect victims. Authorities identified 17 potential victims in 2018—at least 12 foreign nationals and three Belizeans; 12 adult females and five minors—compared to 17 potential victims in 2017 and 12 potential victims in 2016. In 2018, authorities confirmed eight forced labor victims and one sex trafficking victim. The government reported it was updating formal victim identification procedures, but currently employed a procedure to screen for potential victims among vulnerable groups, such as individuals in prostitution and migrants. Observers reported more consistency in victim identification, but also stated gaps still existed, such as authorities who rarely took action in response to credible reports of potential victims by NGOs, possibly leading to fewer victim identifications and weak victim protection. In addition, while Belize's anti-trafficking law exempted victims from punishment for unlawful acts traffickers compelled them to commit, NGOs reported authorities arrested, jailed, or deported victims following raids of commercial sex establishments due to immigration violations. The national anti-trafficking council ensured social workers accompany the TIP-dedicated law enforcement unit on operations and raids conducted by the council's operations subcommittee to screen, identify, and assist victims. However, social workers were not routinely present when other law enforcement units conducted operations and raids on commercial sex establishments. Victims' fear of detention or deportation may have contributed to their reluctance to report trafficking to law enforcement officers.

The government reported the Department of Human Services provided 11 of the 17 victims with services; the other six refused services. The government coordinated and funded shelter, medical, and psychological services to adult victims through the Alternative Care Unit and to children through the Child Protection System and foster care. The government trained and partnered with domestic violence NGOs to provide shelter and services to adult female trafficking victims. Service providers developed victim care plans with victim participation with the goal of encouraging independence, and these plans included presenting adult victims with the option of staying in shelters, safe houses, or independent living and placing minors in the child protection system or in kinship care and independent living upon reaching adulthood; five victims transitioned from shelters or safe houses to kinship care or independent living in 2018.

Government social workers monitored foster care placements for child victims and developed individual case plans for each child, which included a home study to determine if placement is in the best interest of the child. The government noted the support offered by foster families empowered victims and led to the successful conviction in 2016. Experts expressed concerns about the lack of education about trafficking for some foster parents, uneven coordination and communication between government agencies and foster parents, and limited availability of psycho-social care in general, including for trafficking victims. Observers reported limited shelter options for male victims, including migrants. As in the previous year, the government allocated 200,000 Belizean dollars ($100,000) to the national anti-trafficking council, some of which it dedicated to victim services. In total, the government dedicated 107,000 Belizean dollars ($53,500) to victim services in 2018, which included food, clothing, medical expenses, counseling, stipends, and repatriation expenses.

The government conducted risk assessments of 13 victims related to ongoing prosecutions, which included providing security in the courtroom, confidential accommodations, and relocation of victims when necessary for security. Court delays, affecting the justice system as a whole, and fear of retaliation by traffickers may have led foreign national victims to decline or withdraw cooperation with law enforcement and return to their home countries. Per government policy, foreign victims identified in potential trafficking cases may be granted temporary residency status regardless of their cooperation with investigations or prosecutions, and the government assigned a social worker to assist all 12 foreign national victims in obtaining immigration relief, housing, and medical services. However, the government repatriated all 12 foreign national victims identified in the reporting period. The government granted temporary residency permits to two victims identified in previous reporting periods. Victims could apply for work permits free of cost, and the government granted three such permits in 2018. A court may order restitution upon a trafficker's conviction but did not do so in 2018.

PREVENTION

The government slightly increased its prevention efforts. The government continued to implement a 2018-2020 national anti-trafficking action plan, published in the first quarter of 2018, which had designated various government entities as responsible for the plan's activities. The goals of the plan included reducing vulnerability to and the demand for trafficking, generating national research and data on trafficking, monitoring and evaluating the implementation of policies and programs, creating a comprehensive and integrated system of victim services

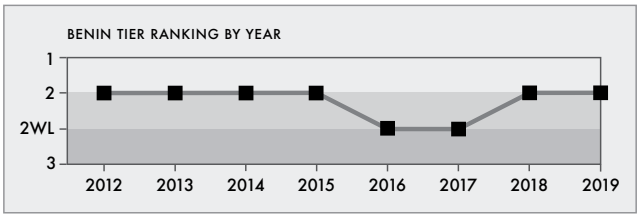
and assistance, and strengthening mechanisms for investigating and prosecuting trafficking using a victim-centered approach. The national anti-trafficking council hosted a meeting with 10 NGOs to discuss its 2018-2020 national anti-trafficking action plan, which resulted in several follow-on government-NGO activities to raise awareness of trafficking and ways to report it. The government released a report highlighting its anti-trafficking efforts in 2018; however, the report did not provide research or an assessment of trafficking in Belize. The government funded awareness-raising efforts, including billboards in English and Spanish and public service announcements in English, Spanish, and Hindi with a "crime stoppers" hotline number. An NGO operated the "crime stoppers" hotline; it did not report receiving any trafficking-related calls during the reporting period. Authorities continued to disseminate public service announcements on the penalties for sex with minors and the links between tourism and the demand for commercial sex, but they did not investigate or prosecute any child sex tourists. The government cooperated with the United States to deny entry to 12 convicted sex offenders. The government developed a new brochure in Spanish to educate foreign workers about their labor rights. The government reported the labor code required labor recruiters to register, but none did so. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Belize, and traffickers exploit victims from Belize abroad. Groups considered most vulnerable to traffickers in Belize include women, men, children, LGBTI persons, and migrants. Sex traffickers exploit Belizean and foreign women, men, and girls and LGBTI persons, primarily from Central America, in bars, nightclubs, hotels, and brothels. The UN Special Rapporteur on Trafficking in Persons reported family members facilitate the sex trafficking of Belizean women and girls. Foreign men, women, and children—particularly from Central America, Mexico, and Asia—migrate voluntarily to Belize in search of work and traffickers often exploit victims using false promises of relatively high-paying jobs or take advantage of migrants' illegal status and subject them to forced labor in restaurants, shops, domestic work, and agriculture. In tourist regions, foreign child sex tourists, primarily from the United States, exploit child sex trafficking victims. Alleged trafficking-related complicity by government officials remains a problem. NGOs reported police and immigration officers took bribes in return for ignoring trafficking, facilitating illegal entries, failing to report suspected victims and perpetrators, and failing to act on reported cases under their jurisdiction.

BENIN: TIER 2

The Government of Benin does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Benin remained on Tier 2. The government enacted a new penal code criminalizing the trafficking of adults; investigated and prosecuted more child trafficking cases and reported prosecuting one case involving an adult victim for the first time in over five years; identified and referred more potential child trafficking victims to care; expanded proactive child victim identification and awareness measures at open-air markets; increased training for law enforcement officials as well as first responders; and finalized its bilateral anti-trafficking agreement with Gabon to facilitate law enforcement data sharing and coordination on repatriation in transnational trafficking cases. However, the government did not meet the minimum standards in several key areas. The government continued to make limited efforts to identify adult victims or refer them to services and it did not convict any traffickers who exploited adults.



PRIORITIZED RECOMMENDATIONS:

Train law enforcement and judicial officials on the new penal code's Articles 499-504 to increase their ability to effectively investigate, prosecute, and convict traffickers who exploit adults. • Increase efforts to investigate, prosecute, convict, and adequately sentence offenders of sex and labor trafficking of adults and children, including illegal labor recruiters. • Develop and disseminate systematic procedures for proactive identification of adult victims and their subsequent referral to care. • Finalize the multilateral agreements with Togo, Burkina Faso, and Nigeria to increase information sharing and cooperation on transnational trafficking investigations. • Use the 2011 bilateral anti-trafficking agreement with the Republic of Congo to increase law enforcement coordination and investigate, prosecute, and convict perpetrators of transnational trafficking cases, while respecting due process. • Expand the Central Office for the Protection of Minors' (OCPM) existing trafficking database to include adult trafficking information.

PROSECUTION

The government increased its law enforcement efforts to address child trafficking but demonstrated minimal efforts to prosecute adult trafficking crimes. Existing laws criminalized all forms of sex trafficking and labor trafficking. The 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking (Act 2006-04) criminalized child sex trafficking as well as labor trafficking and prescribed penalties of 10 to 20 years' imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. In December 2018, President Talon enacted a new penal code criminalizing adult sex trafficking and labor trafficking and prescribed penalties of 10 to 20 years' imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape.

In 2018, OCPM—a specialized unit responsible for anti-trafficking enforcement—investigated 188 child trafficking cases; OCPM investigated 30 suspected child trafficking cases in 2017. The government reported prosecuting 44 cases of child trafficking and one case involving a potential adult victim in 2018, compared with prosecuting 13 child trafficking cases and zero adult cases in the previous year. Before the president enacted the new penal code in December 2018, the government's lack of legislation criminalizing adult trafficking hindered its law enforcement efforts related to cases involving adult victims. In 2018, officials reported convicting 11 child traffickers under

Benin's 2006 anti-child trafficking law; courts sentenced eight traffickers to imprisonment ranging from three months to 10 years, and suspended the sentences of three traffickers. The government reported convicting 13 child traffickers in 2017 but did not disclose sentencing details. Authorities did not take action against informal employment agents who facilitated trafficking, although some illicit recruiters continued to lure Beninese victims abroad with fraudulent employment promises during the reporting period. The government did not report investigating, prosecuting, or convicting government officials complicit in human trafficking offenses.

The government finalized its bilateral anti-trafficking cooperation agreement with Gabon in November 2018 to facilitate law enforcement data sharing and repatriation coordination; however, it did not finalize its multilateral anti-trafficking cooperation agreements with Togo and Nigeria, and with Togo and Burkina Faso, to increase law enforcement coordination on transnational trafficking cases. Officials reported Beninese authorities coordinated with Nigerian law enforcement agencies in the arrest of two suspected traffickers in Ibadan, Nigeria; the case was pending in Nigeria at the end of the reporting period. In 2018, the government coordinated with international organizations to provide anti-trafficking training for 486 officials focused on identifying trafficking crimes along borders and improving the government's referral process for child trafficking victims. In comparison, the government trained approximately 50 officials on smuggling, human trafficking, and victim identification and protection in 2017.

PROTECTION

The government increased efforts to protect child trafficking victims and made limited efforts to identify and assist adult victims. During the reporting period, officials patrolled borders, bus stations, and large markets to proactively identify child trafficking victims, referring 1,214 potential child trafficking victims (724 girls and 490 boys) to temporary shelter and services in 2018, compared with identifying and referring 370 potential child victims to care in 2017. Additionally, the Ministry of Labor identified and referred approximately 565 victims of forced labor to legal, medical, and psychological services. The government-supported Social Promotion Center (CPS) in the southwest city of Klouekamey reported identifying and referring to care 25 child victims of internal and cross-border trafficking in 2018. During the reporting period, the government referred additional victims to NGO-run shelters throughout the country. Authorities did not report proactively identifying or referring adult trafficking victims to care.

In February 2019, the government partnered with an international organization to finalize and launch standard operating procedures (SOPs) to identify and refer child trafficking victims to care; however, the government did not disclose how many officials it trained on the SOPs. Prior to the development of the SOPs, officials from the Ministry of Social Affairs and Microfinance, OCPM, Ministry of Justice, Ministry of Foreign Affairs, and NGOs used an informal system to identify and refer child victims to services; once authorities identified child trafficking victims, OCPM assumed initial custody and provided temporary shelter in its Cotonou facility that could house up to 160 children (80 boys and 80 girls). The OCPM shelter offered child victims legal, medical, and psychological assistance and served as a transit facility for potential child trafficking victims while officials worked to place the children in long-term NGO shelters. After conducting an interview and assessment, OCPM referred victims to a network of NGO shelters throughout the country. Authorities did not have SOPs to identify adult victims and subsequently refer them to care. The government did not provide trafficking-specific services for adult victims; however, the government did offer programs intended to assist adult victims of other forms of abuse.

The Ministry of Social Affairs and Microfinance assisted foreign trafficking victims, predominantly minors, before repatriating them to their home countries. The government repatriated an unknown number of foreign victims in partnership with an international organization and with the assistance of embassies or consulates of victims' countries of origin. In 2018, the government reported repatriating 258 Beninese victims of trafficking (primarily children) from Gabon, Ghana, Kuwait, and Nigeria and provided them health and social services during their reintegration.

During the reporting period, the government increased funding to support OCPM's operations from 19.2 million West African CFA francs (FCFA) ($33,760) to 52 million FCFA ($91,440), which supported services for all children received in its shelter, including trafficking victims. Beninese law did not provide legal alternatives to the removal of trafficking victims to countries in which victims would face retribution or hardship, although cases involving foreign child trafficking victims were considered on an ad hoc basis. While there were no reports the government penalized any trafficking victims for unlawful acts committed as a result of being subjected to trafficking, some adult victims may have remained unidentified in the law enforcement system due to a legislative framework that did not criminalize adult trafficking.

PREVENTION

The government increased efforts to prevent trafficking in persons and periodically convened its inter-ministerial committee (IMC) during the reporting period. The IMC—chaired by the Chief of Staff of the Minister of Planning and Development—was composed of directors of offices from across the Beninese government as well as partners from key NGOs and international organizations. In May 2018, the government approved a 2019-2023 national action plan to address forced child labor. In addition, the government developed a 2019-2025 National Policy to Fight Trafficking in Persons with an accompanying action plan.

In 2018, the government reported 85 CPSs held 255 anti-trafficking awareness campaigns throughout Benin reaching an unknown number of parents, students, teachers, and artisans. Additionally, the Ministry of Labor, Civil Service, and Social Affairs—in coordination with an international organization—continued to inspect open-air markets (Dantokpa in Cotonou, Ouando in Porto-Novo, and Arzeke in Parakou); the General Directorate of Labor reported identifying 511 potential trafficking victims through these inspections. During the reporting period, the government showed a documentary to raise awareness of child trafficking and reached approximately 500 market patrons in Cotonou, Porto-Novo, Parakou, Lokossa, Abomey, and Bohicon. The government made no discernible efforts to reduce the demand for commercial sex acts or forced labor.

The government partnered with a Beninese NGO in October 2018 to hold a workshop in the Republic of Congo to assess the two countries' anti-trafficking cooperation based on their 2011 bilateral agreement. The workshop convened Beninese honorary consuls serving in Congo with personnel from the Congolese ministries of Justice, Interior, and Public Security

to discuss irregular migration of Beninese children to Congo, focusing on victim identification. The government did not finalize its tripartite child trafficking cooperation agreements with Togo and Burkina Faso or with Togo and Nigeria.

The government continued its Administrative Census for the Identification of the Population during the reporting period, resulting in officials registering 10 million Beninese. A lack of identity documentation contributed to increased vulnerability to trafficking in Benin. In July 2018, the Director of Legal Affairs at the Ministry of Foreign Affairs (MFA) presented an anti-trafficking training to new Beninese diplomats; the MFA also has a code of conduct for diplomats that prohibits Beninese nationals deployed abroad from engaging in or facilitating trafficking in persons. The OCPM maintained its database—"Enfants du Benin"—to organize information related to child trafficking cases. Law enforcement officials' widespread lack of computers and reliable electricity resulted in personnel recording case details on paper, creating information management and prosecutorial challenges.

TRAFFICKING PROFILE

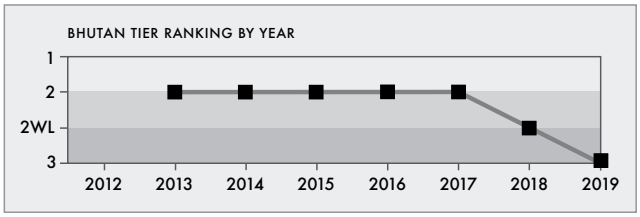
As reported over the past five years, human traffickers exploit domestic and foreign victims in Benin, and traffickers exploit victims from Benin abroad. Trafficking in Benin is predominantly internal and involves children from low-income families. Vulnerable populations most at risk of trafficking frequently lack formal education or basic identity documents including birth certificates and national identification. Some community members and relatives use the promise of education or employment to recruit Beninese children from northern rural areas to the more urban southern corridor and subject them to forced labor in domestic servitude, markets, farming, and in handicraft manufacturing. Beninese traffickers include farmers, traders, artisans, small factory owners, civil servants, and some belong to criminal networks. Traffickers operate in urban areas under the guise of informal employment agents and recruit children for domestic work in private residences, where house managers and families subject the minors to forced labor. Some parents follow a traditional practice known as *vidomegon*, which involves sending children to wealthier families for educational or vocational opportunities; some of these more affluent families then subject the children to forced labor in various sectors, including in domestic service and open-air markets. The government reported criminals exploit girls in sex trafficking in Cotonou and Malanville. Officials reported traffickers exploit boys, girls, and women from Djougou and Bassila in the northwest of the country; Parakou in the northeast; Zakpota, Djida, and Agbaizoun in the central region; Adja and Lobogo in the southwest; and Pobe and Sakete in the southeast. Traffickers exploit these groups in labor and sex trafficking.

Cross-border criminal groups subject Beninese children to domestic servitude and other forms of forced labor in Nigeria, Gabon, the Republic of the Congo, and other West and Central African countries. Benin has been the largest source country for trafficking victims in the Republic of the Congo, with the department of Oueme in southeast Benin historically a primary area traffickers used to recruit child victims.

Reports indicate criminal groups fraudulently recruit young Beninese women for domestic work in Gulf countries, Lebanon, and North Africa and subsequently subject them to forced labor or sex trafficking. Traffickers and their accomplices continue to send child victims to their destinations alone and then meet the victims upon arrival, increasing the challenges for law enforcement to investigate these crimes. International organizations report some adult labor migrants use airports in Togo, Burkina Faso, and Nigeria to circumnavigate anti-trafficking screening procedures put in place by the government at the International Airport of Cotonou, increasing the migrants' vulnerability to human trafficking.

BHUTAN: TIER 3

The Government of Bhutan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Therefore Bhutan was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including continuing to fund an NGO that could provide shelter and services to female and child trafficking victims and continuing to work with an international organization on standard operating procedures (SOPs) for victim identification and referral. The government continued one potential trafficking prosecution, two potential trafficking investigations, and initiated one potential trafficking investigation. However, the government did not report convicting any traffickers or, for the third consecutive year, identifying any victims, although it reported limited efforts to protect previously identified trafficking victims. While the government took steps to finalize the SOPs, it did not complete them during the reporting period for the fourth consecutive year. The government's laws did not criminalize all forms of trafficking, which led to the dismissal of at least one suspected trafficking case.



PRIORITIZED RECOMMENDATIONS:

Amend Penal Code Sections 154 and 227 and Section 224 of the Child Care and Protection Act to bring the definition of human trafficking in line with the 2000 UN TIP Protocol. • Finalize and disseminate SOPs for proactive victim identification and referral to services, and train officials on their use. • Vigorously investigate and prosecute trafficking cases. • Train officials on implementation of anti-trafficking laws, victim identification, and victim referral procedures. • Take steps to eliminate all recruitment fees charged to workers by recruitment agents, and investigate claims of nonpayment of wages, contract switching, and illegal fees charged by agents. • Undertake and publish a comprehensive assessment of all forms of human trafficking in Bhutan, including labor trafficking of men. • Continue to fund NGOs that provide shelter and services to trafficking victims. • Increase awareness of human trafficking through public events, media, and written materials for vulnerable populations. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained limited anti-trafficking law enforcement efforts. The law criminalized some forms of sex

trafficking and labor trafficking. Section 154 of the Penal Code criminalized a person who "recruits, transports, sells or buys, harbors or receives a person through the use of threat or force or deception within, into, or outside of Bhutan for any illegal purpose." Inconsistent with international law, this definition required the purpose of the human trafficking crime to be "illegal" rather than specifically for an exploitative purpose, such as forced labor or sex trafficking. Section 227 of the Penal Code defined trafficking to include buying, selling, or transporting a child for any illegal purpose. Section 379 of the Penal Code defined trafficking as selling, buying, or transporting a person into or outside of Bhutan for the purposes of prostitution. Section 224 of The Child Care and Protection Act (CCPA) criminalized child trafficking but, inconsistent with international law, required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. Section 154 of the Penal Code prescribed punishment ranging from three to five years' imprisonment; Section 227 from five to nine years; Section 379 from five years to life imprisonment; and Section 224 of the CCPA from five to nine years. These punishments were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The Labor and Employment Act criminalized most forms of forced labor with sufficiently stringent penalties ranging from three to five years' imprisonment. In the previous reporting period, the government steering committee for an international organization's anti-trafficking program had recommended that the Office of the Attorney General (OAG) review the legal code and propose changes to align the law with international trafficking standards. The OAG did not report reviewing the legal code during the reporting period. Officials acknowledged the legal code's inconsistencies with international trafficking standards resulted in confusion on the definition of trafficking and the dismissal of at least one alleged trafficking case.

The government did not report anti-trafficking law enforcement efforts. Media reported that the government initiated one potential sex trafficking investigation, and continued two potential labor trafficking investigations from the previous reporting period. The government continued prosecution of one individual for "human trafficking" as defined in Bhutanese law; however, because the definition of human trafficking in Bhutanese law is inconsistent with the international definition of human trafficking, it was unclear if this case was human trafficking or illegal recruitment. In one of the labor trafficking investigations, which included indicators of forced labor, OAG dropped the charges because Bhutanese law required trafficking to be for an "illegal purpose," and recruitment of women for employment was a "lawful purpose," even if the labor was exploitative. OAG reported that because the recruiter was unregistered, authorities could prosecute him under the labor act, although the government did not report whether it had done so. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. In partnership with an international organization, the Department of Law and Order (DLO) and the National Commission for Women and Children (NCWC)—an independent government commission—held trainings for law enforcement and prosecutors. The government acknowledged that limited capacity, resources, and awareness of the crime remained obstacles to anti-trafficking efforts. The lack of diplomatic relationships with destination countries and mutual law enforcement agreements hindered the ability of the Royal Bhutan Police (RBP) to properly investigate possible cases of transnational trafficking.

PROTECTION

The government maintained minimal victim identification and protection efforts. The government did not report data on efforts to identify trafficking victims. The government did not identify any trafficking victims the previous reporting period. With an international organization, the government continued to draft and finalize SOPs on victim identification and referral. RBP maintained women and child protection units at three police stations and women and child desks at 10 stations—an increase from eight units and desks the previous reporting period. These units led coordination on cases involving women and children, including coordinating protective services. RBP was responsible for referring potential victims to NCWC or an NGO. As the government did not report identifying any trafficking victims, however, it was unclear if it referred any victims to NCWC or an NGO during the reporting period. NCWC could provide case management assistance, including legal aid, in collaboration with the RBP. During the reporting period, NCWC assisted a Bhutanese trafficking victim exploited abroad in securing employment upon return to Bhutan, and NCWC continued to monitor the well-being of three trafficking victims repatriated to Bhutan in the previous reporting period. The government did not have any shelter facilities that could accommodate trafficking victims, but it continued to fund an NGO that provided shelter to women and child victims of crime, including human trafficking, and legal aid, counseling, vocational, and life skills to men, women, and children. The NGO primarily aided victims of domestic, sexual, and gender-based violence and was available to assist trafficking victims. No shelter facility could accommodate male trafficking victims.

In March 2018, the Ministry of Foreign Affairs (MFA) was reportedly attempting to locate and repatriate 12 Bhutanese potential trafficking victims exploited in domestic work in the Iraqi Kurdistan Region. The government did not report if it located or repatriated any of the 12 during the reporting period. In December 2018, approximately 200 Bhutanese students in the Bhutan Employment Overseas' (BEO) "Learn to Earn" program, a government-approved work-study program in Japan, reported the jobs they were offered did not provide sufficient income and were facing difficulties. Media reported some of the students described experiencing indicators of forced labor, including passport retention and illegal wage deductions, although the government reported all students were in possession of their passports. Neither government provided repatriation, so some students reportedly took on additional debt to finance repatriation, remained in Japan without a job, or returned to Bhutan. The immigration department mandated authorities to report suspected foreign trafficking victims within Bhutan to NCWC before initiating deportation for immigration violations; it is unclear if similar policies existed for potential foreign male trafficking victims in Bhutan. Bhutanese law did not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship.

PREVENTION

The government maintained limited efforts to prevent human trafficking. DLO continued to lead regular meetings with government stakeholders on trafficking. The government did not have a national action plan to combat trafficking. An international organization conducted, and government agencies assisted with, 18 awareness-raising events in five districts to sensitize *drayang* (karaoke bar) dancers, taxi drivers, airline employees, and district officials to trafficking. The Department of Labor's July 2017-June 2018 annual report documented 211 complaints of nonpayment of wages and five complaints of

non-release of personal documents in Bhutan. The government did not report how many of these claims it referred to law enforcement or settled with fines or administrative penalties.

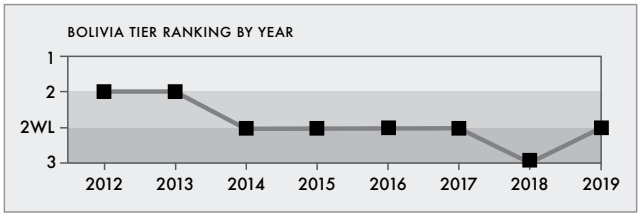
The Bhutan Labor and Employment Act of 2007 required labor recruitment agencies to be licensed and abide by the same labor laws as employers. The Ministry of Labor and Human Rights (MoLHR) registered foreign migrant workers in Bhutan, monitored working conditions, and produced and disseminated pamphlets advising workers of their rights, including full and prompt payment of wages and entitlement to retain personal identity documents. MoLHR also monitored seven licensed employment agencies to assist Bhutanese citizens older than age 21 seeking work overseas, the same as in the previous reporting period. MoLHR continued to publicly list on its website the four recruitment agencies suspended the previous year, but it did not report if it levied civil or criminal penalties against the agencies, or whether it suspended additional agencies during the current reporting period. MoLHR reportedly continued to investigate unregistered recruitment agencies during the reporting period. MoLHR provided potential migrant workers with information about destination countries, including laws, through in-person briefings, social media, and pamphlets on migrant-worker rights. Additionally, police began educating and informing about trafficking those who applied for the mandatory police clearance required to work abroad. Government regulations on overseas employment allowed most agents to charge Bhutanese migrant workers a recruitment fee of one month's salary and most recruitment expenses, except for costs associated with a visa or work permit. During the reporting period, according to media reports, a number of Bhutanese students in the "Learn to Earn Program" in Japan reported indicators of forced labor, including regular deductions of up to one-quarter of their paychecks as a "commission," which was not part of the original contract; passport retention; harsh working conditions; and threats to not report these abuses. The government looked into the charges, prepared to send a high-level delegation to investigate the allegations, and reported students were in possession of their passports. It did not report any actions taken against BEO or suspension of the program. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. Bhutan is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, in a number of cases, human traffickers have exploited domestic victims in Bhutan or victims from Bhutan abroad, and foreigners in Bhutan may be vulnerable to human traffickers. Bhutanese who migrate overseas for work are vulnerable to human trafficking by unlicensed or unscrupulous recruitment agents. During the reporting period, Bhutanese youth in a work-study program in Japan reported conditions indicative of forced labor. Bhutanese women and girls in domestic work are vulnerable to sex trafficking and labor trafficking, including debt bondage and threats of physical abuse. Traffickers may have exploited Bhutanese girls working as entertainers in *drayangs* in labor trafficking. Relatives transport rural Bhutanese to urban areas for employment in domestic work, which at times may involve forced labor. LGBTI Bhutanese individuals may be vulnerable to human traffickers. An expanding construction sector continues to increase the demand for low-skilled foreign labor. Indian migrant workers—including men in the construction and hydropower sectors and women and girls serving as domestic workers or caregivers—were vulnerable to labor trafficking in Bhutan. NGOs assess Bhutanese and Indian women and children face increased risk to forced labor and sex trafficking in the growing hospitality and entertainment districts, including nightclubs, along the Bhutanese-Indian border.

BOLIVIA: TIER 2 WATCH LIST

The Government of Bolivia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government made key achievements during the reporting period; therefore Bolivia was upgraded to Tier 2 Watch List. These achievements included investigating and convicting traffickers; verifiably identifying victims; approving a victim referral mechanism; and developing and training law enforcement officials on the newly adopted victim identification protocol. Despite these achievements, the government did not vigorously convict traffickers, including complicit officials; services for victims remained inadequate; and efforts to address labor trafficking remained insufficient.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials and perpetrators of labor trafficking. • Implement and train officials on the use of established protocols for the proactive identification of trafficking victims among vulnerable populations and for the referral of victims to care services. • Train officials on the difference between human smuggling and human trafficking. • Increase specialized victim services, and fund and collaborate with NGOs to assist in the provision of those services. • Encourage victims to cooperate with law enforcement by ceasing investigations of "false allegations." • Train all labor inspectors on victim identification and increase inspections in sectors with high vulnerability to trafficking. • Increase the time law enforcement officials serve in anti-trafficking units to preserve institutional knowledge. • Amend the anti-trafficking law to ensure that a demonstration of force, fraud, or coercion is not required to constitute a child sex trafficking offense. • Train Ministry of Health staff conducting medical screenings on vulnerable populations on trafficking indicators. • Strengthen engagement and coordination with civil society on technical, budgetary, and policy matters related to trafficking. • Improve interagency coordination on data sharing and improve data collection of anti-trafficking efforts, including distinguishing human trafficking from other crimes. • Expedite the issuance of humanitarian visas for victims of trafficking. • Increase awareness of "Triple Seal" certification among businesses to reduce the demand for forced labor.

PROSECUTION

The government increased law enforcement efforts. Law 263 of 2012—the Comprehensive Law against Trafficking and Smuggling of Persons—criminalized sex trafficking and labor trafficking and prescribed penalties of 10 to 15 years' imprisonment for adult trafficking, and 15 to 20

years' imprisonment for child trafficking. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the definition of trafficking under Article 281bis of the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense and therefore did not criminalize all forms of child sex trafficking. However, Article 322 of the law criminalized all commercial sex acts involving children, thereby addressing this gap. Article 322 prescribed penalties of 8 to 12 years' imprisonment, which were also sufficiently stringent and, with respect to sex trafficking, commensurate with other grave crimes, such as rape. Article 281bis defined trafficking broadly to include illegal adoption without the purpose of exploitation, the sale of organs, and unlawful biomedical research. In addition, Article 321 of Law 2033, which criminalized pimping using force, fraud, or coercion, was used to prosecute sex trafficking crimes. The law prescribed significantly lower penalties of 3 to 7 years' imprisonment for adults, and 4 to 10 years' imprisonment for offenses involving children. While Law 263 created separate criminal offenses for trafficking in persons and migrant smuggling, one government agency was responsible for both crimes; that agency often conflated the two crimes in its collection of data and response to perpetrators and potential victims of trafficking.

The government reported investigating 281 cases of trafficking, including 13 cases for pimping. Authorities prosecuted 55 trafficking cases, including nine for pimping (44 in 2017). Authorities convicted two traffickers, one under the trafficking law and the second under article 321. Authorities did not specify how many of these cases were labor or sex trafficking, and these cases likely included other crimes not considered trafficking under international law. The government did not provide sentencing data for those convicted in 2018. Observers reported the vast majority of arrested suspects, including traffickers, served time in pre-trial detention without ever receiving a final sentence and often avoiding justice by paying bribes to corrupt officials to avoid prosecution. General backlogs in the judiciary, insufficient resources and personnel, and poor training of law enforcement officials impeded law enforcement efforts. Observers reported each prosecutor was responsible for 800 to 1,000 cases, leading to a slow administration of justice. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government did not report investigating, prosecuting, or convicting any new cases of official complicity. In the nightclub case dating back to 2016, the government indicted three complicit officials for trafficking crimes, including two police officers and a municipal employee. In the 2017 case involving the prosecution of two individuals on politically motivated trafficking allegations, authorities reported insufficient evidence to prosecute.

International organizations and NGOs provided training workshops for government officials, including police officers, judges, prosecutors, and immigration authorities. Additionally, the Ministry of Government (MOG) and the Ministry of Justice (MOJ) organized anti-trafficking capacity building opportunities for members of the judiciary, reaching approximately 292 officials, including judges, prosecutors, and law enforcement officials. The La Paz police department's anti-trafficking unit maintained 18 police investigators and other departments' anti-trafficking units allotted three to five investigators. Police officials rotated into new positions every three months to one year, resulting in a cyclical loss of institutional knowledge and impeding specialization in trafficking crimes. The Ministry of Labor (MOL) provided basic training to newly hired labor inspectors on child labor, including indicators of forced labor. In 2018, authorities reported investigating 52 cases of child labor, some that could have been labor trafficking. The 2017 forced labor case involving 17 adults and eight children from the Guarani indigenous group exploited in the sugarcane harvest remained open at the end of the reporting period.

PROTECTION

The government increased protection efforts. The government reported identifying and assisting 15 victims of trafficking. In 2018, the government adopted a new victim identification handbook for law enforcement officials, and updated and approved a victim referral mechanism. Authorities trained 74 law enforcement officials on the use of the victim identification handbook. The Ministry of Health administered periodic medical tests to individuals in prostitution but did not screen for trafficking indicators. The MOL employed 14 labor inspectors specifically charged with investigating cases of child labor and forced labor, and an additional 92 labor inspectors, who had authority to investigate potential forced labor cases if they encountered them during their routine inspections. Authorities did not report identifying any victims of forced labor.

The government provided in-kind support but relied on private organizations, faith-based groups, foreign donors, and NGOs to fund and provide most victim services. The government did not provide specialized shelters for victims; however, six out of nine department governments had multi-use shelters for victims of domestic violence that accepted female trafficking victims, each reportedly underfunded. Due to the small number of shelters, police were often unable to secure safe accommodation for trafficking victims identified in raids and reportedly gave victims money for hotel rooms for a night. The government did not provide any specialized services to adult male victims, but they could receive basic assistance at migrant shelters. Authorities referred boy trafficking victims to NGOs, private shelters, and religious organizations for assistance.

The government did not provide an update on efforts to publish a list of "false victims" of trafficking crimes meant to dissuade "false allegations" by members of the public. The publication of such a list could serve as a means to penalize or otherwise discourage victims from reporting crimes or participating in investigations or the judicial process. Inclusion on the list also endangers victims. Foreign victims who assisted in the case against their traffickers could receive a humanitarian visa, but the process often took years and victims were unable to work during that time. The government issued 248 humanitarian visas from 2014 to 2018 but did not indicate how many it issued to victims of trafficking. The government had a protocol for the repatriation of victims identified abroad. Authorities assisted nine individuals using this protocol and provided consular assistance and protection services for 20 foreign victims in 2018. The government allowed the use of Gesell chambers in seven of nine departments, and in lieu of testifying in person, victims could provide recorded testimony or submit a written statement to the court. The government did not report using these provisions to encourage victims to cooperate in the case against their traffickers. Under Bolivian law, victims and their prosecutors could request restitution for damages from the sentencing judge. When victims did not participate in the case against their traffickers, they or their prosecutors could still file restitution claims within three months of sentencing. The government did not report whether any victim or prosecutor sought restitution in trafficking cases.

PREVENTION

The government increased prevention efforts. The Plurinational Council against Human Trafficking and Smuggling, chaired by the MOJ, was the entity responsible for coordinating anti-trafficking efforts at the national level. Two sub-ministerial units were responsible for coordinating anti-trafficking efforts at the technical level. Observers noted a lack of interagency coordination, in part due to overlapping mandates. The government used the 2015-2020 national action plan and continued developing the 2016-2020 multiregional plan for the coordination of trafficking efforts among the nine autonomous regions. Jointly with an international organization, the government began the development of a database to consolidate trafficking cases. The government did not approve or implement the 2014 protocol for the early detection of populations vulnerable to trafficking.

The council's national policy to implement Law 263 required each department to develop anti-trafficking plans; by the end of 2018, seven of nine departments had developed and begun implementing a plan, an increase from two of nine in 2017. In previous years, traffickers exploited the absence of a national registry of employment agencies to establish or abuse existing informal temporary employment agencies, through which they identified and recruited potential victims. In 2018, the government adopted a federal registry requiring all employment agencies to register and provide the MOL all recruitment and job placement records.

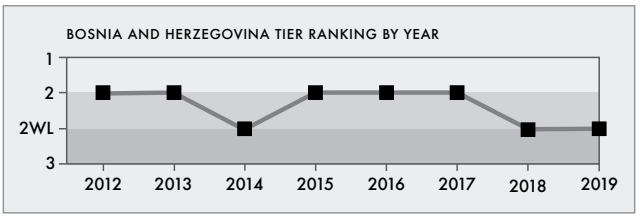
The Human Rights Ombudsman's Office launched an awareness campaign focused on educating students nationwide on detecting fraudulent recruitment and informing on labor rights. The campaign reached approximately 18,700 students. The government conducted a separate awareness campaign educating the general population of fraudulent recruitment practices, and developed and aired information segments for an investigative documentary on trafficking that aired in 52 media outlets. The national police conducted courses on trafficking awareness targeting students, parents, and teachers, reaching approximately 1,300 people, and in coordination with an NGO, police officials provided informational pamphlets on trafficking awareness to individuals attending a concert hosted by an NGO focused on TIP. The MOG conducted two awareness campaigns and organized several events and workshops in departments with a high prevalence of trafficking, including Cochabamba and El Alto. The campaigns targeted the public and reached approximately 30,000 people. The Institute for Normalization of Quality, a semi-autonomous government agency, operated a "triple seal" certification program for sugar producers whose final products were certified to be free of child and forced labor, which could reduce the demand for forced labor. Officials reported that 149 companies obtained the seal in 2018. The government did not make efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Bolivia. Traffickers exploit Bolivian men, women, and children in sex trafficking and forced labor within the country and abroad. To a more limited extent, traffickers exploited women from neighboring countries, including Brazil, Colombia, and Paraguay, in sex trafficking in Bolivia. Bolivia serves as a transit and destination country for migrants from Africa, Chile, and the Caribbean, some of whom become victims of sex trafficking and forced labor. Rural and poor Bolivians, most of whom are indigenous, and LGBTI youth are particularly vulnerable to sex and labor trafficking. Bolivian women and girls are exploited in sex trafficking within Bolivia and neighboring countries such as Argentina, Brazil, Panama, Peru, and Chile. Within the country, traffickers exploit Bolivian men, women, and children in forced labor in domestic work, mining, ranching, and agriculture. Media report cases of children forced to commit crimes, such as robbery and drug production, and others exploited in forced begging. Traffickers exploit a significant number of Bolivians in forced labor in Argentina, Brazil, and Chile in sweatshops, agriculture, brick-making, domestic work, textile factories, and the informal sector.

BOSNIA AND HERZEGOVINA: TIER 2 WATCH LIST

The Government of Bosnia and Herzegovina does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included the State Coordinator organizing meetings to solicit feedback on regional monitoring teams, changing the structure, and revising guidelines for the teams to increase effectiveness. The government funded NGOs to conduct awareness campaigns and made indictments in the first joint international investigation with French authorities. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Law enforcement lacked capacity and knowledge and continued to regularly investigate trafficking under lesser offenses, while judges issued sentences that fell short of the trafficking statutes' minimum penalties and cited unreasonable "mitigating circumstances" to decrease the sentences. Law enforcement lacked victim-centered investigations and prosecutions, and the anti-trafficking strike force—the only mechanism to coordinate law enforcement efforts across entities—remained ineffective. In addition, the government identified fewer victims and lacked victim protection efforts, particularly efforts to proactively screen victims and provide assistance, which led to penalization of victims for unlawful acts that traffickers compelled them to commit. Victim assistance providers continued to lack resources and could not assist all domestic victims. Therefore Bosnia and Herzegovina remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Implement the law that exempts victims from penalties for unlawful acts their traffickers compel them to commit, particularly victims of sex trafficking, forced begging, and forced criminality. • Vigorously investigate, prosecute, and convict traffickers, including any complicit officials, and impose sentences that reflect the serious nature of the crime. • Train first responders on victim identification and referral and increase proactive identification efforts. • Allocate sufficient funding for NGO-run shelters and develop financial policies that effectively

allocate funding for victim assistance. • Improve cooperation and coordination among state and sub-state actors, including allocating adequate resources and assigning personnel to the anti-trafficking strike force. • Increase law enforcement capacity and training to investigate complex cases. • Train judges to understand the severity of trafficking when issuing sentences and sensitize prosecutors and judges to the issue of secondary trauma and victim centered approaches. • Standardize victim assistance throughout the country, including the ability to access assistance and support outside of shelters and specialized assistance for male victims. • Integrate Romani groups into decision-making processes regarding victim protection.

PROSECUTION

The government maintained law enforcement efforts. Bosnia and Herzegovina (BiH) consisted of two entities within the state—the Federation of Bosnia and Herzegovina (Federation) and Republika Srpska (RS). Each entity has political, legislative, and judicial authority. The Brcko District (BD) was a self-governing area under the jurisdiction of the state. Entity-level authorities addressed domestic trafficking offenses internal to their territories and state-level authorities addressed cases with international aspects. Article 186 of the state-level criminal code criminalized sex trafficking and labor trafficking only in cases where the victim was exploited in a country in which he or she did not reside or have citizenship; it prescribed penalties of one to 10 years' imprisonment. Articles 210a and 210b of the Federation's criminal code criminalized sex and labor trafficking and prescribed a minimum penalty of five years' imprisonment. Article 198a of RS's criminal code criminalized sex and labor trafficking and prescribed a minimum penalty of three years' imprisonment. Article 207a of BD's criminal code criminalized sex and labor trafficking and prescribed a minimum penalty of five years' imprisonment. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape.

The State Prosecutor's Office (SPO) did not initiate any investigations (three suspects in 2017). SPO indicted one defendant under Article 186 (three in 2017) and indicted eight defendants for organized crime involved in trafficking. State courts did not convict any traffickers (four in 2017). Federation authorities investigated four suspects (seven suspects in 2017). Federation prosecutors indicted two defendants (one in 2017) and Federation courts convicted 11 traffickers (seven in 2017). Federation judges sentenced four traffickers to imprisonment of one year, 1.5 years, 5.5 years, and 7.5 years. One trafficker received a monetary fine and the Federation did not provide sentencing information for the other six traffickers. RS authorities investigated three suspects (one in 2017) and indicted one defendant (none in 2017). RS did not report any convictions in 2017 or 2018. BD authorities did not initiate any investigations (one in 2017) or any prosecutions (one in 2017). BD courts convicted one trafficker (one in 2017) and judges sentenced the trafficker to six months' imprisonment. Court proceedings lasted many years and judges issued sentences below the trafficking statutes' minimum penalties, while often citing unreasonable "mitigating circumstances" to decrease further the sentences. For example, a judge mitigated the sentence of a perpetrator who raped a sex trafficking victim by asserting that a victim of sex trafficking was more inclined to sexual activity. In previous years, a BD appellate judge acquitted an alleged trafficker convicted by a lower court by citing forced child begging as traditional Roma cultural practices and customs. Additionally, the government reported traffickers avoided imprisonment by utilizing a law that allowed convicted perpetrators to buy their way out of up to one year of imprisonment for 100 convertible marks ($59) a day.

The State Investigation and Protection Agency (SIPA) maintained 12 specialized officers, including three female officers, and Tuzla Canton in the Federation operated a specialized trafficking unit in addition to trafficking liaison officers in all police units within the canton. RS, BD, and other Federation cantons did not have specialized officers, although organized crime and corruption units were designated to investigate trafficking. Law enforcement reported the lack of capacity and technical knowledge hindered their ability to conduct effective investigations. Authorities continued regularly to investigate and prosecute sex trafficking, forced begging, and trafficking cases involving family members under lesser offenses. Law enforcement reported difficulties in investigating trafficking offenses involving multiple cantons or entities, due to a lack of communication and coordination with cantonal prosecutors. The standing anti-trafficking strike force remained the only mechanism to coordinate law enforcement efforts across entities on trafficking cases; however, the strike force was largely ineffective, with SPO denying disbursement of operational funds, the Federation and the state failing to appoint prosecutors, and SIPA rarely participating in meetings. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. The government continued its first joint international investigation with French authorities of a Bosnian and Croatian married couple alleged to have forced six Roma children to pickpocket in France; SPO indicted eight defendants in May 2018. The government cooperated with neighboring countries, Austria, and France, and signed bilateral agreements with Croatia, Montenegro, North Macedonia, and Serbia, but the lack of bilateral agreements regarding witness protection created obstacles for witnesses and victims to participate effectively in international investigations. Police academies maintained basic and advanced courses on trafficking, and the government, with financial and technical assistance from an international organization, trained prosecutors and judges on various trafficking issues.

PROTECTION

The government decreased victim protection efforts. The government identified 36 potential trafficking victims (82 in 2017). Of these, 17 were victims of sex trafficking, 19 were victims of forced labor, including 18 for forced begging (15 victims of sex trafficking, seven of forced labor, 59 of forced begging, and one whose exploitation was not reported in 2017); 21 victims were female and 15 were male (58 females and 25 males in 2017); 12 were children (47 in 2017); and eight were foreign victims (two in 2017). Two bylaws provided standard operating procedures (SOPs) for identifying and referring victims to services, including a list of general indicators, but observers reported first responders did not know or consistently use the guidelines, lacked the knowledge to accurately identify trafficking victims, and lacked proactive identification efforts, particularly for adult victims. The government operated seven drop-in centers for children that conducted outreach work and a mobile team for street children in Sarajevo; drop-in centers and the mobile team identified 510 street children (130 in 2017). International organizations reported law enforcement and social workers at centers for social welfare (CSW) justified cases of potential forced child begging and forced labor involving Roma as traditional cultural practices and customs and sometimes returned children to their families even when parents were involved in the exploitation. In addition, a report from an international organization indicated first

responders, including Border Police, local police, Service for Foreigners' Affairs, and CSW, lacked standard guidelines and trafficking indicators for migration flows, interview questions and interpreters, and general capacity to screen the large influx of migrants and refugees. First responders referred potential trafficking victims to law enforcement, which conducted an interview and had authority to officially recognize victims. However, GRETA and an NGO reported, in practice, the interview and identification procedures lacked transparency and only prosecutors' designation of whether a person was a trafficking victim was recognized; some prosecutors required victims to cooperate with law enforcement to receive assistance and support.

The government partly funded four NGO-run shelters, but government-funded assistance programs required victims to obtain official recognition to access care, and potential victims received assistance only when an NGO had funds from other sources; authorities referred 10 victims to NGO-run shelters (26 in 2017). The Ministry of Human Rights and Refugees allocated 60,000 convertible marks ($35,170) to assist domestic trafficking victims in both 2017 and 2018. The Ministry of Security allocated 70,000 convertible marks ($41,030) for assistance to foreign victims in both 2017 and 2018. Funding for victim assistance was disproportionately lower for domestic victims, although they constituted the majority of identified victims. The government failed to reach an agreement to combine domestic and foreign assistance funds and returned unused funds allocated to assist foreign victims to the state budget instead of reallocating those funds for domestic victim assistance. As a result, some domestic victims did not have access to assistance. The government, in cooperation with NGOs, provided accommodation, psycho-social support, medical assistance, legal assistance, and guardianship for children. However, access to care was not standardized and based on bylaws that were not legally binding; RS law entitled trafficking victims to social assistance but Federation and BD laws did not. NGO-run shelters allowed victims to leave voluntarily after informing the staff, but no mechanisms were in place to assist victims outside of shelters, including at CSW, which lacked the resources and staff to provide specialized assistance to trafficking victims. One NGO-run shelter accommodated male trafficking victims but did not offer specialized services. Authorities reported developing a reintegration plan for each victim, including vocational training, but the government did not provide funding for reintegration programs, and observers reported cases of children spending more than two years at NGO-run shelters due to slow court proceedings and a lack of reintegration opportunities. The law provided repatriation assistance to Bosnian citizens identified abroad and foreigners identified in Bosnia; no victims required repatriation assistance (one in 2017). Foreign victims were eligible for a humanitarian visa allowing them to temporarily live and work in BiH, and victims were permitted a 30-day reflection period to determine whether they wanted to request a visa.

The government penalized victims for unlawful acts traffickers compelled them to commit due to inadequate identification efforts; authorities penalized victims of sex trafficking, forced begging, and forced criminality with misdemeanor charges for petty crimes. The government reported SOPs incorporated non-penalization standards but acknowledged authorities still penalized victims due to a lack of knowledge of the SOPs exacerbated by frequent rotations and turnover. Sub-state laws against "enticement to prostitution" permitted law enforcement to treat children 14 years and older as juveniles willingly engaged in prostitution instead of victims of rape or sex trafficking; no prosecutions were reported. The government did not consistently conduct victim-centered investigations and prosecutions. For example, prosecutors did not need certification to work with children and often interrogated child victims without a psychologist or social worker present. Authorities also repeatedly interviewed adult victims, and courts did not offer victims any accommodation inside courthouses to prevent re-traumatization. Police did not consistently notify victims' lawyers when conducting interviews; some courts required victims to testify with no prior notification or preparation; and international organizations reported cases of victims' identity and personal information leaked to the media and published. Victims could obtain restitution through criminal proceedings or compensation through civil suits; a district court awarded a victim 7,500 convertible marks ($4,400). Observers reported civil proceedings required victims to submit new testimonies and medical examinations, causing re-traumatization, despite the government convicting their trafficker in criminal proceedings.

PREVENTION

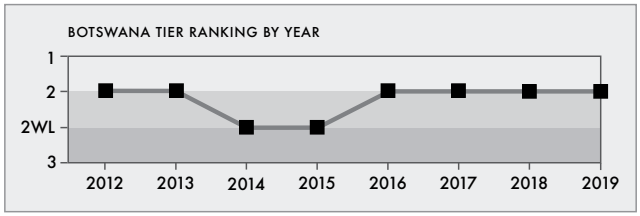
The government increased efforts to prevent trafficking. The government continued to implement the 2016-2019 national action plan and the State Coordinator continued to produce its annual report. Four Regional monitoring teams (RMT) met regularly but only served as forums to exchange information rather than their intended mandate of establishing local referral mechanisms. However, the State Coordinator organized meetings to solicit feedback on RMTs and accordingly changed the structure from four to 17 RMTs: 10 in the Federation, six in the RS, and one in BD. In addition, the government, with financial and technical assistance from an international organization, revised guidelines for RMTs. The government continued to allocate 10,000 convertible marks ($5,860) to seven NGOs to conduct awareness raising activities. The government did not make efforts to include Romani communities in discussions on anti-trafficking issues. The labor inspectorate lacked resources to adequately inspect recruitment agencies. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in BiH, and traffickers exploit victims from BiH abroad. Foreign victims in 2018 were from Afghanistan (2), Montenegro (3), North Macedonia (1), and Sri Lanka (2). In previous years, victims from Cuba, Gambia, Libya, and Serbia were subject to trafficking in BiH. Bosnian women and girls are subjected to sex trafficking within the country in private residences, motels, and gas stations. Marginalized Romani children are subjected to forced begging, sex trafficking, and domestic servitude in forced marriages. Foreign women and girls from European countries are vulnerable to sex trafficking within the country. Bosnian victims are subjected to sex trafficking and forced labor in construction and other sectors in countries across Europe, including Croatia, France, Serbia, Slovenia, and Austria. Thousands of migrants and refugees from Afghanistan, Iran, Iraq, Syria, and neighboring countries traveling through, stranded in, or being smuggled through BiH are vulnerable to trafficking, particularly women and unaccompanied minors.

BOTSWANA: TIER 2

The Government of Botswana does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Botswana remained on Tier 2. The government prosecuted more traffickers and increased funding for victim protection services. However, the government did not meet the minimum standards in several key areas. The government did not convict a trafficker for the second consecutive year, did not amend its law to eliminate the option of a fine in lieu of imprisonment, and reported identifying fewer victims of trafficking.



PRIORITIZED RECOMMENDATIONS:

Formalize the system to refer trafficking victims to social services and ensure all victims receive protective services. • Amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment. • Increase training for prosecutors and judges on Botswana's 2014 anti-trafficking law so they can more effectively try trafficking cases. • Disallow suspended sentences for convicted traffickers. • Implement the newly adopted anti-trafficking national action plan. • Increase efforts to investigate, prosecute, and convict traffickers. • Implement formal victim identification procedures for use by all stakeholders, including law enforcement and immigration officials, and train officials on the procedures. • Continue to encourage victims to participate in the investigation and prosecution of traffickers through formal procedures. • Develop guidelines for front-line officials to identify potential victims of trafficking, to be provided either directly or in partnership with NGOs. • Continue to conduct public awareness campaigns, particularly in rural areas.

PROSECUTION

The government increased anti-trafficking law enforcement efforts, but officials noted the judiciary's lack of familiarity with the Anti-Human Trafficking Act impeded its ability to effectively prosecute suspected traffickers. The 2014 Anti-Human Trafficking Act criminalized sex trafficking and labor trafficking, and defined trafficking broadly to include all child labor. The law prescribed penalties of up to 25 years' imprisonment, a fine of 500,000 *pula* ($46,900), or both, which were sufficiently stringent; however, by allowing for a fine in lieu of imprisonment, with regard to sex trafficking, these penalties were not commensurate with those for other serious crimes, such as rape. Sections 57 of the 2009 Children's Act criminalized inducing, coercing or encouraging a child to engage in prostitution, and prescribed penalties of two to five years' imprisonment a fine of 50,000 *pula* ($4,690), or both, penalties which were significantly lower than those prescribed under the 2014 anti-trafficking act.

The government initiated investigations of six trafficking cases involving an unknown number of suspects during the reporting period and continued investigations of four cases from the previous reporting period, compared with investigating six cases in 2017. Officials prosecuted 11 suspected traffickers in 2018, compared with prosecuting eight suspects in 2017. Authorities reported continuing eight separate prosecutions from previous years; experts noted judicial processes in Botswana are generally protracted. The government did not convict a trafficker for the second consecutive year, although authorities appealed and sought a stricter sentence during the reporting period for a trafficker convicted in 2016.

The Directorate of Public Prosecution (DPP) continued supporting specialized anti-trafficking units and monitored the investigation and prosecution of trafficking cases. Officials reported coordinating with the governments of Malawi, Nigeria, South Africa, and Zimbabwe on multiple transnational trafficking cases, although they did not report details of the investigations. The government investigated one Motswana diplomat for potential trafficking before determining the case was a labor dispute. Officials did not report prosecuting or convicting officials complicit in human trafficking offenses, although authorities acknowledged corruption as a general impediment for effective law enforcement in Botswana. The slow pace of Botswana's judicial system and the lack of qualified interpreters adversely impacted authorities' ability to prosecute trafficking crimes.

During the reporting period, the Ministry of Defense, Justice and Security (MDJS) reported partnering with the DPP to train 36 officials from all six DPP offices on the Anti-Human Trafficking Act, victim identification, and trafficking indicators. The MDJS and DPP coordinated with an international organization and the Southern African Development Community (SADC) to provide training for immigration officials, first responders, social workers, law enforcement officers, and local elected officials in the North Eastern District of Botswana on trafficking data collection. Additionally, the police service continued to include a human trafficking module in its curriculum to educate recruits and in its in-service training for officers on the anti-trafficking law, victim identification, and investigation of human trafficking cases.

PROTECTION

The government maintained efforts to identify and protect trafficking victims. The government reported identifying 13 potential victims in 2018; nine adult males exploited in forced labor, three Batswana women exploited in sex trafficking in neighboring countries, and one woman exploited in sex trafficking within the country. For comparison, in 2017, the government reported identifying 19 trafficking victims; three adult and 16 child victims. Officials reported coordinating with NGOs to refer all identified victims to facilities providing shelter, medical care, and other services. The government identified 31 foreign victims during the reporting period, including from Ethiopia, Tanzania, Zambia, and Zimbabwe; the majority of whom were young women and men in transit to neighboring countries. The government reported spending 3.69 million *pula* ($346,100) on services for victims of trafficking, repatriations, and staff training, compared with spending 447,000 *pula* ($41,930) in 2017.

Officials reported providing shelter and other support to 31 foreign victims currently in Botswana; however, the government did not report repatriating foreign victims to their countries of origin, compared with assisting 10 foreign victims return

to their countries of origin in 2017. The government did not provide formal written procedures to guide social service, law enforcement, or immigration officials in proactively identifying victims of trafficking and did not fully operationalize the victim referral measures detailed in the 2014 anti-trafficking act. There were no reports officials penalized victims for unlawful acts committed as a result of being trafficked; however, some victims may have remained unidentified and subsequently penalized due to the government's failure to employ systematic measures to identify trafficking victims among vulnerable populations.

PREVENTION

The government maintained prevention efforts. The Anti-Human Trafficking Committee, established under the MDJS in the previous reporting period in accordance with the 2014 anti-trafficking act, met at least once during the reporting period, compared with convening four times during the previous reporting period. Officials updated the government's 2017 National Action Plan to combat trafficking. The MDJS held a national commemoration of the World Day Against Trafficking in Persons in July 2018 to raise awareness among the general public, featuring the MDJS Minister, senior government officials, members of the international diplomatic corps, civil society representatives, senior diplomats, as well as a victim of trafficking.

Officials conducted 11 anti-trafficking workshops for social workers from all 26 public hospitals, Industrial Court staff, elected officials, first responders and students, compared with holding 13 anti-trafficking workshops in 2017. The Botswana Police Service also conducted awareness raising sessions with secondary school students at various locations. The government continued to participate in the SADC regional data collection tool by uploading information about trafficking cases, victim and trafficker profiles, and sharing information with countries in the region.

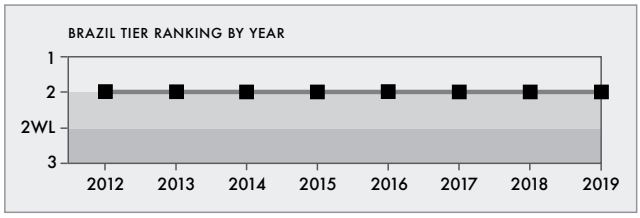
The government reported it regularly conducted labor inspections throughout the country, but did not report sanctioning individuals or firms who may have subjected individuals to trafficking. The government did not demonstrate tangible efforts to reduce the demand for commercial sex acts or forced labor during the year.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Botswana and traffickers exploit victims from Botswana abroad. Residents of Botswana most vulnerable to trafficking are unemployed women, the rural poor, agricultural workers, and children. Some parents in poor rural communities send their children to work for wealthier families as domestic servants in cities or in agriculture and cattle farming in remote areas, increasing their vulnerability to forced labor. Traffickers may exploit young Batswana serving as domestic workers for extended family who may be denied access to education and basic necessities or subjected to confinement or verbal, physical, or sexual abuse—conditions indicative of forced labor. Criminals exploit some Batswana girls and women in prostitution within the country, including in bars and along major highways. Organized trafficking rings subject some Batswana women to trafficking internally or transport women from neighboring countries such as South Africa and Zimbabwe and subject them to sexual exploitation. The government reported some traffickers targeted potential victims via social media, including through advertising fake employment opportunities, with the purpose of exploiting victims in forced labor or sex trafficking. Officials stated traffickers subject adults and children of the San ethnic minority group to labor conditions on private farms and cattle posts in Botswana's rural west that may rise to the level of forced labor. Traffickers likely subject some undocumented migrant Zimbabwean children to sex trafficking or forced labor in Botswana.

BRAZIL: TIER 2

The Government of Brazil does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Brazil remained on Tier 2. These efforts included convicting more traffickers; investigating and prosecuting more cases of sex trafficking; identifying more victims of *trabalho escravo*, many of whom might be victims of trafficking; and approving and funding a new national action plan. However, the government did not meet the minimum standards in several key areas. State authorities identified and assisted fewer victims of *trabalho escravo*, and protection efforts available for all victims were insufficient given the scope of the problem. The government's efforts to criminally investigate, prosecute, and convict labor trafficking cases decreased and the government treated forced labor as a distinct crime from human trafficking; it treated most cases as administrative matters rather than criminal.



PRIORITIZED RECOMMENDATIONS:

Provide shelter and specialized assistance to victims of sex trafficking and forced labor. • Vigorously investigate, prosecute, and convict traffickers, including those involving complicit officials. • Strengthen efforts to combat forced labor, including *trabalho escravo*, such as by ensuring suspected labor traffickers are criminally prosecuted and by providing adequate services to victims of forced labor. • Improve interagency, federal, and state coordination efforts to combat trafficking, including among law enforcement. • Amend the 2016 anti-trafficking law to criminalize child sex trafficking without elements of force, fraud, or coercion in accordance with the 2000 UN TIP Protocol. • Implement the third national action plan. • Strengthen the mandate of CONATRAP to assist in the development of anti-trafficking offices in every state, including those with limited funding and high prevalence of trafficking. • Prosecute labor traffickers in criminal courts and punish them with adequate penalties. • Train federal, state, and municipal law enforcement officials on trafficking indicators and proactive identification of victims. • Increase specialized services for child trafficking victims, including case management assistance and oversight of local guardianship councils. • Compile comprehensive data on the identification of victims, the assistance provided, investigations, prosecutions, and convictions at the federal and

state level, disaggregated between sex and labor trafficking cases. • Update referral mechanism guidance to reflect the provisions covered under the 2016 trafficking law.

PROSECUTION

The government maintained law enforcement efforts. Law 13.344 criminalized some forms of sex trafficking and all forms of labor trafficking and prescribed penalties of four to eight years' imprisonment and a fine, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, Article 149a of Law 13.344 required force, fraud, or coercion for child sex trafficking cases and therefore did not criminalize all forms of child sex trafficking. However, Article 244a of the child and adolescent statute criminalized inducing a child to engage in sexual exploitation without the need to prove the use of force, fraud, or coercion and prescribed penalties of four to 10 years' imprisonment and a fine, which were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 149 of Law 13.344 prescribed penalties of two to eight years' imprisonment and a fine. It prohibited *trabalho escravo*, or reducing a person to a condition analogous to slavery, defining forced labor to include degrading work conditions and exhausting work hours, going beyond situations in which people are held in service through force, fraud, or coercion.

Law enforcement data provided by the government reflected efforts made under federal jurisdiction. Authorities reported conducting 172 investigations (133 investigations under Article 149 and 39 under Article 149a), compared with 190 in 2017 (171 investigations under Article 149 and 19 investigations under Article 149a). The government reported prosecuting 37 suspected traffickers (27 under Article 149, eight individuals under Article 149a, and two others under a different article criminalizing complicity into the trafficking of others), compared with 57 prosecutions in 2017 (55 under Article 149 and two under Article 149a). Authorities reported 128 convictions (seven under Article 149a and 121 under Article 149), compared with 81 convictions in 2017 (six under Article 149a and 75 under Article 149). In 2018, sentences imposed ranged from one to five years' imprisonment. However, most convicted traffickers served sentences under house arrest or by spending only nights in prison while being free during the day. Most sex and labor traffickers convicted by lower courts appealed their convictions; there were three appeals related to trafficking cases in the federal court system in 2018 (compared with 78 in 2017). The lengthy appeals process lasted years.

The government treated forced labor as a distinct crime from human trafficking, and labor inspectors and labor prosecutors only had the authority to apply civil penalties. The Ministry of Labor's (MTE) inspectors handled administrative cases of *trabalho escravo* while referring cases with evidence of serious violations to the labor court and public ministry for criminal prosecution. In 2018, labor inspectors identified 1,745 cases of *trabalho escravo* and the MTE issued administrative penalties to 100 employers guilty of *trabalho escravo*. The government did not report how many were guilty of forced labor as defined under international law or if labor inspectors referred any of those cases for criminal prosecution. In coordination with a local university, the government trained 31 labor inspectors on combating *trabalho escravo*. During the reporting period, the government announced plans to integrate the MTE and its efforts to combat *trabalho escravo* under the purview of the Ministry of Economy.

Interagency coordination and data collection efforts were inadequate. Data remained spread across multiple databases at the federal and state level, making it difficult to obtain and analyze comprehensive data. The Brazilian Federal Police (DPF) had a unit in every state and was involved in the investigation of most trafficking crimes. In some states, the DPF worked efficiently with state and municipal law enforcement entities; however, law enforcement cooperation and communication among the DPF and state and municipal entities was generally insufficient. Observers reported trafficking cases were often under-reported and, in some instances, misclassified by police as other crimes. Law enforcement units at all levels had insufficient funding, expertise, and staff to investigate trafficking. The government provided some training for law enforcement entities on investigations and prosecutions; however, international organizations and foreign governments conducted and funded most anti-trafficking capacity-building efforts. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government did not report any new investigations, prosecutions, or convictions of complicit officials; however, cases from previous years remained open, including the investigation of an elected official who was arrested and removed from his position in Parana state in October 2016 after allegations surfaced of his involvement in a child sex trafficking ring. Similarly, there were no updates on the prosecution's appeal of an inadequate sentence given to a civil police investigator in 2016 for his involvement in a sex trafficking ring involving children.

PROTECTION

The government maintained inadequate protection efforts. Authorities continued to use guidance provided by the Ministry of Justice and Public Security (MJSP) for all federal, state, and local governments on victim identification and assistance, but the government did not report updating the guidance to reflect provisions of the 2016 trafficking law or making efforts to proactively train officials on its use. The MJSP maintained 12 posts at airports and bus stations known as transit points for victims to identify cases. Law 13.344 mandated the government provide victims with temporary shelter, legal, social, and health assistance, and protection against re-victimization. Seventeen of 27 state governments continued to operate state-level anti-trafficking offices (NETPs) that refer victims to social assistance centers for victims of sexual abuse, exploitation, domestic violence, and trafficking. NETPs in some of the wealthier states in the country had effective assistance and coordination teams that comprised police officers, prosecutors, and mental health professionals, whereas other state offices were not well funded or equipped to assist victims.

Several government agencies at various levels provided data on victim identification, totaling 98 victims in 2018, compared with 116 in 2017. In 2018, three of the 27 NETPs reported identifying 30 victims and assisting nine (22 of "labor exploitation for prostitution," three for "sexual exploitation," two for forced labor, one for "criminal activity," and two unspecified). Two other NETPs reported identifying four victims of sex trafficking and 64 victims of *trabalho escravo*, compared with 10 sex trafficking victims and 101 *trabalho escravo* victims identified and assisted across seven states during the first half of 2017. The government did not report how many were victims of trafficking as defined in international law or what services it provided. MTE officials identified 1,113 potential victims of *trabalho escravo*—some of whom may be victims of trafficking—compared with 1,104 in 2017. Specialized MTE divisions provided victims of forced labor with job training services, three months of

unemployment pay, and limited counseling services. The MTE and Ministry of Social Development continued to provide *trabalho escravo* victims access to public services by including the victims in the registry for social programs, granting them priority access to a cash transfer program, unemployment insurance, subsidized housing, a discount on energy bills, and technical assistance—all implemented at municipal-level centers for social assistance. The government did not report the number of victims who received assistance through the MTE. In addition, the MTE reported identifying 1,409 children working in violation of minimum working age laws, some of whom may be trafficking victims.

The federal government did not fund specialized or long-term shelters for trafficking victims, and general victim services and shelters varied in quality from state to state. Some states placed victims in shelters for victims of domestic violence, migrants, or the homeless. States did not have specialized shelters for child sex trafficking victims, and guardianship councils often did not have the expertise or resources to identify child victims correctly and refer them to services. The state of Sao Paulo maintained a shelter where female victims and their children could receive health benefits, education, food, and housing for three to six months; another shelter in Sao Paulo provided temporary assistance for refugees and trafficking victims. The government did not report how many victims stayed at either shelter. NETPs referred victims of sex trafficking to social assistance centers (CREAS) where psychologists and social workers could assist vulnerable individuals; approximately 38 percent of centers nationwide had certification to assist victims of trafficking. The government did not report how many victims authorities assisted through the centers in 2018. Authorities did not refer victims of *trabalho escravo* to CREAS for assistance and victims remained vulnerable to re-trafficking due to inconsistent access to assistance; however, some state governments sought to address this issue by offering vocational training. The state governments in Mato Grosso, Ceara, and Bahia offered vocational training to victims of *trabalho escravo*.

The government had measures to encourage victims to testify in the case against their traffickers, including allowing remote live video testimony. However, authorities have never reported using these measures for trafficking cases. Observers continued to express concern about the under-reporting of trafficking crimes, attributing it in part to victims' lack of awareness of protection services and fear that filing complaints will lead to further exploitation, deportation, or other harm. Foreign trafficking victims were entitled to permanent visa status, but for the third consecutive year authorities did not report how many victims received it. The government could assist repatriated victims of trafficking but did not report assisting victims, compared with 24 victims in 2017. During the reporting period, authorities reported two-thirds of the victims owed compensation in the Fazenda Brasil Verde case had been compensated.

PREVENTION

The government maintained efforts to prevent trafficking. The government approved the 2016-2022 third national action plan for the elimination of trafficking and allocated 639,250 reais ($164,750) for the implementation of the plan. During the reporting period, coordination among agencies at the national and state level was uneven and varied in efficacy. The MJSP continued to oversee the National Committee to Combat Human Trafficking (CONATRAP), comprising 26 representatives, including federal government agencies and NGOs. At the state government level, officials from different agencies in 17 states continued to convene and address trafficking unilaterally and in a decentralized manner through the state NETPs. Municipal and state governments hosted workshops, training, art installations, performances, and roundtable discussions to commemorate World Day against Trafficking. In Sao Paulo, the MTE organized an event during "Fashion Week" simulating a sweatshop to educate the public on *trabalho escravo* often found in the garment industry. In Amazonas, the state government reached more than 1,900 students in public schools in a campaign to educate on identification and prevention of trafficking. Authorities in the same state held chats at a border shelter for Venezuelan migrants on the vulnerabilities to trafficking. In Sao Paulo, the government cooperated with Bolivian community leaders on a prevention campaign focused on educating this highly vulnerable population on forced labor and domestic violence. The government operated a human rights hotline that received two calls reporting child slave labor, 14 calls reporting child trafficking victims, and eight calls reporting child sex tourism. The government did not report whether it identified any victims or initiated any investigations as a result of calls to the hotline. The government did not make efforts to reduce the demand for commercial sex; however, efforts to reduce the demand for forced labor continued. In 2018, the MTE published a new version of the *lista suja*, or dirty list, and included 78 new employers to the list. The list identified individuals and businesses responsible for *trabalho escravo* and listed businesses could not access credit by public and private financial institutions. The government did not report any new investigations, prosecutions, or convictions of child sex tourists in 2018. The government did not report providing anti-trafficking training for its diplomatic personnel.

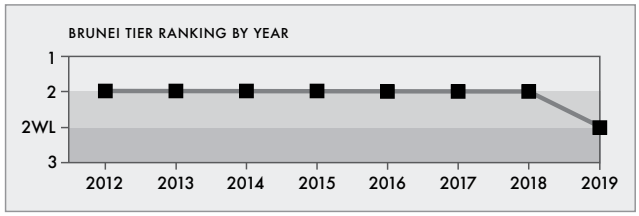
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Brazil, and traffickers exploit victims from Brazil abroad. Traffickers exploit Brazilian women and children, in sex trafficking within the country. Traffickers exploit Brazilian women in sex trafficking abroad, especially in Western Europe and China. Traffickers exploit women and girls from other South American countries, especially Paraguay, in sex trafficking in Brazil. Venezuelan migrants in border cities within Brazil, and those and who have relocated to other parts of the country, were highly vulnerable to sex trafficking and forced labor. Traffickers recruited Venezuelans living in Brazil and those still in Venezuela via online advertisements and social media platforms offering fraudulent job opportunities, later exploiting them in sex trafficking in major cities, like Sao Paulo or Rio de Janeiro. Traffickers exploit transgender Brazilian women, luring them with offers of gender reassignment surgery and later exploiting them in sex trafficking when they are unable to pay the cost of the procedure. Traffickers have exploited Brazilian men and transgender Brazilians in sex trafficking in Spain and Italy. Child sex tourism remains a problem, particularly in resort and coastal areas; many child sex tourists are from Europe and the United States. Traffickers exploit Brazilian men, notably Afro-Brazilian, and to a lesser extent women and children, in situations that could amount to labor trafficking, in rural areas (including in ranching, agriculture, charcoal production, salt industries, logging, and mining) and cities (construction, factories, restaurants, and hospitality). Traffickers exploit Brazilians in forced labor for the harvest of sugar, coffee, and carnauba wax. Traffickers exploit Brazilian women and children, as well as girls from other countries in the region, in forced labor for domestic servitude. Traffickers force some Brazilian victims to engage in criminal activity, including drug trafficking, in Brazil and neighboring countries. Traffickers exploit Brazilians in forced labor in other countries,

including in Europe. Traffickers exploit men, women, and children from other countries—including Bolivia, Paraguay, Haiti, and China—in forced labor and debt-based coercion in many sectors, including construction, the textile industry (particularly in Sao Paulo), and small businesses. NGOs and officials report some police officers ignore the exploitation of children in sex trafficking, patronize brothels, and rob and assault women in prostitution, impeding identification of sex trafficking victims.

BRUNEI: TIER 2 WATCH LIST

The Government of Brunei does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included training police, labor, and immigration officers on trafficking and victim identification and continuing awareness-raising campaigns for employers of foreign workers. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not prosecute or convict any traffickers for the second consecutive year. While the government identified a similar number of potential trafficking victims during the reporting period compared with the previous year, the number was significantly lower than the number of migrant workers who exhibit multiple indicators of trafficking. The government continued to detain, deport, and charge potential victims for crimes without employing a victim-centered approach to discern if the traffickers compelled the victims to engage in the unlawful acts. The government did not provide shelter or services for adult male trafficking victims. Therefore Brunei was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, convict, and punish both sex and labor traffickers, including complicit government officials, with strong penalties. • Widely disseminate standard operating procedures for victim identification, and train all front-line police, immigration, and labor officials on the procedures. • Cease the arrest, deportation, and punishment of trafficking victims for unlawful acts their trafficker compelled them to commit. • Increase protective services to provide incentives for victims to participate in investigations and prosecutions, including by providing shelter to adult male victims, allowing adult victims in government shelters to move freely, allowing at-will communication with people outside shelter facilities, and issuing work permits to all victims. • Formalize the ad hoc interagency human trafficking committee. • Ensure migrant worker contracts and information on their rights and obligations under Brunei law are available in the migrant worker's primary language and that the migrant worker can retain a copy. • Issue guidelines on the prohibition of recruitment agencies charging or receiving worker-funded fees and enforce the prohibition. • Allocate resources for the completion of the pending dedicated trafficking victims' shelter. • Train judges on accurate and effective implementation of trafficking laws. • Allocate government resources to the victims' fund established under the 2004 law and allow those funds to be paid directly to victims as restitution. • Strengthen efforts to enforce laws prohibiting acts that facilitate trafficking, such as retention or confiscation of migrant workers' identity documents and partial or full withholding of wages. • Offer foreign victims long-term alternatives to removal from the country. • Expand comprehensive and visible anti-trafficking awareness campaigns directed at employers of foreign workers and buyers of commercial sex. • Approve and implement the national action plan and the draft trafficking law. • Accede to the 2000 UN TIP Protocol and the ASEAN Convention against Trafficking in Persons.

PROSECUTION

The government decreased law enforcement efforts. The 2004 Trafficking and Smuggling of Persons Order criminalized sex trafficking and labor trafficking and prescribed penalties of four to 30 years' imprisonment and fines of up to 1 million Brunei dollars ($734,750), which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious offenses, such as rape. The penal code criminalized travel outside the country for commercial sex with children, prescribing a punishment of up to 10 years' imprisonment. During the reporting period, the sultan did not approve previously drafted legislation from 2017 that would create separate laws criminalizing trafficking and migrant smuggling and allow the government to comply with and enable ratification of the ASEAN Convention against Trafficking in Persons and the UN Palermo Protocol.

Royal Brunei Police Force (RBPF), labor, and immigration officers referred cases of suspected trafficking to the human trafficking unit (HTU) for further investigation. The HTU also reviewed case reports from other RBPF units to look for trafficking indicators, particularly in cases involving prostitution, unpaid wages, workers fleeing their place of employment, or physical abuse of workers. The HTU reported it screened 46 cases in 2018 for trafficking indicators compared with 28 cases in 2017. All 46 cases were of domestic workers who fled their employment. Separately, the Labor Department screened 16 cases of domestic workers who reported unpaid wages and other issues for trafficking indicators through October 2018. Authorities did not refer any of these cases to the attorney general's chambers (AGC) for prosecution, compared with two cases referred in 2017. In both 2017 and 2018, the AGC did not initiate any new trafficking prosecutions. Courts did not convict any traffickers in 2017 or 2018; the government's most recent trafficking convictions were of three traffickers in 2016. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The HTU continued to train RBPF, immigration, labor, and anti-vice officers on trafficking and victim identification.

PROTECTION

The government decreased efforts to protect victims. The HTU continued to report it employed standard operating procedures (SOPs) to identify potential trafficking victims when apprehending persons in prostitution and when accompanying immigration and labor officials on operations where trafficking was suspected. Police, immigration, and labor officers, who would be most likely to encounter potential trafficking victims, reported they also used these SOPs. In some cases, authorities employed identification measures only after detaining victims

during law enforcement operations, such as raids in which police arrested foreign women for prostitution crimes. Contrary to a victim-centered approach that requires governments to stabilize people with indicators of trafficking in order to provide time to determine if the person is a victim, in one case in 2018, courts convicted a Vietnamese woman for prostitution only one day after police detained her and her alleged pimp in a raid. Additionally, officials may have detained and deported unidentified trafficking victims for labor or immigration violations. Foreign government officials reported Bruneian authorities deported several of their citizens after their Bruneian employers withheld wages or medical care and then reported to immigration officials that the migrant workers had run away. According to observers, the practice of detention and deportation perpetuated victims' fear of communicating with law enforcement officers, exacerbating significant identification and service provision gaps. On March 31, 2019, the government identified two potential sex trafficking victims, compared with three potential victims identified in 2017.

The government maintained a secure, general-purpose shelter and provided medical care, counseling, psychological assessment, clothing, meals, and access to vocational training programs and recreational activities to all female trafficking victims and male trafficking victims under the age of 18. The government required victims to apply to leave the shelter and permitted movement only when the victim was accompanied by a chaperone. Shelter officials permitted victims to make calls home in the presence of an official from their embassy who could translate the conversation for authorities. The government did not provide shelter or services to adult male victims. During the reporting period, three women, identified as potential trafficking victims in the previous reporting period, received shelter and assistance services until October 2018 when the government decided not to prosecute their case and repatriated the women—a year after authorities initially placed them in the shelter. For the third consecutive year, the government reported budget constraints delayed its ongoing renovation of a dedicated trafficking shelter.

The 2004 law established a fund to compensate victims and cover repatriation costs. However, the government's decision to not allocate money to the fund and convicted traffickers' ability to elect additional prison time in lieu of paying fines resulted in the fund's continued lack of resources. The departments of labor and immigration could grant victims temporary work passes on an ad hoc basis; the government did not report any victims receiving work passes during the reporting period. The government did not have legal alternatives to removal for victims who may face hardship or retribution upon return to their home countries.

PREVENTION

The government maintained limited efforts to prevent trafficking. The government's anti-trafficking interagency committee regularly met to review government efforts although it continued to operate without permanent authority within the government. For the fifth consecutive year, the government did not complete its draft national action plan to combat trafficking. The government continued its public awareness campaign with printed materials in English and Malay and supported a local NGO's anti-trafficking conference with official participation.

Brunei's 2004 Employment Agencies Order (EAO) mandated licensing and regulation of recruitment agents. The EAO prohibited agencies from charging or receiving any form of fees, remuneration, profit, or compensation; however, the labor department had not yet issued guidelines on this prohibition and therefore authorities had not implemented oversight of this provision. The government did not report taking action against any recruitment agencies for unlawful actions during the reporting period. Observers reported a number of migrant workers obtained authentic but improperly issued work permits in early 2018 and alleged a corrupt official had issued these permits. The observers noted later that cases of improperly issued work permits ceased after April 2018 when the government introduced a new work permit stamp. The labor department required foreign workers to sign their contracts in the presence of a labor officer to prevent forgery and for the labor official to be able to provide information to the worker on their rights and obligations; however, many workers' lack of literacy or fluency in local languages hindered disseminating information to and capturing information from workers. Brunei did not have a minimum wage; salary payments were negotiated in individual contracts which labor officials, without legal guidance, could not determine the fairness of. The 2009 Employment Order did not require employers to provide a written record of terms to employees not covered under the order, namely domestic workers and fishing crews.

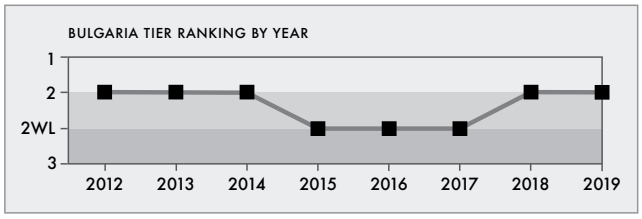
Although Bruneian law prohibited employers from withholding wages more than seven days or retaining employees' passports, foreign embassies reported their citizens commonly experienced both practices. The labor department provided workers with business cards containing the department's hotline for reporting labor violations and continued its awareness roadshow to educate the public on labor laws, including on passport retention. However, when labor officials inspected worksites they only required migrant workers to show a copy of their passport and visa and the government did not report taking administrative or legal action against employers for passport retention during the reporting period. The government did not make efforts to decrease the demand for commercial sex acts. Brunei is not party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Brunei. There are approximately 100,000 foreign migrant workers in Brunei from regional countries, including approximately 10,000 workers, most of whom are from mainland China, constructing a Chinese-funded petrochemical plant on an island in Brunei Bay with limited freedom of movement. Men and women migrate to Brunei primarily for domestic and construction work. Upon arrival, traffickers exploit some migrant workers through involuntary servitude, debt-based coercion, contract switching, non-payment of wages, passport confiscation, physical abuse, or confinement. Although it is illegal for employers to withhold the wages of their employees for more than seven days, some employers withhold wages to recoup labor broker or recruitment fees or to compel the continued service of workers. Retention of migrant workers' travel documents by employers or agencies remains a widespread practice, although the law prohibits it. Traffickers may force some female migrants who arrive in Brunei on a tourist visas into prostitution. Some traffickers who exploit migrants in Malaysia or Indonesia for sex or labor trafficking use Brunei to transit victims.

BULGARIA: TIER 2

The Government of Bulgaria does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Bulgaria remained on Tier 2. These efforts included convicting two complicit officials and extraditing another, allocating more funding for victim services, and participating in more international investigations. However, the government did not meet the minimum standards in several key areas. Authorities investigated and prosecuted fewer trafficking cases. Courts continued to issue suspended sentences for most convicted traffickers. Officials' lack of knowledge of trafficking indicators hindered effective victim identification. Corruption in law enforcement and the judiciary continued to hinder progress, and investigations into complicit officials rarely led to prison sentences.



PRIORITIZED RECOMMENDATIONS:

Sentence convicted traffickers to significant prison terms. • Increase efforts to investigate and prosecute sex and labor trafficking cases. • Vigorously investigate, prosecute, and convict government officials complicit in trafficking, and hold convicted officials accountable with prison terms. • Proactively identify potential trafficking victims. • Introduce a sustainable financial mechanism for victim services, such as supporting shelters and repatriation. • Allocate sufficient funding for anti-trafficking activities, including the implementation of objectives in the national strategy and national program. • Train more officials on victim identification. • Reopen the two NGO-operated shelters for trafficking victims in Sofia. • Enhance efforts to train law enforcement officials, prosecutors, and judges to understand the severity of sex and labor trafficking crimes and its impact on victims. • Provide knowledgeable legal counsel and courtroom protections for victims assisting prosecutions. • Reform the victim compensation process to make it accessible to trafficking victims and increase the number of victims receiving compensation.

PROSECUTION

The government decreased law enforcement efforts. Articles 159a-159d of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of two to eight years' imprisonment and a fine of 3,000 to 12,000 *lev* ($1,760 to $7,030) for offenses involving adult victims and three to 10 years' imprisonment and a fine of 10,000 to 20,000 *lev* ($5,860 to $11,720) for those involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Authorities investigated 59 cases, prosecuted 68 defendants, and convicted 59 traffickers, compared with 81 investigations, 80 prosecutions, and 59 convictions in 2017. Of the 59 convicted traffickers, only 15 (25 percent) received a prison sentence that was not suspended, a similarly low rate as in the previous five years. As in 2017, the government did not report the range of prison sentences imposed on convicted traffickers but reported a 12-year prison sentence imposed on a trafficker with an extensive criminal record. Courts issued fines to 21 convicted traffickers, compared with 29 in 2017. In order to clear case backlogs, prosecutors often agreed to plea bargains with traffickers, and courts approved subsequent settlements as a cost-effective alternative to a full trial. Guilty pleas reduced traffickers' sentences by one-third and led to a majority of lenient or suspended sentences. The General Directorate for Combating Organized Crime (GDBOP) maintained a specialized police unit for trafficking cases. In 2018, GDBOP and the Border Police investigated 25 international cases. In 2018, authorities extradited at least 13 suspected traffickers.

Corruption in law enforcement and the judiciary, lack of meaningful sentences for complicit officials, and long trials continued to impede progress. Despite multiple NGO and media reports of complicity, particularly regarding police accepting bribes from persons in prostitution for protection, authorities investigated only three officers for trafficking-related crimes and did not prosecute any complicit officials. A court issued suspended sentences to two police officers, who authorities arrested in 2016, for assisting a trafficker by withholding information and obstructing an investigation. Separately, in January 2018 a court suspended from office the mayor of a local village, who authorities extradited to Spain in July 2017, along with six other individuals, on charges of running a sex trafficking ring involving 51 Bulgarian female victims; the mayor was released on bail in October 2017, but the prosecution against the group remained ongoing in Spain. Observers reported police and prosecutors often believed trafficking victims chose the life of exploitation, and prosecutors and judges lacked sensitivity when interacting with sex trafficking victims. The Prosecution Service hosted two trainings for more than 50 prosecutors and investigators on understanding the victim-centered approach to trafficking. More than 400 law enforcement officials, prosecutors, labor inspectors, and refugee and migration officials attended 25 trainings organized by the government and NGOs; the trainings covered warning signs and identification of trafficking, application of the national referral mechanism and victim assistance opportunities, new trends and challenges with an emphasis on the use of internet for recruitment, and working with vulnerable groups, particularly children.

PROTECTION

The government maintained protection efforts. Based on open pre-trial investigations in 2018, the prosecution service identified 376 victims (309 of sex trafficking, 59 of labor trafficking, and eight of servitude), compared with 407 victims (323 of sex trafficking, 67 of labor trafficking, and eight of servitude) in 2017. Fifty-three of the identified victims were children (42 in 2017). Authorities did not identify foreign victims of trafficking during the year, compared to one potential victim of labor trafficking from Thailand in 2017. Experts alleged law enforcement could not effectively identify victims, due to insufficient knowledge and understanding of trafficking crimes. Pre-trial authorities formally identified trafficking victims, and the anti-trafficking commission, which coordinated the government's efforts, referred victims to services. The government allocated 390,000 *lev* ($228,470) for services and implementation of the annual national anti-trafficking and victim protection program with an additional 557,000 *lev* ($326,300) from a Swiss grant, compared with 376,000 *lev* ($220,270) and 254,000 *lev* ($148,800), respectively,

in 2017. Experts noted the victim protection program was chronically underfunded, which hampered implementation of a fully-fledged victim-centered approach, and with the conclusion of the Swiss grant in 2018, expressed concern for its sustainability. Experts also expressed disappointment in the lack of high-level political support, particularly vis-a-vis redirecting some of the money seized by traffickers toward victim assistance. Additionally, insufficient funding forced the two newly opened, NGO-operated shelters for victims in Sofia to suspend operations, further raising concerns with the government's ability to financially support victim services. The government continued contracting NGOs to operate an additional three centers offering consultative services for trafficking victims and three shelters offering residential services. Twenty-four publicly-run crisis centers offered social services to children and women victims of violence, including trafficking; the centers provided support, counseling, and accommodations to 119 trafficking victims. Child victims could stay in centers for up to six months at which point child protection services could place them with relatives, a foster family, or another residential care institution. The government allocated 9,180 *lev* ($5,380) annually per child accommodated in a crisis center and 33 *lev* ($19) monthly per child attending school. The National Council on Child Protection maintained referral services and accommodation for unaccompanied minors. Child protection coordinated the repatriation of 15 child victims; however, the government did not allocate funds for repatriation and relied either on the sending country or the Swiss grant to cover the cost.

The law allowed foreign victims who cooperated with law enforcement to stay and work in Bulgaria for the duration of criminal proceedings before deportation, although no foreign victims had applied for this status. For foreign victims who chose not to assist in trafficking investigations, the government provided a 40-day recovery period (70 days for foreign child victims) before repatriation. The law accorded victims anonymity during the pre-trial and trial phases, but authorities rarely implemented this provision, resulting in victims facing intimidation and threats to change their statements. Observers noted many victims did not cooperate with law enforcement because they did not believe the judicial system would protect them, effectively administer justice, or convict perpetrators with meaningful sentences. Observers also noted some judges exhibited more concern with the rights of the traffickers than the rights and needs of the victims. Although in general victims lacked support during criminal cases, such as the state not providing knowledgeable legal counsel during trials, an increasing number of prosecutors from rural areas worked with NGOs and social workers to prepare victims for trial. The process for seeking compensation remained overly bureaucratic and discouraged victims from making claims; as a result, no victims received compensation.

PREVENTION

The government increased prevention efforts. The government continued to implement its 2017-2021 national anti-trafficking strategy and adopted its annual national program for combating trafficking and victim protection, focusing on prevention among at-risk populations, victim identification, and assistance. The commission in conjunction with an international organization conducted a study that analyzed the national referral mechanism and victim services, identified gaps in criminal cases, policy development, and victim reintegration, and prepared recommendations. The government organized a conference for Western Balkan countries focused on the anti-trafficking situation in the region and strengthening regional anti-crime capacity. Multiple government agencies conducted anti-trafficking activities, including a national awareness campaign on the risks of labor trafficking, which targeted students and included meetings with trade unions and social workers. Additionally, local anti-trafficking commissions ran more than 40 prevention projects, reaching more than 30,000 people, including vulnerable groups such as members of the Roma community and children. In conjunction with Finland, Estonia, and Latvia, the government contributed to a multi-year project profiling trafficking in regional supply chains. Bulgarian and French authorities cooperated to counter illegal employment by conducting six inspections of temporary employment agencies offering work to Bulgarians in France. The General Labor Inspectorate (GLI) conducted 1,415 inspections of labor recruitment firms, temporary employment agencies, employers sending "posted workers" to EU countries, and cases involving foreign workers in Bulgaria; it identified 5,561 violations and imposed 536 fines. GLI trained inspectors from each of its regions to identify labor trafficking victims and cooperate with authorities. The government did not make efforts to reduce the demand for commercial sex acts. The government allocated 65,000 *lev* ($38,080) to an NGO-run hotline for victims of violence, including trafficking.

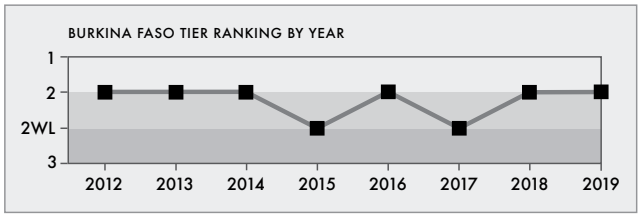
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Bulgaria, and traffickers exploit victims from Bulgaria abroad. Bulgaria remains one of the primary source countries of human trafficking in the EU. Bulgarian women and children are subjected to sex trafficking throughout Western Europe and in Bulgaria, particularly in the capital, resort areas, and border towns. Bulgarians of Turkish ethnicity and Romani women and girls, some as young as 13 years old, account for most of the sex trafficking victims identified in Bulgaria. NGOs report domestic servitude as an increasing form of exploitation, affecting Roma and ethnic-Bulgarian victims. Traffickers subject Bulgarian men and boys to forced labor across Europe, predominantly in agriculture, construction, and the service sector. Traffickers force Bulgarian adults and children with disabilities into street begging and petty theft within Bulgaria and abroad. Traffickers subject Romani children to forced labor, particularly begging and pickpocketing. The government reports an increase in the number of exploited children and in the number of victims, primarily men, forced to beg in France and Sweden. Bulgaria has been a destination country for a limited number of foreign trafficking victims, including from Southeast Asia. Government corruption in law enforcement and the judiciary continues to enable some trafficking crimes, and officials have been investigated for suspected involvement in trafficking.

BURKINA FASO: TIER 2

The Government of Burkina Faso does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Burkina Faso remained on Tier 2. These efforts included identifying and referring to care more potential victims, including children forced to work in artisanal mining and children exploited in forced begging; adding more labor inspectors that continued to remove children from exploitative situations; prosecuting and convicting a trafficker

posing as a Quranic teacher to exploit children in forced begging; and engaging with religious leaders to denounce corrupt Quranic teachers exploiting children in forced begging. However, the government did not meet the minimum standards in several key areas. The government did not report comprehensive law enforcement data. The anti-trafficking committee did not meet or conduct any activities during the reporting period. The government did not coordinate with law enforcement during a campaign to remove vulnerable children from the streets. Efforts to identify and refer adult victims to services remained weak. Despite identifying 2,000 potential child forced labor victims in artisanal gold mining, police did not report criminally prosecuting any trafficking cases within the exploitative mining sector.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to vigorously investigate, prosecute, and convict traffickers—including corrupt Quranic teachers and traffickers posing as Quranic teachers who exploit children in forced begging, and complicit officials—respecting due process and sentence convicted traffickers to significant prison terms, as prescribed in the 2008 anti-trafficking law. • Strengthen the system for collecting law enforcement and victim identification data. • Facilitate training of law enforcement, prosecutors, and judicial officials on investigating and prosecuting trafficking cases, including cases that do not involve movement. • Improve coordination among the anti-trafficking and child protection committees by providing funding or in-kind resources, convening regularly, and sharing data. • Increase the availability of shelter and services for all victims, including adults. • Investigate recruitment agencies suspected of fraudulently recruiting women for exploitation abroad. • Increase funding and resources for police and security force units charged with investigating trafficking crimes. • Increase funding and in-kind support, as feasible, for victim services, including long-term services and social reintegration. • Train law enforcement to identify victims among vulnerable populations, including women in prostitution and children in agriculture and mining, and refer them to protective services. • Work with NGOs to raise awareness of trafficking, especially forced begging in Quranic schools and trafficking that does not involve movement. • Draft a national action plan to combat trafficking.

PROSECUTION

The government maintained uneven law enforcement efforts and did not report consistent law enforcement statistics. Articles 511-1 to 511-5 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of five to 10 years' imprisonment and fines of 1 million to 5 million West African CFA francs (FCFA) ($1,760-$8,790) for offenses involving a victim over the age of 15, and 11 to 20 years' imprisonment and a fine of 2 million to 10 million FCFA ($3,520-$17,590) for those involving a victim 15 years of age or younger. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The government did not report comprehensive law enforcement data, and the data reported covered different but overlapping timeframes than the previous year, making it incomparable. With data from two regions, the National Police opened six new investigations involving 11 suspects between September 2017 and May 2018. With data from 12 regions, courts prosecuted 71 trafficking cases and convicted 61 traffickers between September 2017 and May 2018. For comparison, during the previous year, the government reported data from March 2016 and March 2018; in that time period, the government reported investigating, prosecuting, and convicting 61 traffickers. The government continued to investigate the 78 investigations that began in 2016, including investigations into debt bondage, forced begging in Quranic schools, sex trafficking, and the fraudulent recruitment of more than 47 women for domestic servitude in various Middle Eastern countries; the government began prosecuting the fraudulent recruitment case during the reporting period. The government prosecuted and convicted one Quranic teacher who forced or coerced children to beg. He received a 24-month prison sentence and a fine of 1.2 million FCFA ($2,110). Following the identification of 2,000 child laborers, including potential child forced labor victims in artisanal gold mining, the government initiated an investigation. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, trafficking-related corruption remained a concern. In the past, authorities alleged some officials exerted pressure over police and judiciary to drop labor trafficking cases, especially in the mining sector. The Ministry of Women, National Solidarity, Family, and Humanitarian Action (Ministry of Women) trained 60 judges and law enforcement officials on identification and referral procedures for victims of gender-based violence, including trafficking.

PROTECTION

The government increased efforts to identify trafficking victims and maintained efforts to protect victims. With partial data from 30 of 45 provinces from the full reporting period, the government reported identifying 851 trafficking victims and 2,844 potential trafficking victims; this was a significant increase from 1,750 potential victims identified in 45 provinces the previous reporting period. Of these 2,844 potential victims, the Ministry of Women identified 1,350 vulnerable children living on the street, including *talibés* (Quranic students) exploited in forced begging. Separately, the government identified and removed 2,000 child laborers from artisanal gold mining sites, some of whom might have been trafficking victims, and provided food, clothing, shelter, health care, and legal assistance to all of these children. In August 2018, the Ministry of Women launched a campaign to remove all vulnerable children from the street, including *talibé*s exploited in forced begging. Through the campaign, the government identified and provided care to 1,350 vulnerable children, including potential trafficking victims. The government provided all children identified during the campaign shelter and services including family reintegration, counseling, and medical services as needed. However, the Ministry of Women did not involve law enforcement in the campaign, limiting prosecutions of traffickers as a result of identifying potential trafficking victims. An international organization provided assistance and repatriation to 24 additional trafficking victims, including nine children, from Nigeria. The government had standard victim identification and referral procedures; in regions where authorities and front-line responders had been trained, they implemented such procedures effectively. In addition, the government validated and disseminated throughout the country

a case management guide for law enforcement and social services personnel to facilitate the uniform referral of child victims of crime, including trafficking, to care. The government coordinated with an international organization to screen for trafficking indicators among refugees and IDPs.

The government operated and staffed two shelters for victims of crime that trafficking victims could access in Ouagadougou; the shelter was open 24 hours per day and could accommodate long-term stays for both adults and children; the government referred an unknown number of trafficking victims to the shelters during the reporting period, and they received shelter, food, and medical assistance. Outside of the capital, the government operated 27 regional transit centers for victims of crime in 13 regions that could provide psychological, social, and food assistance. These offices provided short-term services, but usually not shelter, to an unknown number of Burkinabe and foreign child trafficking victims; the offices only operated during weekly business hours and when they had sufficient funding. In 2018, the government allocated approximately 8.5 million FCFA ($14,950) to victim protection services; in 2017, the government and NGOs disbursed 61 million FCFA ($107,270) to the transit centers in addition to the funding the government provided for the shelter and office staffs' salaries. The protection offices relied heavily on local NGOs and international organizations for the majority of support. When trafficking victims outside of Ouagadougou required shelter, authorities and NGOs nearly always placed victims with host families or an NGO; the government placed 31 child victims temporarily with foster families. Outside of Ouagadougou, there were no shelters or services specifically for adults; however, regional transit centers could accommodate adults when necessary. Long-term care for all victims remained inadequate. The government acknowledged victim services were insufficient, and service providers lacked the funding and resources to support victim protection, rehabilitation, and reintegration, which resulted in many victims being subjected to re-trafficking. The 2015 law on the prevention and repression of violence against women and girls mandated measures for victim support, including the establishment of free emergency integrated support centers to offer comprehensive support services for women and girl victims of violence, including sex trafficking, and the creation of a government support fund for victims; the government reported an unknown number of trafficking victims received support from the fund during the reporting period. The government had one such center in operation during the reporting period and allocated 1 million FCFA ($1,760) to it in 2018, compared to 5 million FCFA ($8,790) allocated in 2017. The ministry did not report how many victims it referred to this center during the reporting period.

The government encouraged victims to participate in trials against their traffickers by providing protection through the Ministry of Women, a regional human rights office, or foreign victims' embassies. The 2008 anti-trafficking law contained provisions to protect victims' identities and encourage their participation in prosecutions by allowing for closed sessions to hear victim testimony, excusing victims from appearing at hearings, and for social workers to accompany child victims. The government did not report if it utilized these provisions during the reporting period. The government did not report if victims could legally file civil suits against their traffickers or otherwise obtain restitution. Foreign victims who faced hardship or retribution in their country of origin could apply for asylum, but there were no reports trafficking victims applied for asylum during the reporting period. The government provided travel documents and facilitated the repatriation of nine Burkinabe child forced labor victims identified in Cote d'Ivoire. In collaboration with NGOs and international organizations, the government repatriated Burkinabe trafficking victims from Nigeria, Togo, Benin, and Cote d'Ivoire and provided shelter, food, medical care, psychological support, and family reunification. There were no reports of trafficking victims penalized for unlawful acts committed as a direct result of being subjected to trafficking; however, without uniform implementation of victim identification measures, including among vulnerable populations, some victims could have been left unidentified in the law enforcement system.

PREVENTION

The government maintained efforts to prevent trafficking. The Ministry of Women led the national anti-trafficking committee established to coordinate government anti-trafficking efforts. The committee did not meet during the reporting period and continued to lack the resources to plan future initiatives or take proactive measures to combat trafficking. The hybrid government-NGO working group for child protection functioned more effectively, so the government used this body to coordinate and share information on child protection and child trafficking issues. The anti-trafficking committee had sub-committees at the regional, provincial, and departmental levels to coordinate locally; subcommittees were composed of police, social workers, transit companies, NGOs, and other regional stakeholders, and they coordinated administrative efforts to support anti-trafficking law enforcement activities and victim protection and collected anti-trafficking data for the national committee's annual report. These groups, also responsible for intercepting traffickers and identifying victims, lacked resources for day-to-day operations, but none of these groups met during the reporting period. The government did not report allocating any funding to these committees in the reporting period. Despite the existence of the various anti-trafficking committees and child protection working groups, inter-governmental communication on anti-trafficking issues remained lacking and inhibited progress. The government did not have or begin drafting an anti-trafficking national action plan. Prior to launching the campaign to remove vulnerable children from the street, the Minister of Women met with the Association of Quranic Teachers of Burkina Faso and secured their commitment to cease practices of forcing *talibés* to beg. The Ministry of Women conducted awareness-raising campaigns through radio programs, debates, and posters in five regions as well as holding capacity-building workshops on child protection, including child trafficking, in all regions of the country, and reported reaching 543,522 people, of which 23,712 were children.

The government identified and removed children from mining through its 2015-2019 national program to combat child labor in artisanal mines, although the government did not devote any funding or resources to implement other tenets of the plan. The Labor Inspectorate increased its number of labor inspectors from 169 to 255 during the reporting period, all of whom received basic training on child labor laws, although it did not report the number of inspections. In 2018, 2,000 child laborers, including potential child trafficking victims, were identified in artisanal mines during labor inspections and referred to care. The Ministry of Women continued to provide monitoring services and assistance to 20,000 freed child miners to reduce their vulnerability to additional child or forced child labor. The Ministry of Women continued to operate a hotline to report cases of violence against children, including trafficking. The hotline operated every day from 7:00am to

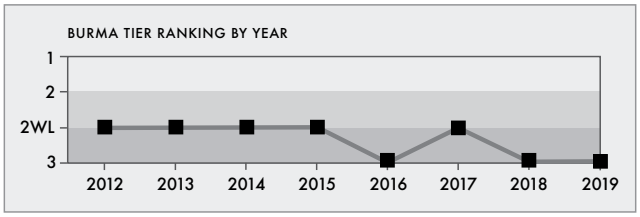
10:00pm and received 7,312 calls during the reporting period; 196 trafficking victims were identified as a result of calls to the hotline. The government provided vocational training for the social reintegration of young street children vulnerable to trafficking. The government did not report any policies to prevent the fraudulent recruitment or exploitation of Burkinabes abroad but did partner with an international organization to conduct an awareness campaign on the vulnerability to exploitation faced by irregular migrants. The government made some efforts to reduce the demand for commercial sex acts and forced labor. The government did not report providing anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Burkina Faso, and traffickers exploit victims from Burkina Faso abroad. Traffickers promise families educational opportunities but instead force Burkinabe children to labor as farm hands, gold panners and washers in artisanal mines, street vendors, and domestic servants. In some cases, parents know their children will be exploited in domestic servitude but allow the exploitation to supplement the family income. An international organization estimates between 200,000-300,000 children work in artisanal mining sites, some of whom may be trafficking victims. Unscrupulous Quranic teachers force or coerce children to beg in Quranic schools, sometimes with parents' knowledge. According to a 2016 survey, 9,313 children are living in the streets of Ouagadougou, of which 46 percent are *talibés* vulnerable to forced or coerced begging. During the reporting period, authorities in Senegal identified Burkinabe children exploited in forced begging. Girls are exploited in sex trafficking in Ouagadougou and in mining towns. Burkinabe children—including orphan street children—are transported to Cote d'Ivoire, Mali, and Niger for forced labor or sex trafficking. Burkinabe adult trafficking victims were identified in Mali and Tunisia during the reporting period. To a lesser extent, traffickers recruit women for ostensibly legitimate employment in Lebanon, Qatar, Saudi Arabia, and—to a lesser extent—Europe and subsequently compel them into commercial sex. Burkinabe women are also exploited in domestic servitude in the Middle East. In 2018, an international organization repatriated approximately 588 Burkinabe adults from Libya, some of whom traffickers exploited in forced labor in construction and agriculture and sex trafficking in Libya, compared to 845 in 2017. As of April 2019, an international organization reported there were 145,000 IDPs in Burkina Faso as a result of instability due to terrorist attacks. Burkina Faso is a transit country for traffickers transporting children from Mali to Cote d'Ivoire and women and girls from Cote d'Ivoire to Saudi Arabia, and it is a transit county for Ghanaian migrants traveling to Libya and Italy, some of whom are trafficking victims. Children from neighboring countries, including Cote d'Ivoire, Ghana, Guinea, Mali, Niger, and Nigeria, are subjected to forced labor and sex trafficking. Women from other West African countries are fraudulently recruited for employment in Burkina Faso and subsequently subjected to sex trafficking, forced labor in restaurants, or domestic servitude. Nigerian girls are exploited in sex trafficking in Burkina Faso. In past years, authorities have identified Nepalese traffickers subjecting Tibetan women to sex trafficking in Burkina Faso and Sri Lankan citizens transiting Burkina Faso allegedly en route to forced labor in a third country.

BURMA: TIER 3

The Government of Burma does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Burma remained on Tier 3. Despite the lack of significant efforts, the government continued to prosecute and convict traffickers, raise awareness of the crime among vulnerable communities, and screen for potential victims in key border areas with high prevalence of the crime. However, there were reports that government officials were complicit in both sex- and labor trafficking, including by hindering law enforcement efforts against the perpetrators, and by subjecting incarcerated populations to unlawful prison labor. Burmese armed forces (Tatmadaw) operations in several areas of the country continued to dislocate thousands of Rohingya and members of other ethnic groups, many of whom were vulnerable to trafficking in Burma and elsewhere in the region as a result of their displacement. While the Tatmadaw continued efforts to identify and demobilize child soldiers among its ranks, child soldier recruitment and use continued, and the government took punitive action against former child soldiers for desertion, alleged fraud, and defamation. The Tatmadaw continued to require troops to source their own labor and supplies from local communities, thereby perpetuating the forced labor of adults and children.



PRIORITIZED RECOMMENDATIONS:

Cease all unlawful recruitment and use of children by armed forces and make efforts to facilitate ending child soldier recruitment by non-state groups, including by supporting the UN's efforts to enter into child demobilization agreements with ethnic armed groups (EAGs). • Cease arresting, detaining, and punishing victims—including minors absconding from Tatmadaw service—for acts committed while subjected to trafficking. • Implement formal procedures to proactively identify victims among vulnerable groups and refer them to service providers, with an emphasis on communities displaced by conflict. • Provide legal status to stateless persons in Burma to decrease their vulnerability to trafficking. • Reduce trafficking vulnerabilities among internally displaced members of ethnic minority groups by eliminating restrictions on their freedom of movement. • Cease official involvement in compelling civilians to perform any type of forced labor for the military, including by formally ending the "self-reliance" policy that drives the demand for forced labor. • Cease the forced labor of prison inmates. • Strengthen efforts to identify, prosecute, and convict individuals—including Tatmadaw and other government officials and civilian brokers—complicit in sex and labor trafficking, including the unlawful recruitment and use of child soldiers, and apply adequate penalties, including significant prison terms. • Amend the anti-trafficking law to ensure a demonstration of force, fraud, or coercion is not required to constitute a child sex trafficking offense. • Strengthen efforts to prioritize and significantly increase government funding for victim protection efforts, including victim shelters, provision of

services for male victims, and reintegration support for former child soldiers. • Enhance law enforcement and justice sector efforts to more effectively apprehend suspected traffickers and retain them under pre-trial detention during court proceedings in order to reduce their risk of flight. • Establish and implement a comprehensive criminal justice record-keeping system to track data on anti-trafficking investigations, prosecutions, convictions, and sentencing. • In partnership with civil society groups and regional authorities, develop and implement oversight mechanisms to prevent forced labor in precious gemstone mining, with a focus on jade mining in Kachin State.

PROSECUTION

The government maintained limited law enforcement efforts. The 2005 Anti-Trafficking in Persons Law criminalized all forms of labor trafficking and some forms of sex trafficking. However, inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense and therefore did not criminalize all forms of child sex trafficking. The law prescribed penalties of five to 10 years' imprisonment and a fine for trafficking offenses involving male victims, and penalties of 10 years' to life imprisonment for trafficking offenses involving female or child victims. These punishments were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Forced labor, including the recruitment of children into the Tatmadaw, was a criminal offense under the 2005 anti-trafficking law, the 2012 Wards and Village Tracts Administration Act, and penal code section 374. The Tatmadaw reportedly continued to cite provisions in military law to punish individuals who used or recruited children for purposes of exploitation; the government did not provide information about the identities of these individuals or their punishments in 2018, but those applied in prior years—including demotions and geographic reassignments—were disproportionately low compared to the seriousness of the crime. The government continued a legal review to redraft and strengthen the 2005 anti-trafficking law. For the third consecutive year, a draft child protection law establishing clearer penalties for civilians and Tatmadaw personnel convicted of child soldiering offenses remained under parliamentary consideration at the end of the reporting period.

Burma's judiciary lacked a comprehensive record-keeping system, leading to incomplete law enforcement statistics. In 2018, the government reported investigating 205 trafficking cases (185 in 2017). Of these, 21 were cases of forced labor (22 in 2017 and 44 in 2016), 20 were cases of "forced prostitution," and five with unspecified "unique circumstances" involving children that did not meet international definitional standards, such as illicit adoption and surrogacy practices. The remaining 158 were cases of forced marriage; authorities did not report whether these featured corollary sex trafficking or forced labor indicators. Unlike in prior years, the government did not disaggregate forced labor cases by industry; authorities merely specified two of the cases identified in Thailand involved a rubber plantation and a girl forced to sell candy, respectively (one case of domestic servitude and 21 cases related to fishing, manufacturing, palm oil farming, and jade and precious stone mining in 2017). Most of the government's law enforcement efforts continued to focus on sex trafficking or the involuntary domestic servitude of Burmese women through forced marriages to Chinese men. Authorities reported identifying 585 suspects, among whom they arrested and prosecuted 342 individuals (532 prosecutions in 2017); however, most of these were conducted in absentia. The Anti-Trafficking in Persons Division (ATIPD) broadened trafficking investigations into criminal assets under the Anti-Money Laundering Law, leading to successful asset seizure in two cases. Unlike in prior years, the government did not report how many traffickers it convicted (156 in 2017 and 145 in 2016), and courts did not provide complete sentencing data (86 individuals imprisoned in 2017). Based on sentencing information gleaned from a small number of illustrative cases provided by the authorities, sentences ranged from 10 to 40 years' imprisonment. In previous years, as many as half of convicted traffickers—whom authorities did not keep in pre-trial detention during proceedings—absconded and remained at large. Contacts reported the government did not make significant efforts to track and apprehend these absconded suspects.

The ATIPD maintained dedicated anti-trafficking task force (ATTF) police throughout the country and increased the number of officers among 32 regional offices to 490 in 2018 (373 in 2017). Burma's Central Body for the Suppression of Trafficking in Persons (CBTIP) coordinated the government's anti-trafficking efforts, including training for ATIPD offices. It also continued to host training sessions and coordination meetings on trafficking for government officials with foreign donor assistance. Civilian police capacity to address trafficking continued to improve, but overall progress was limited in the absence of key criminal justice reforms and amid ongoing organizational concerns, including insufficient interagency coordination. A lack of clarity between the roles and responsibilities of ATTF officers and general Myanmar Police Force (MPF) officers, coupled with poor police-prosecutor cooperation and rapid law enforcement turnover, continued to hamper the success of investigations and prosecutions. MPF officers often perceived they did not have the authority to pursue investigations proactively, believing instead that trafficking crimes fell solely under ATTF jurisdiction. It is therefore possible that some MPF officers turned away victims attempting to report their abuses, as was the case in prior years. ATTF officers continued to consult and cooperate with law enforcement agencies in China, Laos, and Thailand as part of formal dialogues on trafficking issues; however, observers noted frequent turnover among ATTF officers prevented Burma from participating meaningfully in some of these cooperative mechanisms.

Some government and law enforcement officers reportedly participated in, facilitated, or profited from the sex trafficking of women and girls. Corruption and impunity reportedly continued to hinder the enforcement of trafficking laws; police officers acting on bribes, as well as individuals claiming to have ties to high-level officials, purportedly pressured victims not to seek legal redress against their traffickers in some cases. NGOs alleged some government officials were connected to or profited from entertainment establishments engaged in the sex trafficking of women and girls; victims also reported witnessing unspecified uniformed personnel involved in trafficking crimes. Authorities reported charging and opening investigations into two government officials suspected of complicity in trafficking-related crimes; one involved a Lashio police prosecutor who allegedly accepted bribes to facilitate illicit marriage migration, a key trafficking vulnerability, and authorities did not provide information on the second charge. A third corruption case involved the spouse of a former Mandalay police who allegedly used her influence to facilitate an unspecified internal trafficking crime. All three cases were ongoing at the end of the reporting period. In prior years, ATTF has raided and arrested the managers of karaoke bars and other establishments for alleged sex trafficking; the owners of these establishments frequently absconded prior to the raids, leading to suspicions of advance warning from local administrative or law enforcement officials.

The power and influence of the Tatmadaw limited the ability of the government to address cases of adult forced labor and child soldier recruitment and use by the armed forces. Burmese law provided for separate judicial procedures for military personnel accused of criminal misconduct. However, authorities did not provide specific information about these procedures during the reporting period, and civilian authorities had never prosecuted a civilian for child soldier recruitment despite reports of civilian recruitment brokers. The Ministry of Defense (MOD) reported taking unspecified disciplinary action against 27 Tatmadaw personnel for child soldier recruitment in 2018; this marked an increase from 19 personnel punished in 2017. The MOD did not report punitive measures for Tatmadaw personnel guilty of subjecting adults to forced labor. In past years, most of these cases reportedly culminated in reprimands, fines, or decreases in pension—penalties significantly less than those prescribed by criminal law.

PROTECTION

The government maintained inadequate victim protection efforts. Authorities continued to rely on neighboring countries' screening and referral measures for the majority of victims identified. The government reported ongoing efforts to establish a national referral mechanism with the help of an international organization. Police reported identifying or receiving foreign governments' referrals for 312 trafficking victims in 2018, including 31 children (an increase from 289 in 2017); however, more than 150 of these cases involved forced marriage, and authorities did not report whether these included corollary forced labor or sex trafficking indicators. The exact number of domestic victims identified by Burmese authorities was unknown, but police reported assisting victims in 29 cases of trafficking within the country (44 cases in 2017). Authorities estimated internal trafficking constituted 18 percent of all cases identified during the year; civil society groups believed this figure to be much higher. The government did not undertake victim screening or service provision efforts among vulnerable ethnic minority communities displaced by conflict in Rakhine, Kachin, or Shan States. The Tatmadaw granted most UN monitors' requests within 72 hours to access and inspect military installations for the presence of children; in recent years, the UN reported the Tatmadaw might have carefully controlled these visits and removed problematic indicators in advance. The government restricted the access of most international organizations to its prisons; the government also prevented assistance from reaching displaced Rohingya and other vulnerable populations during the year by implementing access restrictions on the UN and other humanitarian agencies. Continued violence in Rakhine State and conflict in Kachin and Shan states also constrained monitoring efforts.

International monitors verified at least two new incidents of child recruitment by the Tatmadaw during the reporting period (49 total cases in 2017), the youngest of which involved a 13-year-old. The UN also confirmed at least 36 cases that had been pending verification in the previous reporting period. Specific data on methods of recruitment were unavailable, but past methods included force and coercion by both civilian and military brokers, as well intake of minors joining at the behest of their families. At least 174 unverified cases of recruitment into Tatmadaw ranks were under review at the end of 2018. The Tatmadaw and its affiliate militias also continued to use children for labor or other support roles, including barracks cleaning, portering, and cooking. International monitors documented dozens of cases of child use by the Tatmadaw, including three incidents involving 54 children used—possibly in direct hostilities—in northern Rakhine State. The Border Guard Police also reportedly used children for unspecified labor. The Tatmadaw removed at least 12 children from front-line assignments in response to notification letters from international monitors, and the government reported releasing at least 75 individuals originally recruited as children from the Tatmadaw through implementation of its UN-backed action plan on child soldiers (49 in 2017 and 112 in 2016). Observers attributed the continued trend of recruitment and use to ongoing military conflict in several areas of the country, including Rakhine State.

International monitors continued to report cases in which the Tatmadaw detained children for absconding from its ranks, as well as for alleged affiliation with EAGs. Authorities reported using biometric registration technology to prevent minors from enlisting with the Tatmadaw, including those who had already been demobilized and were attempting to rejoin; data on these trends were unavailable, but in previous years, the Tatmadaw at times filed fraud charges against some of these children for lying about their age, rather than referring them to protective services. The officer in charge of several Tatmadaw installations reportedly issued a written decree threatening any minors secretly enlisted under his command with jail time if they failed to come forward for demobilization prior to March 1, 2018. NGOs believed this policy might have dissuaded some minors from benefiting from demobilization services. Authorities arbitrarily added six months to the two-year prison sentence of a former child soldier convicted on defamation charges after he relayed his experience to an international media outlet in 2018. This may have further discouraged child soldiers from coming forward and accessing protective services.

The government continued to operate five centers for women and children who were victims of violent crime; all five could shelter trafficking victims, and one was dedicated to female trafficking victims. Another housed repatriated trafficking victims. Prior to their reintegration, these victims had the alternative option to stay in any of four transit centers run by the Department of Rehabilitation (DoR) under the Ministry of Social Welfare, Relief, and Resettlement (MSWRR); these facilities were called "Women's Vocational Training Centers," and a fifth was in development at the end of the reporting period. The government did not report how many victims benefited from this provision in 2018. The government also operated three facilities funded by a foreign donor that could serve both male and female victims. It did not report the total number of victims receiving services in these facilities or whether shelters housed any men. Services in government facilities remained rudimentary, but authorities allocated funding for trafficking victim protection, and some victims received psycho-social counseling, travel allowances, support for obtaining official documents, and assistance in returning to home communities. NGOs and foreign donors funded and facilitated delivery of most services available to trafficking victims. Contacts reported the wide purview of the MSWRR—which included Burma's narcotics epidemic and social services in conflict zones—prevented it from dedicating sufficient resources to protecting trafficking victims. The government did not maintain a centralized fund for victim assistance, but MSWRR reportedly provided 19.75 million kyats ($12,870) to fund reintegration services for 175 trafficking victims, and the ATIPD's budget included a line item of 381 million kyats ($248,210) for reintegration, transport, meals, and medical care. In an effort to improve interagency-NGO coordination on victim protection, the government added 60 personnel to the DoR, but it reportedly remained under-resourced.

Overall government support to demobilized child soldiers remained minimal, with most services provided by civil society partners. Longer-term support was limited to vocational training for some former child soldiers and women in major city centers and border areas; the lack of adequate protective measures for victims—particularly males—left them vulnerable to re-trafficking. The government did not have adequate procedures for assisting victims identified abroad, and diplomatic missions overseas largely lacked adequate funding or capacity to provide basic assistance or repatriate victims. However, the government maintained labor attachés in Thailand, Malaysia, and South Korea, whose responsibilities included assisting trafficking victims. Authorities reported repatriating 3,600 Burmese nationals from abroad with assistance from an international organization, but they did not specify how many of these were trafficking victims.

The government maintained Department of Social Welfare (DSW) offices throughout the country, each with full-time case managers, to provide health care, reintegration assistance, psycho-social care, and legal services to trafficking victims, including child soldiers. The government also established a working group on victim repatriation, reintegration, and rehabilitation under the DSW. However, DSW continued to lack the resources necessary to adequately provide these services to trafficking victims, and high ATTF turnover and lack of awareness impeded the coordination required to ensure victims identified by law enforcement officers would be connected to DSW protection. While police and border officials continued to proactively identify suspected victims en route to China for marriages likely to result in sex or labor exploitation or to Thailand for potential sex trafficking, authorities did not follow standardized, nationwide procedures or receive adequate training for the proactive identification of victims. CBTIP reportedly arranged training for ATIPD officers on victim identification and protection, in addition to fostering coordination between ATIPD and civil society groups on service provision.

Trafficking victims frequently declined to cooperate with authorities due to the lack of adequate victim protection or compensation programs, language barriers, a lengthy and opaque trial process, fear of repercussions from their traffickers, and general mistrust of the legal system. A cumbersome investigative process required victims to give statements multiple times to different officials, increasing the likelihood of re-traumatization. Restrictions on contact between victims and prosecutors further impeded case-relevant communication and further obfuscated the court process for some victims. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution, nor did it provide temporary status to any foreign victims. Although there were no specific reports of victim penalization during the reporting period, in prior years, authorities arrested sex trafficking victims due to inadequate efforts to screen for indicators of trafficking during anti-prostitution interventions—a trend that likely continued.

PREVENTION

The government maintained prevention efforts. CBTIP continued to coordinate anti-trafficking programs and policies, and authorities established a new prevention working group under the Ministry of Home Affairs. However, a draft five-year comprehensive trafficking prevention strategy initiated in 2016 remained under presidential review for the third consecutive year. A 2014 directive prohibiting the use of children by the Tatmadaw remained in place. Although oversight and monitoring of recruitment procedures remained insufficient to prevent child recruitment, the Tatmadaw continued to employ age verification measures and provide enlisted personnel, training centers, and recruitment officials with age assessment and child soldier prevention trainings. The government formed an interagency "Committee for Preventing Grave Violations against Children in Armed Conflicts" to formulate and implement relevant public awareness campaigns. However, because the Tatmadaw did not cease its "self-reliance" policy in practice, adults and children—particularly in conflict areas populated by members of ethnic minorities—remained vulnerable to forced labor.

Ethnic minority groups in Burma—particularly internally displaced Rohingya, Rakhine, Shan, and Kachin communities—continued to be at elevated risk of forced labor as a result of ongoing military action. Rakhine groups fleeing Tatmadaw violence were especially vulnerable to forced labor in EAG-owned jade mines and nearby refuse mining operations run by government-backed militias in Kachin state; some Rakhine individuals paid EAG-run brokerages to facilitate this internal migration, incurring large debts in the process and increasing their vulnerability to debt bondage. The government did not formally allow the UN to enter into child soldier demobilization agreements with EAGs, which continued their recruitment and use of child soldiers during the reporting period amid ongoing violence in several areas of the country. Violence in northern Rakhine State also continued to result in the migration of Rohingya into neighboring Bangladesh, where many of them were vulnerable to trafficking—or transported to other countries for the purpose of sex trafficking—as a result of their displacement.

Approximately one quarter of Burma's residents continued to lack access to citizenship or identity documents, significantly increasing their vulnerability to traffickers in Burma and in other countries. Authorities continued to offer a citizenship verification process pursuant to a 1982 law, but participation was low among Rohingya in Rakhine State amid concerns that the authorities might require these individuals to inaccurately list themselves as "Bengali," a term that could potentially further limit their access to certain rights. Authorities did issue citizenship to a small number of Rohingya, but most of these were naturalized—a distinction that afforded them fewer rights than full citizens. Government policies limiting freedom of movement in some jurisdictions hindered access to employment and education for some communities, especially in IDP camps housing Rohingya and other ethnic minority groups, further aggravating economic conditions that have contributed to individuals pursuing informal migration and employment channels known to engender forced labor and sex trafficking.

The government reported conducting an awareness-raising campaign through 2,251 separate activities involving print, television, radio, billboards, roadshows, and other media—particularly in high-vulnerability states—and to train members of community-based watch groups and students on trafficking (2,300 activities in 2017). This included placement of 46 billboards and 200 posters informing people of their rights, and distribution of 500,000 anti-trafficking pamphlets nationwide. CBTIP used state-owned radio, television, and a social media platform to raise awareness on safe migration guidelines and government policies, regulations, and laws related to trafficking. ATIPD officers reportedly conducted awareness-raising activities in 26 IDP camps in Kachin State and 28 IDP camps in Rakhine, reaching an estimated 8,300 individuals. The government also established new contact with local law

enforcement liaison offices in non-government-controlled areas to disseminate awareness-raising materials in vulnerable communities. Authorities continued to release information on the prosecution of traffickers via government-supported and private media throughout the country. The ATIPD maintained a hotline and a social media account with information on trafficking, including updated law enforcement statistics, but did not report the extent to which the public employed either of these mechanisms. The government did not make significant efforts to punish labor recruiters or brokers for illegal practices that increased migrants' vulnerability to exploitation abroad. The police did not report any cases of child sex tourism during the reporting period. Authorities continued to partner with an NGO to raise awareness about child sex tourism. The government did not take steps to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers subject men, women, and children to forced labor, and women and children to sex trafficking, both in Burma and abroad. There have also been limited reports of traffickers transporting foreign victims through Burma en route to other countries in Asia. Traffickers subject some Burmese men, women, and children who migrate for work abroad—particularly to Thailand and China, as well as other countries in Asia, the Middle East, and the United States—to forced labor or sex trafficking. Traffickers force men to work abroad in fishing, manufacturing, forestry, agriculture, and construction, and they subject women and girls primarily to sex trafficking or forced labor in garment manufacturing and domestic service. NGOs continue to report instances of Burmese males transiting Thailand en route to Indonesia and Malaysia, where traffickers subject them to forced labor, primarily in fishing and other labor-intensive industries. Senior crew aboard Thai-owned and flagged fishing vessels subject some Burmese men to forced labor through debt-based coercion, passport confiscation, threats of physical or financial harm, or fraudulent recruitment; they also subject some to physical abuse and force them to remain aboard vessels in international waters for years at a time without coming ashore. Traffickers are increasingly transporting Burmese women to China and subjecting them to sex trafficking and domestic servitude through forced marriages to Chinese men; Burmese government officials are occasionally complicit in this form of trafficking, as well as in the facilitation of the smuggling and exploitation of Rohingya migrants. Traffickers abduct Rohingya women and children in transit while fleeing violence—and reportedly from refugee camps in Bangladesh—and sell them into forced marriage in India, Indonesia, and Malaysia; some of them may experience conditions indicative of forced labor or sex trafficking.

Within Burma, men, women, and children from predominantly ethnic minority areas—including more than 107,000 persons displaced by conflict in Kachin and northern Shan states and at least 150,000 displaced persons in Rakhine state—are at increased risk of trafficking. Approximately one quarter of the population in Burma does not have access to citizenship or identification documents, generating trafficking vulnerabilities that disproportionately affect ethnic minority groups—particularly in Kachin, Shan, and Rakhine States. In Kachin, displaced women and girls are especially vulnerable to trafficking, including forced concubinism leading to forced childbearing, via forced or fraudulent marriages to Chinese men arranged by deceptive or coercive brokers. One academic study found that 2,800 out of 5,000 Kachin and Shan women returning to Burma after experiencing forced marriage in China had also been subjected to forced childbearing. Rohingya individuals are particularly vulnerable to labor trafficking in Rakhine state, including forced labor perpetrated by government authorities. Many women and girls among the estimated 728,000 Rohingya who fled from conflict in Rakhine to neighboring Bangladesh since August 2017 have been subjected to sex trafficking in Bangladesh and India. Ethnic Rakhine are reported to be victims of forced labor on the margins of conflict between the Tatmadaw and EAGs in Rakhine State. Traffickers subject members of Burma's Shan, Burman, and Thai Yai ethnic groups to sex trafficking and forced labor in seasonal strawberry and longan harvesting, year-round orange farming, manufacturing in registered and unregistered factories, and construction of roads and city government facilities across the border in northwestern Thailand. Traffickers use deceptive recruitment tactics and immigration status-based coercion to subject migrant workers from Shan State to forced labor on sugarcane plantations in China's Yunnan Province.

Local traffickers use deceptive tactics to recruit men and boys into forced labor on palm oil and rubber plantations, in jade and precious stone mines, and in riparian fishing. In Kachin State, men, women, and children are vulnerable to forced labor in jade prospecting throughout refuse areas created by larger mining operations. A majority of these prospectors are reportedly addicted to opiates or methamphetamines, which some traffickers—including members of EAGs and government-supported militias—may intentionally facilitate and exploit to retain their labor. Crime syndicates subject women and girls to sex trafficking in massage parlors located in close proximity to these refuse mining areas, often in partnership with local government and law enforcement officials. Many people displaced by violence in Rakhine State, including ethnic Rakhine, travel to Kachin for this work. Forced eviction from new mining sites and resulting economic hardships make Kachin communities more vulnerable to trafficking. Traffickers subject children to sex trafficking or to forced labor, at times through debt-based coercion, in teashops, small businesses, the agricultural and construction sectors, and in begging. Traffickers subject children and adults to forced domestic servitude. A small number of foreign child sex tourists exploit Burmese children.

Some Tatmadaw personnel, civilian brokers, border guard officials, and EAGs continue to recruit or use child soldiers, particularly in conflict-affected ethnic areas. Civilian recruiters in some cases coerce or offer incentives to children or their families through false promises about working conditions, salary, and promotion opportunities. EAGs force men and boys to serve through intimidation, coercion, threats, arbitrary taxation, and violence. The Tatmadaw has employed the same tactics in the past, although many children identified in military service initially enter under the auspices of civilian brokers or enlist at the behest of their own families. The Tatmadaw deploys some child soldiers to the front-line as combatants. Tatmadaw-backed militias are also increasingly involved in the recruitment and use of children in conflict settings. Some EAGs abduct or recruit children, including from internally displaced persons' camps, to fight against the Tatmadaw.

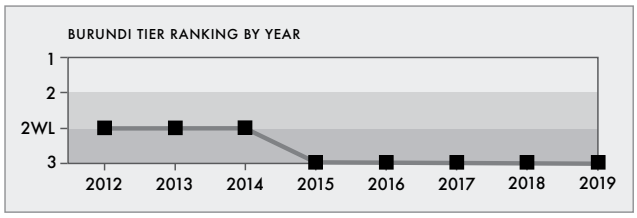
The Tatmadaw, civilian officials, and some EAGs also use various forms of coercion, including threats of financial and physical harm, to compel adult victims into forced labor. In areas with active conflict, the Tatmadaw subjects members of local populations—mostly men, but also women and children—to forced labor in portering, construction, cleaning, cooking, and public infrastructure projects. The Tatmadaw also subjects civilians to forced labor as part of its "self-reliance" policy,

under which battalions are responsible for procuring their own food and labor from local communities. Reports of Tatmadaw-controlled forced labor and other abuses are highest among ethnic minority communities in the conflict zones within Shan, Karen, and Kachin states. Land confiscation by the Tatmadaw, local government, and private businesses places agricultural workers and people living in mining areas at risk for forced labor, including on lands they had previously occupied.

The government operates as many as 47 prisons and 49 labor camps, which it officially dubs "agriculture and livestock breeding career training centers" and "manufacturing centers," respectively. The camps house more than 20,000 inmates across the country, including Rohingya and others convicted under spurious or politically motivated charges. Eighteen of these camps feature mining operations. Authorities reportedly send prisoners whose sentences do not include "hard labor" to these labor camps in contravention of the law. Labor camp authorities also "rent out" portions of the prison population as a labor source for private companies. Political prisoners may be at elevated risk of trafficking upon release due to laws preventing them from securing documents related to proof of identity, travel permission, or land ownership. Anti-LGBTI laws place some LGBTI individuals at higher risk of extortion and psychological coercion by law enforcement.

BURUNDI: TIER 3

The Government of Burundi does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Burundi remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking by increasing the number of immigration officials that received training, replacing a dormant committee and establishing a new inter-ministerial committee, adopting a national action plan, conducting public awareness campaigns, increasing cooperation with civil society, and arresting a suspected complicit official. However, the government did not prosecute or convict any trafficking offenders for the fourth consecutive year. It did not hold accountable officials complicit in trafficking crimes, despite continuing allegations. The government did not report the overall number of victims identified or referred to assistance. The government did not establish standardized procedures to assist in identification and referral or have adequate protection services available for victims and primarily relied on civil society organizations to provide protection services. Authorities continued to lack a clear understanding of trafficking, and although the government increased training of immigration officials during the reporting period, it did not institutionalize anti-trafficking training for its personnel.



PRIORITIZED RECOMMENDATIONS:

Implement the anti-trafficking law and significantly increase efforts to more effectively investigate, prosecute, and convict traffickers. • Investigate all credible accusations of official complicity and hold complicit officials criminally accountable. • Institutionalize anti-trafficking training—including case investigation and victim identification—for all law enforcement, and implementation of the anti-trafficking law for all prosecutors and judges. • Develop national standardized procedures to systematically identify and refer trafficking victims to appropriate care and expand protective services for victims through partnerships with NGOs, including by allocating resources and providing separate shelter for children and adults. • Devote sufficient resources and implement the 2019-2020 national action plan, including by dedicating personnel necessary to achieve goals established in the plan. • Develop national level data collection on law enforcement and victim identification efforts. • Implement strong regulations and oversight of labor recruitment companies that are consistently enforced, including eliminating recruitment fees charged to migrant workers, and holding fraudulent labor recruiters criminally accountable. • Increase bilateral labor negotiations with destination country governments on migrant worker rights.

PROSECUTION

The government maintained limited law enforcement efforts. Burundi's 2014 anti-trafficking law criminalized sex trafficking and labor trafficking. The law prescribed penalties of five to 10 years' imprisonment and a fine of 100,000 to 500,000 Burundian francs ($56 to $279), and in cases involving children, the law prescribed penalties of 10 to 15 years' imprisonment and a fine of 500,000 to 2 million Burundian francs ($279 to $1,120). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

The government had no centralized data collection mechanism on trafficking and did not systematically report enforcement actions, making comprehensive statistics difficult to obtain. The government reported investigating 10 trafficking cases during the year, but reported zero prosecutions or convictions. This compared to at least 13 arrests and zero prosecutions and convictions documented in 2017. The investigations reportedly included cases of internal, transnational, and child trafficking, but the government did not provide further details on any law enforcement efforts. An NGO reported the government arrested seven suspected traffickers in the Cankuzo province, and immigration officials at the airport reportedly arrested a suspected trafficker for fraudulent recruitment to Qatar in 2018; however, the government did not report further details or law enforcement actions in these cases. The government did not report prosecuting or convicting any suspects for internal trafficking, despite the prevalence. The judicial system in Burundi remained weak and informal settlements were common. Corruption and official complicity in trafficking crimes remained significant concerns, potentially inhibiting law enforcement action during the year; however, the government did not report any prosecutions or convictions of government employees complicit in human trafficking offenses. An international organization reported that the government arrested and initiated an investigation into a police officer for allegedly providing support to traffickers, but no further information was provided. In the prior reporting period, the media alleged government officials were involved in the falsification of identity documents to facilitate trafficking, but the government never reported investigating these allegations. Moreover, security remained a concern for civil society organizations or individuals reporting on allegations of complicity; in the past, anti-trafficking activists reported receiving threats, leading some to flee the country.

The government provided anti-trafficking training, including on victim identification, referral, assistance, and intelligence collection for 113 immigration officials. However, in general, the government did not provide adequate training for law enforcement agencies responsible for investigating trafficking crimes, limiting its capacity and effectiveness. Without training on standard procedures, local police reportedly arrested suspected traffickers but sometimes did not refer the cases to the BNP's Unit for the Protection of Minors and Morals, the lead investigating body for trafficking cases, which led to poor case investigations and limited prosecutions; officials' lack of investigative skills and insufficient understanding of trafficking crimes continued to impede overall law enforcement efforts.

PROTECTION

The government's protection efforts remained weak. The government did not maintain statistics on human trafficking, making it difficult to determine the number of victims, if any, whom the government identified, referred to, or provided with protective services. Civil society continued to provide the vast majority of assistance to trafficking victims. In 2018, the government reported identifying and referring an unknown number of victims during the reporting period, it did not report the number of victims referred to assistance; this compared to 46 potential victims identified and zero reported as referred to care in 2017. The government did not have formal procedures for authorities to identify and refer trafficking victims to protection services, and many law enforcement officials lacked adequate training to identify potential victims. However, NGOs reported that law enforcement routinely called civil society service providers to request assistance when victims were identified. In 2018, an NGO reported identifying 406 victims, including 352 males and 54 females, while an international organization reported identifying 250 victims, including 233 females, 17 males, 62 minors, and 188 adults. At least 65 victims assisted by civil society were internal trafficking victims, while the majority were exploited abroad. Civil society reported providing basic emergency assistance to 250 victims and reintegration assistance to 81 victims. In 2018, an international organization reported separating four Burundian children from armed groups in the Democratic Republic of the Congo (DRC). The media reported Kenyan officials identified 23 Burundian victims in Nairobi; the government reported collaborating with Kenyan officials on the investigation and repatriation, but no further information on law enforcement actions was available. The government reported facilitating and sometimes funding repatriations of Burundian victims abroad, but did not report how many it assisted by doing so during the reporting period. Civil society reported identifying victims in Qatar, but the government did not report providing these victims with assistance or repatriation. Immigration officials at the Bujumbura International Airport, some of whom had received training on preventing trafficking provided by civil society, continued to screen for trafficking, but did not report how many victims they identified as a result of screening. Officials stated that the screening efforts acted as a deterrent to traffickers transiting victims through the airport.

Overall, a lack of dedicated funding for victim protection measures seriously constrained the government's ability to assist victims. The government continued to operate Humura Center in Gitega, which offered protection services to foreign and domestic victims of sexual, gender-based violence (SGBV), and trafficking, but did not report the number of trafficking victims it assisted during the reporting period. The Humura Center provided temporary shelter, medical care, and guidance on engaging with law enforcement and the judicial system and was accessible to victims with disabilities. The Seruka Center was an NGO-run center in Bujumbura that did not receive government funding; it provided medical and psycho-social assistance, as well as legal assistance to victims of various abuses, including human trafficking. In addition to the Seruka Center, there were four NGO-run shelters trafficking victims could utilize. Adult and child victims received assistance in the same facilities; adults and children, men and women, and foreign and domestic victims all had access to the same care.

Despite the requirements of the 2016 law for the protection of witnesses, victims, and vulnerable persons, the government did not establish a centralized unit in the Ministry of Justice to coordinate protection measures. Labor laws did not provide sufficient protection for domestic workers or employees in the informal economy, leaving that population vulnerable to trafficking. The law provided for victims, domestic and foreign, to receive housing, basic medical care, psychological treatment, and witness protection, but the government did not report providing these services during the reporting period. Burundian law did not allow trafficking victims to obtain restitution. The law provided foreign trafficking victims with legal alternatives to their removal to countries where they may face hardship or retribution, subject to judicial decision; but the government did not report identifying any foreign victims who could benefit from this protection during the reporting period. The law allowed the government to grant temporary residency, but the government did not report identifying any foreign victims who could benefit from temporary residency during the reporting period. In the beginning of the reporting period and in previous years, there were reports the government routinely arrested victims for questioning and would sometimes inappropriately penalize trafficking victims for unlawful acts traffickers compelled them to commit by detaining them in jail for several days. However; following anti-trafficking training provided by an international organization in late 2018, there were no subsequent reports of victims being detained after identification; but, because officials did not use standard victim identification procedures, victims may have remained unidentified in the law enforcement system.

PREVENTION

The government increased prevention efforts in some areas, but overall efforts remained limited. The government established an anti-trafficking inter-ministerial trafficking committee, replacing a previous committee that had not performed its function; the new committee improved policy coordination and communication with civil society, but its ability to drive national anti-trafficking efforts remained limited by resource constraints. In consultation with international organizations and civil society, in December, the committee adopted a 2019-2020 anti-trafficking national action plan that identified improvements to some of the gaps in Burundi's response; however, during the reporting period, steps to implement the plan were limited. The government did not establish the Commission for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons, mandated by the 2014 anti-trafficking act, which would take leadership over government efforts on prosecution, prevention, and protection.

The government reported that, following a briefing for the Senate and National Assembly, several parliamentarians conducted anti-trafficking awareness events with local officials, police, and community members in the Cankuzo and Gitega provinces but did not report how many people the campaigns reached. Burundi also remained without a government-run

national hotline, but international organizations funded a national human rights hotline with operators trained to identify trafficking victims, while an NGO funded another hotline for reports of human trafficking and child labor; however, details regarding the number of trafficking-related calls were unavailable. The government did not have effective policies or laws regulating labor recruiters and did not hold any criminally accountable for fraudulent recruitment; no action to regulate labor recruitment has been reported since 2016. The government and civil society reported that, following the 2016 closures, recruiters operated on a more informal basis, and fraudulent recruitment and Burundian trafficking victims identified abroad remained prevalent and difficult for authorities to detect. The government did not report signing any bilateral labor agreements with destination countries during the reporting period. The government did not make efforts to reduce the demand for forced labor or child sex tourism, but did make efforts to reduce the demand for commercial sex. The government provided training on human rights and sexual exploitation, which included anti-trafficking elements, to its troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Burundi, and traffickers exploit victims from Burundi abroad. As the result of a complex political, economic, and security crisis that began in 2015, by May 2019 more than 346,000 Burundians remained in neighboring countries as refugees while 130,000 Burundians were internally displaced, though as refugees returned, these figures decreased. Returned refugees frequently lacked access to basic services or land and remained a highly vulnerable population. Burundi's challenging security environment and endemic poverty created an opportunity for criminals, including traffickers, to take advantage of Burundians in precarious or desperate situations. In July 2015, traffickers fraudulently recruited approximately 58 children, some younger than 15 years old, and forced them to participate in an anti-government armed invasion in Kayanza Province, which was ultimately put down by the government; it was unclear if these children were armed. Between May and December 2015, an international organization reported allegations that Burundian refugees residing in Mahama refugee camp in Rwanda were recruited into non-state armed groups, allegedly by Rwandan security forces, to support the Burundian opposition; many refugees alleged recruiters had threatened, intimidated, harassed, and physically assaulted those who refused recruitment—a form of human trafficking. Most of these recruits were adult males, but six Burundian refugee children, between the ages of 15 and 17, were also identified as recruits from Mahama refugee camp. The same international organization also reported that hundreds of Burundian adult and child recruits, including girls, were allegedly trained in weaponry at a training camp in southwestern Rwanda—some of whom may have been trafficking victims. In December 2014, an armed group of primarily Burundian rebels invaded the northwestern province of Cibitoke; the estimated 150 rebels reportedly included child soldiers as young as 15 years old, some of whom were trained in Rwanda. In 2016, the Government of the DRC apprehended 16 Burundian children transiting through the east allegedly after recruitment from refugee camps in Rwanda or the DRC to participate in armed conflict in Burundi with an unknown entity. In 2018, an international organization reported separating four Burundian children from armed groups in the DRC.

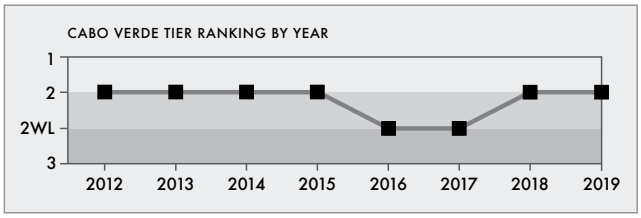
The government encouraged citizens to participate in community work each Saturday morning and the governors of various provinces sporadically fined residents who failed to participate. Both economic necessity and coercion pushed children and young adults into labor, including forced labor on plantations or small farms throughout Burundi, in gold mines in several provinces around the country, in informal commerce in the streets of larger cities, and in the fishing industry. Traffickers include victims' relatives, neighbors, and friends, who recruit them under false pretenses to exploit them in forced labor and sex trafficking. Some families are complicit in the exploitation of children and adults with disabilities, accepting payment from traffickers who run forced street begging operations. Traffickers exploit children in domestic servitude and child sex trafficking via prostitution in private homes, guesthouses, and entertainment establishments; they frequently experience non-payment of wages and verbal and physical abuse. Traffickers fraudulently recruit children from rural areas for domestic work or an education and later exploit them in forced labor and child sex trafficking via prostitution. Traffickers recruit Burundian adults and children for agricultural work, particularly in Tanzania, and subject them to forced labor. Young women take vulnerable girls into their homes, eventually pushing some into prostitution to pay for living expenses. Traffickers exploit orphaned girls, often using underage males as facilitators. There were unsubstantiated allegations that male tourists from East Africa and the Middle East, as well as Burundian government employees, including teachers, police officers, military, and prison officials are complicit in child sex trafficking by procuring underage Burundian girls. NGOs reported that fishermen exploit some boys in the Lake Tanganyika fisheries in forced labor and some girls and young women in domestic servitude and sex trafficking.

International organizations reported that young Muslim women from Burundi were particularly vulnerable to forced labor and sex trafficking in Gulf countries. Traffickers fraudulently recruit some young adult Burundian women for fake jobs but instead subject them to forced labor and sex trafficking in various Gulf countries, such as Kuwait, Saudi Arabia, Oman, and Qatar; NGOs estimate that between 500 and 3,000 young women have become trafficking victims in these countries between 2015 and 2016 and one NGO reported more than 800 young women remain in these countries. In 2015, Rwandan officials and international and local NGOs reported that traffickers exploited Burundian refugee girls in child sex trafficking via prostitution in Uganda after transiting Rwanda; some of these girls may also have been subjected to forced labor in domestic work in Uganda. In 2017, Burundian and Kenyan recruitment agencies fraudulently recruited several adult Burundian women, who were identified in Kuwait, for work as domestic workers and receptionists; however, upon arrival traffickers subjected them to forced labor and had their passports confiscated, were paid less than what was agreed, had restricted movement, and were made to work excessive hours without breaks.

CABO VERDE: TIER 2

The Government of Cabo Verde does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Cabo Verde remained on Tier 2. The government demonstrated overall increasing efforts by prosecuting its first

forced labor case; creating the Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons (the Observatory) to coordinate anti-trafficking efforts; and allocating a budget to the Ministry of Justice and Labor (MJT) for anti-trafficking efforts, including implementation of the anti-trafficking national action plan. However, the government did not meet the minimum standards in several key areas. Law enforcement and front-line responders remained without formal procedures to identify and refer victims to care and training for law enforcement and judiciary officials remained ad hoc. The government did not maintain comprehensive law enforcement and victim protection data, and community awareness-raising efforts on human trafficking, including child sex tourism, remained insufficient on some islands.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers—including Cabo Verdean-American sex traffickers and sex tourists. • Develop and train officials on standardized procedures to identify trafficking victims—including adults and victims among vulnerable populations—and to refer victims to services. • Train law enforcement and judiciary officials on the 2015 anti-trafficking amendment, article 271-A. • Consistently refer potential trafficking victims to government and NGO shelters to ensure all identified trafficking victims receive care and collect data on such efforts. • Increase efforts to raise public awareness of human trafficking, including child sex trafficking and domestic servitude. • Develop a system to compile and share comprehensive anti-trafficking law enforcement and victim identification data among agencies. • Increase collaboration with foreign governments on cases of transnational trafficking and child sex tourism involving foreign nationals. • Develop procedures for victims to claim compensation from traffickers.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Article 271-A of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of four to 10 years' imprisonment; these penalties were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The government did not report comprehensive law enforcement statistics. According to news reports and international organization officials, the government initiated one new forced labor investigation (eight initiated in 2017) in addition to continuing seven investigations from the previous reporting period. The new forced labor investigation remained ongoing at the end of the reporting period. The government prosecuted nine suspects (four in 2017) and convicted two traffickers (two in 2017). The forced labor investigation led to the prosecution of three suspects, which remained ongoing at the end of the reporting period. In one case, the government prosecuted four alleged sex traffickers as a cybercrime case; two defendants were convicted and two defendants were acquitted. The two convicted traffickers received prison sentences of 35 years and 14 years. The seven investigations initiated during the previous reporting period involved suspected foreign sex traffickers and remained ongoing at the end of the reporting period. The government launched an investigation into one National Police (PN) officer during the reporting period as part of a broader forced labor investigation but did not report any prosecutions or convictions of government officials complicit in human trafficking offenses.

Law enforcement and judges lacked understanding of trafficking crimes and the 2015 anti-trafficking amendment—article 271-A, resulting in weak and inconsistent efforts to identify, investigate, and prosecute trafficking cases. While it did not provide training to such officials, the government provided modest financial support to enable 40 law enforcement and justice officials to attend nine international anti-trafficking trainings and conferences. In addition, an international organization, funded by a foreign donor, provided two five-day anti-trafficking trainings to 40 law enforcement and judicial officials on victim-centered investigations, prosecutions, and victim protection and assistance; the government provided in-kind support for these trainings. An international organization developed a module on human trafficking, including victim identification, for new police officers during standard academy training; the government trained an unknown number of new police officers on the module during the reporting period. The MJT, in partnership with a foreign donor, began development of an online training for PN officers to supplement the current training plan. Insufficient staffing and a lack of resources confined the Judicial Police's (PJ) presence to four of the country's nine inhabited islands, impeding the government's ability to identify victims, investigate crimes, and collect comprehensive data. Government social service providers preferred to resolve intra-familial abuse cases—which could include child sex trafficking—through non-judicial means.

PROTECTION

The government maintained efforts to protect trafficking victims. Although it did not provide comprehensive statistics on the number of trafficking victims identified and referred to care, the government identified at least four forced labor victims in the course of human trafficking investigations. In partnership with an international organization, the MJT provided shelter, basic services, and security to these four victims. This was similar to the government's identification and assistance of five sex trafficking victims in the previous reporting period. The government did not have formal procedures for all law enforcement or social workers to identify trafficking victims nor did the government have a formal mechanism to refer trafficking victims to care. Border police had written procedures to identify trafficking victims and people vulnerable to trafficking, although they did not receive training on such procedures.

There were no shelters or services available specifically for trafficking victims, but government-funded agencies provided emergency services, temporary shelter, and psycho-social care to at-risk populations and female and child victims of crime that trafficking victims could access. The Cabo Verdean Institute for Children and Adolescents (ICCA) operated a national network to assist child victims of sexual abuse, which could coordinate referral to care and support through court processes. Law enforcement and first responders generally referred all victims to either ICCA (for child victims), the Public Ministry (for victims requiring long-term care), or MJT, who then referred child victims of any crime to ICCA, women to

the Cabo Verdean Institute for Gender Equality (ICIEG) or an NGO, and foreign victims to an international organization. The government acknowledged its ad hoc, informal referral system was insufficient. ICCA did not report screening for trafficking indicators among victims referred to its shelters. ICCA operated four shelters on three of Cabo Verde's nine inhabited islands that provided temporary accommodation and care for child victims of sexual abuse, violence, and abandonment, and maintained five protection and social reinsertion centers, which provided services for children who experienced prolonged trauma, including trafficking. ICCA had staff on all nine islands. The government-funded, and police provided security for, ICCA and ICIEG shelters.

Law enforcement could conduct sex trafficking victim interviews in collaboration with psychologists and, in cases of children, the victims' parents, to provide a comfortable and safe environment. The government did not report if it provided these benefits to any victims during the reporting period. Cabo Verdean law provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution; authorities provided these benefits to at least four Chinese forced labor victims during the reporting period. The government also employed a Mandarin-Portuguese interpreter to assist the victims during meetings with law enforcement. During the reporting period, the Cabo Verde consulate in Brazil assisted a sex trafficking victim with travel documents and repatriation back to Cabo Verde. The law provides for restitution and allows victims to file civil suits against traffickers but the government did not report using these provisions during the reporting period. There were no reports officials penalized trafficking victims for unlawful acts traffickers compelled them to commit; however, due to the lack of formal victim identification procedures, some victims may have remained unidentified in the law enforcement system.

PREVENTION

The government increased prevention efforts. In July 2018, the government launched the Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons (the Observatory) to coordinate the government's efforts to combat trafficking in persons. The Observatory comprises officials from the MJT, PN, PJ, ICCA, ICIEG, Ministry of Education, Family, and Social Inclusion (MEFIS), other government institutions, NGOs, and civil society organizations. At the same event, the government formally presented the 2018-2021 anti-trafficking national action plan finalized in the previous reporting period. The Observatory held its first meeting in October 2018 and met three times during the reporting period. MJT continued to lead the government's anti-trafficking efforts and received a budget of 4 million escudos ($42,160) for anti-trafficking activities including implementation of the national action plan in 2019 in addition to 980,000 escudos ($10,330) allocated in 2018; the MJT did not receive a budget for anti-trafficking activities in the previous reporting period. The MJT produced shirts and datebooks to raise awareness of participation in an international organization's awareness campaign. The PN led community events with a foreign law enforcement partner regarding reporting crimes, including trafficking.

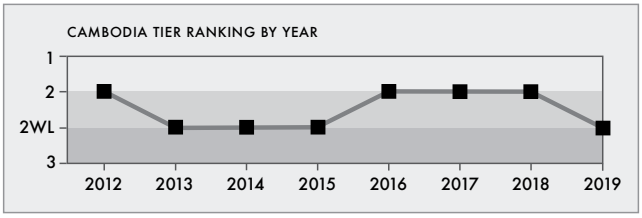
ICCA continued to operate three centers for street children through its Nos Kaza project and six day centers, all of which aimed to reduce the vulnerability of street children to forced labor and sexual abuse, including sex trafficking. ICCA operated a 24/7 hotline to report cases of violence against children, including trafficking, but it did not report receiving calls regarding trafficking among the 1,182 calls received in 2018. It was unclear if ICCA trained hotline workers to differentiate trafficking from similar crimes, such as child labor or sexual abuse. NGOs reported an unspecified number of cases in which the government charged parents with negligence for failing to protect their children from child sex tourists. The government made efforts to reduce the demand for commercial sex that equated to child sex trafficking, but it did not make efforts to reduce demand for other forms of commercial sex. Government ministries continued to implement the 2017-2019 National Plan to Combat Sexual Abuse and Violence, which included child sex tourism. The government continued to enforce the Ethics Code of Conduct for Tourism, which includes provisions countering child sex tourism. ICCA launched a new campaign called "Stop the Violence against Children and Adolescents," which included messaging against child sexual exploitation and child sex tourism. The campaign included the launch of a new hotline for sexual abuse and child sex trafficking cases, alongside events at schools and public institutions, and airing of television commercials. The government did not make broad or concerted efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Cabo Verde, and, to a lesser extent, traffickers exploit victims from Cabo Verde abroad. Boys and girls, some of whom may be foreign nationals, are victims of sex trafficking on Brava, Santiago, Fogo, Sal, and Boa Vista, sometimes through child sex tourism. In the past, officials reported child sexual abuse perpetrated by tourists on the islands of Sal, Boa Vista, Sao Vicente, Fogo, and Maio. In some cases, parents encourage their daughters to be exploited in prostitution by tourists—especially Cabo Verdean-Americans—to gain immigrant visas to the United States or remittances to support the family. Authorities increasingly identify West African women—including Nigerians and Senegalese—in forced prostitution, including on Boa Vista and Sal Islands and sometimes through sex tourism. On Sao Vicente, girls as young as 12 years old have been sexually exploited in exchange for drugs. Children in domestic service often work long hours and at times experience physical and sexual abuse—indicators of forced labor. Cabo Verdean children engaged in begging, street vending, car washing, garbage picking, and agriculture are vulnerable to trafficking. Children living in impoverished neighborhoods with little state presence are also at risk, especially for sex trafficking. In previous years, there were reports traffickers may have forced Cabo Verdean women and children to transport drugs. West African migrants may transit the archipelago en route to situations of exploitation in Europe. Some adult migrants from China and ECOWAS countries may receive low wages, work without contracts, and have irregular status, rendering them vulnerable to forced labor and sex trafficking. During the reporting period, four Chinese nationals, two girls and two men, were exploited in forced labor in the retail sector. NGOs reported Nigerian criminal syndicates exploited Cabo Verdean women in sex trafficking in Brazil during the reporting period. In a previous reporting period, there was one case of a Cabo Verdean man subjected to forced labor in Europe.

CAMBODIA: TIER 2 WATCH LIST

The Government of Cambodia 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, including by continuing to prosecute and convict traffickers; increasing law enforcement training; and taking steps to raise awareness on and incentivize safe migration to primary destination countries. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Authorities did not adequately collect or share key information on law enforcement efforts. Corruption continued to impede law enforcement operations, criminal proceedings, and victim service provision. Against a backdrop of insufficient government oversight and accountability measures, authorities did not investigate credible reports of official complicity with unscrupulous business owners who subjected thousands of men, women, and children throughout the country to human trafficking via debt-based coercion—particularly in brick kilns. In several high-profile cases, the government used anti-trafficking legislation and law enforcement resources to target political opposition figures and other non-traffickers attempting to document the country's trafficking circumstances. Authorities did not issue formal guidance allowing the use of undercover investigative techniques in anti-trafficking operations—a factor that continued to impede officials' ability to fully hold sex traffickers accountable. Therefore Cambodia was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Respecting due process, vigorously investigate and prosecute trafficking offenses and convict and adequately penalize sex and labor traffickers, including complicit officials, with significant prison sentences. • Authorize the use of undercover investigative techniques for anti-trafficking operations. • Strengthen efforts to fully implement the nationwide protocol for proactive victim identification among vulnerable groups and train officials on its provisions. • Increase labor inspections in high-vulnerability professions, especially at brick kilns, fisheries, and plantations, with a focus on identifying debt bondage. • Increase the availability of services for male victims, especially men and boys exploited in commercial fishing. • Increase inspection and oversight of lending institutions, including private micro-finance organizations, to reduce vulnerability to debt-based coercion among economically disadvantaged communities. • Increase efforts to incentivize victims' participation in criminal and civil proceedings, including by granting permission to work, temporary residency, or other relevant immigration status to foreign victims wishing to remain in country during proceedings. • Modify the law to allow restitution upon conviction of the trafficker, and establish and train the relevant officials on standard operating procedures for calculating and granting restitution. • Establish and allocate resources to implement systematic procedures at diplomatic missions to assist Cambodian victims abroad, including in countries without Cambodian diplomatic representation. • Strengthen efforts to inspect private labor recruitment agencies and their sub-licensed brokers for fraudulent recruitment and other trafficking indicators. • Increase public awareness on proper travel document application procedures to facilitate safe, legal migration. • Implement a system for monitoring, collecting, and reporting data on anti-trafficking prosecution and victim protection efforts, and disseminate data among the relevant government agencies in a manner that protects victims' identities and privacy. • Strengthen efforts to incorporate NGO input into the policy for formally transferring custody of child victims. • Allocate increased resources to anti-human trafficking police to better facilitate the monitoring of defendants released under judicial supervision pending trial.

PROSECUTION

The government maintained insufficient law enforcement efforts, and authorities wasted investigative and prosecutorial resources in furtherance of spurious, politically motivated charges against opposition figures, journalists, and other individuals attempting to document trafficking in the country. The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation criminalized sex trafficking and labor trafficking and prescribed penalties of seven to 15 years' imprisonment for offenses involving an adult victim, and 15 to 20 years' imprisonment for those involving a child victim; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Anti-Human Trafficking Juvenile Police (AHTJP) attempted to monitor and record information on the cases it investigated, but the government did not collect comprehensive data on overall law enforcement efforts, particularly among provincial courts. Where data were available, some government bodies were reportedly reluctant to share it internally with other key interagency stakeholders. The government reported authorities arrested 150 domestic and foreign nationals in connection with 39 cases of "non-sexual human trafficking" and 21 cases of sex trafficking (unreported in 2017). Courts prosecuted 421 trafficking cases (207 in 2017); however, observers noted the number of definitional trafficking cases within these 421 was likely much lower, as authorities did not disaggregate statistics on rape and trafficking. As with prosecutions, conviction statistics were limited due to insufficient data collection methods. The National Committee for Counter Trafficking (NCCT) reported the Phnom Penh Municipal Court convicted 125 traffickers (129 in 2017). The government did not provide data on sentencing, but courts reportedly continued to convict suspects on lesser charges and conclude sex trafficking cases with monetary settlements in lieu of prison sentences. Victims whose families received out-of-court settlements from traffickers often changed their testimony, further complicating prosecutions.

In conjunction with an NGO, Preah Sihanouk anti-trafficking police trained a network of lay monitors in the taxi, tourism, hospitality, and retail industries to detect and report incidents of trafficking; however, authorities did not report identifying or initiating investigations into trafficking cases as a result of this effort. Nationwide, law enforcement authorities often did not take appropriate action against suspected or convicted traffickers. Judicial police lacked the resources to monitor the increasing number of defendants released on "judicial supervision" pending trial, allowing many to flee prior to their trial dates. Authorities did not always issue arrest warrants for absconded defendants. Citing resource constraints, prosecutors

and investigating judges did not advance all of the trafficking cases for which police had supplied evidence. Authorities abused law enforcement resources to detain, prosecute, and convict some individuals on politically motivated trafficking charges, further bringing into question the veracity of the anti-trafficking data—and the resource constraints—reported by the government. Two journalists from an international media outlet and a former National Assembly candidate from an unjustly banned political opposition party remained in detention under spurious trafficking charges at the end of the reporting period. Authorities also filed spurious criminal charges against civilians attempting to document the country's human trafficking challenges. In December, authorities successfully extradited a Cambodian documentarian from Thailand and charged him with "incitement" for having assisted a foreign media outlet in producing a film about trafficking victims in Cambodia; he remained in pre-trial detention at the end of the reporting period, and authorities elected not to investigate the cases he was attempting to report through the documentary. Local experts continued to report that cases involving foreign suspects were more likely to result in trafficking convictions than cases involving Cambodian suspects, for whom charges were often reduced to less serious offenses.

The government maintained MOUs outlining cross-border anti-trafficking investigation with Thailand and Vietnam, as well as an extradition treaty with the former, but did not report investigating or extraditing any suspected traffickers under their auspices in 2018. Authorities continued to deliver donor-designed and -funded training on the implementation of anti-trafficking laws to police, prosecutors, judges, and other government officials. During the reporting period, the NCCT delivered 234 trainings to 6,321 law enforcement officers on anti-trafficking laws, investigative techniques, and evidence collection (66 trainings to 1,577 officers in 2017); for the second year, it did not report how many commune and provincial officials, judicial staff, and NGO workers participated in these sessions (7,689 in 2016). Despite these training sessions, many police—particularly in rural areas—were unaware of how to conduct anti-trafficking work, as most did not receive training on basic law enforcement techniques. Local organizations and some officials continued to stress an urgent need for more sophisticated evidence collection techniques, including undercover investigation, to decrease reliance on witness testimony and improve efforts to detect and combat sex trafficking. However, the government did not grant undercover investigative authority to anti-trafficking police units, except in rare cases when requested for child sex tourism raids conducted alongside foreign law enforcement agencies. This continued to significantly constrain law enforcement officers' ability to address the increasingly clandestine nature of sex trafficking operations in Cambodia. Government bodies in favor of formalizing undercover investigative authority continued formal negotiations with opposing entities on possible reforms, but they did not reach consensus, and some observers questioned the efficacy of the consultative process writ large.

Endemic corruption at all levels of government severely limited the ability of individual officials to make progress in holding traffickers accountable. The Cambodian national police maintained a mechanism for NGO workers to report incidents of corruption among anti-trafficking police, but it did not field any complaints during the reporting period. Local officials facilitated cross-border trafficking by accepting bribes for forging identity documents. One NGO noted law enforcement raids on sex trafficking establishments were sometimes unsuccessful due to advance warning from working-level police. However, some provincial police chiefs reportedly worked to minimize these leaks by turning over cases to the AHTJP, which conducted independent raids without notifying the local authorities until moments before they began. Some corrupt officials may have profited directly from establishments suspected of sex and labor trafficking. NGO observers claimed some Cambodian police officers also solicited commercial sex with minors during the reporting period. One NGO alleged prosecutors and judges accepted bribes in return for dismissal of charges and acquittals. Corrupt officials often thwarted progress in cases where the perpetrators were believed to have political, criminal, or economic ties to government officials. Despite these trends, the government did not investigate, prosecute, or convict any government employees complicit in trafficking, nor did it take any punitive measures against Phnom Penh's former anti-trafficking police chief, who was ultimately promoted to a higher government position after his 2011 trafficking conviction was overturned in an unannounced, closed-door Supreme Court hearing in 2013.

PROTECTION

The government decreased protection efforts. Despite maintaining victim identification guidelines developed by the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) in early 2017, victim identification, referral, and repatriation efforts remained disparate and underdeveloped across law enforcement agencies. Authorities did not provide complete statistics on the number of victims they assisted or referred. The government continued implementing a regulation barring NGOs from representing individuals seeking formal recognition as trafficking victims. Under this arrangement—which NGOs claimed severely intimidated victims and their families—victims were required to approach the Ministry of Interior for the formal identification needed to access protection services. With assistance from an international organization, the government continued to operate two transit centers in the border city of Poipet, where it screened for trafficking victims among the approximately 70,225 migrants deported from Thailand in 2017 (70,5000 in 2017). However, it did not report identifying any victims through this center; given the high vulnerability to trafficking among this population and the lack of universal implementation of victim identification standards, many victims likely transited the center unidentified.

The government operated a temporary shelter in Phnom Penh for female victims of trafficking and other crimes, and it referred trafficking victims to donor-funded NGO shelters—most of which cared for victims of several forms of abuse—to receive further assistance. MOSAVY reportedly maintained guidelines outlining minimum standards for residential care of trafficking victims and disseminated them among NGO shelters during the reporting period. The government continued to rely heavily on NGOs to protect trafficking victims; however, it did not facilitate formal transfer of custody for child victims, leaving organizations that accepted child victims vulnerable to court action. Ongoing custody issues reportedly dissuaded some NGO shelters from protecting residents' freedom of movement, contrary to best practices. Although some anti-trafficking NGOs enjoyed cooperation with the authorities, including through receipt of in-kind support, increasing restrictions on civil society hindered the operations of key anti-trafficking NGOs during the reporting period. Provisions allowing for financial settlements in lieu of harsher sentencing further discouraged some families from consenting to temporary guardianship at shelters; absent family consent, government officials at times returned children to high-risk environments, leaving them

vulnerable to re-victimization. Despite the prominence of male labor trafficking victims, assistance for this population remained limited.

Cambodian diplomatic missions overseas continued to lack adequate funding and capacity to provide basic assistance or repatriate victims, despite government action in prior years to train diplomats on migrant worker protections. Victims identified in countries without Cambodian diplomatic representation had access to even less support. One study conducted by an international organization during the previous reporting period found only 21 percent of migrant workers sought assistance for labor abuses experienced abroad, including forced labor. The Ministry of Foreign Affairs and International Cooperation (MFAIC), which bore the primary responsibility of aiding Cambodian trafficking victims, reported repatriating and providing limited services to 8,489 Cambodians from six countries, including 330 women from Thailand, China, Malaysia, Indonesia, Saudi Arabia, and Somalia. However, unlike the previous reporting period, authorities did not specify what portion of these returnees were trafficking victims (986 from 11 nine countries in 2017). An international organization assisted in the majority of these repatriations. Observers believed these figures represented only a small fraction of the number of Cambodians subjected to trafficking abroad, particularly in the fishing industry. The MFA did not promulgate or implement standard operating procedures for the identification and referral of Cambodian victims abroad, leaving many Cambodians without the assistance necessary to repatriate legally and safely. According to local NGOs, some returned victims had been unable to secure assistance from Cambodian consular services in China, Korea, and Thailand due to unattended hotlines and unresponsive staff; others confined in forced labor conditions abroad, including in Malaysia, were unable to convince Cambodian consular staff they were in need of assistance. Cambodia also maintained labor attachés at embassies in Korea, Malaysia, and Thailand—the countries with the highest number of Cambodian migrant workers—but did not provide data on their involvement in identifying or assisting labor trafficking victims.

The number of Cambodian returnees subjected to trafficking abroad was likely much higher than reported due to an increasing tendency among these groups to return via informal migration channels, and due to insufficient victim identification procedures. MOSAVY reported assisting in the repatriation of 222 Cambodians identified by foreign governments and NGOs in 2018, including 61 from Malaysia, 20 from Thailand, 89 from China, 21 from Somalia, 29 from Vietnam, and two from Saudi Arabia (243 total in 2017). Of these, 109 were victims of forced labor. According to MOSAVY, 96 of the individuals had been involved in forced or fraudulent marriages, and authorities did not report whether these cases featured corollary sex trafficking or forced labor indicators. The remainder were sex trafficking victims. MOSAVY reported referring all 222 individuals to NGOs (unreported in 2017; 62 referred by MOSAVY in 2016). MOSAVY also reported providing reintegration services to 303 Cambodian trafficking victims and referring an additional 848 individuals to NGOs for rehabilitation services; some of these cases may have been identified in a previous year, and they likely included victims of other forms of abuse. Local police referred 235 sex and labor trafficking victims to provincial social service providers and NGOs for further protections (179 in 2017 and 326 in 2016). One NGO provided assistance to 180 Cambodians who had experienced sex trafficking, forced labor or conditions indicative thereof in the fishing industry, and abuses that may have amounted to trafficking in relation to forced or fraudulent marriage.

There was no legal provision to offer work permits, temporary residency, or other immigration status to foreign victims wishing to remain in Cambodia to participate in civil or criminal proceedings. The government required the repatriation of foreign victims, except in rare cases, and did not provide legal alternatives to their removal regardless of whether they would face hardship or retribution upon return to their countries of origin. MOSAVY did not repatriate any foreign trafficking victims during the reporting period (two Vietnamese victims repatriated in early 2018, three in 2017, and 13 in 2016). Insufficient victim identification efforts left many potential victims at risk of law enforcement action, including punitive deportation without prior screening. Law enforcement often did not keep victims and perpetrators separated during interviews. NGOs noted police made some progress in implementing child-friendly practices during the reporting period, and government social workers reported cooperation with the AHTJP, including in timely victim intake and referral procedures. However, provincial courts did not universally implement a child-friendly judicial program initiated in 2016 allowing for video-conferencing technology as an alternative to direct cross-examination of victims in front of the accused. Cambodia's weak and corrupt legal system and the lack of adequate victim and witness protection, exacerbated by a lengthy trial process and fear of retaliation by traffickers, hindered victims' willingness to cooperate in many cases. Victims were theoretically eligible for restitution, although it was extremely difficult to obtain due to a legal requirement delaying payment until after the completion of the trafficker's jail term; convicted traffickers' frequent abscondment further complicated this arrangement. Observers noted Cambodia lacked a standard operating procedure for determining how to calculate restitution or compensation. Victims rarely received the amount promised, and many victims' families settled out of court with traffickers or accepted bribes to drop the relevant charges.

PREVENTION

The government maintained prevention efforts. An interagency committee and its secretariat coordinated anti-trafficking activities and initiated a draft 2019-2023 national action plan; however, the government had not approved the plan by the end of the reporting period. The government continued to operate on a budget of 4.9 billion riels ($1.19 million) allocated in the previous reporting period to fund this interagency committee, but observers noted this figure was still insufficient. Subsidiary provincial anti-trafficking committees, which reportedly continued to receive modest central government funds and assistance from NGOs, coordinated efforts at the local level to mirror the activities of the national action plan. With the help of international donors, eight out of nine of these committees created their own provincial-level action plans and submitted them to the government (six in 2017 and five in 2016). The secretariat of the NCCT maintained a working group to monitor the efforts of the interagency committee as well as those of its provincial subcommittees. Commune-level budgetary allocations for trafficking prevention increased during the reporting period; however, NGOs noted the provincial committees' ad hoc reliance on insufficient surplus funds from General Social Services—rather than on their own annual budgets—undermined the scope and sustainability of their work. Lack of coordinating guidance from the national counterpart committee further impeded their effectiveness. The NCCT continued to produce an annual report documenting the government's holistic anti-trafficking efforts; however, as

in prior years, the report was not exhaustive amid insufficient data collection. For the second year, the government hosted an interfaith forum on combating trafficking attended by high-level government officials and thousands of clerical leaders.

The Ministry of Labor and Vocational Training (MOLVT) maintained a separate action plan aimed at reducing child labor and debt bondage in the service, agricultural, mining, and energy sectors by 2025 through awareness raising, legal action, and collaboration with civil society, funded in part through the national budget. Unlike in prior years, the government did not report investigating or prosecuting labor recruiters for illegal practices that may have contributed to or involved trafficking; officials and NGO observers noted labor officials' failure to sufficiently inspect private recruitment agencies, and the ability of these agencies to sub-license their names to independent brokers, continued to perpetuate widespread labor exploitation. Some of these agencies were reportedly directly involved in deceptive recruitment practices leading to trafficking.

The government continued to carry out awareness-raising activities, including through more than 33,000 NCCT information "dissemination events" and 25,000 public fora. The General Department of Immigration issued 92,081 border passes to Cambodians living in western border regions to incentivize safe labor migration to Thailand. The MOLVT also reported providing pre-departure orientation to almost 69,000 Cambodians migrating abroad for work. However, many Cambodians were reportedly unaware of how to apply for travel documentation or how much it should cost—leaving them at higher risk of travel through vulnerable means—and the government did not take sufficient steps to publicize that information. The MFAIC continued to implement consular screening measures to reduce the sex- and labor trafficking of Cambodian women via forced and fraudulent marriages, including by assessing applicants against trafficking victim profiles jointly developed with China in 2016. However, the MFA did not report referring these potential victims to law enforcement or protective services. The government maintained two labor recruitment agreements with Saudi Arabia, a domestic worker recruitment agreement with Hong Kong, and a bilateral cooperative agreement with India. During the reporting period, the NCCT also signed an action plan with China on joint prevention, investigation, and capacity building.

Observers noted cumbersome registration requirements and government officials' close affiliation with certain employers obstructed labor inspectors' access to brick kilns and prevented kiln workers from forming organizations to advocate for their labor rights. The Ministry of Tourism held workshops for hotel staff and government officials on preventing child sexual exploitation in the hospitality industry. As in prior years, the government generally focused on deterring foreign involvement in child sex tourism, rather than targeting campaigns to the local population that constituted the main source of demand for commercial sex with children in Cambodia. Authorities reported arresting eight foreign individuals suspected of engaging in child sex tourism (five in 2017 and 12 in 2016) but did not report whether they initiated prosecutions in any of these cases. Local experts reported concern over the government's ongoing failure to impose appropriate punishments on foreign nationals who purchased commercial sex acts with children.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers subject Cambodian men, women, and children to forced labor and sex trafficking in Cambodia and abroad. They also subject victims from other countries to trafficking in Cambodia, and they use Cambodia as a transit point to subject victims from other countries to trafficking elsewhere in Asia. Cambodian adults and children migrate to other countries within the region and increasingly to the Middle East for work; traffickers force many to work on fishing vessels, in agriculture, in construction, in factories, and in domestic servitude—often through debt-based coercion—or subject them to sex trafficking. Migrants using irregular migration channels, predominantly with the assistance of unlicensed brokers, are at an increased risk of trafficking, although those using licensed recruiting agents also become victims of forced labor or sex trafficking. Cambodian participants in the Japanese government's guest worker program have reported conditions indicative of forced labor. Children from impoverished families are vulnerable to forced labor, often with the complicity of their families, including in domestic servitude and forced begging or street vending in Thailand and Vietnam. Undocumented Cambodian labor migrants working in Thailand—constituting up to 40 percent of the 1.5 million Cambodians there—are at high risk of trafficking due to their immigration status, as are Cambodians deported from Vietnam. Traffickers continue to recruit significant numbers of Cambodian men and boys in Thailand to work on fishing boats and subject them to forced labor on Thai-owned and -operated vessels in international waters. Cambodian victims escaping from their traffickers have been identified in Malaysia, Indonesia, Mauritius, Fiji, Senegal, South Africa, and Papua New Guinea. Cambodian men working on Thai-owned and -operated fishing vessels report deceptive recruitment tactics, severe physical abuse, underpayment or nonpayment of wages, restrictions on access to medical care, and confinement at sea for years at a time without permission to come ashore. Traffickers recruit a significant number of women from rural areas under false pretenses to travel to China to enter into marriages with Chinese men, who often incur as much as $20,000 in debt to brokers facilitating the transaction; the men force some of these women to work in factories or subject them to sex trafficking to repay this debt. Cambodian women serving willingly as illegal surrogates for Chinese families are vulnerable to confinement and domestic servitude. Although specific information is limited, violent extremists reportedly employ deceptive recruitment tactics to lure a small number of Cambodian children to armed insurgency training centers in rural Thailand. Stateless persons, namely in ethnic Vietnamese communities, are at higher risk of trafficking due to lack of identity documentation necessary for access to formal employment, education, marriage registration, the court system, or the right to own land.

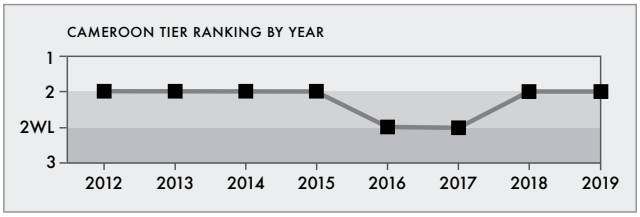
The proprietors of brick kilns subject at least 10,000 Cambodian men, women, and children—often entire families—to multigenerational debt-based coercion, either by buying off their preexisting loans, or by requiring them to take out new loans as a condition of employment or to cover medical expenses resulting from injuries incurred while working. An NGO study conducted in 2017 found nearly 100 percent of brick kilns surveyed throughout the country featured indicators of forced labor via debt-based coercion. An extensive, largely unregulated network of predatory microfinance organizations and private creditors contributes to this arrangement by proactively advertising loans to families in vulnerable communities and connecting them with the kilns. Rural farming families are at higher risk of this form of forced labor due to economic hardships ensuing from climate change; unseasonal rain patterns and subsequent loss of crops push many farmers to take out large loans for new irrigation or pesticide systems, and brick kiln owners often purchase these loans as a means of securing and retaining

their labor. Extended rainy seasons also delay the brick-drying process, reducing these bonded kiln workers' pay and forcing many to become further indebted to the kiln owners. In order to dissuade workers from fleeing abusive conditions, some kiln owners reportedly allow only select members of family units to be absent for public holidays or to seek medical care at any given time. Some workers report continued confinement and forced labor in the kilns long after they have repaid their debts. Traffickers also subject children as young as 13 to domestic servitude and labor on riparian and oceanic fishing boats, in karaoke bars, and on cassava plantations to pay off family debts accrued through this system. Communities displaced by illegal logging operations supplying the brick kilns with timber for fuel may be at elevated risk of trafficking, including in logging itself and elsewhere as a result of concomitant economic hardships.

All of Cambodia's 25 provinces are sources for human trafficking. Sex trafficking is largely clandestine; Cambodian and ethnic Vietnamese women and girls move from rural areas to cities and tourist destinations, where criminals subject them to sex trafficking in brothels and, more frequently, clandestine sex establishments at beer gardens, massage parlors, salons, karaoke bars, retail spaces, and non-commercial sites. Cambodian men form the largest source of demand for children exploited in sex trafficking; however, men from elsewhere in Asia, Europe, the United States, Australia, and South Africa travel to Cambodia to engage in child sex tourism, increasingly facilitated through social media contact. Thousands of urban children left behind by families migrating abroad for work are particularly vulnerable to sex trafficking and forced labor. Vietnamese women and children, many of whom are victims of debt-based coercion, travel to Cambodia and are subjected to sex trafficking. NGOs report criminal gangs transport some Vietnamese victims through Cambodia before they are exploited in Thailand and Malaysia. Traffickers in Cambodia are most commonly family or community members or small networks of independent brokers. Some Cambodian orphanages purchase local children from economically disadvantaged families and subject them to malnutrition and unclean living conditions in their facilities for the purpose of attracting and profiting from charitable donations; some of these children are at further risk of sex trafficking and domestic servitude as a result of poor government oversight of adoption processes. Endemic corruption aids and abets trafficking crimes. Some police reportedly solicit commercial sex with children. Corrupt officials facilitate cross-border trafficking, thwart progress on investigations and prosecutions, and in some cases profit directly from establishments suspected of trafficking.

CAMEROON: TIER 2

The Government of the Republic of Cameroon does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Cameroon remained on Tier 2. These efforts included convicting more traffickers, identifying and referring trafficking victims to services, and providing repatriation assistance for more foreign trafficking victims. However, the government did not meet the minimum standards in several key areas. The government did not fully disseminate its standard operating procedures on victim identification and referral to law enforcement or first responders and did not pass draft anti-trafficking legislation from 2012 that conforms to international law.



PRIORITIZED RECOMMENDATIONS:

Train law enforcement and NGO personnel on the National Referral System and Standard Operating Procedures on victim identification and referral to increase first responders' ability to proactively identify internal trafficking cases as well as cross-border trafficking as distinct from smuggling. • Expand training for law enforcement, judicial officials, and social workers on the anti-trafficking section of the penal code as well as victim-centered approaches to increase effective trafficking investigations and prosecutions while respecting the rule of law and human rights, and administer fair and just sentences to those convicted. • Increase formal collaboration with NGOs on proactively identifying and protecting victims. • Regularly convene the anti-trafficking inter-ministerial committee (IMC) and include NGOs and international organizations working to address trafficking in persons in Cameroon. •Amend anti-trafficking laws to remove the requirement of force, fraud, or coercion for child sex trafficking offenses and to make a clear distinction between trafficking and smuggling. • Publicize information to citizens on their rights as foreign workers and sources of assistance while abroad. • Investigate labor recruiters and agencies suspected of fraudulent recruitment—including unlicensed recruiters and intermediaries—and prosecute those complicit in trafficking.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. The 2011 anti-trafficking law criminalized some forms of sex trafficking and all forms of labor trafficking. Inconsistent with international law, Cameroon's law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The law prescribed penalties of 10 to 20 years' imprisonment and a fine of 50,000 to 1 million Central African francs (CFA) ($83- $1,660), which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. If the trafficking offense involved a victim who was 15 years old or younger, the penalties increased to 15 to 20 years' imprisonment and a fine of 100,000 to 10 million CFA ($170 to $16,560). The law prescribed separate penalties for debt bondage, which ranged from five to 10 years' imprisonment and a fine of 10,000 to 500,000 CFA ($17-$830) and were also sufficiently stringent. The law was published in French and English, the two official languages of the government. The English version conflated trafficking in persons and smuggling offenses by referring to trafficking in persons offenses, as defined under international law, as "slavery in persons," while referring to smuggling-related offenses as "trafficking in persons." Increasing the potential for conflating smuggling and trafficking in persons, Article 342 of Cameroon's 2016 Penal Code prohibited both "trafficking in persons" and "slavery in persons." Legislation drafted in 2012 to address victim and witness protection and correct

inconsistencies with international law remained pending for the seventh consecutive year.

The government did not provide comprehensive law enforcement statistics, but its IMC reported the Department of Judicial Police investigated eight suspected trafficking cases and authorities prosecuted 126 potential cases under Article 342 in 2018. Because Article 342 prohibited both "trafficking in persons" and "slavery in persons," the suspects may have included smugglers. In the previous reporting period, the government reported investigating 89 potential sex and labor trafficking cases, and prosecuting 129 suspected traffickers. The IMC reported the government convicted 13 traffickers in eight separate court decisions during the reporting period, and sentenced traffickers to verdicts ranging from 2.5 years with fines to 20 years with fines; the government convicted five traffickers in the previous reporting period. The judiciary reportedly investigated one government official for alleged involvement in trafficking offenses that occurred in 2018, compared to one such investigation the previous year.

Ongoing insecurity in the Far North Region as well as armed conflict in the Northwest and Southwest Regions between the government and Anglophone separatists hindered the government's law enforcement efforts due to the closure of courts in Bamenda and Buea and lack of official access in some areas. Some regional courts and NGOs encouraged victims to settle trafficking cases outside of court in part because of insufficient cooperation between the government and NGOs, and weak judicial administration. The government coordinated with international organizations to obtain anti-trafficking training for more than 37 law enforcement officials but did not directly train prosecutors, judges, or first responders. Because many law enforcement and judicial officials lack knowledge of the crime, some trafficking offenses may have been tried as child abuse or kidnapping, which carried lesser penalties.

PROTECTION

The government maintained efforts to identify and protect victims. The government reported identifying and referring 62 victims to government services during the reporting period, compared with identifying 136 potential victims during the previous reporting period when data may have included victims of trafficking-related crimes. In 2018, the Ministry of Social Affairs (MINAS) reported identifying 877 street children vulnerable to trafficking, and referred 307 of those children either to government-run shelters or reunited them with their families. MINAS continued its public awareness campaign that resulted in the identification of at least 21 children—aged six to 13—who may have been involved in exploitative child labor. MINAS reported identifying more than 1,100 vulnerable street children throughout Cameroon in 2017; reunited 142 of those children with their families; placed 23 in government-sponsored care facilities; provided 40 with vocational training; and assisted 19 in resuming formal education. Media reported the government deported approximately 9,000 Nigerian refugees fleeing the terrorist group Boko Haram in February 2019 without screening for trafficking indicators.

NGOs reported thousands of Cameroonian workers remained in Middle Eastern countries, and many of these workers were at risk of traffickers subjecting them to domestic servitude or sex trafficking. During the reporting period, the government repatriated at least 14 trafficking victims from Kuwait and issued them special travel documents (*laisser passer*) after traffickers seized their passports. The government repatriated three trafficking victims during the previous reporting period.

While the government developed a National Referral System and Standard Operating Procedures (NRS/SOP) in 2013 to guide officials in proactive identification and referral of trafficking victims, it did not implement the NRS/SOP nor did it report training officials on the measures. MINAS had the authority to admit child trafficking victims to government institutions for vulnerable children, which offered shelter, food, medical and psychological care, education, vocational training, and family tracing. However, the government did not report referring victims of trafficking to these facilities during the reporting period. Private centers funded by NGOs and regulated by MINAS provided care for an unknown number of child victims. The government did not offer trafficking-specific services for adult or child victims, but did provide services to minors at risk of trafficking along with other vulnerable children.

The government did not have a formal policy to encourage victims to participate in investigations or prosecutions of their traffickers and did not report providing counseling, legal support, or any other assistance to victims who testified during court proceedings. The government did not report providing protection for victims cooperating with trafficking investigations in spite of experts claiming trafficking networks repeatedly threatened victims during their trials. While there were no reports that the government penalized any trafficking victims for unlawful acts traffickers compelled them to commit, some victims may have remained unidentified in the law enforcement system due to the limited use of the NRS/SOP and understanding of the crime among officials. The government could grant temporary residency status to foreign victims who, if deported, may face hardship or retribution; however, it did not report providing this accommodation during the reporting period.

PREVENTION

The government decreased prevention efforts. A lack of coordination and funding impeded implementation of the 2017-2019 anti-trafficking national action plan. The Ministry of Basic Education opened an unknown number of new schools and hired over 4,000 teachers to increase academic opportunities for approximately 200,000 children at risk of exploitation. The IMC met once in 2018, compared with five times in 2017.

MINAS continued its public awareness campaign directed towards the general public and vulnerable children designed to inform Cameroonians on trafficking indicators; in 2018, the government held 5,014 community awareness sessions on trafficking and reached approximately 69,000 Cameroonians. To reduce the number of Cameroonian women exploited in destination countries in the Middle East, border police, customs officials, and gendarmerie screened individuals for trafficking indicators at airports, requiring proof of valid contracts in some cases. The government reported the Ministry of Employment and Vocational Training (MINEFOP), in conjunction with the Ministry of Labor and Social Security, monitored formal labor recruiters and revoked the licenses of an unknown number of fraudulent labor recruitment firms. MINEFOP officials reported annually publishing a list of licensed recruitment agencies, although the scope of dissemination was unknown. MINEFOP reported it does not have a system to prevent traffickers from exploiting workers once they have been placed in overseas employment. Increasing their vulnerability to trafficking, Cameroonians frequently used unauthorized recruiters to seek employment abroad. The government continued its negotiations

with the governments of Lebanon and Qatar to finalize anti-trafficking MOUs, initiated in 2016 by the Ministry of External Relations (MINREX). In November 2018, MINREX established a consulate in Dubai that will allow officials to more effectively respond to suspected trafficking cases.

Between 2015 and 2017, a Cameroonian diplomat posted in the United States is reported to have engaged in visa fraud related to a minor female domestic worker. Because of diplomatic immunity, the United States could not commence prosecution, nor did the government report taking any action during the reporting period to hold the diplomat accountable.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Cameroon, and traffickers exploit victims from Cameroon abroad. Child traffickers often use the promise of education or a better life in urban areas to convince rural parents to give their children over to an intermediary, who then exploits the children in sex trafficking or forced labor. Criminals subject homeless children and orphans to sex trafficking and forced labor in urban areas. Some labor recruiters lure teenagers and adolescents from economically disadvantaged families to cities with the prospect of employment and then subject victims to labor or sex trafficking. Traffickers exploit Cameroonian children in domestic service, restaurants, begging or vending on streets and highways, artisanal gold mining, gravel quarries, fishing, animal breeding, and agriculture (on onion, cotton, tea, and cocoa plantations), as well as in urban transportation assisting bus drivers and in construction as errand boys, laborers, or night watchmen. Children from neighboring countries are exploited in spare parts shops or by herders in northern Cameroon. Traffickers exploit some children transiting the country en route to Gabon and Equatorial Guinea. Anecdotal evidence suggests some Chinese business owners fraudulently recruit young girls to work as beauticians and subsequently exploit them in sex trafficking.

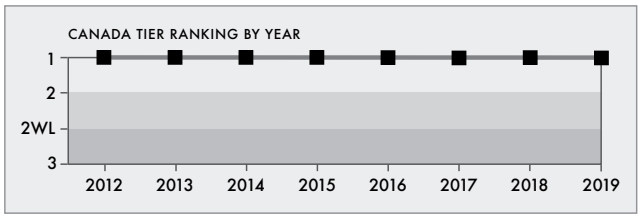
An international organization reported in December 2018 Cameroon accommodated over 437,000 internally displaced persons (IDPs) resulting from the Anglophone crisis. In addition to the IDPs, Cameroon has more than 1.1 million individuals of concern—including refugees from the Central African Republic (CAR) and Nigeria—as of December 2018. Both the IDPs and the individuals of concern are vulnerable to trafficking due to their economic instability and lack of access to formal justice. Boko Haram's activities on the border with Nigeria and instability in neighboring CAR have contributed to the displacement of many of these refugees. There continued to be reports of hereditary slavery in northern chiefdoms. Traffickers force CAR refugee children to engage in artisanal gold mining and sex trafficking in some areas of the East and Adamawa regions. An NGO alleged that in 2016 some officially sanctioned community watch groups (vigilance committees) may have used and recruited children as young as 12 years old. Boko Haram is a consistent terrorist threat, and continues to forcibly recruit Cameroonian children as porters, cooks, and scouts. The terrorist organization also uses women and girls as forced suicide bombers and sex slaves and boys as child soldiers. International organizations reported Anglophone separatists abducted children, potentially for use as child soldiers.

Cameroonians from disadvantaged social strata, in particular from rural areas, are exploited in forced labor and sex trafficking in the Middle East (especially Kuwait and Lebanon), as well as in Europe (including Switzerland and Cyprus), the United States, and multiple African countries (including Nigeria). Most exploited Cameroonians abroad are between the ages of 20 and 38, and come from the Northwest, Southwest, Littoral, Center, South, and West Regions. Fraudulent labor brokers recruited some Cameroonian women for domestic work in the Middle East where traffickers then subjected the women to sex trafficking or domestic servitude upon arrival at their destination. Some economic migrants in search of opportunity became victims of trafficking in Libya, or while in transit through Niger.

Trafficking networks generally consist of local community members, including religious leaders and former trafficking victims who have transitioned to perpetrators. These networks advertise jobs through the internet as well as other media, and recruit and sell other Cameroonians directly to families in need of domestic servants. Advocates working on trafficking issues report the government's awareness-raising activities targeting fraudulent recruitment have raised awareness amongst vulnerable populations, but have caused intermediaries to operate with greater discretion, often directing victims to travel to the Middle East through neighboring countries, including Nigeria. International organizations, NGOs, and migrants report that Cameroonian trafficking networks in Morocco force women into prostitution.

CANADA: TIER 1

The Government of Canada fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Canada remained on Tier 1. These efforts included investigating and prosecuting traffickers, including labor traffickers; convicting more traffickers than in the previous reporting period; providing funding for victim services; and identifying and assisting more victims than in the previous reporting period. Although the government meets the minimum standards, it did not provide comprehensive data on investigations, prosecutions, and convictions from all jurisdictions or on victims provided with services nationwide. The range, quality, and timely delivery of trafficking-specific services varied nationwide and the government did not fund or provide access to sufficient emergency housing specifically for trafficking victims. While the government finished consultations to develop a new national action plan, it did not publish a new plan during the reporting period.



PRIORITIZED RECOMMENDATIONS:

Publish and implement a new national anti-trafficking action plan. • Vigorously prosecute traffickers and impose adequately strong sentences on convicted traffickers. • Amend the criminal code and Immigration and Refugee Protection Act to include a definition of trafficking consistent with international law. • Significantly increase trauma-informed specialized services and shelter available to all victims, in partnership with civil

society and through ongoing dedicated funding from federal and provincial governments. • Minimize wait times for access to government services, particularly for foreign victims. • Investigate and prosecute Canadian child sex tourists. • Implement plans to fund a national trafficking hotline. • Increase proactive identification of victims, particularly through screening among vulnerable populations and training of first responders in victim-centered techniques. • Increase nationwide trafficking data collection, including documentation of investigations, prosecutions, and convictions and numbers of identified victims and assistance provided such as the number of work permits granted to foreign victims. • Increase training for government officials, particularly for prosecutors and judges, including on seeking and ordering restitution upon trafficking convictions. • Increase use of proactive law enforcement techniques to investigate trafficking, particularly forced labor. • Increase coordination and communication among federal, provincial, and territorial actors and strengthen provincial interagency efforts. • Increase partnerships with the private sector, including financial institutions, to prevent trafficking. • Implement revised laws and policies to address trafficking in the federal supply chain.

PROSECUTION

The government slightly increased law enforcement efforts. Criminal code Sections 279.01 and 279.011 criminalized sex trafficking and labor trafficking, prescribing penalties of four to 14 years' imprisonment for trafficking adults and five to 14 years' imprisonment for trafficking children; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law did not establish the use of force, fraud, or coercion as an essential element of the crime. Section 279.02 also criminalized receiving financial or any other material benefit from trafficking and prescribed a maximum penalty of 10 years' imprisonment with adult victims and a mandatory minimum of two years to a maximum of 14 years' imprisonment with child victims. Section 279.03 criminalized withholding or destroying documents to facilitate trafficking and prescribed a maximum penalty of five years' imprisonment for adult victims and a mandatory minimum of one year to a maximum of 10 years' imprisonment for child victims. Section 286.1 criminalized purchasing commercial sex acts from an individual under 18 years of age and prescribed a minimum penalty of six months and a maximum penalty of 10 years' imprisonment. The Immigration and Refugee Protection Act (IRPA) established a separate offense of "human smuggling and trafficking" to mean "no person shall knowingly organize the coming into Canada of one or more persons by means of abduction, fraud, deception or use or threat of force or coercion." Inconsistent with the definition of trafficking under international law, this provision did not include exploitation as an essential element of the crime.

Government officials at the federal, provincial, and municipal levels may investigate, prosecute, and convict traffickers; however, the government did not report comprehensive data at each of these levels. The government reported federal officials responsible for enforcing IRPA opened five new investigations but did not report whether these cases involved forced labor or sex trafficking. In 2018, federal, provincial, and municipal law enforcement officials initiated prosecutions against 116 individuals in 72 cases (one for labor trafficking), compared to 78 individuals in 47 trafficking cases (two for labor trafficking) in 2017, 107 individuals in 68 trafficking cases (none for labor trafficking) in 2016, and 112 individuals in 63 cases (two for labor trafficking) in 2015. Federal, provincial, and municipal authorities prosecuted and concluded 196 cases against 196 individuals, compared to prosecutions continued against 295 individuals (including 10 suspected labor traffickers) in 2017 and 300 individuals (including 34 suspected labor traffickers) in 2016. The government reported federal convictions of 36 traffickers in 2018, compared to federal convictions of five traffickers in 2017, including one labor trafficker, and 10 sex traffickers and no labor traffickers in 2016. Courts imposed sentences ranging from two to 12 years' imprisonment, compared to sentences ranging from six months to 9.5 years' imprisonment in 2017. The government acknowledged some sex trafficking cases resulted in convictions under other criminal code sections. Authorities argued these offenses were easier to prove in the absence of victim testimony, noting victims fear reprisal from their traffickers and may be unwilling to testify, which may reveal a lack of victim witness protection. Federal authorities collected provincial and municipal data through the Uniform Crime Reporting Program available each July for the previous calendar year and reported a total of 375 trafficking incidents and 291 individuals accused of trafficking in 2017. The federal government did not require federal, provincial, or municipal law enforcement to report data on investigations or convictions and therefore did not maintain a national database; however, it provided data from Canada's uniform crime reporting system and it provided provincial trafficking case data from the Province of Ontario where the highest number of cases were reported. NGOs noted a continued imbalance in the government's anti-trafficking efforts, with greater attention to and understanding of sex trafficking versus forced labor. NGOs and other non-governmental experts indicated police and prosecutors' understanding of trafficking or decisions to pursue cases based on a greater probability of conviction varied, leading some officials to categorize trafficking cases as other crimes or to bring civil instead of criminal charges. Federal law enforcement coordinated its seventh proactive "Northern Spotlight" operation to identify sex trafficking victims and investigate and prosecute sex traffickers, which resulted in 44 charges against suspects in 2018, compared to 21 charges against suspects in 2017. The federal government identified and reported financial transactions suspected of being linked to the laundering of proceeds from trafficking, which resulted in 191 disclosures between April 2018 and January 2019, compared to 196 in 2017 and 102 in 2016. The federal Royal Canadian Mounted Police (RCMP) included trafficking in the national academy training for all new recruits, trained 169 police officers in an online introductory human trafficking course, and trained 295 police officers in an in-depth trafficking investigators' course. The RCMP cooperated with foreign governments through the Interpol Human Trafficking Expert Group and pursued several ongoing trafficking investigations with foreign officials. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses, but media revealed a provincial police sergeant released another officer for alleged involvement in a prostitution offense in the course of a trafficking operation. Authorities charged the sergeant with misconduct related to the operation.

PROTECTION

The government increased protection efforts. Authorities identified 89 new victims in trafficking-specific cases in 2018, compared to 60 in 2017, 77 in 2016, and 99 in 2015. Of the 89 new victims identified, 81 were female and eight were male, 61 were adults and 28 were children, and 79 were victims of sex trafficking and 10 were victims of forced labor. The government

reported a total of 420 trafficking victims, which included newly and previously identified victims, in 2018 (404 sex trafficking victims and 16 forced labor victims) compared to 416 victims in 2017 and 367 victims in 2016. The government provided various handbooks, toolkits, and training to disseminate guidance on identifying trafficking victims to criminal justice officials and immigration officials specific to their roles. Immigration officials referred actual and potential cases to the RCMP for investigation and actual and potential victims to Immigration, Refugees and Citizenship Canada. At the provincial level, the government of British Colombia identified 132 potential victims through calls received by their hotline. During hearings conducted by the House Committee on Justice and Human Rights in 2018, witnesses expressed concern that many first responders, including police and medical professionals, could not properly identify trafficking victims. Witnesses argued the government's guidelines and training made assumptions all migrants and individuals in prostitution must be identified as trafficking victims thereby increasing surveillance of these communities and decreasing crime reporting.

The federal government assisted victims through its crime victim assistance regime, which relied on Justice Canada's funding to the provinces and territories. In October 2018, the federal parliament approved an additional 500,000 Canadian dollars ($367,110) to support victims of sexual exploitation and human trafficking, which brought the annual total to 1 million Canadian dollars ($734,210). Through this regime, the federal government allocated funding for 24 projects to NGOs and law enforcement agencies to provide case management, direct services, capacity building, and agency collaboration; but did not report how many victims were assisted by these projects in 2018. The RCMP Human Trafficking National Coordination Center and regional trafficking awareness coordinators operated response teams to assist victims law enforcement identified, such as during Operation Northern Spotlight and Project Griffon. Provincial governments, which have responsibility for the delivery of welfare services, provided access to services depending on the jurisdiction where the crime victim resided, with each province or territory using a police-based, court-based, or system-based service delivery model. Services provided typically included emergency shelter, food, health services, psychological services, and legal services.

NGOs operated 629 shelters for women who were victims of violence nationwide, some of which the government funded, but only a few shelters provided beds specifically for trafficking victims. The federal government provided 2016-2019 funding to NGOs in the Atlantic provinces and in the Quebec region to develop a trafficking-specific protocol for emergency housing. Service providers expressed concern about the lack of shelters given that only a small number of beds are dedicated specifically to trafficking victims, which led to having to relocate victims to other provinces and a burden on service providers. Statistics Canada included a question in a 2018 survey on the number of individuals seeking shelter in facilities for victims of abuse due to trafficking, which may help to provide a first estimate of the number of beds needed for trafficking victims. Experts reported some shelters for victims of domestic violence would not accept trafficking victims due to the complexity of their needs and out of fear of their traffickers. The government provided universal health care, emergency housing, legal aid, and social assistance at the provincial or territorial level to eligible individuals, including female and male trafficking victims, but dedicated emergency housing and specialized services primarily served female victims. Public Safety Canada continued $152,000 in funding to two multi-year projects to develop housing response models for trafficking. The Department of Justice provided 250,000 Canadian dollars ($183,550) to two NGOs for a new two-year project to provide case management and direct services to forced labor victims. The Department of Justice funded child advocacy centers that provincial or municipal governments or NGOs operated, some of which provided trafficking-specific services to child victims. The government did not report any victims who obtained restitution in 2018 for the third consecutive year.

Some provinces or territories offered trafficking-specific services through government agencies or NGOs. At least four of the 10 provincial governments dedicated funding to victim assistance: Alberta funded a coalition to provide coordination and services, British Columbia funded a government entity to provide referrals and services, Manitoba funded a government-NGO response team, and Ontario funded a government entity to provide coordination and services. The quality and availability of services varied, although most provinces could offer trafficking victims access to shelter services intended for victims of violence or the homeless population, short-term counseling, court assistance, and other services. Manitoba provided at least 10.3 million Canadian dollars ($7.56 million) for initiatives to identify and assist those at risk of and victims of sexual exploitation, including sex trafficking. Ontario provided 18.6 million Canadian dollars ($13.66 million) for a three-year (2017-2020) strategy to improve survivors' access to services such as housing, mental health services, and trauma counseling. The federal government provided New Brunswick 201,560 Canadian dollars ($147,990) over three years (2015-2018) to develop a provincial strategy to prevent sex trafficking. Québec's Victim Assistance Fund did not compensate or provide funding or services to women in prostitution, even if the woman was identified as a sex trafficking victim.

Foreign trafficking victims could apply for a temporary resident permit (TRP) to remain in Canada, which entitled victims to access health care and receive a work permit. The government issued TRPs to 40 foreign victims and their dependents in 2018, compared to 32 in 2017 and 67 in 2016. The government provided foreign victims eligibility for short-term 180-day TRPs or long-term three-year TRPs, but NGOs reported long wait times to receive TRPs. TRP holders could apply for fee-exempt work permits, but the government did not report how many foreign victims received permits in 2018. NGOs also reported a need for more trauma-informed care for victims, whom the health care system sometimes re-traumatized. While victims waited to receive TRPs, they could not access publicly-funded services, including mental and physical health and welfare, but they could receive assistance from NGOs. Canadian law provided extensive victim witness protections to encourage victims to participate in the investigation and prosecution of cases, including video testimony, the presence of a support person during testimony, a ban on publishing the names of witnesses, and the exclusion of members of the public in the courtroom, but the government did not report whether such protections were actually afforded to victims.

PREVENTION

The government maintained prevention efforts. The government held consultations to gather stakeholders' views to inform the government's anti-trafficking activities but did not publish a national action plan. During the consultations, the government acknowledged a need for dedicated anti-trafficking funding, greater cross-sectoral collaboration, increased availability of and accessibility to victim support and services, more prosecutions

and sufficiently stringent sentences, greater oversight of supply chains, and the need to engage the private sector. The government also admitted gaps in data collection and analysis of the prevalence of trafficking. The federal parliament's House Standing Committee on Justice and Human Rights also conducted consultations and published a report in December 2018, which included recommendations on a new national anti-trafficking action plan, prevention of trafficking among migrant workers, outreach to financial institutions to assist in tracking suspicious transactions, and funding for the national hotline.

Public Safety Canada (PSC) led a federal interagency task force and facilitated policy discussions. PSC hosted national teleconferences for provincial and regional governments and stakeholders to share information, trends, and best practices related to forced labor and victim services and to share its own initiatives. PSC operated a hotline for service referral for crime victims, including trafficking victims, but did not report the number of trafficking calls received in 2018. The government's 2018 budget including 14.5 million Canadian dollars ($10.65 million) over five years, beginning in 2018-2019, to establish a national human trafficking hotline to be operated by an NGO and launched in May 2019. The government funded NGOs to promote awareness-raising campaigns, including on labor trafficking and fraud in foreign labor recruiting, in partnership with civil society, aimed at indigenous people, youth, law enforcement, and the public.

The RCMP Human Trafficking National Coordination Center and regional trafficking awareness coordinators in the provinces of Alberta, Manitoba, Quebec, and Nova Scotia served as anti-trafficking points of contact for law enforcement across the country and participated in regional response teams and meetings to share local strategies, best practices, and successful cases. British Columbia's provincial anti-trafficking office coordinated the provincial strategy, services, and identified gaps and barriers, such as a need for a regular working group between RCMP, Canada Border Services Agency, the provincial crown prosecutor, and U.S. law enforcement agencies. The government of Ontario continued to implement its comprehensive, survivor-focused provincial anti-trafficking strategy and operated a 24/7 multi-lingual hotline to provide information and referral for trafficking victims. Starting in 2016, the province allocated 72 million Canadian dollars ($52.86 million) over four years to address trafficking. NGOs cited the need for better coordination among the federal, provincial, and territorial governments on anti-trafficking law enforcement.

The government strengthened the federal Temporary Foreign Worker Program by creating a federal-provincial/territorial working group and allocating 194.1 million Canadian dollars ($142.51 million) over five years and 33.9 million Canadian dollars ($24.89 million) per year to enforce laws and prevent labor exploitation and trafficking among these workers. The federal government also invested 3.4 million Canadian dollars ($2.5 million) in 2018-2019 to establish, as a pilot program, a migrant worker support network for individuals facing potential labor exploitation and trafficking by their employers. The government updated its pamphlet entitled "Temporary Foreign Workers: Your Rights are Protected," to provide information on rights and protections for such workers, including on trafficking, in eight languages. The government reported it referred three of 16 leads received related to potential trafficking cases generated by its online fraud reporting tool for temporary foreign workers. The government provided funding for awareness-raising workshops with foreign workers and an online reporting tool. According to NGO contacts, Canada's temporary foreign worker program continued to be vulnerable to trafficking. The government conducted outreach to domestic workers of foreign diplomats to prevent and identify trafficking cases, but it did not report whether the outreach led to new cases. Authorities continued to distribute a publication warning Canadians traveling abroad about penalties under Canada's child sex tourism law. The government did not report any child sex tourism investigations, prosecutions, or convictions for the third consecutive year. The government provided more than 19 million Canadian dollars ($13.95 million) to support anti-trafficking initiatives in more than a dozen countries globally. Canada participated in the fifth annual trilateral trafficking in persons working group meeting with Mexico and the United States and shared best practices related to technology and trafficking. The government made efforts to reduce the demand for commercial sex and forced labor through awareness-raising and training. The government worked to revise its laws and policies to address trafficking in the federal supply chain by drafting amendments to the criminal and immigration law, a new self-certification policy in the apparel sector, and an updated debarment policy for suppliers. The government, along with Australia, the United States, New Zealand, and the United Kingdom, launched a set of principles for governments to use as a framework for preventing and addressing forced labor in public and private sector supply chains.

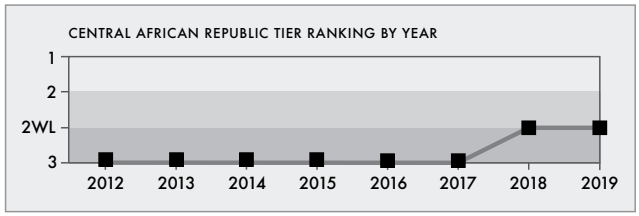
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Canada, and traffickers exploit victims from Canada abroad. Women and children from indigenous communities, migrants and new immigrants, LGBTI persons, persons with disability, at-risk youth, runaway youth, and youth in the child welfare system are especially vulnerable to traffickers. Traffickers exploit Canadian victims within the country, but traffickers have also exploited some Canadian victims abroad, mainly in the United States. Traffickers exploit foreign women, primarily from Asia and Eastern Europe, in sex trafficking in Canada. Traffickers exploit legal foreign workers from Eastern Europe, Asia, Latin America, and Africa in forced labor in a variety of sectors, including agriculture, construction, food processing plants, restaurants, and hospitality, or as domestic workers, including diplomatic households. Canadians travel abroad to engage in sex acts with children, and foreign nationals engage in sex acts with children in Canada.

CENTRAL AFRICAN REPUBLIC: TIER 2 WATCH LIST

The Government of the Central African Republic (CAR) does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by partnering with an international organization to demobilize 913 child soldiers and provide reintegration services for 1,669 children recruited by armed groups; investigating one trafficking case; increasing its awareness raising programming; and partnering with an international organization to operate shelters for potential child trafficking victims and demobilized child soldiers. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not prosecute any traffickers, has not convicted a trafficker since 2008, and did not develop

a national action plan to address all forms of trafficking in persons. Therefore CAR remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Coordinate with international organizations to demobilize and provide reintegration services to child soldiers, and increase efforts to minimize their re-recruitment by armed groups. • Hold armed groups that recruit and use children criminally accountable. • Designate a ministry or official entity to lead the government's overall anti-trafficking efforts, and empower officials to coordinate with other government offices, NGOs, and international organizations. • Increase efforts to identify trafficking victims within Bangui and train officials on victim identification standard operating procedures. • Develop and operationalize a multi-year anti-trafficking national action plan in partnership with international organizations and NGOs, and dedicate in-kind support to include government facilities and staff hours to support the plan's implementation. • Increase anti-trafficking training for the Mixed Unit for Rapid Intervention and Repression of Sexual Violence to Women and Children (UMIRR) so it can effectively identify trafficking cases and refer victims to care. • Hold court hearings—separate from informal mediation—for suspected trafficking cases and increase efforts to investigate, prosecute, and convict traffickers through independent and fair trials. • Ministry of Labor officials coordinate with international organizations to provide training for labor inspectors to increase their ability to proactively identify victims of trafficking in Bangui. • Take concrete steps in partnership with NGOs and international organizations to provide comprehensive protection services to victims of all forms of trafficking, and ensure trafficking victims are not punished for unlawful acts traffickers compelled them to commit. •Launch an awareness raising campaign in Bangui in partnership with international organizations to increase the public's and government officials' ability to identify and refer trafficking in persons crimes to law enforcement officers.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts during the reporting period. Article 151 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of five to 10 years' imprisonment, which were sufficiently stringent and with respect to sex trafficking, commensurate with penalties prescribed for other serious offenses, such as kidnapping. If the offense involved a child victim of sex trafficking or forced labor similar to slavery, the prescribed penalties increased to five to 10 years' imprisonment with hard labor. Articles 7 and 8 of the 2009 Labor Code criminalized forced and bonded labor and prescribed sufficiently stringent penalties of five to 10 years' imprisonment.

The government did not collect comprehensive anti-trafficking data, resulting in unreliable and incomplete statistics on law enforcement and victim identification efforts. The government investigated one trafficking case under Article 151 during the reporting period; however, authorities ultimately bypassed formal courts and resolved the case through mediation. As in the previous reporting period, officials did not report prosecuting any suspected traffickers in 2018, and authorities have not convicted any traffickers since 2008. NGOs reported the UMIRR may have investigated allegations of trafficking and referred an unknown number of potential trafficking cases to the Special Criminal Court.

Years of destabilizing conflict have severely limited formal judicial capacity outside the capital, leading to the frequent use of customary dispute resolution methods through which traditional chiefs or community leaders administer punishment for criminal acts. Additionally, observers stated limited judicial sector resources continued to impede prosecution of cases. The government did not report investigating, prosecuting, or convicting government officials complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes by border agents and police remained concerns and may have inhibited law enforcement action during the year. The government did not report training law enforcement officials on human trafficking in 2018, compared with coordinating with an international organization to train 99 government and civil society actors during the previous reporting period.

PROTECTION

The government maintained limited efforts to identify and protect victims. The government did not report identifying trafficking victims in 2018, compared with identifying 39 child trafficking victims in 2017.

Officials did not report training officials on the government's victim identification standard operating procedures, developed in 2016. The Ministry of Social Affairs partnered with an international organization and provided financial support to shelters for unaccompanied children, including potential trafficking victims and former child soldiers; these shelters offered medical care, food, and psycho-social support. However, officials did not disclose the number of children the government assisted at these shelters. The government could refer trafficking victims to NGOs that accept—but do not specialize in assisting—trafficking victims; however, officials did not report referring any victims of forced labor or sex trafficking to NGOs or other service providers for assistance. In previous years, reports indicated the government arrested and jailed individuals engaged in commercial sex—some of whom may have been trafficking victims—without verifying their ages or attempting to identify indicators of trafficking; it is unknown whether the government punished any individuals for engaging in commercial sex during this reporting period, but it is likely given officials' lack of training on victim identification. Authorities did not report providing legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. The law allows victims to file civil suits against the government or their alleged traffickers for restitution; however, there were no indications this occurred during the reporting period.

During the reporting period, the government partnered with an international organization to demobilize 913 children (671 boys and 242 girls) associated with armed groups, and provided reintegration services for 1,669 children (1,238 boys and 431 girls) in 2018; some children the government provided reintegration services to were demobilized in previous years. Government officials directly implemented family reunification and tracing programming, and supported

international organization-led demobilization, disarmament, and reintegration efforts. In 2017, the government partnered with an international organization and identified more than 3,000 child soldiers and referred them to reintegration services. No other specialized care was available for child or adult trafficking victims in the country.

PREVENTION

The government maintained limited prevention efforts during the reporting period, and overall anti-trafficking coordination was hindered by the lack of a designated lead governmental entity and limited trafficking knowledge among officials, as well as ongoing conflict throughout the country. Officials coordinated with an international organization to hold awareness raising programming and provide training for 1,337 individuals to increase their understanding of trafficking in persons. UMIRR continued to operate its 24-hour hotline staffed by French and local language speakers; however, the government did not provide statistics on the number of calls it received. Officials did not make progress on drafting or implementing a national action plan to combat trafficking.

Ministry of Labor officials conducted inspections in Bangui during the reporting period; however, instability and armed conflict throughout the country limited the government's ability to observe areas outside the capital, and inspectors did not monitor the informal sector where experts reported child trafficking and hazardous work conditions commonly occurred. The government did not report implementing its 2017-2021 National Recovery and Peacebuilding Plan, which aimed to re-establish peace and security through the disarmament and reintegration of child soldiers. Budgetary shortfalls, lack of security, and coordination gaps between the government and donors adversely impacted the plan's effectiveness. The government did not report any measures to reduce the demand for commercial sex acts or forced labor, and it did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in CAR, and traffickers exploit victims from CAR abroad. Observers report traffickers primarily exploit CAR nationals within the country, and transport a smaller number of victims between CAR and Cameroon, Chad, Nigeria, Republic of the Congo, Democratic Republic of the Congo, Sudan, or South Sudan. Traffickers—including transient merchants, herders, and armed groups—subject children to domestic servitude, commercial sexual exploitation, as well as forced labor in agriculture, artisanal gold and diamond mines, shops, and street vending within CAR. Also within the country, some relatives subject children to forced labor in domestic work, and traffickers subject *Ba'aka* (*pygmy*) minorities to forced labor in agricultural work, especially in the region around the Lobaye rainforest. Criminal elements exploit girls in sex trafficking in Bangui and other urban areas. Some relatives or community members coerce girls into forced marriages and subsequently subject the girls to forced labor in domestic servitude, or sex trafficking.

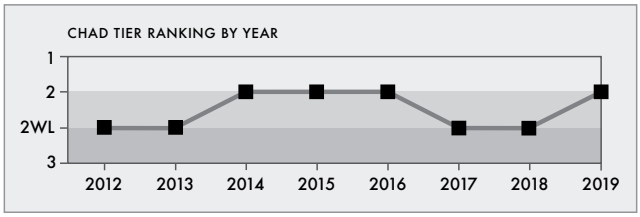
Surges in violent conflict in recent years have resulted in chronic instability and the displacement of more than one million people, increasing the vulnerability of men, women, and children to forced labor and sex trafficking. In 2018, approximately 641,000 people remained internally displaced and vulnerable to trafficking inside the country, and 591,000 individuals sought refuge in neighboring countries. This represents an increase from 402,000 internally displaced people and 464,000 refugees the previous year.

Armed militias associated with Anti-Balaka, Ex-Seleka, Lords Resistance Army, and other armed groups forcibly recruit and use child soldiers in CAR; however, there were no verified cases of the government supporting units recruiting or using child soldiers during the reporting period. International organizations reported armed groups recruited 299 children (196 boys and 103 girls) to serve as combatants, informants, messengers, porters, cooks, and sex slaves in 2018; armed groups also subjected children to forced labor in the mining sector. Since the conflict began in 2012, armed groups have recruited more than 14,000 children; in 2018, militias primarily recruited and used child soldiers from the prefectures of Haute-Kotto, Nana-Grebizi, and Ouaka. Although some children voluntarily join locally-organized community defense groups to protect their families from opposing militias, many commanders maintain influence over these children even after they are demobilized, increasing their risk of re-recruitment. Inadequately funded reintegration programming, continuing instability, and a lack of economic opportunity throughout the country exacerbate the risks of re-recruitment among former child soldiers.

The United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) has more than 13,000 peacekeeping forces and police in CAR to protect civilians, provide security, support humanitarian operations, and promote and protect human rights, among other objectives. However, observers alleged MINUSCA peacekeepers sexually abused a CAR national during the reporting period. Observers report peacekeepers have sexually exploited over 100 victims since MINUSCA's 2014 inception.

CHAD: TIER 2

The Government of Chad does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Chad was upgraded to Tier 2. The government investigated and prosecuted more suspected traffickers; identified more victims through the course of law enforcement activities; established an anti-trafficking coordinating body; and ratified its 2018 anti-trafficking law. However, the government did not meet the minimum standards in several key areas. The government did not report referring any victims to care; provide training for officials despite a lack of trafficking knowledge being an impediment to prosecuting and convicting criminals; disseminate or implement formal victim identification and referral procedures established in 2017; or implement its national action plan.



PRIORITIZED RECOMMENDATIONS:

While respecting due process, vigorously investigate and prosecute suspected trafficking offenders according to Chad's anti-trafficking Law 006/PR/18. • Regularly convene the Inter-Ministerial Committee Against Trafficking in Persons and include civil society and NGOs in the meetings. • Coordinate with international organizations to increase familiarity of trafficking in persons amongst working-level law enforcement and judicial officials. • Disseminate to security services, law enforcement, and civil society standard operating procedures for the identification and referral of trafficking victims to care. • Work with NGOs and international organizations to increase the provision of protective services to all trafficking victims. • Raise public awareness of trafficking issues, particularly at the local level among tribal leaders and other members of the traditional justice system.

PROSECUTION

The government increased law enforcement efforts. In June 2018, the National Assembly ratified Law 006/PR/2018 on Combatting Trafficking in Persons, which criminalized sex trafficking and labor trafficking. Article seven of Law 006/PR/2018 prescribed penalties of four to 30 years' imprisonment and a fine of 250,000 to 5 million Central African CFA francs ($414 to $8,280); these penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

Although the government did not collect comprehensive law enforcement data, it reported investigating trafficking cases involving 82 suspects in 2018. Authorities released 80 of those suspects without charges and initiated prosecutions for two suspects. The government did not convict any traffickers in 2018. The government reported investigating one potential trafficking case and did not report prosecuting or convicting any traffickers in 2017. Authorities did not report investigating, prosecuting, or convicting government officials complicit in human trafficking offenses; however, experts noted officials were complicit in trafficking crimes during the reporting period, including reports of prison officials compelling inmates into labor on private projects, separate from the prisoners' sentences.

PROTECTION

The government increased efforts to identify victims but did not report referring victims to services and maintained overall weak protection efforts. Officials reported identifying 21 trafficking victims during the course of law enforcement activities in 2018, compared with zero victims the previous year. Authorities did not report referring any victims to shelters or care during the year and detained the 21 victims for one day during their traffickers' hearing. The government did not disseminate or implement formal victim identification and referral procedures developed in 2017.

The Ministry of Women, Family, and National Solidarity, in partnership with an international organization and local NGOs operated transit centers that served as temporary shelters throughout the country. During the reporting period, these shelters provided temporary housing, food, and education to victims of gender-based violence and other crimes, including potential victims of trafficking. Officials did not report providing services to trafficking victims in these shelters during the reporting period; however, observers stated the government's Child Protection Brigades provided shelter and psycho-social care to an unknown number of child victims of trafficking in 2018. Services were limited to urban areas and largely inaccessible to much of Chad's rural population.

The government did not have a formal policy to offer temporary or permanent residency for foreign victims of trafficking and did not report identifying any foreign victims. While there were no reports the government penalized any trafficking victims for unlawful acts their traffickers compelled them to commit, authorities may have arrested some victims due to the limited use of the referral procedures and officials' understanding of the crime. NGOs and local officials reported negotiating settlements outside of formal courts between families and employers who may have subjected child herders to forced labor.

PREVENTION

The government maintained minimal efforts to prevent trafficking. In 2018, the government launched the National Committee to Combat Trafficking in Persons to coordinate its anti-trafficking efforts; however, the Committee did not meet during the reporting period and was not fully staffed or resourced. The Ministry of Justice created an action plan to guide the government's anti-trafficking efforts and apply the 2018 anti-trafficking law, but officials did not report executing any of the proposed actions during the reporting period.

The government made no discernible efforts to raise awareness on trafficking or reduce the demand for commercial sex or forced labor during the reporting period. A lack of identity documentation remained a risk factor for trafficking in Chad, and the government continued to implement the 2013 birth registration policy requiring universal issuances of uniform birth certificates; however, officials did not widely enforce the policy due to limited resources. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

TRAFFICKING PROFILE

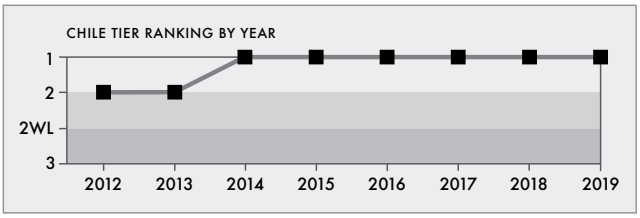
As reported over the past five years, human traffickers exploit domestic and foreign victims in Chad, and traffickers exploit Chadian victims abroad. The country's trafficking problem is primarily internal and exacerbated by high levels of poverty across the country. Families frequently entrust their children to live with relatives or intermediaries to receive education, apprenticeship, goods, or money; some of those relatives or intermediaries subsequently subject the children to forced labor in domestic service or cattle herding. Traffickers exploit children in forced labor as beggars in urban areas, agricultural laborers on farms, gold mining in the north of the country, charcoal production, and as domestic workers. In the Lake Chad region, traffickers exploit children in catching, smoking, and selling fish. Some religious leaders subject children who leave their villages to attend traditional Quranic schools—known as *mouhadjirin*—into forced begging, street vending, or other forced labor.

Cattle herders subject some children to forced labor as they follow traditional routes for grazing cattle and, at times, cross ill-defined international borders into Cameroon, the Central African Republic, Sudan, and Nigeria. Traffickers in rural areas sell children in markets for use in cattle or camel herding. In some cases, military or local government officials exploit child herders in forced labor. Traffickers subject some rural Chadian girls who travel to larger towns in search of work to child sex trafficking or domestic servitude. Criminals may exploit refugees and internally displaced people in Chad to child sex trafficking.

Experts reported prison officials used inmates as forced labor on private projects, separate from the prisoners' sentences for their crimes. According to an international organization, Chad hosts more than 450,000 refugees and more than 130,000 internally displaced persons; populations vulnerable to trafficking based on their economic instability and lack of access to support systems. International organizations report the Nigerian terrorist group Boko Haram and its offshoot Islamic State-West Africa forcibly abducted minors to serve as child soldiers, suicide bombers, child brides, and as forced laborers. Community-based vigilante groups tasked with defending people and property in rural areas may recruit and use children in armed conflict.

CHILE: TIER 1

The Government of Chile fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Chile remained on Tier 1. These efforts included investigating more cases, identifying more victims, improving male victims' care, increasing legal representation for child victims, and sentencing two labor traffickers to the longest prison term to date under the trafficking law. Although the government meets the minimum standards, courts issued lenient sentences, with the vast majority of convicted traffickers receiving only probation with no time in prison, creating potential safety concerns for trafficking victims, weakening deterrence, and undercutting nationwide efforts to fight trafficking. The government did not provide adequate resources for victim protection efforts, and available care was particularly lacking for male victims and victims outside of the capital.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to penalize traffickers with adequate sentences, which should include significant prison terms. • Vigorously investigate, prosecute, and convict all forms of human trafficking, including domestic child sex trafficking, under Article 411 of the penal code. • Increase training on application of Article 411 for judges and prosecutors. • Increase funding and services for victim protection efforts. • Expand access to specialized shelters for victims, including male and minor victims and victims outside the capital. • Develop guidelines for officials to screen for trafficking indicators for children involved in illicit activities to ensure no trafficking victims are penalized for unlawful acts their traffickers compelled them to commit. • Increase legal representation to victims who wish to seek restitution.

PROSECUTION

The government increased prosecution efforts. Article 411 of the penal code criminalized sex trafficking and labor trafficking, prescribing penalties ranging from five years and one day to 15 years' imprisonment, plus fines. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Chilean officials continued to investigate and prosecute many internal child sex trafficking cases under Article 367 of the penal code, which penalized "promoting or facilitating the prostitution of minors," but penalties for this crime ranged from five to 20 years' imprisonment. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

Anti-trafficking police units opened 39 new investigations (23 for sex trafficking and 16 for labor trafficking), compared with 21 cases in 2017 (13 for sex trafficking and eight for labor trafficking) and 23 cases in 2016 (four for sex trafficking and 19 for labor trafficking). Authorities prosecuted 19 individuals (13 under Article 367 and six under Article 411), compared with 17 cases in 2017 (14 under Article 367 and three under Article 411). The government convicted nine traffickers (four under Article 367 and five under Article 411 for labor trafficking), compared with 29 convictions in 2017 (26 under Article 367 and three under Article 411) and eight convictions (three under article 367 and five under Article 411) in 2016. Two labor traffickers received 10-year prison sentences, the longest effective sentences since Article 411's inception; these individuals also received fines of 2.35 million Chilean pesos ($3,390). However, seven of nine convicted traffickers did not serve any time in prison; three labor traffickers received four years' probation and four convicted child sex traffickers received between three and five years of probation.

During 2018, the National Public Prosecutor's office developed a new protocol for prosecutors and attorney advisors for the investigation of crimes related to the commercial sexual exploitation of children and adolescents, including sex trafficking. The government cooperated with Argentina, China, and Colombia on three investigations. The government provided training to the governments of El Salvador, Guatemala, Honduras, Panama, and Peru to strengthen international prosecutions. The Metropolitan Brigade to Investigate Trafficking in Persons provided specialized training to 440 police cadets, senior officers, and prosecutors across the country. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. In 2018, the government instituted a new software system to track the complicity of government officials in trafficking crimes.

PROTECTION

The government increased victim protection. The government's interagency task force on trafficking (MITP) identified 41 trafficking victims (30 women and 11 men; 33 for labor trafficking and eight for sex trafficking), compared with 21 victims in 2017, 23 in 2016, and 65 in 2015. The National Service of Women and Gender Equality (SERNAMEG) assisted 12 women of the 41 victims of trafficking; the SERNAMEG shelter directly assisted eight female victims and sent the remaining four victims to other shelters due to its capacity limit. SERNAMEG assigned three of the victims with pro-bono attorneys. The MITP's protocol on victim assistance entitled victims to safe housing, health services, psychological services, legal assistance, employment assistance, and regularization of migratory status. However, provision of victim services remained uneven across the country and NGOs reported funding was inadequate to provide necessary services, especially shelters for minors and male victims. The government did not fund most NGOs that provided victim assistance; agencies did not have specific line items in their budgets for victim assistance. Reintegration services such as education and job placement

assistance were insufficient, and officials reported access to adequate mental health services was expensive and limited.

SERNAMEG allocated 140 million Chilean pesos ($202,000) to fund the NGO-operated shelter for women victims of trafficking, smuggled women, and their children, an increase compared to 133 million Chilean pesos ($191,900) allocated in 2017. The government also had domestic violence shelters that housed trafficking victims, although these shelters did not necessarily provide specialized services for trafficking victims. The Ministry of Interior created official agreements on adult men victims' care with the Ministry of Justice; these services were administered by a local NGO. However, there were no shelters for male victims. The National Service for Minors (SENAME) provided basic services to child sex trafficking victims through its national network of 18 NGO-operated programs and opened one additional program during the reporting period. There was an ongoing investigation into mistreatment and abuse leading to death and neglect of children and adolescents at SENAME-affiliated residential and non-residential care facilities. SENAME provided 3 billion Chilean pesos ($4.33 million) for victim services, compared to 2.95 billion Chilean pesos ($4.26 million) in 2017. SENAME assisted 1,459 children in 2018, compared with 1,350 children in 2017 and 1,341 in 2016. Although it noted 148 children or adolescents were identified by the Worst Forms of Chile Labor (WFCL) registry as victims of commercial sexual exploitation. The Ministry of Interior increased legal representation for child victims through Chile's "My Lawyer program."

In partnership with an international organization, the Ministry of Health developed a technical guide on victim identification and assistance and trained more than 300 public health and municipality officials. Authorities provided training on victim assistance and identification to more than 1,000 law enforcement, judicial staff, labor inspectors, SENAME staff, and first responders. The Department of Migration continued to provide no-fee visas for foreign trafficking victims and issued 17 in 2018 (nine in 2017). The visa is valid for up to one year, renewable for up to two years if the victim reported the trafficking crime to the prosecutor's office. Foreign victims received the same victim services and methods of participation in court—such as teleconference, witness protection, and video testimony—as Chilean victims. The government reported challenges in encouraging victims to participate in a full trial. The government did not report granting any victims restitution through civil or criminal cases in 2018. An international organization has expressed concern that striking workers in certain industries could be imprisoned and forced to work.

PREVENTION

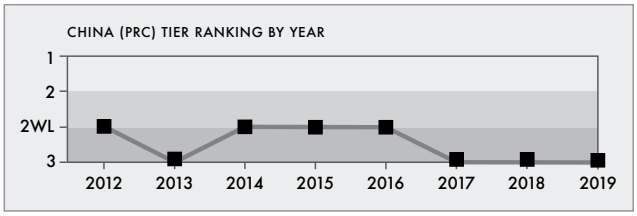
The government increased prevention efforts. The Ministry of Interior continued to lead the MITP—which included government agencies, international organizations, and local NGOs—and its three sub-commissions. The government created, published, and began implementation of a new national action plan (2019-2022). Instead of continuing a specific line item budget for anti-trafficking efforts, the government authorized MITP and partner NGOs to draw from a transnational organized crime budget line under the government's "Safe Borders Program;" the government claimed this would improve collaboration on prosecutions and increase coordination across agencies. While there was improvement in interagency cross-referencing and sharing of data, more robust coordination was needed. The government conducted multiple awareness campaigns and distributed materials, including brochures, at various public venues across the country. Several agencies operated hotlines that could take calls on trafficking victims. The government provided training on trafficking for operators of the labor directorate's hotline. The National Tourism Service, in collaboration with SENAME, continued its certification of tourism organizations and establishments that adhere to norms for the prevention of child sex trafficking. The government released its 2011-2017 statistics report on trafficking in Chile. The government made efforts to reduce the demand for commercial sex acts but did not make efforts to reduce the demand for forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Chile, and traffickers exploit victims from Latin American and Asian countries abroad. Traffickers exploit Chilean women and children in sex trafficking within the country as well as women and girls from other Latin American countries and Asia. Some traffickers may recruit children staying in child protection centers. Traffickers exploit men, women, and children—primarily from other Latin American countries, as well as Asia—in forced labor in Chile in mining; agriculture; construction; street vending; the hospitality, restaurant, and garment sectors; and domestic service. Traffickers subject Chinese and Haitian immigrants to sex trafficking and forced labor, and Korean women to sex trafficking. Chilean authorities identified a significant number of children involved in illicit activities, including drug trafficking and theft; some of these children may have been trafficking victims. Traffickers subject Chilean men to labor trafficking in Peru and Chilean women to sex trafficking in Argentina, as well as other countries. Police often frequented brothels in small towns, dissuading potential trafficking victims from reporting exploitation.

CHINA: TIER 3

The Government of the People's Republic of China (PRC) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore China remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by continuing to cooperate with international authorities to address forced and fraudulent marriages in China, a key trafficking vulnerability for foreign women and girls, and by continuing to seek accountability for officials complicit in commercial sex crimes that may have included sex trafficking. However, state-sponsored forced labor intensified under the government's mass detention and political indoctrination campaign against members of Muslim ethnic minority groups in Xinjiang, and authorities reportedly subjected Tibetans and other ethno-religious groups to similar conditions. For the second consecutive year, the government did not report identifying any trafficking victims or referring them to protective services. Authorities detained women arrested on suspicion of prostitution, sometimes for months and without screening for trafficking, and often forcibly returned foreign victims to their traffickers after they escaped and reported their abuses.



PRIORITIZED RECOMMENDATIONS:

End forced labor in government facilities, in nongovernmental facilities converted to government detention centers, and by government officials outside of the penal process. • Abolish the arbitrary detention and forced labor of persons in internment camps in Xinjiang and immediately release the individuals detained therein. • Cease discriminatory hiring and targeted displacement policies putting Muslim and other minority communities at risk of trafficking. • Respecting due process, vigorously investigate, prosecute, and impose prison sentences on perpetrators of forced labor and sex trafficking, including complicit government officials. • Update the legal framework to fully criminalize all forms of trafficking, including the facilitation of "prostitution" involving children younger than the age of 18. • Institute and systematize proactive, formal procedures to identify trafficking victims throughout the country—including labor trafficking victims, Chinese victims returning from abroad, and victims among vulnerable groups, such as migrant workers, foreign women, and Chinese women and children arrested on "prostitution" charges—and train front-line officers on their implementation. • Cease penalization of victims for unlawful acts their traffickers compelled them to commit. • Immediately screen individuals suspected of prostitution offenses for sex trafficking indicators and refer identified victims to protection services. • Ensure authorities do not subject trafficking victims to extended detention, punishment, or deportation. • Expand victim protection services, including comprehensive counseling and medical, reintegration, and other rehabilitative assistance for male and female victims of sex and labor trafficking. • Provide legal alternatives to foreign victims' removal to countries where they would face hardship or retribution, particularly North Korea. • Increase the transparency of government efforts to combat trafficking and provide disaggregated data on investigations and prosecutions, victim identification, and service provision, including by continuing to share relevant data with international partners.

PROSECUTION

The government decreased law enforcement efforts. The criminal code criminalized some forms of sex trafficking and labor trafficking. Various provisions of the criminal code could be used to prosecute sex trafficking offenses. Article 240 criminalized "the abduction and sale of women or children," which included abduction by deceit, kidnapping, purchasing, selling, sending, receiving, and transferring for the purpose of sale; however, unlike the definition of trafficking in persons under international law, Article 240 did not explicitly link these acts to a purpose of exploitation. Article 240 prescribed penalties of five to 10 years' imprisonment and fines for the abduction and sale of women and children. If an abducted woman was then forced into prostitution, the penalties increased to 10 years to life imprisonment, fines, and confiscation of property. These penalties were sufficiently stringent and commensurate with the penalties prescribed for other serious crimes, such as rape. Article 241 criminalized the purchase of abducted women or children and prescribed a maximum penalty of three years' imprisonment, short-term detention, or controlled release; like Article 240, it did not require that the purchase be for the purpose of exploitation. Penalties under this provision were not alone sufficiently stringent; however, Article 241 stipulated that if an individual purchased an abducted woman or child and then subjected them to "forcible sexual relations," they would face additional penalties under the criminal code's rape provisions. Article 358 criminalized forced prostitution and prescribed penalties of five to 10 years' imprisonment; if the offense involved a child under the age of 14, the penalties increased to 10 years to life in addition to fines or confiscation of property. These penalties were sufficiently stringent and commensurate with the penalties prescribed for other serious crimes, such as rape. Article 359 criminalized harboring prostitution or luring or introducing others into prostitution, and it prescribed a maximum of five years' imprisonment and a fine; if the offense involved a girl under the age of 14, it prescribed a minimum of five years' imprisonment and a fine. These penalties were sufficiently stringent; however, the penalties prescribed for offenses involving girls 14 to 17 years of age were not commensurate with the penalties prescribed for other serious crimes, such as rape. Labor trafficking offenses could be prosecuted under Article 244, which criminalized forcing a person "to work by violence, threat, or restriction of personal freedom" and recruiting, transporting, or otherwise assisting in forcing others to labor, and prescribed three to 10 years' imprisonment and a fine. These penalties were sufficiently stringent.

The central government did not capture or report comprehensive law enforcement data, and it continued to report statistics for crimes outside the definition of trafficking according to international law (including migrant smuggling, child abduction, forced marriage, and fraudulent adoption), making it difficult to assess progress. For the second consecutive year, the Ministry of Public Security (MPS) did not report the number of investigations initiated into possible trafficking cases (1,004 in 2016), although media reports suggested authorities continued to investigate some cases. Data published by the Supreme People's Court (SPC) indicated it prosecuted and concluded at least 634 trafficking cases (1,146 in 2017), culminating in 1,252 individuals convicted (1,556 in 2017 and 1,756 in 2016); this included 1,252 convictions for the trafficking of women and children, 833 convictions for forced prostitution, and 35 convictions for forced labor. Authorities did not disaggregate conviction data by the relevant criminal code statutes. As in prior years, courts prosecuted the vast majority of these cases under Article 358—especially for those involving commercial sexual exploitation—rather than under Article 240. The government did not provide sentencing data, but media reports indicated penalties imposed in at least one forced labor case ranged from one to six years' imprisonment. In previous years, media reported penalties ranging from five months' imprisonment with fines of 74,000 renminbi ($10,760) to life imprisonment.

The government handled most cases with indicators of forced labor as administrative issues through the Ministry of Justice and seldom initiated prosecutions of such cases under anti-trafficking statutes. Authorities engaged in law enforcement cooperation with foreign governments, investigating cases of Chinese citizens subjected to trafficking in Burma, Cambodia, Cyprus, Macau, and Singapore; as part of similar efforts in previous years, Chinese authorities attempted to extradite—and criminally charge—Chinese and Taiwanese individuals subjected to forced labor in Europe. During the reporting period, the government increased its consultative partnerships with Lao, Mongolian, and Vietnamese law enforcement authorities

to jointly address trafficking via the forced and fraudulent marriage of their citizens to Chinese individuals. Some law enforcement personnel in neighboring countries reported their Chinese counterparts were unresponsive to requests for bilateral cooperation on cross-border trafficking cases, while others reported China's cumbersome law enforcement bureaucracy hindered joint operations.

The government did not provide data on specific law enforcement trainings, unlike in prior years. However, according to an international organization, the government allocated increased funding to co-host capacity-building training for law enforcement and judicial officials on investigating and prosecuting trafficking cases. During the reporting period, China launched a nationwide campaign to investigate corrupt local officials and police officers allegedly using their influence to shield or profit from criminal organizations engaged in prostitution rings; this included efforts to address sex trafficking. Officials found guilty through this process reportedly faced expulsion from the Chinese Communist Party, termination of their official positions, fines, and referral to the judicial system. However, authorities did not provide statistics on the number of investigations, prosecutions, or convictions resulting from this campaign. Despite continued reports of law enforcement officials benefiting from, permitting, or directly facilitating sex trafficking and forced labor, the government did not report any investigations, prosecutions, or convictions of law enforcement officials allegedly involved in the crime. Central, provincial, and local government officials were also reportedly complicit—with impunity—in forced labor as part of China's mass detention and political indoctrination campaign against members of Muslim ethnic minority groups, and authorities reportedly subjected Tibetans and members of other ethno-religious groups to similar abuses.

PROTECTION

The government decreased efforts to protect victims. For the second consecutive year, the government did not report how many victims it identified, although media reports indicated authorities continued to remove some victims from their exploitative situations. In conjunction with an international organization, authorities co-sponsored and participated in trainings on victim identification and assistance for consular officials and law enforcement, shelter best practices, regulation of marriage migration, and interagency implementation of the national referral mechanism. MPS maintained written instructions promulgated in 2016 for law enforcement officers throughout the country aiming to clarify procedures for identifying trafficking victims among individuals in prostitution and forced or fraudulent marriage. MPS officials reportedly maintained a procedure to screen for trafficking indicators among individuals arrested for alleged prostitution. A 2016 policy limiting the detention of such individuals to 72 hours remained in place. Despite the existence of these procedures, and contrary to the aforementioned policy, law enforcement officials continued to arrest and detain foreign women on suspicion of prostitution crimes without screening them for indicators of sex trafficking—sometimes for as long as four months—before deporting them for immigration violations. In some cases, rural border officials received reports involving the sex trafficking and forced labor of Burmese and Mongolian women and girls via forced and fraudulent marriage to Chinese men, then provided them with temporary shelter and helped to fund and escort their repatriation. However, observers noted this assistance was ad hoc and less prevalent among front-line officers working farther inland, where some foreign victims escaped, reported these abusive circumstances to the authorities, and were summarily arrested and forcibly returned to their Chinese "husbands"—sometimes in exchange for bribes from the men's families. Because authorities did not universally implement the national referral mechanism across law enforcement efforts, it was likely police arrested and detained unidentified Chinese trafficking victims for unlawful acts their traffickers compelled them to commit.

In prior years, the government reported maintaining at least 10 shelters specifically dedicated to care for Chinese trafficking victims, as well as eight shelters for foreign trafficking victims and more than 2,300 multi-purpose shelters nationwide that could accommodate trafficking victims; it did not provide information on these shelters in 2018. The Ministry of Civil Affairs, a nationwide women's organization, and grassroots NGOs could provide victims with shelter, medical care, counseling, social services, and—in some cases—rehabilitation services. Access to specialized care depended heavily on victims' location and gender; male victims were far less likely to receive care. The government did not report how many victims benefited from these services, and contacts noted widespread stigma against victims of sex trafficking likely continued to discourage many from accessing protection services. Implementation of a law placing foreign NGOs in mainland China under MPS supervision continued to impose burdensome requirements and restrictions on the activities of civil society organizations—including those able to provide services for trafficking victims and communities vulnerable to the crime. Foreign embassies in China reportedly provided shelter or other protective services to victims. Authorities did not condition access to victim care on cooperation with law enforcement, but they did require victims to provide information to police. The law entitled victims to request criminal prosecution and claim compensation through civil lawsuits against their traffickers; the government did not report whether any victims benefited from this provision. The judicial system did not require victims to testify against their traffickers in court and allowed prosecutors to submit previously recorded statements as evidence.

The efficacy of the government's previously reported victim assistance abroad—including its eight border liaison offices with Burma, Laos, and Vietnam, along with victim funds, hotlines, and government-to-government agreements to assist victims—was unclear. Authorities reported repatriating a number of victims in 2018 but did not provide further information, including whether they were Chinese or foreign. International civil society groups reported China's diplomatic missions were often unresponsive to complaints filed by Chinese victims of forced labor overseas, particularly in Japan. The government did not undertake efforts to identify trafficking victims within its highly vulnerable North Korean migrant population, nor did it provide suspected North Korean trafficking victims with legal alternatives to repatriation. Authorities continued to detain North Korean asylum-seekers and forcibly returned some to North Korea, where they faced severe punishment or death, including in North Korean forced labor camps; the government did not report screening these individuals for indicators of trafficking. In compliance with an UN Security Council Resolution, the government reportedly repatriated some North Korean labor migrants; Chinese authorities did not screen them for trafficking indicators or offer options to legally remain in the country.

PREVENTION

The government maintained minimal efforts to prevent

trafficking and carried out policies that perpetuated widespread forced labor. Authorities held a sixth annual inter-ministerial meeting to coordinate anti-trafficking efforts. MPS continued to coordinate the anti-trafficking interagency process and led interagency efforts to implement the National Action Plan on Combatting Human Trafficking, including ongoing research into the efficacy of national efforts to combat the crime. For the second consecutive year, the government did not report the extent to which it funded anti-trafficking activities in furtherance of the action plan (more than 55 million renminbi ($8 million) in 2016). It used traditional and social media and distributed posters and other materials at transportation and community centers to increase general understanding of the issue, including among vulnerable rural communities. The municipal government of at least one major city funded anti-trafficking films. Academics and experts noted the gender imbalance created by the previous One-Child Policy likely continued to contribute to trafficking crimes in China. The government reportedly began a series of pilot programs to enable Cambodian and Vietnamese citizens to enter legally into southern China for work in hopes of stemming illicit labor migration through especially porous sections of the border; the extent to which this mitigated trafficking vulnerabilities—or to which it was implemented—was unknown.

The government *hukou* (household registration) system continued to contribute to the vulnerability of internal migrants by limiting employment opportunities and reducing access to social services, particularly for Chinese victims returning from exploitation abroad. The government continued to address some of these vulnerabilities by requiring local governments to provide a mechanism for migrant workers to obtain residency permits. However, these residency permits were disproportionately unavailable to China's minorities, exacerbating their constrained access to employment and social services. The government made some efforts to reduce the demand for commercial sex. The government reported efforts to reduce forced labor by including language in written agreements with foreign businesses and countries explicitly prohibiting trafficking, but authorities were generally unresponsive to allegations of ensuing forced labor. The government did not report investigating or prosecuting any Chinese citizens for child sex tourism, despite widespread reports of the crime.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers subject domestic and foreign individuals to trafficking in China, and they subject Chinese individuals to trafficking abroad. Traffickers also use China as a transit point to subject foreign individuals to trafficking in other countries throughout Asia and in international maritime industries. Well-organized criminal syndicates and local gangs subject Chinese women and girls to sex trafficking within China. Traffickers typically recruit them from rural areas and take them to urban centers, using a combination of fraudulent job offers and coercion by imposing large travel fees, confiscating passports, confining victims, or physically and financially threatening victims to compel their engagement in commercial sex. China's national household registry system (*hukou*) continues to restrict rural inhabitants' freedom to legally change their workplace or residence, placing China's internal migrant population—estimated to exceed 180 million men, women, and children—at high risk of forced labor in brick kilns, coal mines, and factories. Some of these businesses operate illegally and take advantage of lax government enforcement. African and Asian men reportedly experience conditions indicative of forced labor aboard Chinese-flagged fishing vessels operating in the Atlantic Ocean; men from other regions may be in forced labor aboard these vessels as well. Women and girls from South Asia, Southeast Asia, and several countries in Africa experience domestic servitude, forced concubinism leading to forced childbearing, and sex trafficking via forced and fraudulent marriage to Chinese men. Traffickers target adults and children with developmental disabilities and children whose parents have left them with relatives to migrate to the cities—estimated at more than 60 million—and subject them to forced labor and forced begging. State bodies subject members of Muslim minority groups to forced labor as part of arbitrary mass detention and political indoctrination schemes.

State-sponsored forced labor is increasingly prevalent in China. In 2013, the National People's Congress ratified a decision to abolish "Re-education through labor" (RTL), a punitive system that subjected individuals to extra-judicial detention involving forced labor, from which the government reportedly profited. The government closed most RTL facilities by October 2015; however, the government reportedly converted some RTL facilities into state-sponsored drug rehabilitation facilities or administrative detention centers where, according to civil society and media reports, forced labor continues.

State-sponsored forced labor is intensifying under the government's mass detention and political indoctrination campaign against Muslim minorities in the Xinjiang Uighur Autonomous Region (Xinjiang). Authorities have arbitrarily detained more than one million ethnic Muslims, including Uighurs, ethnic Kazakhs, and Kyrgyz, in as many as 1,200 "vocational training centers"—internment camps designed to erase ethno-religious identities. According to civil society reports derived from interviews with survivors and family members of current detainees, the government subjects many of these individuals to forced labor in on-site or adjacent factories producing garments, carpets, cleaning supplies, and other goods for domestic and possibly international distribution. Authorities offer subsidies incentivizing Chinese companies to open factories in close proximity to the internment camps, and local governments receive additional funds for each inmate forced to work in these sites at a fraction of minimum wage or without any compensation. A small number of Han Chinese individuals may also be in detention within this system. Reports indicate the government has begun transporting thousands of people arbitrarily detained in Xinjiang to other provinces for forced labor.

Authorities in some localities also subject the families of men arbitrarily detained in Xinjiang to forced labor in their absence. Authorities are increasingly placing the young children of interned Muslims in Xinjiang in state-run boarding schools, orphanages, and "child welfare guidance centers," and forcing them to participate in political indoctrination activities and report on their families' religious activities. Authorities reportedly place older children among these groups in vocational schools, where some may be victims of forced labor. Some Kazakhstani and Kyrgyzstani citizens are arbitrarily detained while visiting family in Xinjiang; their children, now unaccompanied abroad, are also at elevated risk of trafficking.

Xinjiang authorities issued a notice in 2017 abolishing rural obligatory labor under the *hashar* system, in which thousands of Uighur adults and children were reportedly subjected to forced labor in government infrastructure projects and agriculture each year. Despite this policy change, similar forms of state-sponsored forced labor continue in Xinjiang, including under the auspices of the Xinjiang Production and Construction

Corps (*Bingtuan*)—an economic and paramilitary organization with administrative control over several areas in the province. *Bingtuan* regiments manage at least 36 agricultural prison farms throughout Xinjiang; unlike the aforementioned mass detention campaign, this system primarily subjects Han Chinese inmates—many of whom may be victims of arbitrary detention—to forced labor. *Bingtuan* authorities also force inmates to build new prison facilities in several areas of the province and may subject inmates to forced labor in coal and asbestos mining. There are also reports of children in forced cotton picking under direction of the *Bingtuan*. The impact of formal discriminatory employment policies barring Uighurs from jobs in many sectors—including in the annual cotton harvest—reportedly drives thousands of Uighur farmers out of their communities in search of alternative work, placing them at higher risk of forced labor. The same is true of the government's targeted forced-displacement programs, including the *Bingtuan*'s construction of new settlements designated for ethnic Han internal migrants, which reportedly disperses Uighur communities and disrupts their livelihoods.

The government reportedly subjects some Tibetans to arbitrary detention featuring similar political indoctrination and forced prison labor practices in the Tibet Autonomous Region (Tibet) and in neighboring provinces. Authorities also reportedly subject some Buddhist clerics to political indoctrination activities and forced labor in monasteries repurposed as factories. Elsewhere, religious and political activists held in legal education facilities continue to report forced labor occurring in pretrial detention and outside of penal sentences. The government subjects Christians and members of other religious groups to forced labor as part of detention for the purpose of ideological indoctrination; survivors report having been forced to work in brick kilns, food processing centers, and factories manufacturing clothing and housewares. Law enforcement officials detain some Chinese and foreign women on prostitution charges without due process in "custody and education" centers, where they are subjected to forced labor. International media report local authorities force children in some government-supported work-study programs to work in factories.

Traffickers subject Chinese men, women, and children to forced labor and sex trafficking in at least 60 other countries. They force Chinese men, women, and girls to work in restaurants, shops, agricultural operations, and factories in overseas Chinese communities. Some are promised jobs abroad and confined to private homes upon arrival overseas, held in conditions indicative of forced labor, and compelled to conduct telephone scams. Chinese men in Africa and South America experience abuse at construction sites, in coal and copper mines, and in other extractive industries, where they face conditions indicative of forced labor, such as non-payment of wages, restrictions on movement, withholding of passports, and physical abuse. Congolese men and boys experience conditions indicative of forced labor in Chinese-owned mining operations in the Democratic Republic of the Congo. Traffickers subject Chinese women and girls to sex trafficking throughout the world, including in major cities, construction sites, remote mining and logging camps, and areas with high concentrations of Chinese migrant workers. Chinese traffickers operating abroad also subject local populations to forced prostitution in several countries in Africa, the Mediterranean region, and South America. Chinese men reportedly engage in child sex tourism in Cambodia and Mongolia.

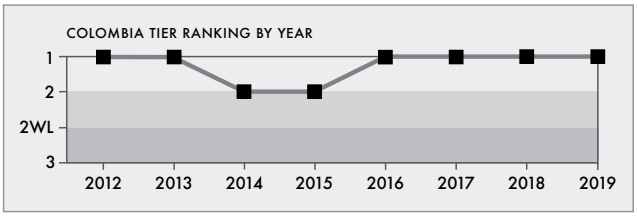
Chinese traffickers subject women and children from neighboring Asian countries, Africa, and the Americas to forced labor and sex trafficking within China. Traffickers promise African and South American women legitimate jobs in China and force them into prostitution upon arrival. The Chinese government's birth-limitation policy and a cultural preference for sons created a skewed sex ratio of 117 boys to 100 girls in China, which observers assert continues to drive the demand for prostitution and for foreign women as brides for Chinese men—both of which may be procured by force or coercion. Traffickers kidnap or recruit women and girls through marriage brokers and transport them to China, where some are subjected to sex trafficking or forced labor. Illicit brokers increasingly facilitate the forced and fraudulent marriage of South Asian, Southeast Asian, Northeast Asian, and African women and girls to Chinese men for fees of up $30,000. The men—sometimes in partnership with their parents—often incur large debts to cover these fees, which they attempt to recover by subjecting the "brides" to forced labor or prostitution. Some Chinese men are reportedly circumventing this brokerage system by traveling to Southeast Asian capitals and entering into legal marriages with local women and girls, then returning to China and compelling them into prostitution. There are also reports of Chinese men and their parents deceiving Southeast Asian women and girls into fraudulent marriages in China, then confining them in forced concubinism involving rape leading to forced pregnancy. In cases where this forced concubinism leads to childbirth, the men and their parents sometimes use the children as collateral to retain the women's forced labor or sexual slavery, or use the women's immigration status as coercion to dissuade them from reporting their abuses to the authorities.

Many North Korean refugees and asylum-seekers living illegally in China are particularly vulnerable to trafficking. Traffickers lure, drug, detain, or kidnap some North Korean women upon their arrival in China and compel them into prostitution in brothels, through internet sex sites, or in relation to forced marriage. Traffickers also subject these women to forced labor in agriculture, as hostesses in nightclubs and karaoke bars, in domestic servitude, and at factories. According to media and a 2018 NGO report, the North Korean government subjects North Korean citizens to forced labor in China as part of its proliferation finance system, possibly with the knowledge of Chinese officials; this includes forced labor in hotels, restaurants, and in remote cyber operations.

COLOMBIA: TIER 1

The Government of Colombia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Colombia remained on Tier 1. These efforts included investigating more trafficking cases, launching a new national anti-trafficking information system, investigating and prosecuting officials allegedly complicit in trafficking crimes, and convicting the first case of domestic servitude. In addition, the government conducted a study on the vulnerability of Venezuelan victims, and began developing a strategy to assist municipalities on prevention, protection, and prosecution of trafficking cases. Although the government meets the minimum standards, it did not provide adequate services to all identified victims, and a large number of victims, including Venezuelans, and child sex trafficking victims in cities like Cartagena, did not receive adequate protection services or adequate reintegration assistance. The government did not sufficiently fund civil society actors, and interagency

coordination efforts to combat trafficking were inadequate. The Ministry of Labor (MOL) made insufficient efforts to identify or investigate cases of forced labor.



PRIORITIZED RECOMMENDATIONS:

Provide services for all victims of trafficking and develop a case management database to ensure all victims are referred to care. • Fund civil society actors to increase specialized services for all victims, including adults. • Proactively investigate and criminally prosecute labor trafficking cases, and increase efforts to identify victims. • Provide comprehensive and specialized care for all victims, including financial support, shelter, and assistance beyond emergency care for adequate reintegration of victims to avoid re-trafficking. • Increase efforts to combat child sex trafficking in the tourism sector, especially in coastal cities. • Develop a new national anti-trafficking strategy that includes present challenges, such as the mass migration of Venezuelans, prevalence of child sex tourism, and the forced recruitment of children into illegal armed groups. • Train labor inspectors on trafficking and finalize the identification protocol. • Ensure all 32 regional committees dedicate specialized funding for victim services and develop an implementation partnership with civil society actors. • Screen for trafficking indicators among incoming Venezuelan migrants, and provide adequate services for those identified. • Strengthen efforts to provide adequate services to women and children released from the ranks of illegal armed groups and to prevent new patterns of recruitment. • Vigorously investigate, prosecute, and convict trafficking cases, including cases involving members of illegal armed groups or organized criminal groups involved in forced child recruitment or forced criminal activity. • Continue to hold criminally accountable public officials complicit in trafficking. • Implement the newly developed national trafficking information system. • Revise the definition of human trafficking under Article 188A to ensure force, fraud, or coercion are essential elements of the crime as established under the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. Article 188A of the penal code criminalized sex trafficking and labor trafficking and prescribed punishments of 13 to 23 years' imprisonment plus fines up between 800 and 1,500 times the monthly minimum salary. Penalties under Article 188A were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Article 188A of the penal code is inconsistent with the definition of trafficking under international law, as the law did not include force, fraud, or coercion as an essential element of a trafficking crime. Authorities sometimes charged traffickers with lesser crimes, such as induction into prostitution or pimping. The law criminalized forced child recruitment and forced criminal activity by illegal armed groups under separate statutes.

The Attorney General's Office (AGO) opened 222 cases (164 in 2017 and 150 in 2016), prosecuted 26 suspects (31 in 2017 and 59 in 2016), and convicted 19 of trafficking and trafficking-related crimes (21 in 2017 and 25 in 2016). Additionally, police arrested 70 suspects for trafficking or trafficking-related crimes (30 in 2017 and 29 in 2016). During the reporting period, the government secured its first conviction for domestic servitude and sentenced the convicted trafficker to 13 years' imprisonment. In other cases, the government reported sentences for traffickers ranged from 13 to 23 years; however, authorities did not provide sufficient details on penalties prescribed for trafficking cases. In 2018, authorities investigated a case against a large sex trafficking ring that led to the arrest of 18 alleged traffickers and the identification of more than 250 victims, most believed to be underage. The case remained open at the end of the reporting period. In another case, the AGO and the Cartagena police opened an investigation into a suspected child sex trafficking case, in which traffickers advertised a hunting tour to alleged child sex tourists, used drugs to control the victims, and transported them to remote locations to be hunted and raped by individuals purchasing sex.

Although Colombian law prohibited forced child recruitment and forced criminal activity by illegal armed groups or organized criminal groups, such crimes are not considered to be human trafficking, and government officials investigated these cases as other crimes. The AGO reported investigating 1,104 cases of forcible use of children in the commission of criminal activities, and 388 cases of forcible recruitment. The government did not provide updates on the status of the 1,872 cases that were under investigation in 2017 for trafficking-related crimes tied to illegal armed groups, and did not report whether new cases were opened in 2018.

The MOL did not report having a protocol to connect labor inspectors with police. Despite the MOL's efforts to strengthen inspections and enforce labor laws more broadly, it did not make efforts to proactively investigate cases or increase inspections of forced labor.

Corruption and official complicity in trafficking crimes remained significant concerns, although the government made progress on three cases reported during the year. In 2018, authorities opened investigations into three police officers; one for his alleged role in a child sex trafficking ring and the other two for accepting bribes to overlook an extensive sex trafficking ring operating in Cartagena. At the end of the reporting period, one case was in the trial phase and officials associated with second case were indicted. The government provided the venues for international organizations to conduct two capacity building workshops on investigative techniques and victim identification reaching 170 officials, including police, armed forces, and prosecutors. Authorities collaborated with the United States and other Latin American countries on law enforcement operations.

PROTECTION

The government identified and assisted an increased number of victims; however, protection efforts were cursory and inadequate. In 2018, authorities reported identifying 114 possible victims (96 in 2017 and 68 in 2016). Of these, 67 were possible victims of sex trafficking, 17 in forced labor, four in forced begging, eight in servile marriage, and 13 were unknown. The Colombian Family Welfare Institute (ICBF) identified 24 children exploited in trafficking in 2018 (7 on 2017 and 46 in 2016). Authorities reported following a national trafficking victim assistance plan to refer the 114 identified victims to services; however, NGOs and some local officials asserted government-funded victim assistance was cursory and

insufficient. The government reported that law enforcement officials used a victim identification protocol developed by an international organization; however, it was unclear whether officials received training on its implementation.

Despite a modest increase in the reported number of victims identified, in one highly publicized case involving more than 250 women and girls, many who were victims of trafficking, the government did not provide adequate services for those identified as victims. Authorities provided an orientation for victims on services available, including information on immigration protections for foreign victims, and ways to participate in the prosecution against their traffickers. The government reported one victim chose to cooperate with law enforcement in the prosecution of her traffickers. Some experts indicated that in some cases, law enforcement officials retrieved data from victims' phones for evidentiary purposes and released them without referring them to adequate services. Despite the government's concern with forced labor in areas such as illegal mining, domestic servitude, agriculture near the coffee belt, cattle herding, and crop harvesting, the MOL did not have inspectors trained on victim identification. In 2018, with the support of an international organization, the MOL worked to finalize a victim identification protocol for labor inspectors.

Under Colombian law, the government was responsible for providing victims with emergency assistance and medium-term assistance. Emergency assistance included a medical and psychological examination, clothing, hygiene kits, issuance of travel and identity documents, and shelter for five days with a maximum extension of five additional days. Medium-term assistance included educational services, skills training, assistance with job placement, and economic support for six months with a maximum extension of three additional months. In practice, some observers indicated that there were not enough specialized services available for victims of trafficking, including employment assistance and reintegration services. Government officials indicated that survivors receiving medium-term assistance were also eligible to receive shelter; however, Colombian policy did not stipulate shelter as part of medium-term assistance. The national government did not have dedicated funding for specialized victim services, and it relied solely on individual departments for the provision of services. The ICBF funded emergency assistance for children, but in many parts of the country, it did not fund physical spaces where child victims could go. As a result, there were reports that coordination for adequate services was left to the last minute, making it unreliable and difficult to obtain. The ICBF partially funded six shelters for child and adolescent victims, at least one of which had a multi-disciplinary team trained to work with victims of sexual abuse, including sex trafficking; however, funding was insufficient to provide the comprehensive assistance victims needed. Authorities sometimes placed victims in hotels on a case-by-case basis. The government did not fund other civil society organizations specialized on working with victims of trafficking.

Of the 114 identified victims, the government provided emergency assistance to 114 victims and medium-term assistance to 62, compared to 96 victims in 2017 (37 with emergency assistance and 59 with medium-term assistance). Of those receiving medium-term assistance, 50 received employment assistance, 16 received shelter, 17 medical assistance, 18 psychological assistance, and five received legal advice. The ICBF began restoring the rights of 24 child victims of sex trafficking. According to officials, the process included an evaluation of each case and the provision of mental and physical health services depending on each victim's needs. In 2018, the government adopted two resolutions to guide officials on actions to guarantee the rights of child victims of trafficking. The government did not provide shelter to victims of forced labor or male victims of trafficking.

The Office of the Ombudsman had 25 trained staff known as *duplas*; they provided psychological and pro-bono legal assistance to victims of gender-based violence, including trafficking. In 2018, *duplas* assisted roughly 50 victims. The Ministry of Interior (MOI) reported coordinating with the departmental, municipal, and district committees to provide services for adult victims of trafficking, but did not report if it assisted beyond emergency care. NGOs expressed concern with the lack of financial support from the government and insufficient coordination and communication among agencies to provide care. Civil society organizations reported a case where staff from a domestic violence shelter turned a trafficking victim away because they could not provide specialized care, allegedly leaving the victim unprotected and vulnerable to re-trafficking.

Authorities penalized victims for unlawful acts traffickers compelled them to commit. In a case involving 49 victims of trafficking, including 23 Venezuelan women and girls, the government determined the individuals were not victims of trafficking when they did not self-identify. Authorities reported initiating deportation proceedings to return victims back to Venezuela. In this case, traffickers allegedly forced women to have sex with tourists using debt-based coercion, confiscating their identification documents to control their movements. The victims were living in the same place they were working. The government assisted five trafficking victims through the victim and witness protection program. Some victims were reluctant to report their exploitation or testify against their traffickers due to fear of reprisals or lack of trust in the justice system. In a separate case involving 10 Venezuelan victims of forced criminality, government officials reported providing some psycho-social assistance to victims.

In 2018, the government earmarked 400 million pesos ($123,270) for repatriation assistance, compared with 222.8 million pesos ($68,660) in 2017. The government provided repatriation assistance to seven victims (compared with 35 in 2017), and the ICBF reported providing emergency assistance, birth registration, and school enrollment to the 24 child victims it identified. Under the law, prosecutors could seek restitution for victims; however, the government did not report seeking restitution on any case. The department of Guaviare allocated 215.2 million pesos (approximately $66,320) for its restitution program, but did not report whether it used it. In coordination with an international organization, the government registered and assisted 196 children and adolescents demobilized from illegal armed groups and criminal organizations. NGOs reported some officials working with victims of the armed conflict may not have enough training on victim identification; therefore, some victims may be unidentified and vulnerable to trafficking and new patterns of recruitment.

PREVENTION

The government maintained prevention efforts. The Interagency Committee for the Fight Against Trafficking in Persons (ICFTP), chaired by the MOI and comprising 16 government entities, conducted 44 technical advisory meetings that sought to improve coordination between the ICFTP and its regional committees and make recommendations for the preparation of territorial action plans. Observers expressed concerns

about insufficient interagency communication and absence of high-level decision makers at ICFTP meetings who could help expedite services for victims identified. The government continued the implementation of the 2016-2018 national anti-trafficking strategy, which expired at the end of the year. Authorities appropriated 2.3 billion pesos ($708,780) for the implementation of the anti-trafficking strategy. In 2018, the government began implementing a national information system (SNITP) to collect and analyze data from the interagency and the 32 regional committees. In response to the Venezuelan migration crisis, the government developed a strategy aimed at implementing tools for the protection of victims, prevention of the crime, and prosecution of traffickers preying on this vulnerable population.

The government established a national mechanism to study prevalence, trends, and root causes of trafficking domestically; in 2018, the focus was the nexus of Venezuelan migration and trafficking. For the first half of the reporting period, the MOL maintained an awareness campaign from previous years focused on educating potential job seekers on the dangers of fraudulent job opportunities; the campaign reached 85 individuals.

Authorities conducted anti-trafficking awareness and activities, including a campaign to educate the public on the dangers of fraudulent employment opportunities internationally and domestically. Government officials participated in a public forum to raise awareness on trafficking in persons and the commercial sexual exploitation of children. Through an international organization, the ICBF trained 125 family members and service providers on the restoration of a child's rights, including child survivors of trafficking. The government made some efforts to prevent child sex trafficking, including signing a memorandum of understanding among relevant government agencies in Cartagena to address the pervasive problem with child sex trafficking in the tourism sector. The government did not report other efforts to reduce the demand for commercial sex or forced labor.

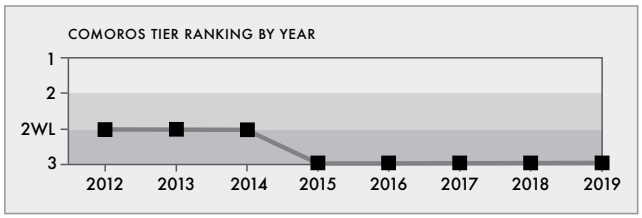
CIPRUNNA was the interagency commission for the prevention of child recruitment by armed groups and child sexual exploitation. The government did not report whether CIPRUNNA officials referred any cases to the AGO during the reporting period. Through the Special Jurisdiction for Peace (JEP), a transitional justice mechanism established as part of the 2016 peace accord, officials began investigating the historical recruitment of children for armed conflict. An NGO reported forced child recruitment by illegal armed groups increased to 50 in 2018, compared to 24 in 2017. However, recruitment of children remained significantly lower than pre-peace accord levels. In collaboration with a foreign government and an international organization, authorities coordinated activities to aid reintegration and prevent future recruitment. Although the Colombian military continued to engage in some civic-military activities, there were no reports of the use of children among its ranks. With the support of international organizations, the government conducted awareness campaigns in 167 municipalities and 22 departments to prevent the forced recruitment of children. Colombia's 24-hour anti-trafficking hotline received 971 calls and authorities identified 18 victims. Through the hotline, the government provided advice on job offers abroad, including corroborating the veracity and legality of employers.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Colombia, and traffickers exploit victims from Colombia abroad. Traffickers exploit Colombian men, women, and children in sex trafficking and forced labor in Colombia and throughout Latin America, Asia, and Europe. Groups at high risk for trafficking include Venezuelan migrants, internally displaced persons, Afro-Colombians, Colombians with disabilities, indigenous persons, and Colombians living in areas where illegal armed groups and criminal organizations are active. Sex trafficking of Colombian women and children occurs within the country and around the world. Colombian women and children are victims of sex trafficking within Colombia in areas with tourism and large extractive industries. Transgender Colombians and Colombian men in prostitution are vulnerable to sex trafficking within Colombia and in Europe. Traffickers exploit Colombian nationals in forced labor, mainly in mining, agriculture, begging in urban areas, and domestic service. Traffickers exploited Colombian children working in the informal sector, including street vendors, in forced labor. Illegal armed groups forcibly recruit children, including Venezuelan youth, to serve as combatants and informants, harvest illicit crops, and to exploit them in sex trafficking. Women, children, and adolescents who separate from the ranks of illegal armed groups are vulnerable to trafficking. Venezuelan migrants are particularly vulnerable to trafficking; in 2018, media sources reported a case where an alleged trafficker who disguised himself as a friar was operating a shelter for migrants exploiting them into sex trafficking. Venezuelan women and girls made up a significant portion of victims identified in sex trafficking during the year.

COMOROS: TIER 3

The Government of Comoros does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Comoros remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking by opening one additional government-run listening center that worked to identify and provide care to victims of crime, which could include trafficking victims. The government also hired additional personnel at the listening centers and continued to fund the salaries of existing personnel. Government officials on Anjouan conducted several anti-trafficking public awareness campaigns, including discouraging certain cultural practices that left children vulnerable to trafficking and conducting home visits to oversee the well-being of hosted children. While the scale of trafficking crimes appeared to be especially limited, nonetheless, the government did not investigate, prosecute, or obtain convictions for any sex trafficking or forced labor crimes. The government lacked formal procedures to identify trafficking victims or refer them to care, and had not identified or referred any trafficking victim to protective services since 2013. Authorities continued to lack an understanding of trafficking, and the government did not provide adequate resources or training to law enforcement officials, including the offices charged with identifying trafficking victims and investigating the crime. The Anti-trafficking Task Force was no longer operational, anti-trafficking public awareness campaigns did not occur on all three islands, and the government had no national action plan.



PRIORITIZED RECOMMENDATIONS:

Significantly increase anti-trafficking training, including victim identification, to all front-line officials, including law enforcement, social workers, health service providers, prosecutors, judges, and civil society. • Develop standard operating procedures for the identification of victims, especially among vulnerable groups, including children in domestic work and at Koranic schools, and a process for victims' subsequent referral to care. • Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials. • Enact comprehensive anti-trafficking legislation that criminalizes all forms of trafficking and prescribes penalties that are sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. • Reinvigorate the coordination committee to drive national anti-trafficking efforts. • End the practice of returning trafficking victims to their exploiters. • Continue efforts to engage French officials to prevent the trafficking of unaccompanied Comorian youth in Mayotte. • In coordination with local and international partners, improve the provision of protective services to trafficking victims, including providing appropriate care to victims nationwide. • Expand anti-trafficking public awareness campaigns to all three islands. • Develop national level data collection on law enforcement efforts and trafficking victims. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government did not make anti-trafficking law enforcement efforts. Comorian law criminalized most forms of human trafficking. Article 13 of the 2014 Law to Combat Child Labor and Trafficking in Children criminalized all forms of child labor trafficking and some forms of child sex trafficking and prescribed penalties of 10 to 20 years' imprisonment and a fine of 30 million Comorian francs ($70,070). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, Article 13 required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. However, all forms of child sex trafficking, including those that did not include such means, could be addressed under Article 8, which criminalized child sexual exploitation and prescribed penalties of five to 10 years' imprisonment and a fine of one to two million Comorian francs ($2,340 to $4,670); these penalties were also sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Comorian law did not explicitly criminalize adult trafficking. However, Article 323 of the penal code criminalized forced prostitution of adults and prescribed punishments of two to five years' imprisonment and a fine between 150,000 and two million Comorian francs ($350 to $4,670); these penalties were sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. Articles 2.1 and 260 of the Comoros Labor Code criminalized forced or compulsory labor of adults and prescribed penalties of three months' to three years' imprisonment or a fine of 250,000 to 750,000 Comorian francs ($584 to $1,750), which were not sufficiently stringent. Despite parliamentary approval in 2014, the president did not sign into law the penal code amendments that would specifically prohibit trafficking in persons.

The government did not systematically collect data on law enforcement efforts, including human trafficking. The government did not report investigating, prosecuting, or convicting any traffickers, despite reports that one listening center recorded many cases that may have been trafficking. The government has not reported investigating a trafficker since 2014 and has never reported convicting a trafficker. The government also did not report any investigations, prosecutions, or convictions of government employees allegedly complicit in human trafficking offenses; however, corruption and official complicity in crimes at all levels of government remained significant concerns, inhibiting law enforcement action in previous years. The judicial system in Comoros remained weak and there were reports that criminals were frequently convicted and sentenced, but then released without explanation, creating a culture of impunity. While discouraged by the government, families or village elders continued to settle many allegations of sexual violence, possibly including sex trafficking and child domestic servitude, informally through traditional means, without recourse to the formal court system. While many rural families still preferred informal arrangements with host families, on Anjouan, judicial officials coordinated with prosecutors and a victim care provider to address and discourage the cultural practice of sending children from rural areas to urban host families for access to an education; children in these arrangements were particularly vulnerable to trafficking. These government officials regularly traveled to rural villages on the island to enforce the legal requirement for the child's family to sign an agreement with the host family regarding the care of the child. In previous years, judges were known to negotiate agreements between a child's parents and his or her trafficker, often returning the child to trafficking situations. Some police reportedly returned sexually abused children to their exploiters, sometimes due to a lack of shelters or an alternative form of care.

The police lacked basic resources, including vehicles, fuel, and equipment, which limited their operations. The government did not provide training for law enforcement officials on how to recognize, investigate, and prosecute trafficking and related crimes. The Ministry of Labor's four labor inspectors—responsible, among other things, for implementing the 2015 child labor law prohibiting child trafficking—did not receive training on the trafficking law and did not receive operational resources to conduct labor inspections of informal work sites, where children were especially vulnerable to forced labor. Inspectors did not remove or assist any children as a result of labor inspections during the reporting period. The absence of a clear understanding of trafficking may have resulted in the misclassification of cases as other crimes, such as child labor, abuse, and rape.

PROTECTION

The government maintained minimal protection efforts. The government did not identify any trafficking victims during the reporting period and has not identified a victim since 2013. The government did not develop or employ systematic procedures to identify trafficking victims or refer them to the limited care available. The government continued to provide financial support and office space to the listening centers, also called Service d'Ecoute, alongside support from an international

organization; the listening centers, with assistance from an NGO, offered medical care, psycho-social counseling, and legal assistance mostly to women and children who were victims of abuse and violence, including trafficking victims, if identified. The government opened an additional listening center in Foumbouni on Grande Comore, now totaling four locations—two on Grande Comore, one on Anjouan, and one on Moheli. The government continued to provide the salaries for the employees of the listening centers; in 2018, the number of total employees on Grande Comore increased from six to seven, while Anjouan maintained three employees and Moheli maintained one employee. However, the government did not provide anti-trafficking training to any staff of the listening centers. In 2018, the listening center on Grande Comore reported providing medical care for 255 cases of abuse of women and children, compared to 133 in 2017; while the listening center recorded these persons as victims of abuse, because of inadequate training on trafficking victim identification, some of these victims may have actually been trafficking victims. The government did not report assisting in the repatriation of any victims during the reporting period. On all three islands, the listening centers generally coordinated with the Morals and Minors Brigade on cases. Judicial, prosecutorial, and health service officials on Anjouan coordinated efforts to visit host families that had taken in children from rural families to ensure the children were healthy, attending school, and there were no signs of trafficking or abuse; the government did not report finding any cases of trafficking during these inspections. In an effort to investigate, identify, and assist the 3,000 to 4,000 unaccompanied Comorian minors on the island of Mayotte, a French department, the National Human Rights Commission in Comoros requested visas from the French embassy, which France denied. There were no shelters available, for short or long-term use, for adult or child victims. A possible site for a temporary shelter was identified, but the government did not report making any progress during the reporting period. The Morals and Minors Brigade reported identifying approximately 10 foster homes on Grande Comore, but did not report whether any children were assisted during the reporting period or whether the government provided financial or in-kind assistance to those homes. In the absence of adequate funding and shelter, listening center staff and police sometimes provided temporary shelter in their private homes; however, government officials often returned children to their parents or guardians where they might have originally faced the abuse. There were no reports the government inappropriately penalized victims for crimes traffickers compelled them to commit; however, because there were no standard victim identification procedures, victims may have remained unidentified in the law enforcement system. Despite requirements of the 2015 child labor law, the government did not establish a support fund for children vulnerable to trafficking.

PREVENTION

The government increased efforts to prevent trafficking on one island, but maintained inadequate efforts to prevent trafficking overall. The interagency Anti-trafficking Task Force, comprised of representatives of relevant government agencies, the listening centers, and international organizations, was no longer active. The government did not have an anti-trafficking national action plan. Officials on the island of Anjouan coordinated several anti-trafficking public awareness campaigns, including traveling to rural villages to discourage families from sending their children to host families where they are vulnerable to abuse and domestic servitude. These campaigns included a televised conference, organized by government officials, where a panel of experts discussed abuse and trafficking. Because of the known vulnerability, government officials on the island of Anjouan also visited a number of Koranic schools around the island to discourage leaders from allowing child labor in lieu of payment for school fees. However, despite requirements in the 2015 child labor law, the government did not report any public awareness campaigns being conducted on Grande Comore or Moheli. The government continued to fund toll-free emergency lines for all three islands, which were used to report crimes to the listening centers. The listening centers assisted in the identification of victims of abuse and exploitation; however, the government did not report any further information on the use of these emergency lines during the year.

The government did not have effective policies or laws to govern labor recruiters and did not report holding anyone civilly or criminally liable for fraudulent recruitment during the reporting period. In 2016, the labor ministry signed an agreement with several labor recruitment agencies to facilitate review of the transnational recruitment processes and to monitor job advertisements in an effort to identify recruitment activities that might endanger Comorians seeking overseas employment; however, the government made no efforts to regulate labor recruitment agencies since then. The government did not provide anti-trafficking training to its diplomatic personnel. The government did not make efforts to reduce demand for commercial sex acts or forced labor. Comoros is not a party to the 2000 UN TIP Protocol.

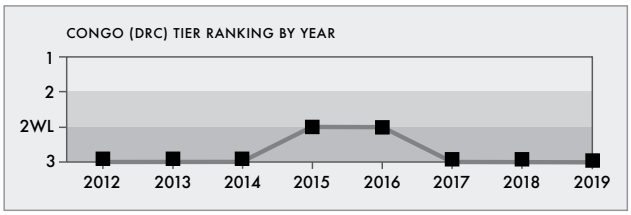
TRAFFICKING PROFILE

As reported over the past five years, human traffickers may exploit domestic and foreign victims in Comoros, and traffickers may exploit victims from the Comoros abroad. Traffickers may subject Comorian women and Malagasy women who transit Comoros to forced labor in the Middle East. Traffickers may subject Comorian women and children to forced labor in Mayotte, a French department. Children on Anjouan, some of whom were abandoned by parents who left to seek economic opportunities in other countries, are vulnerable to forced labor, mostly in domestic service, roadside and market vending, baking, fishing, and agriculture. On Anjouan and Moheli, poor rural families frequently place children with wealthier relatives or acquaintances in urban areas or on Grande Comore for access to schooling and other benefits; these children are vulnerable to domestic servitude and physical and sexual abuse. Most Comorian children aged 3 to 7 (and some as old as age 14) study at informal neighborhood Koranic schools headed by private instructors, where they are vulnerable to exploitation through coercion and forced labor as field hands or domestic servants as payment for instruction and subjected to physical and sexual abuse. The estimated 3,000-4,000 unaccompanied Comorian children on Mayotte, a French department, are especially vulnerable to domestic servitude and sex trafficking. Comorians may be particularly vulnerable to transnational trafficking due to a lack of adequate border controls, corruption within the administration, and the existence of international criminal networks involved in human smuggling.

CONGO, DEMOCRATIC REPUBLIC OF THE: TIER 3

The Government of the Democratic Republic of the Congo

(DRC) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore the DRC remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including repatriating several trafficking victims and convicting two complicit officials for child soldier recruitment. The government continued efforts to certify mines to prevent the use of forced and child labor. In partnership with international organizations, the government also continued to undertake measures to prevent and end the use of child soldiers, including separating child soldiers from armed groups, conducting age verification screening of recruits, and securing written pledges from fourteen armed group commanders to renounce child recruitment. For the fourth consecutive year, there were no cases of child recruitment by the Congolese National Army (FARDC). While the government did not establish a formal anti-trafficking inter-ministerial committee during the reporting period, they undertook concrete steps by drafting a decree and consulting with various stakeholders on institutional reforms to address trafficking. However, during the reporting period, there were two cases, verified by an international organization, of the FARDC using—and subsequently removing—children in support roles, including for sexual slavery and forced labor. There were reports that the FARDC collaborated with proxy militias that recruited and used child soldiers. As in previous years, the government did not comprehensively report on efforts to identify, refer, or assist victims of sex and labor trafficking more broadly and did not make vigorous law enforcement efforts directly targeting labor trafficking crimes beyond child soldiering offenses. Although the government filed more cases of sexual violence, it did not disaggregate law enforcement efforts directly targeting sex trafficking from other sexual violence crimes. The government did not develop standard operating procedures for the identification and referral of victims, adopt comprehensive legislation criminalizing all forms of trafficking, or adequately hold accountable complicit officials. Widespread corruption combined with the lack of an anti-trafficking framework continued to hinder efforts to combat all forms of human trafficking throughout the country.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to address all forms of trafficking, including sex trafficking and forced labor of both adults and children. • Cease unlawful use of children by the FARDC and collaboration with armed groups that unlawfully recruit and use children. • Improve measures to proactively identify trafficking victims, including providing training for front-line officials to do so among vulnerable groups, including women and children exploited in prostitution, street children, and men, women, and children in artisanal mining, and to refer victims to appropriate care. • Enact a decree formally establishing an inter-ministerial anti-trafficking committee and adopt an anti-trafficking national action plan. • Develop legislation that criminalizes all forms of trafficking and prescribes penalties which are sufficiently stringent, and with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes. • In partnership with civil society, take concrete steps to provide comprehensive protection services to victims of all forms of trafficking, and ensure trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking. • Continue to cooperate with civil society to end the unlawful recruitment and use of child soldiers by all governmental and non-governmental armed groups and identify, remove, demobilize, and refer all children associated with armed groups to appropriate care. • Use existing legislation to increase efforts to investigate, prosecute, convict, and adequately sentence traffickers, including complicit officials. • In partnership with international experts, develop national standard operating procedures for the identification and referral of victims. • Develop and implement procedures for collecting and reporting data on cases of sex trafficking, as distinct from other sexual violence crimes, and forced labor. • Protect activists documenting trafficking in persons crimes, and when sufficient evidence exists, criminally prosecute persons complicit in such abuses. • Raise awareness about human trafficking among the public.

PROSECUTION

The government made uneven law enforcement efforts. Congolese law criminalized all forms of sex trafficking and some forms of labor trafficking. However, the lack of a comprehensive anti-trafficking legal framework continued to contribute to officials' lack of understanding of trafficking and their conflation of it with other crimes, such as illegal international adoption. Article 174(j) of the 2006 Sexual Violence Law criminalized child sex trafficking and prescribed penalties of 10 to 20 years' imprisonment. Section 174(e) criminalized sexual slavery and prescribed penalties ranging from five to 20 years' imprisonment as well as a fine of 200,000 Congolese franc ($123). These penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes. Article 174(c), which criminalized the "forced prostitution" of adults, prescribed penalties of three months to five years' imprisonment; these penalties were sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. Articles 182 and 183 of the 2009 Child Protection Law 09/001 also criminalized the "procurement" of children and child sexual slavery and prescribed penalties of five to 20 years and 10 to 20 years with a fine between 8,000 and 1 million Congolese franc ($4.91 to $613), respectively; these penalties were sufficiently stringent and commensurate with other serious crimes, such as rape. Article 187 criminalized child labor, including forced child labor, and prescribed penalties of one to three years' imprisonment and fine between 100,000 and 200,000 Congolese franc ($61 to $123); these penalties were not sufficiently stringent. Article 326 of the 2002 Labor Code criminalized adult forced labor and prescribed penalties of up to six months or a fine of 30,000 Congolese franc ($18); this penalty was not sufficiently stringent. However, the government did not criminalize fraudulent labor recruitment under Congolese law. The enlistment of persons younger than 18 years old into the armed forces and the police carried penalties of 10 to 20 years' imprisonment.

The judicial system in the DRC remained weak. While the government increased the number of military court cases involving sexual violence, which likely included trafficking crimes, it did not report directly targeting sex or labor trafficking crimes, beyond child soldiering offenses, as trafficking-specific law enforcement efforts. The government made insufficient efforts to investigate sex trafficking of women and children,

or forced labor in artisanal mining, even though the scale of these crimes was significant. The government did not report comprehensive data on trafficking investigations, prosecutions, and convictions. The government continued to work towards implementation of national data collection tool to report comprehensive data; but it did not deploy the system during the reporting period. The government reported investigating and initiating prosecution of 14 suspects involved in child soldier recruitment. In addition, the government reported investigating an unknown number of suspects for fraudulent recruitment of girls for jobs that did not exist in Kuwait and Lebanon. The government stated it shut down the recruiting operation but did not report arresting any suspects. The government reported filing 584 cases of sexual violence in military court in 2018, compared with 547 in 2017, 496 in 2016, and 68 in 2015; however, as in years past, the government did not report if the cases involved sex trafficking. In addition, the government did not report the number of trafficking prosecutions in criminal courts. The government reported convicting four traffickers in 2018, compared with six traffickers in 2017. Of these, the government reported convicting two armed group leaders for child solider recruitment, among other crimes, and sentenced them to 15 years and life imprisonment; in addition, it convicted two complicit officials—a Colonel and Lieutenant Colonel—for sexual servitude, among other crimes, and sentenced them to 20 years' and life imprisonment. In contrast, no such high-level prosecutions occurred in 2017. The Government of the Republic of the Congo reported arresting a suspected trafficker of one boy from the DRC, while another trafficker reportedly stayed in DRC; the Republic of the Congo released the one suspect from prison and deported him to DRC; but the government did not report investigating or prosecuting either suspected trafficker during the reporting period.

Despite convicting two officials, the government did not make adequate efforts to hold complicit officials accountable, and corruption remained a significant concern, inhibiting justice for victims during the reporting period. For example, the government had yet to initiate prosecution for former FARDC officials charged in 2014 and 2015 for suspected child soldier recruitment. Additionally, the government remained complicit in harboring escaped convicted trafficker Gedeon Kyungu, who recruited child soldiers; he escaped from jail in 2011 and was placed under a form of house arrest in Lubumbashi in 2016. During the reporting period, there were two cases, verified by an international organization, of children used—but not recruited—in support roles by the FARDC, one for sex slavery and domestic servitude and the other for forced labor; the government redeployed one commander allegedly responsible for these crimes to a different regiment and did not report holding him or other allegedly complicit officials accountable. The Ministry of Interior facilitated an anti-trafficking workshop that included 35 senior and mid-level government officials. In addition, the government organized, but did not fund or lead, trainings to 578 police and military personnel on preventing child soldiering, protecting human rights, and preventing sexual violence.

PROTECTION

The government maintained minimal efforts to protect trafficking victims. The government continued efforts to identify and refer child soldiers to international organizations for assistance but did not comprehensively report on efforts to identify, refer, or assist victims of sex and labor trafficking more broadly. As part of its national Disarmament, Demobilization, and Reintegration (DDR) Plan, the government continued to cooperate with an international organization and NGOs to identify and remove child soldiers from armed groups operating in eastern DRC, but it reportedly did not take the lead on these efforts. The government worked with an international organization to identify and separate at least 2,253 children from armed groups in 2018, compared with 2,360 in 2017. Procedures were in place for referring child soldiers to an international organization for specialized care, which most but not all of the children received. However, the government did not have national standard operating procedures to systematically identify and refer all trafficking victims to appropriate care. The government did not proactively identify victims among vulnerable groups, such as street children, women, and children exploited in prostitution, and men, women, and children in artisanal mining, even though the scale of these problems was significant. The government funded the repatriation of 12 trafficking victims from Kuwait to the DRC and the repatriation of one child forced to commit crimes from the Republic of the Congo. Upon their return to the DRC, the Ministry of Interior reportedly provided the 12 Congolese women exploited in Kuwait with medical treatment and coordinated family reunification; however, 36 Congolese trafficking victims remained in Kuwait and efforts to assist them were ongoing. The Republic of the Congo identified one child victim of forced criminality who it repatriated back to DRC; however, there was reportedly another child forced to commit crimes that stayed in DRC, but the government did not report assisting this child. The government reported continuing to provide social services, including lodging and medical attention, to 19 persons vulnerable to trafficking who were repatriated from Libya in the prior reporting period.

The government did not have national standard operating procedures to systematically identify and refer all trafficking victims to appropriate care; however, some NGOs reported that, during the reporting period, police, the Ministry of Social Affairs, and the General Directorate of Migration (DGM) identified and referred an unknown number of potential trafficking victims to NGOs for care on an ad hoc basis. The government did not provide specialized services and care to trafficking victims as distinct from other vulnerable groups. The government reportedly offered housing for up to three months and family reunification for children separated from armed groups and support for socio-economic integration of sexual violence victims; however, the government did not report the number of children that were provided with these services during the reporting period. The government partnered with NGOs to provide the vast majority of services to trafficking victims, which reported providing assistance to 272 trafficking victims during the reporting period, including medical and psychological services, legal assistance, and reintegration services such as literacy and vocational training. The Ministry of Interior reported coordinating with officials of the Government of Angola on identifying cross-border trafficking victims in the Kongo Central province. The government also reportedly cooperated with the Government of the Republic of the Congo to address cross-border trafficking by preventing all unaccompanied minors from entering into the country; however, the government did not report screening children for trafficking indicators or identifying any victims as part of these efforts.

Trafficking victims could file cases against their traffickers in civil courts, though few victims pursued this avenue due to a lack of trust in the judicial system. The government generally allowed for the safe repatriation of foreign child soldiers in cooperation with an international organization. Despite these efforts, some trafficking victims, including child soldiers or suspected soldiers, continued to be subject to detention or punishment for unlawful

acts committed as a direct result of being subjected to human trafficking. For example, in 2018, the FARDC and Congolese National Police arrested 58 children because of their alleged association with armed groups; officials released these children after periods ranging from three days to two years. Due to a lack of training on victim identification, the absence of measures to screen for trafficking among vulnerable populations, and the frequency of arbitrary arrest in the country, victims likely remained unidentified in the law enforcement system.

PREVENTION

The government maintained efforts to prevent trafficking. The government continued efforts to prevent the recruitment and use of children into the FARDC, and forced labor in mining. At the end of the reporting period, the government remained without a national action plan to combat trafficking and a formal anti-trafficking inter-ministerial committee. However, representatives from the Ministries of Labor, Justice, Interior, Gender, Health, Social Affairs, as well as law enforcement and the judiciary, continued to participate in meetings of an unofficial inter-ministerial anti-trafficking working group with local NGOs and international organizations. The unofficial working group discussed strategies to draft comprehensive anti-trafficking legislation and took steps to establish an anti-trafficking agency by drafting a decree.

In collaboration with an international organization, the government's Joint Technical Working Group (JTWG) for implementing the UN National Action Plan to end child recruitment—which was comprised of government ministries, NGOs, and international organizations—continued to implement a national action plan to end the recruitment and use of child soldiers and remove them from armed groups. The national-level JTWG, with locations in nearly every region including two new locations during the reporting period, met monthly, and with collaboration from an international organization, held seven workshops on age verification and the child solider action plan. There were no confirmed cases of child soldier recruitment by the FARDC for the fourth consecutive year. In partnership with NGOs, the government screened more than 2,164 new FARDC recruits to verify their ages; through the screening process, the government prevented more than 146 children from joining the FARDC in 2018. However, there were two cases, verified by an international organization, of the FARDC using children—but not recruiting—in support roles, including for sexual slavery and forced labor. The FARDC also continued to collaborate with the Nduma Defense of Congo Renove (NDC-R), a proxy militia that recruited and used child soldiers, as well as the Bana Mura proxy militia that used 64 children in sexual slavery. However, during the reporting period, the government facilitated the logistics to allow an international organization to successfully negotiate with 14 armed group commanders, including the commander of NDC-R in November, to sign pledges renouncing future recruitment of children and requiring the release of children currently among their recruits. There are currently no measures to address the termination of these proxy relationships within the national action plan to end the recruitment and use of child soldiers.

The government initiated an anti-trafficking public awareness campaign on sexual slavery in Kinshasa and Goma during the reporting period. The government continued the operation of a hotline to report crimes but did not report whether it received any calls on trafficking. The government did not make efforts to reduce the demand for commercial sex. The government continued to make efforts to reduce the demand for forced labor in artisanal mining but did not do so in other sectors. In 2018, the government continued its efforts, in cooperation with an international organization, to validate and certify an additional 154 artisanal mining sites in eastern DRC as conflict-free and child labor-free, bringing the total to 465 tantalum mines and 106 gold mines. The Ministry of Labor, responsible for inspecting worksites for child labor, remained understaffed and had limited resources to conduct inspections for child labor violations, including trafficking violations, throughout the country. The government did not have effective policies regulating labor recruiters and did not hold fraudulent recruiters accountable—a trafficking crime affecting many Congolese. The government did not provide anti-trafficking training to its diplomatic personnel. The government did not provide anti-trafficking training for FARDC troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

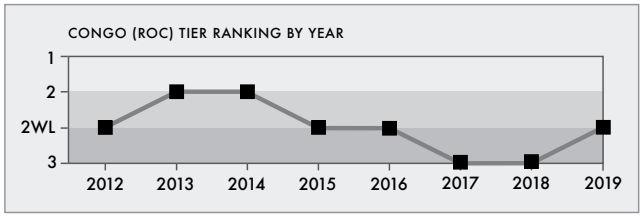
As reported over the past five years, human traffickers exploit domestic and foreign victims in DRC, and traffickers exploit victims from DRC abroad. Some traffickers were individuals or family members who promised victims or victims' families educational or employment opportunities but instead exploited trafficking victims by forcing them to work as domestic servants, street vendors, gang members, or prostitutes; most trafficking is internal and involves forced labor in artisanal mining sites, agriculture, domestic servitude, or child recruitment by armed groups or sex trafficking through forced prostitution. In February 2018, an international organization estimated that there were more than 150 different armed groups in the DRC. In 2018, several armed groups continued to abduct and forcibly recruit Congolese men, women, and children as combatants and in support roles, such as guards, porters, cleaners, cooks, messengers, spies, and tax collectors at mining sites; women and girls were forced to marry or serve as sex slaves for members of some armed groups. As reported in 2015, traffickers would force some children to commit crimes for them, such as looting and extortion and in 2018, traffickers forced children across the border into the Republic of the Congo where they were forced to commit theft. The Government of the Republic of the Congo identified 33 females, reportedly some were minors, from DRC and deported them for prostitution without screening. In 2018, armed groups in eastern DRC used women and children as soldiers and human shields with documented incidents of gang rape and sexual enslavement and there were 631 confirmed cases of new child recruitment by armed groups. At least 15 Rwandan, Ugandan, and Burundian children were separated from armed groups in DRC in 2018. In 2016, abductions for recruitment by the Lord's Resistance Army increased slightly, and 16 Burundian child soldiers and one Rwandan child soldier, some recruited from refugee camps, were stopped by government officials while reportedly transiting through the DRC to fight in armed groups in Burundi. Child soldiers separated from armed groups and reintegrated into society remain vulnerable to re-recruitment, as adequate rehabilitation services did not exist for children suffering severe psychological trauma, stigmatization may interfere with community reintegration. There were no confirmed cases of child soldier recruitment by the FARDC for the fourth consecutive year. An international organization verified the FARDC used children in support roles, including for sexual slavery and forced labor, in 2017 and 2018. Additionally, the FARDC continued to collaborate with proxy militias that recruited and used children in armed conflict. An international organization reported ongoing collaboration between the FARDC and NDC-R, which recruited at least 10 and used at least 38 children until November of 2018. Collaboration

included the provision of ammunition and uniforms by FARDC officials, NDC-R's free movement throughout their territory, and coordinating strategies and battlefield tactics against other armed groups. However, the NDC-R's recruitment and use of child soldiers reportedly ceased after its leader signed a pledge renouncing future recruitment of children and requiring the release of children currently among their recruits. The FARDC also continued to broadly collaborate with the Bana Mura proxy militia, which used at least 64 children in sexual slavery during the reporting period.

Traffickers subject some men, women, and children working in artisanal mines in eastern DRC to forced labor, including debt bondage, by mining bosses, other miners, family members, government officials, and armed groups. Traffickers subject some children to forced labor in the illegal mining of diamonds, copper, gold, cobalt, tungsten ore, tantalum ore, and tin, as well as the smuggling of minerals. In January 2016, an international organization reported widespread abuse, including forced labor, of some children in artisanal cobalt mines in southern DRC; some children reported extremely long working hours and physical abuse by security guards employed by the state mining company. Children are also vulnerable to forced labor in small-scale agriculture, domestic work, street begging, vending, and portering. Children from the Republic of the Congo may transit through the DRC en route to Angola or South Africa, where they may be subjected to domestic servitude. From January to August 2018, reports indicate at least 893 women and girls were victims of sexual and gender based violence, with primary perpetrators including armed groups followed by FARDC, police, and intelligence agents. Some traffickers force Congolese women and girls into forced marriages where they are highly vulnerable to domestic servitude or sex trafficking. Congolese women and children migrate to other countries in Africa, the Middle East, and Europe, where traffickers exploit them in sex trafficking, domestic servitude, or forced labor in agriculture and diamond mines. Some traffickers may fraudulently recruit women and force them into domestic work abroad through false promises of education or employment opportunities.

CONGO, REPUBLIC OF THE: TIER 2 WATCH LIST

The Government of the Republic of the Congo does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so; therefore the Republic of the Congo was upgraded to Tier 2 Watch List. These achievements included identifying and assisting more trafficking victims than the previous reporting period; increasing training for law enforcement and diplomats; and making efforts to adopt a comprehensive anti-trafficking law. The government reinvigorated a federal-level inter-ministerial committee, though efforts were limited. Despite these achievements, law enforcement efforts remained weak, as the government convicted fewer traffickers and deported trafficking suspects without prosecution. Previous allegations of official complicity remained uninvestigated and traffickers and complicit officials largely operated with impunity. The government did not dedicate specific funding to the inter-ministerial committee, the coordinating committee in Pointe-Noire, or to NGOs that provided care to trafficking victims. The government did not proactively screen for trafficking among vulnerable populations. The lack of a current national action plan and a clear understanding of anti-trafficking laws among government officials continued to hinder countrywide efforts.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, and impose adequate penalties, and fully investigate, and as required prosecute, allegations of officials complicit in trafficking. • Increase efforts to proactively identify victims, including screening for trafficking indicators, especially among vulnerable populations, including child laborers, illegal immigrants, women and girls exploited in prostitution, unaccompanied minors, and indigenous persons. • Drastically improve the provision of protective services to trafficking victims that provide appropriate care to victims nationwide. • While respecting due process, expedite hearings and consider prosecuting trafficking cases in the low court in the interim. • Develop and implement standard operating procedures to guide government officials, including police, immigration, labor, and military authorities, in victim identification and referral to protective services. • Increase anti-trafficking training for all law enforcement, prosecutors, and judges. • Complete passage and enactment of comprehensive anti-trafficking legislation that criminalizes all forms of trafficking and prescribes penalties that are sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. • Allocate a specific budget and adequate funding to the federal-level Inter-Ministerial Committee, the Pointe Noire based Anti-Trafficking Coordinating Committee, the national action plan, and protective services including victim shelters. • Extend anti-trafficking efforts beyond Pointe-Noire and Brazzaville. • Provide adequate security and supervision for victims placed in foster families and with anti-trafficking activists and partners. • Increase effectiveness of the anti-trafficking inter-ministerial committee to drive concrete national anti-trafficking efforts. • Further bolster anti-trafficking law enforcement cooperation with other governments in the region, especially Benin and the DRC. • Consider establishing an anti-trafficking law enforcement unit. • Accede to the UN Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol.

PROSECUTION

The government maintained inadequate anti-trafficking law enforcement efforts. The country's laws criminalized most forms of sex trafficking and labor trafficking. Article 60 of the 2010 Child Protection Code criminalized child trafficking, including sex trafficking and forced labor, for which Article 115 prescribed penalties of hard labor for an undefined period of time and a fine between 1 million to 10 million Central African CFA franc (CFA) ($1,660 to $16,560). Article 68 of the Child Protection Code also criminalized forced child labor and debt bondage, for which Article 122 prescribed penalties between three months and one year of imprisonment or fines of 50,000 to 500,000 CFA ($83 to $830). Article 4 of the country's labor code criminalized forced or compulsory labor and Article 257 prescribed a fine of 600,000 to 900,000 CFA ($994 to $1,490) as the penalty. None of these penalties were sufficiently

stringent, and the penalties prescribed for sex trafficking were not commensurate with those prescribed for other serious crimes, such as rape. Article 334 of the penal code criminalized forced prostitution and carried penalties between two and five years' imprisonment and fines between 1 million and 10 million CFA ($1,660 to $16,560). The penalties for forced prostitution were sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. Congolese law did not criminalize all forms of trafficking of adults, including the recruitment, harboring, transport, or provision of a person for the purposes of forced labor. During the year, the government made progress to strengthen its legal framework and criminalize all forms of human trafficking. Draft anti-trafficking legislation, completed in partnership with an international organization in 2014, remained pending without enactment for the sixth consecutive year; however, at the end of the reporting period, the law remained with the Senate for further consideration.

The government initiated the investigation of at least six traffickers in 2018, compared to three the prior year. The government reported prosecuting four and convicting zero suspected traffickers in 2018, compared to one prosecution and conviction in 2017. In one case, the government reported investigating a suspected Cameroonian trafficker who allegedly subjected at least seven children to child sex trafficking; however, the government did not prosecute the suspect, but rather deported him without holding the suspect accountable. In another case, the government reportedly arrested a suspected trafficker of one boy from the DRC, but the government released this suspect from prison and deported him without prosecution. An NGO reported conducting investigations into eight additional trafficking cases during the reporting year; of these, the NGO worked with victims in two cases to reach out of court settlements and the public prosecutor filed charges in at least four cases, but the government did not report arresting any suspects by the end of the reporting period. Frequently traffickers of these children operate in West Africa, making Congolese prosecution action difficult. Additionally, in the prior reporting period, an NGO alleged that a trafficking network fraudulently recruited young children from destitute communities in Benin with the promise of economic opportunities and education in the Republic of the Congo only to face domestic servitude and forced labor in market vending upon arrival; however, the government did not report investigating this network. Despite efforts to address complicit officials the previous year, during the reporting period, the government did not report any investigations, prosecutions, or convictions of government employees allegedly complicit in human trafficking offenses. Low-level corruption and limited intra-governmental coordination limited the government's ability to investigate, prosecute, and convict suspected traffickers, inhibiting law enforcement action during the year. The government did not report investigating an allegedly bribed Congolese official involved in the facilitation of the escape of a convicted trafficker during the last reporting period. Due to inadequate funding, police continued to require the payment of transportation stipends from NGOs or other stakeholders prior to conducting law enforcement investigations, including those related to human trafficking and removing victims identified by NGOs from situations of trafficking. Many cases continued to languish, some without progress since the courts stopped functioning in 2014 and because of a significant backlog in the high court. The government did not report the outcomes of any languishing cases, making it unclear if older cases had been dismissed.

The government continued to include anti-trafficking training in the standard academy training for new police and immigration officers. The government also conducted two, three-day, high-level anti-trafficking trainings for 50 government officials in Brazzaville and Pointe-Noire, including law enforcement officers; 10 diplomats; 25 civil society members; and 15 religious officials. However, despite increased training efforts, limited understanding of the anti-trafficking laws among law enforcement officials, prosecutors, judges, and labor inspectors persisted and continued to hinder anti-trafficking law enforcement efforts and allowed traffickers to continue operating with impunity. The government did not work to implement the law enforcement provisions within its 2011 bilateral agreement with the Government of Benin or otherwise coordinate with Beninese law enforcement officials on any investigations or the extradition of any suspected traffickers, despite most traffickers and their victims originating from Benin.

PROTECTION

The government increased efforts to identify and assist victims; however, lack of proactive screening for trafficking victims among vulnerable groups, failure to identify adult or indigenous victims, and inadequate availability of assistance, remained serious concerns. The government's ability to address trafficking remained difficult due to a lack of adequate funding for anti-trafficking governmental agencies, a dearth of trained personnel, limited transparency, and a lack of statistics. In Pointe Noire, the government continued to focus the majority of its efforts on West African children in forced labor, including domestic servitude. The government did not identify or assist Congolese victims or foreign victims exploited in other cities. During the reporting period, the government identified at least eight trafficking victims, an increase from zero the prior year. In one case of child sex trafficking, the government reported it provided at least seven victims with vocational retraining, medical assistance, and psycho-social services, including family and psychological counseling in Brazzaville. In another case, the government temporarily detained one child from the DRC; it later identified the child as a victim of forced criminality and facilitated the child's repatriation to his parents, but it did not report providing care. In one police operation, the government identified three adult women in prostitution from the DRC and in another operation, the media reported that the government allegedly arrested 30 females from the DRC and 41 female citizens—potentially including children—in prostitution; however, the government did not report assisting any of these 74 individuals, nor did it report screening any of them for trafficking indicators, including those it later deported to the DRC. Despite the continued exploitation through forced labor of the indigenous population, the government did not adequately address this internal trafficking problem. An NGO identified an additional nine victims, compared to the 15 it identified in the previous reporting period. Once identified by the NGO, law enforcement would generally assist in removing the victim from the exploitative situation, dependent on funding for transportation from the NGO. The government did not have a formal national mechanism to identify and refer all trafficking victims to care—including adults, child laborers, irregular migrants, women and girls exploited in prostitution, and indigenous persons—but did have a procedural manual for child trafficking victims. Instead, the government traditionally relied on NGOs and international organizations to assist with the identification, referral, assistance, investigation, and negotiation of compensation for the majority of victims.

The Trafficking in Persons Coordinating Committee in Pointe-Noire, which was responsible for assigning identified West

African child trafficking victims to foster homes and conducting family tracing, did not report the number of trafficking victims referred to the five available foster families; but it did report funding the foster homes during the reporting period. A local NGO also funded and referred child victims to foster families if repatriation, family integration, or local reinsertion options were unavailable. The government funded three public shelters that at-risk victims, including child trafficking victims, could access, but did not report referring any trafficking victims to the shelters during the reporting period. During the year, the government did not provide a specific operating budget for the Coordinating Committee and has not since 2014. The government did not report identifying any adult trafficking victims and did not operate shelters for adult victims. For the majority of services provided to victims, the government continued to rely on partnerships with NGOs, but it did not provide funding to them. Other than one NGO in Pointe-Noire, the government did not facilitate NGO partnerships to provide protective services elsewhere in the country. The government facilitated the repatriation of two trafficking victims during the year, including funding one of the repatriations. The government facilitated the repatriation of one foreign trafficking victim from Egypt to the Republic of the Congo and funded the repatriation of another to the DRC, compared to zero repatriations in 2017.

There were reports authorities temporarily detained child trafficking victims for unlawful acts traffickers compelled them to commit until parental identification and repatriation was completed. There were also reports that police arrested individuals in prostitution but did not report screening for indicators of sex trafficking. The government provided the same availability of care to both national and foreign victims. Foreign adult victims were provided a choice between repatriation to their country of origin or reintegration into the local community. Congolese law did not provide legal alternatives to the removal of victims to countries where they would face retribution or hardship; while the government reported it did not deport foreign victims, it did not report issuing temporary or permanent residency status to victims during the reporting period.

PREVENTION

The government maintained insufficient efforts to prevent trafficking. The government's federal inter-ministerial committee met at least twice during the reporting period and worked to increase coordination between ministries, but did not report on concrete actions taken to drive countrywide efforts. At the department level in Pointe Noire, the anti-trafficking coordinating committee also met at least twice but did not report concrete actions taken during the reporting period. However, the government did not directly fund either of these committees. The government did not have a current national action plan. The government conducted a public awareness campaign on radio and television, which focused on the provisions under the pending anti-trafficking legislation. The government operated an emergency assistance line for victims of crime; however, it was unclear whether it received any calls to report trafficking specific crimes during the year. The government did not have effective laws or policies regulating labor recruiters nor did they investigate or prosecute any despite ongoing concerns of fraudulent recruitment involving such entities. The government worked with officials from the Government of the DRC to address cross-border trafficking by preventing all unaccompanied minors from entering the country; however, the government did not specifically screen for trafficking indicators and did not report identifying any victims as part of these efforts. The government used the 2011 bilateral agreement with the Government of Benin to a limited degree when it issued temporary travel documents to a Beninese trafficking victim and a local NGO continued to provide care for Beninese victims and facilitated the repatriation of a Beninese trafficking victim with the Beninese government. The government made efforts to reduce the demand for commercial sex but did not make efforts to reduce demand for forced labor. The government has signed but has not acceded to the Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol. The government provided anti-trafficking training to a limited number of its diplomatic personnel.

TRAFFICKING PROFILE

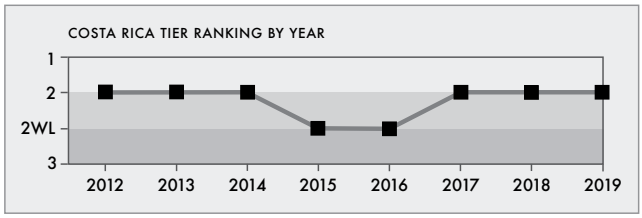
As reported over the past five years, human traffickers exploit domestic and foreign victims in the Republic of the Congo, and traffickers exploit victims from the Republic of the Congo abroad. Forced labor involving adults and children of both genders continues to be a primary type of trafficking within Congo. Most trafficking victims in the Congo originate from Benin and the DRC, and to a lesser extent from other neighboring countries. Traffickers subject most foreign victims to forced labor in domestic servitude and market vending. Both adults and children are victims of sex trafficking in the Congo, with most between the ages of 9 and 11. Traffickers exploited girls and women from both the Republic of the Congo and the DRC to sex trafficking, with clients among Chinese and Malaysian construction workers who had been building a highway near the cities of Nkayi and Pointe-Noire. Parents in foreign countries, mostly West African, sometimes send their children to the Republic of the Congo with the expectation that the child will send remittances or receive an education, but instead traffickers exploit the children in child sex trafficking or forced labor.

Internal trafficking involves recruitment from remote rural areas for exploitation in cities. The indigenous populations are vulnerable to traffickers for forced labor in the agricultural sector; some reports suggest that some servitude might be hereditary. According to an NGO, members of indigenous communities often incur significant debts, which must be worked off, sometimes leading to debt bondage. NGOs in Bambama, Sibiti, and Dolisie reported the majority population, called Bantus, force adult indigenous people to harvest manioc and other crops without pay and under the threat of physical abuse or death. Most children exploited by traffickers within the country migrate from rural to urban areas to serve as domestic workers for relatives or family friends. Traffickers subject some child trafficking victims to forced labor in market vending, bakeries, and the fishing and agricultural sectors, including in cocoa fields in Sangha department, sugar cane fields in the Bouenza department, and, among indigenous populations, harvesting manioc in the Lekoumou department. In 2018, there were reports of domestic prostitution networks exploiting children in child sex trafficking.

COSTA RICA: TIER 2

The Government of Costa Rica 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 Costa Rica remained on Tier 2. These efforts included investigating and convicting more traffickers, taking law

enforcement action against complicit government officials, amending the law to establish force, fraud, and coercion as essential elements and remove movement as a required element of the offense, and providing more funding for services to victims. However, the government did not meet the minimum standards in several key areas. Disbursement of government-funded resources to address trafficking fell short of allocations and remained insufficient overall. Civil society organizations reported authorities did not always implement referral mechanisms in an effective or timely manner or in coordination with them.



PRIORITIZED RECOMMENDATIONS:

Intensify efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers. • Reduce the significant backlog of trafficking cases in the judicial system. • Increase victim identification and referral, particularly in coordination and collaboration with civil society. • Conduct thorough and transparent criminal investigations of alleged government complicity in trafficking offenses and prosecute, convict, and punish complicit officials. • Increase disbursement of funds for victim services and provide specialized shelter and services for trafficking victims in partnership with civil society organizations. • Increase efforts to investigate, prosecute, and convict child sex tourists and others who purchase commercial sex acts from child trafficking victims. • Increase anti-trafficking training for police, prosecutors, and judges. • Improve data collection on law enforcement and victim protection efforts.

PROSECUTION

The government increased law enforcement efforts. Article 172 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of six to 10 years' imprisonment for offenses involving an adult victim, and eight to 16 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. The law defined trafficking broadly to include labor exploitation and illegal adoption without the purpose of exploitation. In May 2018, the Legislative Assembly amended the law to establish force, fraud, and coercion as essential elements and remove movement as a required element of the offense. In addition to Article 172, officials used trafficking-related offenses to prosecute trafficking cases, including aggravated pimping (Article 170) and coerced pimping (Article 171), both of which prescribed penalties ranging from two to 10 years' imprisonment. Article 189 criminalized forced labor or services and prescribed penalties of six to 10 years' imprisonment.

Costa Rica had two police forces involved in trafficking investigations—the Judicial Investigation Police (OIJ) and the Professional Migration Police. The Attorney General's Office supervised both investigative units. The Attorney General's Office reported investigating 74 cases total—45 cases of sex trafficking (article 172), 18 cases of aggravated pimping (article 170), and 11 cases of forced labor or services (article 189)—compared to 62 cases in 2017. The government initiated 12 prosecutions and convicted 10 traffickers under article 172 to sentences ranging from five to 60 years' imprisonment, compared to 41 new prosecutions and five convictions under article 172 in 2017. The most notable case involved a large-scale transnational labor trafficking case investigated by Costa Rican and Panamanian officials where alleged traffickers recruited adults and children from China and India with false promises of stable jobs and legal status. Traffickers charged these individuals upwards of $20,000 for transportation and subsequently forced at least 14 victims to work in restaurants, bars, and markets to pay off their debts. The investigation resulted in the arrest of 31 individuals, including 12 government officials who allegedly accepted bribes to allow victims to enter the country without proper documentation. Five of these officials remained in custody at the close of the reporting period and seven were released on bond pending trial. Authorities also convicted and sentenced a police officer to three years' imprisonment for assisting a trafficking network operating out of a bar; the officer appealed the sentence. The government reported the former mayor indicted for establishing a trafficking network in 2011 still awaited trial. The government continued to investigate and prosecute individuals that paid child trafficking victims for commercial sex, resulting in 22 convictions in 2018, compared with three convictions in 2017 and at least one conviction in 2016; however, officials noted data was incomplete in previous years.

Observers noted improvements in coordination between the Attorney General and OIJ, but a significant backlog of criminal cases, including trafficking cases, slowed prosecutions. The Supreme Court approved and dedicated funds for the implementation of a judicial branch action plan, which prioritized capacity building for the Attorney General, OIJ, and judicial authorities and public awareness-raising on how to identify trafficking. The government provided anti-trafficking training to law enforcement, prosecutors, immigration officials, labor officials, child welfare officials, educational professionals, and civil society members. The government's interagency anti-trafficking body, the National Coalition against Migrant Smuggling and Trafficking in Persons (CONATT), invested 133 million colones ($220,430) in a program to improve coordination between immigration officials and other law enforcement officials, which resulted in an increase in investigations by immigration officials.

PROTECTION

The government maintained victim protection efforts. The government identified 20 trafficking victims (eight sex trafficking, four forced labor, one both sex trafficking and forced labor, three domestic servitude, and four both domestic servitude and sexual exploitation) under the trafficking law, compared to 34 in 2017 and three in 2015. Four of the victims were Costa Rican, six were Nicaraguan, three were Honduran, two were Colombian, one was Venezuelan, two were Dominican, one was Chinese, and one was Panamanian. The government provided shelter and health, legal, and psychological services to 20 victims and 10 dependents during the reporting period, including 11 women, five men, 12 girls, and two boys. Law enforcement and immigration authorities used written procedures for identifying victims among vulnerable groups, such as migrants and individuals in prostitution, and referred identified victims to CONATT to coordinate service provision. Public officials used the "Institutional Protocol for the Care of Minors and Survivors of Trafficking in Persons" and the "Interagency Manual of Attention of Minors in Sexual Trafficking, Child Labor, and

Dangerous Work" which established the steps officials must take when identifying a possible case of trafficking.

CONATT coordinated assistance to victims, including emergency, short-term, and long-term assistance, which could include food, lodging, healthcare, financial, legal, and psychological services. CONATT secured lodging in either the government's emergency shelter dedicated to trafficking victims, a safe house operated by civil society, or a longer-term shelter for women and children. The government did not provide dedicated shelters to male trafficking victims, although the emergency shelter and safe houses could accommodate male victims, and the government worked to ensure male victims received adequate services. The government assisted minor victims through a dedicated network of shelters for minors and a government-funded NGO. Authorities had the discretion to refer victims to services on a case-by-case basis; not all victims received the same level of protection. Civil society organizations reported authorities did not always implement referral mechanisms in an effective or timely manner and recommended the government provide transportation for victims to institutions providing assistance. Through the National Anti-Trafficking in Persons and Smuggling of Migrants Fund (FONATT), the government disbursed 429.6 million colones ($711,860) for victim services, 583 million colones ($966,030) for prevention programs, and 150 million colones ($248,550) for investigations and prosecutions in 2018, compared to 132 million colones ($218,720) to fund trafficking victim services in 2017 and 122 million colones ($202,150) in 2016. The child welfare agency provided direct funding and a per-victim subsidy for identified victims to an NGO-run shelter for child victims. The government also directed 160.3 million colones ($265,560) to NGOs providing services to trafficking victims in 2018, compared to 97.4 million colones ($161,390) in 2017 and 91 million colones ($150,790) in 2016. Observers reported that, despite dedicated government resources to anti-trafficking efforts, including victim services, the failure to disburse all of the allocated resources hindered the country's ability to address its trafficking problem. Costa Rican law allowed victims to obtain temporary residency status and work permits, leave the country, file civil suits against their traffickers, and provide testimony outside of court proceedings. Authorities granted 10 victims temporary residency status and work permits, and three victims refugee status in 2018 compared to two victims granted temporary residency status and work permits in 2017. Authorities reported several victims who testified outside of court proceedings in 2018 compared to 17 victims who testified outside of court proceedings in 2017. The government facilitated the repatriation of two victims in 2018, compared to one in 2017.

PREVENTION

The government maintained prevention efforts. CONATT, chaired by the Migration Authority, integrated and coordinated anti-trafficking efforts among 22 public institutions, key NGOs, and international organizations, and maintained sub-commissions focused on attention to victims, prevention, justice, investigation and analysis, and project management. CONATT met periodically to review progress in the areas of research, protection, prevention, and prosecution; and it presented a public report on its accomplishments every four months. CONATT funded and cooperated with an international organization to develop a national anti-trafficking strategy and national action plan, but it did not officially adopt or publish either one during the reporting period. In 2018, the government disbursed 583 million colones ($966,030) for trafficking-specific prevention programs, including a community security program; capacity building for health, immigration, and labor officials, municipal officials, law enforcement, teachers, and community leaders; and awareness-raising. The government engaged in multiple awareness-raising programs, including advertisements, a binational fair and walk with Panama, and workshops, symposia, and training for community and business leaders on how to identify and prevent trafficking. The Judiciary Police operated a hotline to receive confidential criminal complaints, which received approximately 100 calls related to potential trafficking and pimping cases in 2018. The Judiciary Police also operated the 9-1-1 hotline available for general crime reporting, but did not specifically report receiving trafficking calls through that mechanism. The government educated labor recruiters for international and domestic businesses about the consequences of violating the anti-trafficking regulations but did not report investigating or penalizing any labor recruiters for illegal practices that contribute to trafficking. The government raised awareness of child sex tourism, integrated the international code of conduct related to commercial sexual exploitation in the travel and tourism industry into its national tourism program, and provided training in seven tourist zones. Working in collaboration with international partners, the government reported denying entry to 75 foreign-registered sex offenders who attempted to travel to Costa Rica as tourists in 2018.

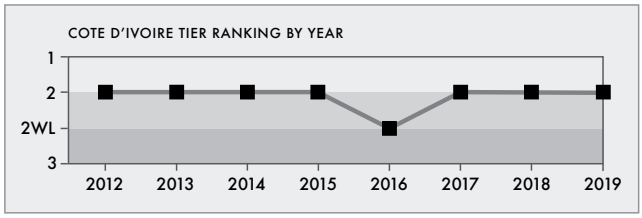
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Costa Rica, and traffickers exploit victims from Costa Rica abroad. Traffickers subject Costa Rican women and children to sex trafficking within the country, with those living in the north and central Pacific coastal zones being particularly vulnerable. Authorities have identified adults using children to transport or sell drugs; some of these children may be trafficking victims. LGBTI persons, particularly transgender Costa Ricans, are vulnerable to sex trafficking. Women and girls from Nicaragua, the Dominican Republic, and other Latin American countries have been identified in Costa Rica as victims of sex trafficking and domestic servitude. Traffickers subject migrant men, women, and children, primarily from Nicaragua, to forced labor in agriculture and domestic service or sex trafficking. Migrants from other Central American countries, the Caribbean, China, and South America remained vulnerable to trafficking, some en route to the United States. Nicaraguan men and women transit Costa Rica en route to Panama, where some are subjected to forced labor or sex trafficking. Indigenous Panamanians are also vulnerable to forced labor in agriculture in Costa Rica. Child sex tourism is a serious problem, with child sex tourists arriving mostly from the United States and Europe.

COTE D'IVOIRE: TIER 2

The Government of Cote d'Ivoire does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Cote d'Ivoire remained on Tier 2. These efforts include increasing investigations, prosecutions, and convictions; coordinating with an NGO to open and operate a shelter for child victims of exploitation, including child trafficking victims; convening the first anti-trafficking committee meeting; and financing and distributing a film at

14 events on the vulnerability to trafficking faced by irregular migrants. However, the government did not meet the minimum standards in several key areas. During the reporting period, a government official exploited his niece in labor trafficking and coordinated an armed abduction, with assistance from other government officials, from the shelter where she was receiving care. The government continued to lack formal mechanisms to identify adult trafficking victims or refer trafficking victims to care. Despite the convening of the anti-trafficking committee, government coordination to implement the 2016-2020 national action plan continued to be weak. The government did not provide sufficient resources to law enforcement to investigate trafficking cases.



PRIORITIZED RECOMMENDATIONS:

Continue increasing efforts to investigate, prosecute, and convict traffickers following due process, including complicit officials, and apply significant prison terms as prescribed by law to those convicted. • Ensure law enforcement respects the security of NGOs providing services to victims and enforce trafficking victims' right to receive care free from violence and intimidation. • Train law enforcement and judicial officials how to identify, investigate, and prosecute trafficking cases under the 2016 anti-trafficking law, including the difference between pimping and sex trafficking. • Increase funding and in-kind resources, as feasible, for the police anti-trafficking units to investigate trafficking cases nationwide, and delineate responsibilities between the units. • Clearly delineate responsibilities for activities in the 2016-2020 action plan and fund its implementation. • Revise the existing procedures used to identify potential trafficking victims to include adults and victims among vulnerable populations, and incorporate the changes into existing trainings. • Establish and train officials on a standardized victim referral mechanism for use across ministries to ensure all trafficking victims receive services. • Increase funding for NGOs to expand shelter and services for trafficking victims, including adults, and continue to establish victim shelters as indicated in the national action plan. • Direct labor inspectors to inspect the informal sector for forced labor. • Actively monitor agencies and intermediaries that recruit Ivoirians for work abroad and investigate allegations of fraudulent recruitment. • Improve data collection on anti-trafficking efforts.

PROSECUTION

The government increased law enforcement efforts, although official complicity remained a concern. Law No.2016-111 on the Fight Against Trafficking in Persons criminalized sex trafficking and labor trafficking and prescribed penalties of five to 10 years' imprisonment and a fine of 5 million to 10 million West African CFA francs (FCFA) ($8,790-$17,590) for adult trafficking and 20 to 30 years' imprisonment and a fine of 10 million to 50 million FCFA ($17,590-$87,930) for child trafficking. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, judges also used the 2010 child labor and child trafficking law and the criminal code to convict traffickers. The 2010 law remained the primary law used to prosecute child trafficking, and it criminalized child sex trafficking and labor trafficking with 10 to 20 years' imprisonment and a fine of 5 million to 20 million FCFA ($8,790-$35,170). Articles 335 and 336 of the Ivoirian Criminal Code criminalized the pimping and exploitation of adults and children for the purpose of forced prostitution with penalties of one to five years' imprisonment and a fine of 1 million to 10 million FCFA ($1,760-$17,590).

The government did not have a mechanism to collect and share data between ministries, so it did not gather or report comprehensive data on anti-trafficking law enforcement efforts. However, several government entities collected data, including the Ministry of the Interior and Security's Sub Directorate of the Criminal Police for the Fight against Child Trafficking and Juvenile Delinquency (also known as the anti-trafficking unit or ATU) and transnational organized crime unit (UCT); Brigade Mondaine—the police unit charged with investigating prostitution and sex trafficking; the Ministry of Women, Families, and Children (MWFC); and the Ministry of Justice and Human Rights (MOJ). With data from Abidjan and all departments, the government reported investigating 147 cases, prosecuting 56 suspects, and convicting 47 traffickers. This is compared to 59 investigations, 27 prosecutions, and 20 convictions with data from Abidjan and 33 departments in the previous reporting period. Of the 51 prosecutions, the government initiated 38 in the current reporting period and continued 13 from the previous period. Entities reported 27 sex trafficking investigations and 88 for child labor trafficking and did not report the types of trafficking for the remaining investigations; alleged traffickers included suspects from Cote d'Ivoire, China, Cameroon, and Nigeria. Judges convicted traffickers under the 2016 and 2010 laws and the criminal code for trafficking, pimping, solicitation, exploitation of minors, and the worst forms of child labor. Judges levied both fines and prison sentences to all convicted traffickers; prison sentences ranged from six months to 20 years and fines ranged from 500,000 to 10 million FCFA ($880-$17,590). Of the 47 convictions, 11 traffickers each received sentences of 10 months' imprisonment which was below the sentences prescribed in the 2016 anti-trafficking law and articles 335 and 336 of the penal code. Judges acquitted four alleged traffickers. The government did not report any cases of adult forced labor. In April 2018, French law enforcement investigated a trafficking network in Herault, France and Daloa, Cote d'Ivoire that smuggled Ivoirians to France for sex and labor trafficking; Ivoirian authorities coordinated with French investigators in the investigation, which remained ongoing at the end of the reporting period.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, official corruption and complicity in trafficking remained concerns. During the reporting period, an NGO alleged five *gendarmes* and two military firefighters, including the victim's trafficker, abducted at gunpoint a 14-year-old rape and trafficking victim from the NGO shelter where she was receiving care. The Research Brigade of the *Gendarmes* completed its investigation into the aforementioned case in March 2019 and passed the report to the military tribunal. The NGO filed an official complaint with the military tribunal, which was pending at the end of the reporting period. During the previous reporting period, a government official reportedly asked police to release a central suspect in one alleged trafficking case; in another potential trafficking case, NGOs alleged a government official was involved. Law enforcement did not

report investigating either government official for trafficking-related corruption or complicity during the reporting period.

Limited funding and resources for law enforcement created serious gaps in the government's ability to address human trafficking. ATU bore primary responsibility for enforcing anti-trafficking laws and investigating cases throughout the country, although it only had staff in Abidjan. The *gendarmes* under the Ministry of Defense were responsible for investigations in rural areas where ATU was not present. Funding levels remained severely inadequate. Resource limitations also constrained the Brigade Mondaine to Abidjan and a few regional precincts, rendering the two primary anti-trafficking units unable to cover the majority of the country. UCT had national jurisdiction over transnational organized crime, including a specialized human trafficking department. ATU had the mandate for child trafficking, UCT was responsible for transnational trafficking, and Brigade Mondaine covered sex trafficking; however, the units lacked coordination, and no unit had a clear responsibility for internal adult labor trafficking. Authorities outside Abidjan lacked training to identify and investigate trafficking. Some judges remained unaware of the 2016 law and continued to use the 2010 law and pimping statues to prosecute trafficking cases, which carried lesser penalties. The ATU trained three new police officers on identifying child trafficking victims. International organizations hosted two trainings for border police, prosecutors, judges, and other law enforcement officials on human trafficking; the government did not provide financial or in-kind support to these trainings.

PROTECTION

The government maintained efforts to identify and protect victims. The government identified 45 trafficking victims and 53 victims of child labor or child trafficking during the reporting period, compared with 57 trafficking victims and 167 potential trafficking victims in the previous reporting period. Victims included 10 adult victims, nine Burkinabe child victims exploited in forced labor in gold mining, 16 Nigerien child sex trafficking victims, and 16 Nigerian female sex trafficking victims. While the government did not have formal mechanisms to proactively identify adult trafficking victims or refer trafficking victims to care, the UCT had operational procedures to refer victims to care. Government ministries lacked coordination, which in some cases hindered the provision of services. The government referred 18 child victims to NGOs for care; it was unclear whether the other 35 identified victims received care. In July 2018, the government split the then-Ministry of Women, Child Protection, and Social Affairs, which led to the division of the government's victim protection efforts between the Ministry of Women, Families, and Children and the Ministry of Solidarity, Social Cohesion, and the Fight against Poverty. As a result, it was unclear which ministry was responsible for the different aspects of trafficking victim protection. Despite the lack of a formal referral mechanism, in practice officials referred trafficking victims to one of 90 government-run social centers for victims of abuse to receive psychological care and then to NGOs for shelter and further services. When necessary, the government used orphanages or its 36 special education centers to shelter women and child trafficking victims. During the reporting period, the government, with funding from an NGO, opened a government-run shelter for child victims of exploitation (including child labor and child trafficking) in Soubre; the shelter assisted the nine Burkinabe child labor trafficking victims identified during the reporting period. The government remained in partnership with this NGO to build two additional shelters for child victims of exploitation in Ferkessedougou and Bouake. The government provided in-kind support including clothing, food, and hygiene kits to NGOs where it referred the victims. Foreign and domestic victims reportedly had the same access to care. In some cases, the government depended on foreign victims' home embassies to provide shelter and care to sex trafficking victims prior to repatriation. NGOs reported that despite the provision of in-kind support, government support for victim protection and services remained inadequate and in many cases NGOs funded and provided the majority of victim care. The lack of services, especially for adults, and lack of reintegration assistance prevented some victims from accessing adequate services and rendered many victims vulnerable to re-victimization. With donor funding and in partnership with an international organization, the government provided 165,000 FCFA ($290) and hygiene and food kits to each of the approximately 2,856 migrants returned from Libya and North Africa, some of whom were trafficking victims, during the reporting period. The Ivoirian embassy in Libya, since moved to Tunisia, coordinated with an international organization to provide travel documents to returning migrants.

Ivoirian law required the government to provide protection and assistance to victims who participated in investigations or trials against their traffickers; the government did not report whether any victims received this assistance during the reporting period. Trafficking victims could file civil suits against their traffickers. While victims could obtain damages from traffickers, many victims were not aware of the provision. During the reporting period, a victim filed a civil suit and the trafficker was ordered to pay 600,000 FCFA ($1,060). The government did not report how many victims received damages following a civil suit during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts traffickers compelled them to commit; however, due to the lack of formal identification procedures for adult trafficking victims and victims among vulnerable populations, some may have remained unidentified within the law enforcement system.

PREVENTION

The government maintained efforts to prevent trafficking. In February 2019, the prime minister convened the first meeting of the anti-trafficking committee after it was created in April 2017, as mandated in the 2016 anti-trafficking law. The committee had the lead for anti-trafficking prevention efforts, including implementation of the 2016-2020 anti-trafficking national action plan; however, due to the late convening of the anti-trafficking committee, poor communication and coordination among ministries continued to hinder progress during the reporting period, and implementing agencies did not have a clear understanding of their role in combating trafficking. For the third consecutive year, the government did not take concrete steps to implement its action plan. The government allocated 2.2 billion FCFA ($3.87 million) to implement the national action plan in 2018 but did not report how much of the allocated budget was disbursed; the government allocated 1.5 billion FCFA ($2.64 million) during the previous reporting period. In part due to delayed implementation of the 2016-2020 anti-trafficking national action plan, the government is conducting a review of the plan. The National Monitoring Committee and the Inter-Ministerial Committee continued to coordinate child labor and child trafficking efforts. Several government ministries organized awareness-raising campaigns on child labor regulations and the 2016 anti-trafficking law. In addition, the Ministry for African Integration and Ivoirians Abroad organized 14 awareness-raising events throughout the

country, including in Daloa—a source for irregular migration—to highlight irregular migrants' vulnerability to trafficking. As part of the campaign, the ministry financed and distributed a film about the vulnerability of irregular migrants to trafficking. The labor code regulated labor recruitment and labor migration in the formal sector but did not extend to the informal sector, including domestic work, and traffickers exploited Ivoirian and other West African women in domestic servitude internally and abroad. In 2018, labor inspectors conducted limited inspections of the informal sector—where most children worked—but did not identify child forced labor cases through these inspections. The government continued to operate several hotlines for child protection and human rights; one of the hotlines received 674 calls reporting human rights violations that were referred to the relevant government ministries; it is unknown if any calls were regarding trafficking. The government did not demonstrate efforts to reduce the demand for commercial sex acts but made some efforts to reduce the demand for child labor and forced labor in the cocoa sector.

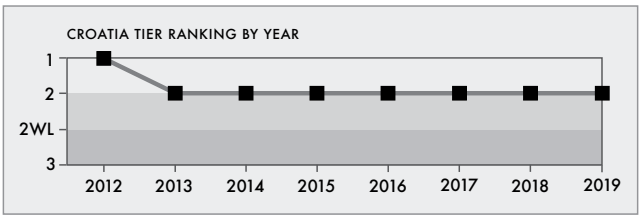
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Cote d'Ivoire, and traffickers exploit victims from Cote d'Ivoire abroad. The majority of identified victims are children; due to a stronger emphasis on combating internal child trafficking, the prevalence of adult trafficking may be underreported. Some Ivoirian women and girls are subjected to forced labor in domestic service and restaurants and exploited in sex trafficking. Ivoirian boys are victims of forced labor in the agricultural and service industries, especially cocoa production. West African boys, including Burkinabes, may be forced into labor in agriculture (on cocoa, coffee, pineapple, cashew, and rubber plantations, and in animal breeding) and in mining, carpentry, construction, and begging in Cote d'Ivoire. Traffickers often operate in well-established networks consisting of both Ivoirians and foreigners and, in cases of transnational trafficking, use social media, making networks difficult for law enforcement to detect. Authorities estimate there are more than 2,000 Ivoirian, Burkinabe, Malian, Nigerien, and Senegalese *talibés* (students in Quranic schools) in northern and central Cote d'Ivoire and that corrupt teachers force many of them to beg. NGOs and officials report drug traffickers use children—some of whom may be forced—to sell and traffic drugs in restaurants and nightclubs. Some Beninese and Togolese workers migrate to Cote d'Ivoire for construction and carpentry work and bring children, whom they exploit in domestic servitude. Traffickers—commonly distant relatives—bring girls from eastern Cote d'Ivoire and other West African countries to Abidjan ostensibly to go to school or receive professional training but subject them to domestic servitude. Ghanaian and Nigerian traffickers recruit women and girls from Ghana and Nigeria for waitressing jobs but subject them to sex trafficking in restaurants or massage parlors; some victims believe they are transiting Cote d'Ivoire en route to Europe. Nigerian traffickers increasingly exploit Nigerian women and girls in sex trafficking in Cote d'Ivoire's northern and western mining regions, including near gold mines in Tengrela. Nigerian traffickers bring Nigerian children to northern Cote d'Ivoire for domestic servitude. Nigerians transit Cote d'Ivoire en route to sex trafficking in Asia, the United Arab Emirates, and North Africa. Chinese traffickers force Chinese women into prostitution in Cote d'Ivoire.

Ivoirian community and religious leaders, possibly working in concert with others abroad, recruit Ivoirian women and girls for work in the Middle East and Europe but subject them to forced labor in Europe, North Africa, and Gulf countries, primarily Saudi Arabia, Morocco, Lebanon, and Tunisia. Traffickers exploit men and boys in forced labor on farms in Tunisia, often promising the men well-paying jobs and the boys the opportunity to play soccer. Officials identified an uptick in Ivoirian migrants in Libya and Tunisia who were vulnerable to trafficking. Authorities also noted an increase in male trafficking victims among migrants to Europe. Migrants commonly depart from Daloa and proceed via airplane to Tunisia; overland via Mali and Algeria to Libya; or, to a lesser extent, via Niger to Libya. In Tunisia—specifically Sfax and Grand Tunis—intermediaries confiscate migrants' identity documents until they can pay for the next leg of their journey, creating vulnerabilities to trafficking. During the reporting period, NGOs and international organizations identified 621 potential Ivoirian trafficking victims in Tunisia. Due to their irregular status, illegal Ivoirian migrants in Algeria are vulnerable to trafficking. During the reporting period, French authorities broke up an Ivoirian trafficking network based in Daloa that provided Ivoirian minors with fake documents and facilitated their travel to France through Libya and Italy. Kuwaiti employers increasingly recruit domestic workers from Cote d'Ivoire who may be vulnerable to domestic servitude in Kuwait. Authorities previously identified Ivoirian female trafficking victims in Iraq, Israel, Cyprus, France, and Morocco.

CROATIA: TIER 2

The Government of Croatia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Croatia remained on Tier 2. These efforts included investigating, prosecuting, and convicting more traffickers and identifying more victims, particularly victims of forced criminality. The government conducted operations to proactively screen for trafficking indicators, increased funding to NGO-run shelters, and adopted the 2018-2021 national action plan. However, the government did not meet the minimum standards in several key areas. Despite conducting operations to proactively identify victims, the government did not consistently screen migrants and asylum seekers, and alleged police abuse strongly discouraged victims within this population from cooperating or self-identifying. Judges continued to issue light sentences and dismissed victim testimony as unreliable due to a lack of understanding of trafficking, while a large backlog of criminal cases caused long delays and police experienced difficulties in encouraging victims to cooperate with investigations.



PRIORITIZED RECOMMENDATIONS:

Institutionalize and implement screening procedures for migrant flows, including asylum seekers and unaccompanied minors. • Increase capacity and training to accurately screen for victims

and consistently implement screening procedures for vulnerable populations, particularly migrants, refugees, asylum seekers, seasonal workers, and Roma. • Vigorously investigate, prosecute, and convict traffickers, and impose strong sentences. • Train judges at all levels of the judiciary to understand the severity of trafficking when issuing sentences, and sensitize judges to the issue of secondary trauma. • Continue to encourage victims' participation in investigations and prosecutions by providing alternative methods to testify, including remote testimony or funding for travel and other expenses for victims to attend court hearings. • Further reduce the judiciary's backlog of cases, including trafficking cases. • Implement efforts to address the vulnerability of children placed in child care institutions. • Allocate additional resources and staff for the Office for Human Rights and Rights of National Minorities to enable it to more effectively combat trafficking.

PROSECUTION

The government increased law enforcement efforts. Article 106 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of one to 15 years' imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. Law enforcement investigated seven cases involving 22 suspects (nine cases involving 17 suspects in 2017). The government initiated the prosecution of 15 defendants (12 in 2017). The government continued to prosecute 33 defendants in ongoing cases. Courts convicted five traffickers (four in 2017). Judges issued one trafficker an appealable sentence of one year and six months' imprisonment and three traffickers final sentences of imprisonment ranging one year and five months to three years and eight months. Judges also issued one trafficker a final sentence of one year suspended sentence with five years' probation, below the trafficking statute's minimum penalty, acquitted two suspected traffickers, and issued "correctional measures" for two juvenile traffickers. Observers reported a substantial backlog of criminal cases causing long delays in court proceedings.

Law enforcement personnel under the Ministry of Interior (MOI) conducted proactive investigations on commercial sex establishments, particularly during the tourist seasons, and joint investigations with the labor inspectorate in the construction and agriculture sectors. Law enforcement conducted increased spot checks of suspicious vehicles for signs of trafficking and illegal migration attempts of migrant smuggling. The government maintained institutionalized training programs on trafficking for law enforcement, including prosecutors, border police, traffic police, juvenile police, and organized crime police. In addition, the government, in cooperation with NGOs and international organizations, trained police, prosecutors, and judges. The government cooperated with law enforcement in Taiwan and other foreign governments, but it did not specify details. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained victim protection efforts. The government identified 73 victims (29 in 2017). Of these, 60 were victims of forced criminality, 10 of sex trafficking, three of forced labor, and one unknown (eight of sex trafficking, seven of forced criminality, three of forced labor, and eleven of multiple types of exploitation in 2017); two were minors (14 minors in 2017); 26 women and 46 men (six women and nine men in 2017); and 62 were foreign victims (10 in 2017). The government conducted three large operations to screen for indicators of trafficking: police cooperated with the Ministry of Labor to screen 14,792 people, 8,523 vehicles, and 372 locations for indicators of forced labor; police screened 86,268 people, 38,793 vehicles, and 958 locations for indicators of child trafficking; and police separately screened 131,037 people, 49,172 vehicles, and 7,991 locations for indicators of sex trafficking and forced criminality. However, none of these efforts led to the identification of a victim. Civil society reports indicated government efforts to screen migrants and asylum seekers, including unaccompanied children, were seriously lacking. While the government denied allegations of police abuse against migrants, international organizations criticized the government for violent pushbacks of illegal migrants, and civil society reported border police assaulted and harassed migrants, including vulnerable persons such as asylum seekers, children, persons with disabilities, and pregnant women, which strongly discouraged victims from self-identifying or cooperating with authorities.

A multi-disciplinary national referral mechanism provided standard operating procedures for identifying and referring victims to services. According to the national referral mechanism, first responders carried out the preliminary identification of potential victims and contacted one of four regional mobile teams consisting of social workers and NGO representatives that travelled to assess the potential victims in person and coordinated victim care and placement. The MOI officially identified all victims in cooperation with first responders and the regional mobile team and specialized police officers responsible for child protection were called for potential child victims. The government trained police officers, border police, social workers, and members of the regional mobile teams on victim protection. The government and NGOs provided victims protection and assistance, including shelter, medical assistance, legal assistance, psycho-social support, rehabilitation, and reintegration services. The government funded two NGO-run shelters, one for adults and one providing specialized support for children; these shelters accommodated two new adults and one adult who arrived the previous year (one child and seven adults in 2017). The Ministry of Demography, Family, Youth and Social Policy (MDFYSP) organized a foster family for one minor victim (nine in 2017) and the Center for Social Welfare supervised two minors who were living with their families and one minor who lived independently after becoming an adult. The Center for Missing and Exploited Children (CMEC) provided a range of educational and psycho-social services for unaccompanied minors and exploited children, including child trafficking victims. The government moved toward implementation of foster care and away from using state child care institutions to mitigate traffickers targeting children from state orphanages. MDFYSP allocated 609,055 kunas ($96,520) to support the NGO-run shelters, compared to approximately 360,000 kunas ($57,050) in 2017. In addition, the government allocated 365,386 kunas ($57,910) to CMEC and the Office for Human Rights and Rights of National Minorities (OHRRNM) allocated 20,000 kunas ($3,170) for direct cash subsidies to victims in both 2017 and 2018.

Foreign victims had access to the same services as domestic victims, but foreign victims without work permits at the time of their exploitation could not receive compensation for lost wages. Foreign victims could receive a temporary residence permit after a 60-day reflection period for adults and 90 days for minors; government reported one victim received a temporary stay based on humanitarian concerns. The Office of the Chief

State Prosecutor maintained written instructions on non-penalization of victims. Seven victim and witness support offices at county courts provided assistance during criminal proceedings, including requests to testify via video link, referrals to specialized institutions, logistical assistance, and measures to prevent re-traumatization. None of the victims entered witness protection in 2018 (none in 2017). Children provided testimonies to specialized professionals in child interview rooms. In previous years, OHRRNM created a roster of pro bono legal counsel available for victims, but observers reported a shortage of lawyers trained to represent trafficking victims. The government trained police officers on victim-centered investigations; however, in previous years experts reported some judges lacked sensitivity and an understanding of the impact of psychological trauma on victims' ability to consistently and clearly relate the circumstances of their exploitation and inappropriately dismissed victim testimony as unreliable. Police reported some difficulties in encouraging victims to cooperate with investigations, particularly sex trafficking cases or cases involving potential foreign victims. State prosecutors were obliged to inform victims in criminal proceedings of their right to compensation, however the government reported that no trafficking victims filed for such compensation.

PREVENTION

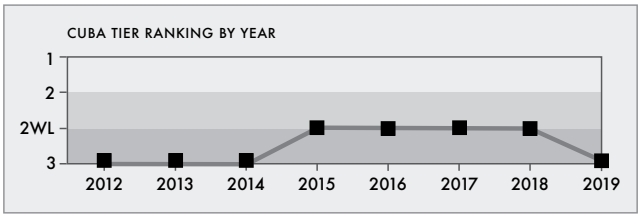
The government increased prevention efforts. OHRRNM served as the secretariat for the senior-level national coordinating committee and added an NGO and the Labor Inspectorate into the committee; the national committee met in July 2018 (one session in 2017). The committee's working-level operational team held monthly meetings and adopted the 2018-2021 national action plan. OHRRNM allocated 137,320 kunas ($21,760) for prevention efforts, compared to 197,000 kunas ($31,220) in 2017. In addition, OHRRNM allocated 4,085 kunas ($650) for the NGO-run hotline, compared to 4,000 kunas ($630) in 2017. Observers reported the NGO-run hotline operated only from 10:00 a.m. to 6:00 p.m. due to inadequate financial support; the hotline received 280 calls leading to four investigations. The MOI operated a specific unit consisting of 80 officers for crime prevention, including trafficking, and OHRRNM organized roundtables on preventing traffickers' recruitment through the internet. The government held awareness campaigns targeting students and teachers, distributed informative materials and continued to organize awareness-raising events for social workers, NGOs, government officials, and workers from the tourism industry. The government monitored its anti-trafficking efforts, produced annual reports, and posted information on ministries' websites. The government continued to distribute materials from the "If You Are a Man, You Will Not Buy a Woman" anti-prostitution campaign.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Croatia, and traffickers exploit victims from Croatia abroad. Women and girls from the Balkans and Central Europe are subjected to sex trafficking in Croatia. Traffickers subject Croatian women and girls to sex trafficking within the country and elsewhere in Europe. Although there were no official reports this year of traffickers exploiting marginalized Romani children in forced begging in Croatia, this was reported in previous years. Traffickers subject Croatian, Bosnian, and Romanian women and men to forced labor in the Croatian agricultural sector. Migrants and refugees from Afghanistan, Iraq, Syria, and neighboring countries traveling or being smuggled through Croatia are vulnerable to trafficking, particularly women and unaccompanied minors. In 2018, Taiwanese women and men were subjected to forced labor and forced criminality in an illegal call center.

CUBA: TIER 3

The Government of Cuba does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Cuba was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including prosecuting sex traffickers and one labor trafficker and imprisoning sex tourists engaged in child sex trafficking. However, the government did not take action to address forced labor in the foreign medical mission program, despite persistent allegations Cuban officials threatened and coerced some participants to remain in the program. The government did not criminalize all forms of forced labor or sex trafficking of children ages 16 and 17. The government lacked procedures to proactively identify forced labor victims, lacked a comprehensive package of services to include housing and physical protection, and detained or charged potential sex trafficking victims for unlawful acts their traffickers coerced them to commit.



PRIORITIZED RECOMMENDATIONS:

Implement policies to prohibit force, fraud, or coercion by foreign labor recruiters and state-owned or controlled enterprises, including foreign medical missions in recruiting and retaining employees. • Draft and enact a comprehensive anti-trafficking law that prohibits and prescribes significant prison terms for all forms of human trafficking, including forced labor, sex trafficking of children ages 16 and 17, and the full range of trafficking "acts" (recruiting, transporting, transferring, harboring, or receiving persons). • Vigorously investigate and prosecute both sex trafficking and forced labor offenses. • Implement formal policies and procedures on the identification of all trafficking victims and their referral to appropriate services, and train officials, including first responders, in their use. • Proactively identify trafficking victims, including among vulnerable populations. • Adopt policies and programs that provide trafficking-specific, specialized assistance for male and female trafficking victims. • Ensure participants in the foreign medical missions program retain control of their passports. • Screen individuals charged or detained for prostitution-related offenses for sex trafficking and refer victims to care providers. • Educate all Cuban workers about trafficking indicators and where to report trafficking-related violations. • Establish a permanent inter-ministerial anti-trafficking committee and implement the 2017-2020 national anti-trafficking action plan in partnership with international organizations. • Provide specialized training on trafficking indicators for hotline staff and interpretation for non-Spanish speakers.

PROSECUTION

The government maintained law enforcement efforts. While the penal code criminalized some forms of trafficking, it did not criminalize all forms of forced labor or sex trafficking of children ages 16 and 17, defining a child as an individual younger than 16 years of age, younger than the age set in international trafficking law, which is 18. Article 302 criminalized procuring and trafficking in persons and prescribed penalties of four to 10 years' imprisonment, which were sufficiently stringent, and with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime. The law defined trafficking broadly to include exploitative labor conditions and illegal adoption without the purpose of exploitation. Article 310 criminalized corruption of minors younger than 16 for sexual purposes and prescribed penalties of seven to 15 years' imprisonment, which were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 312.1 criminalized corruption of minors younger than 16 for begging and prescribed penalties of two to five years or a fine. Articles 310 and 312.1 considered violence or intimidation, among other factors, as aggravating factors for which the penalty increased to 20 to 30 years' imprisonment or the death penalty. Provisions for adult and child sex trafficking did not explicitly criminalize the acts of recruitment, transport, and receipt of persons for these purposes. The penal code and labor code prohibited some conduct associated with forced labor including the deprivation of freedom (article 279.1), coercion (article 286.1), extortion (article 331), arbitrary exercise of rights (article 159.1), and directly establishing labor relations with adolescents younger than age 17 (labor code article 116). However, Cuban law did not prohibit forced labor as defined in international law. Since 2015, the government has noted its efforts to amend the criminal code to address trafficking as defined in international law, but as of March 31, 2019, the criminal code did not prohibit all forms of trafficking.

In December 2018, the government published official data for calendar year 2017 on prosecutions and convictions of traffickers, the most recent data available. Authorities reported 20 prosecutions in 2017, compared to 21 in 2016 and 10 in 2015, and 20 convictions (19 sex traffickers and one trafficker for forced child labor), compared to 39 in 2016 and 17 in 2015. The average sentence was 9.2 years' imprisonment, compared to 10.5 years in 2016 and 12 years in 2015. Authorities imprisoned eight foreign nationals for purchasing sex from child sex trafficking victims. The Cuban government organized and sponsored numerous trainings, postgraduate courses, scientific forums, and a national video conference for prosecutors, law enforcement and court officers, medical staff, and employees of the government-organized NGO Federation of Cuban Women (FMC). Authorities educated participants about trafficking victim protection and assistance and procedures related to transnational organized crime and trafficking. The government maintained more than 20 bilateral cooperation agreements or memoranda of understanding with 15 other countries that included trafficking, which resulted in the identification of Cuban victims abroad and the conviction of a trafficker in Cuba. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking, despite persistent allegations officials threatened and coerced some participants in the foreign medical missions to remain in the program.

PROTECTION

The government maintained some efforts to identify and protect trafficking victims, but provided services to only five child victims and penalized some victims for unlawful acts their traffickers coerced them to commit. Authorities identified at least 24 victims in 2017 (seven child sex trafficking victims, 16 adult sex trafficking victims, and one child forced labor victim), compared to 27 victims in 2016 (17 child sex trafficking victims, nine adult sex trafficking victims, and one child forced labor victim) and 11 victims in 2015 (seven child sex trafficking victims and four adult sex trafficking victims). Of the 24 victims, 23 were female and one was male. The government reported having procedures to proactively identify and refer sex trafficking victims; police, social workers, educators, and medical professionals identified and evaluated potential trafficking victims and referred them to other professionals for medical, psychological, psychiatric, educational, family, or social services. The government did not report having procedures to identify victims of forced labor. Government-organized NGOs, like the FMC, the Prevention and Social Assistance Commission, and the Committees for the Defense of the Revolution, could identify and refer trafficking victims to state authorities and provide victim services.

The government funded child protection centers and guidance centers for women and families, which served all crime victims, including some trafficking victims. These centers had the ability to screen cases, make referrals to law enforcement, assist with arranging cooperation with law enforcement in preparation for prosecution, and provide victim services. The Attorney General created a special Family Protection and Jurisdictional Issues Directorate in 2016 to provide specialized attention to child victims of crime and violence, including trafficking, but did not report whether it provided services to children in 2017. The FMC continued to receive funding from international organizations and operated centers for women and families nationwide to assist individuals harmed by violence, including victims of sex trafficking. These centers could provide services such as psychological treatment, health care, skills training, and assistance in finding employment, but they did not report whether the 16 adult female victims associated with reported prosecutions received services. Observers noted despite existing social services that victims may be able to access, the government did not offer a comprehensive package of services, particularly housing and physical protection. Neither the government nor the government-organized NGOs operated shelters or provided services specifically for adult male victims. Independent members of civil society expressed concern about the government's protection efforts and limited information on the scope of sex trafficking and forced labor in Cuba given sparse independent monitoring by NGOs and international organizations.

Police encouraged child sex trafficking victims younger than the age of 16 to assist in prosecutions of traffickers by gathering testimony through psychologist-led videotaped interviewing, usually removing the need for children to appear in court. Observers reported law enforcement did not proactively screen for indicators of trafficking as police may have detained individuals in prostitution or charged them with crimes such as "social dangerousness," thereby potentially penalizing some victims for unlawful acts their traffickers coerced them to commit. Cuban law permitted courts to order restitution be paid to victims, but the government did not report any such orders in 2017. The government did not identify any foreign trafficking victims in Cuba in 2017.

PREVENTION

The government did not make efforts to prevent forced labor, but did make efforts to prevent sex trafficking. The government reported it continued to implement its national anti-trafficking action plan for 2017-2020, which included some efforts to prevent trafficking, protect victims, investigate and prosecute traffickers, and promote international cooperation. The plan required the government to establish indicators to assess progress and an overall assessment in 2020, but such indicators were not made public. The government published its sixth annual report of anti-trafficking efforts in December 2018, covering 2017 and the first quarter of 2018. International observers noted challenges in coordination across the government and with civil society, but the government did not report whether it had established a permanent interagency committee. The Ministry of Justice led an informal working group to combat trafficking comprising various ministries and law enforcement. As in prior years, the government held training sessions for government employees, teachers and school administrators, police officers, tourist industry employees, prosecutors, judges, and parents on prevention and detection of trafficking. The government and the FMC continued to operate a 24-hour telephone line for individuals needing legal assistance, including sex trafficking victims, but did not report whether any calls in 2017 led to trafficking investigations or identifying victims, or whether it implemented the UN special rapporteur's recommendation for specialized trafficking training and multilingual staff.

State media continued to produce newspaper articles and television and radio programs, including a new public service announcement, to raise public awareness about sex trafficking. The FMC raised public awareness through workshops and training with social workers, educators, and students, and the distribution of materials explaining trafficking and risks associated with it. Authorities maintained an office within the Ministry of Tourism charged with monitoring Cuba's image as a tourism destination, combating sex tourism, and addressing the demand for commercial sex acts. The Ministry of Tourism also reported training law enforcement officials assigned to the tourism sector to identify cases during inspections of state-owned hotels and tourist facilities, but authorities did not identify any cases in 2017. The ministry monitored foreign tour companies and travel agencies, whose employees may be held accountable for marketing the country as a sex tourism destination or for trafficking offenses, but the ministry identified no such employees in 2017. The Ministry of Labor and Social Security offered training to labor inspectors to detect trafficking, but the ministry did not identify forced labor among the 1,573 labor violations in 2017. The government reported taking steps to identify and prevent young people who might be vulnerable to traffickers from traveling abroad. The government did not implement policies to prohibit force, fraud, or coercion by foreign labor recruiters and state-owned or controlled enterprises in recruiting and retaining employees, despite persistent allegations Cuban officials threatened and coerced some participants to remain in the foreign medical mission program.

TRAFFICKING PROFILE

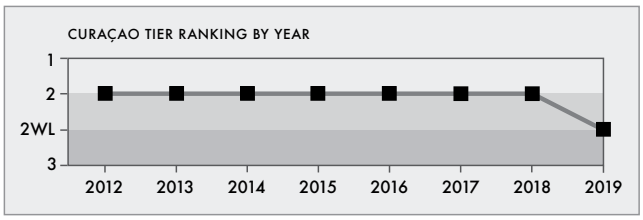
As reported over the past five years, human traffickers exploit domestic and foreign victims in Cuba, and traffickers exploit victims from Cuba abroad. Sex trafficking and sex tourism, including child victims, occur within Cuba. Traffickers exploit Cuban citizens in sex trafficking and forced labor in South America, the Caribbean, and the United States. Traffickers exploit foreign nationals from Africa and Asia in sex trafficking and forced labor in Cuba to pay off travel debts. According to statements from government officials, the government employed between 34,000-50,000 healthcare professionals in more than 60 countries in Africa, the Americas, Asia, the Middle East, and Portugal in foreign medical missions through contracts with foreign governments and, in some countries, with international organizations serving as intermediaries. In November 2018, Cuba ended the five-year-old "*Mais Medicos*" medical mission program in Brazil, which was facilitated by a UN-affiliated organization, following demands from Brazil's then president-elect to improve the treatment and employment conditions of Cuban healthcare professionals after allegations of coercion, non-payment of wages, withholding of passports, and restrictions on their movement. In November 2018, Cuban healthcare workers filed a class action in the U.S. District Court Southern District of Florida under the Trafficking Victims Protection and the Racketeering Influenced and Corrupt Organization Acts alleging the Cuban government profited from the export of healthcare professionals; the case remains pending. In Brazil, the Cuban government collected revenue for each professional's services and paid the worker a fraction of the revenue depositing a large percentage of the worker's wages in an account in Cuba only accessible upon completion of the mission and return to Cuba. The Cuban government collected approximately 7.2 billion pesos ($7.2 billion) in annual revenue from the export of services, including foreign medical missions in 2017. Some participants in foreign medical missions as well as other sources allege Cuban officials force or coerce participation in the program; the government has stated the postings are voluntary, and some participants also have stated the postings are voluntary and well-paid compared to jobs within Cuba. Observers report the government does not inform participants of the terms of their contracts, making them more vulnerable to forced labor. The Cuban government acknowledges that it withholds passports of overseas medical personnel in Venezuela; the government provided identification cards to such personnel. Some Cuban medical personnel claim they work long hours without rest and face substandard working and living conditions in some countries, including a lack of hygienic conditions and privacy. Observers note Cuban authorities coerced some participants to remain in the program, including by withholding their passports, restricting their movement, using "minders" to conduct surveillance of participants outside of work, threatening to revoke their medical licenses, retaliate against their family members in Cuba if participants leave the program, or impose criminal penalties, exile, and family separation if participants do not return to Cuba as directed by government supervisors. The government uses some high school students in rural areas to harvest crops and does not pay them for their work but claims this work is voluntary.

CURAÇAO: TIER 2 WATCH LIST[†]

The Government of Curaçao does not fully meet the minimum

[†] *Curaçao is an autonomous entity within the Kingdom of the Netherlands. For the purpose of this report, Curaçao 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 Curaçao would be assessed if it were a separate, independent country.*

standards for the elimination of trafficking but is making significant efforts to do so. These efforts included investigating more cases, including one for official complicity, and identifying and assisting more victims. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Authorities detained and deported victims, including Venezuelans, who did not immediately agree to cooperate in the case against their traffickers and did so without referring them to care services or without consideration of possible abuse in their home country. The government did not vigorously prosecute trafficking cases and did not convict any traffickers. Therefore Curaçao was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Provide potential victims who chose to not cooperate with law enforcement in the case against their traffickers with legal alternatives to deportation, especially where victims face harm or abuse in their home country. • Amend the National Action Plan to allow assistance provision to victims even when they choose to not cooperate with law enforcement in the case against their traffickers. • Refer victims to care services where they can begin rehabilitation before requiring victims assist a criminal investigation. • Vigorously prosecute trafficking cases and convict and punish traffickers, including government officials complicit in trafficking, with adequate penalties, which should include significant prison terms. • Provide services for potential victims of sex trafficking and forced labor, even when they choose to not cooperate in the prosecution of their traffickers. • Amend existing legislation to prescribe penalties for sex trafficking offenses to be commensurate with penalties prescribed for other serious crimes, such as rape. • Increase proactive victim identification among vulnerable populations, such as migrants, individuals in prostitution, and those in detention facilities. • Provide foreign victims easier access to work permits to incentivize them to stay and assist law enforcement. • Disseminate standard operating procedures for victim identification and referral to law enforcement and detention facility staff and train officials on their use. • Provide specialized care and assistance for trafficking victims, including male victims. • Allocate sufficient resources for anti-trafficking efforts, including protection services and funding for the implementation of the national anti-trafficking action plan. • Provide targeted training and resources for local officials to conduct outreach to vulnerable migrant communities through awareness campaigns focused on workers' rights, trafficking indicators, and available resources.

PROSECUTION

The government maintained prosecution efforts. Article 2:239 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to nine years' imprisonment or a fifth category fine of up to $56,000 for offenses involving a victim 16 years of age or older, and up to 12 years' imprisonment or a fine for those involving a victim under the age of 16. These penalties were sufficiently stringent; however, with respect to sex trafficking these penalties were not commensurate with those prescribed for other serious crimes, such as rape. Authorities investigated four cases of potential trafficking, compared with zero in 2017; three of the four investigations remained active at the end of the reporting period, while prosecutors indicted the individual in the fourth case for providing employment to undocumented migrants and sentenced him to community service and a fine. Despite strong indicators of forced labor, authorities did not collect sufficient evidence to prove trafficking and the case was not convicted under the trafficking statute, compared with two individuals prosecuted and convicted in 2017 who received suspended jail sentences and three years of probation. The government investigated a case involving a police officer believed to be complicit in the alleged trafficking of 18 Venezuelan nationals; the case remained open at the end of the reporting period. The government folded its trafficking unit into a newly created unit tasked with combating transnational crime. The Office of the Attorney General provided training for all members of the Public Prosecutor's Office on investigations and the legal challenges of trafficking cases. Law enforcement officials, including police and immigration personnel participated in an annual regional training event focused on investigations of trafficking crimes. As customary, participants signed an MOU reaffirming their commitment to combat trafficking and to conduct a minimum of four trafficking investigations a year; authorities reported difficulty meeting this benchmark due to lack of personnel.

PROTECTION

The government increased the number of victims identified, but protection efforts were inadequate. In 2018, there was a mass influx of Venezuelan migrants and refugees overstaying their visa and working illegally, which likely affected Curaçao's efforts to combat trafficking. During the reporting period, the government conducted an increased number of immigration and law enforcement operations that led to the detention of undocumented individuals, many identified as potential victims. Authorities identified 44 potential victims (five in 2017): 16 potential victims of sex trafficking, 10 of forced labor, and 18 of both. Forty three of the potential victims identified were Venezuelan, and one was Jamaican. Assistance for victims was contingent on cooperation with law enforcement in the case against their traffickers. Eleven chose to assist law enforcement with investigations while authorities detained and deported 33 to their country of origin. Of the 11, nine received shelter and residency permits, and authorities deported two who withdrew their willingness to cooperate, despite expressing fear of reprisal and frustration over their inability to work. Through a separate administrative process, victims were eligible to apply for temporary work permits; however, many victims could not afford the cost. Front-line responders used standard operating procedures on victim identification and referral; however, it was unclear if detention facility staff received training on their use. The government did not operate any specialized shelters for trafficking victims; however, authorities provided some funding to NGOs and international organizations to assist victims in need of care. NGOs could host female trafficking victims in shelters for women victims of domestic violence, which restricted victims' movements if authorities deemed their safety was at risk. During the reporting period, authorities reported placing victims who received temporary residence in short-term government-funded apartments since existing shelter facilities had reached maximum capacity. The government referred child victims of trafficking to guardianship councils for placement in boarding school or foster care; the government did not report how many children it identified or assisted. Authorities

reported difficulty finding shelter services for male victims due to budget constraints. The government detained and deported identified victims who were in the country illegally and did not cooperate with law enforcement in the case against their traffickers for crimes traffickers compelled them to commit, including Venezuelans nationals.

PREVENTION

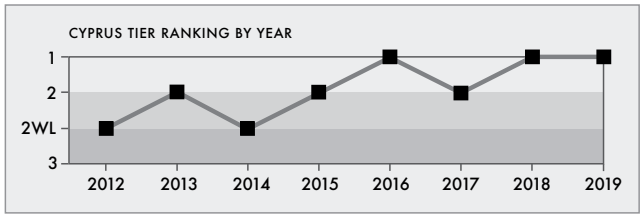
The government maintained insufficient prevention efforts. The government continued to use the 2017-2021 national action plan but did not establish a dedicated budget for its implementation. The Public Prosecutor's Office and the Ministry of Social Affairs began research on the prevalence of child trafficking, including risk factors and recruitment tactics used by perpetrators. The government continued the awareness campaign meant to dissuade Venezuelan women from traveling to Curaçao to work in bars and dance venues where they were vulnerable to trafficking. The government operated a victim assistance hotline but did not receive any trafficking tips during the reporting period. The government continued to regulate the open-air brothel, Campo Alegre, and it kept an official registry of individuals working there. The government provided routine medical screenings, residency, and work permits. The government did not report efforts to reduce demand for commercial sex or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Curaçao. Traffickers exploit Curaçaoan and foreign women and girls, mainly Dominicans and Venezuelans in sex trafficking, as well as migrant workers from other Caribbean countries, South America, China, and India in forced labor in construction, landscaping, minimarkets, retail, and restaurants. Undocumented migrants are at particular risk, including the influx of Venezuelan nationals.

CYPRUS: TIER 1

The Government of Cyprus fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Cyprus remained on Tier 1. These efforts included prosecuting more traffickers and increasing funds to the government-run shelter. The government strengthened child protection measures by opening a children's house to provide support services to child victims and allocating funds to an NGO to operate a day care center for children of trafficking victims. The government also strengthened prevention efforts by admitting four NGOs into the Multidisciplinary Coordinating Group and commissioning a study to identify gaps in prosecutions. Although the government meets the minimum standards, it did not convict any traffickers for sex trafficking or forced labor and court proceedings continued to face delays. Administrative issues, particularly within the Social Welfare Service, hindered victim assistance measures, such as slow responses to referrals of potential trafficking victims and delays in financial assistance.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers under Law 60(I) and impose significant prison terms on convicted traffickers. • Reduce delays in accessing assistance, including rental disbursements and financial assistance. • Respond to referrals of potential trafficking victims in a timely manner and increase access to support for victims identified outside of business hours of support service providers. • Proactively identify victims among vulnerable populations, including migrants, asylum-seekers, and agricultural workers. • Provide legal tools and capacity for police to collect sufficient evidence. • Reduce delays in court proceedings. • Strengthen the capacity of the Labor Inspectorate to identify and refer victims of forced labor. • Improve victim-centered investigations and prosecutions and implement witness protection measures when necessary. • Adopt a national action plan. • Develop a robust monitoring and evaluation framework for anti-trafficking policies and efforts.

PROSECUTION

The government maintained law enforcement efforts. Law 60(I) of 2014 criminalized sex trafficking and labor trafficking and prescribed penalties of up to 10 years' imprisonment for offenses involving an adult victim and up to 20 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. The police investigated 32 suspected traffickers (38 in 2017); 26 suspects and a company for sex trafficking and six for forced labor, including four for forced begging (29 suspects for sex trafficking, five for forced labor, and four for both sex and labor trafficking in 2017). The government also investigated eight suspects for forced marriage (four in 2017), which authorities considered to be trafficking under their law. The government prosecuted 30 defendants (three in 2017), 27 defendants and two companies for sex trafficking and three for forced labor. The government also prosecuted 16 defendants for forced marriage. Courts convicted three traffickers prosecuted under the trafficking article with other offenses, including money laundering, exploitation of prostitution, and maintaining a brothel (eight in 2017 and one in 2016). Courts also convicted one perpetrator for forced marriage, which authorities considered to be trafficking under their law.

The Ministry of Justice and Public Order maintained an anti-trafficking unit (ATU) that conducted proactive investigations. ATU reported the absence of legislation allowing the use of electronic surveillance hampered their ability to collect sufficient evidence and corroborate victim-witness testimonies. ATU and the Internal Affairs Unit arrested and prosecuted four immigration police officers on suspicion of aiding a criminal network involved in trafficking. The Police Academy continued to train police officers on trafficking issues, including new recruits, immigration police, and community police. The government, separately and with technical assistance from international organizations and NGOs, organized 29 training

programs for police officers. The government extradited one suspected trafficker to Israel and one to Belarus and conducted joint investigations with Cameroon, China, Poland, and the United Kingdom. The government and Israel signed a cooperation agreement on public security issues, including trafficking.

PROTECTION

The government maintained victim protection efforts. The government identified 31 victims (27 victims in 2017); 21 victims of sex trafficking, eight victims of both sex trafficking and forced labor, and two victims of forced labor (18 victims of sex trafficking, eight victims of forced labor, and one victim of both sex trafficking and forced labor in 2017); 30 female victims and one male victim (21 female victims and six males in 2017); no child victims (one victim was a boy in 2017). The government also identified five victims of forced marriage, which authorities considered to be trafficking under their law. A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures for identifying and referring victims to services, including an operational manual and written guidance for first responders. The NRM required first responders to conduct preliminary identification of potential victims and refer potential victims to the Social Welfare Services (SWS). SWS officers provided potential victims with information and notified the ATU, who officially identified victims. The government approved a standardized form for referrals to SWS. However, NGOs reported SWS sometimes did not respond in a timely manner to referrals of potential trafficking victims, leading to delays in their formal identification, and some lacked access to adequate accommodations and financial assistance during this time. In addition, a lack of communication between law enforcement and SWS caused tension between the two agencies and slowed victim identification procedures. The ATU interviewed 111 potential victims through SWS (80 in 2017); the government referred 74 potential victims and NGOs referred 37 potential victims (the government referred 64 potential victims, NGOs referred 10, two self-identified, and the public identified five in 2017). Observers reported the ATU lacked transparency in the identification process, while authorities reported using internal identification manuals based on international standards and guidelines. Specialized personnel in the police anti-trafficking unit, including a forensic psychologist, conducted interviews with potential and identified victims before taking an official statement. Observers continued to report potential forced labor victims remained undetected; government and NGOs referred six agricultural workers as potential victims. Observers also reported a lack of proactive identification efforts at the Kofinou Reception Center and reported anecdotal accounts of exploitation; government and NGOs referred 48 asylum-seekers as potential victims. SWS assigned an on-call officer outside of working hours during weekends to provide emergency accommodation and financial support to potential victims, but observers noted the NRM was not fully functional on weekends and the on-call SWS officer did not deem potential trafficking cases as an emergency. The government, in cooperation with an NGO, trained social welfare officers on proactive identification.

The government allocated €280,000 ($321,100) to operate the SWS-run shelter, compared to €265,770 ($304,790) in 2017. This amount did not include salaries for the SWS-run shelter staff. The government allocated €213,420 ($244,750), compared to €263,550 ($302,230) in 2017, for rent allowances and financial assistance to trafficking victims through a public benefit scheme known as Guaranteed Minimum Income. In addition, the government allocated €25,000 ($28,670) for emergency rent and assistance to cover urgent needs. SWS evaluated the needs of victims and potential victims and referred them to the appropriate government agencies and NGOs for assistance. SWS operated a specialized shelter for female sex trafficking victims with the capacity to accommodate 15 victims; the SWS-run shelter accommodated 69 official and potential victims (30 in 2017). Victims may stay for one month or longer, as appropriate, in the shelter for a reflection period. The SWS-run shelter allowed adult victims to leave the shelter voluntarily after an assessment conducted by ATU. The government maintained a memorandum of cooperation with an NGO to manage an open house for female sex trafficking victims, which accommodated recognized sex trafficking victims while searching for permanent residence after leaving the state-run shelter and also provide longer-term accommodation for female victims in apartments. The government allocated €62,000 ($71,100) to the NGO, compared to €60,000 ($68,810) in 2017. The government allocated another €10,000 ($11,470) to the NGO to operate a day care center for children of trafficking victims. The government also provided a rent subsidy and a monthly allowance for all victims and partnered with NGOs to provide apartments for male victims; however, victims experienced delays in rent disbursements resulting in the eviction of one victim and landlords' threats of eviction for other victims.

The law entitled victims to psycho-social services, health care, translation and interpretation services, education, vocational training, and financial assistance. The government trained health care professionals on the mental health care for sex trafficking victims and all staff at the government-run shelter participated in monthly training sessions from Ministry of Health clinical psychologists. Observers reported good quality of service at the government-run shelter, health care services, and labor offices; however, victims continued to rely heavily on NGOs to help navigate cumbersome SWS procedures to access support services. Employment counselors trained to handle sensitive cases sought suitable employment for each victim. The government opened a children's house in 2018 to provide education, placement into foster homes, and specialized medical and psycho-social care for child victims of sexual abuse and exploitation, including trafficking. In the previous years, the government streamlined the process for providing financial support to victims and prioritized public benefit applications from trafficking victims; however, observers reported victims still waited approximately four months to receive benefits with no retroactive payments. Victims received emergency financial assistance in cases of delayed distribution of monthly allowances, but the amount was insufficient to cover basic necessities. The government voluntarily repatriated or granted residence permits and work authorization to foreign victims including those who decided after their reflection period not to cooperate with the police. The government extended the residence and work permit for six victims (three in 2017) and granted asylum to two victims (four in 2017).

Twenty-seven victims assisted law enforcement in investigations (26 in 2017). The government permitted victims to leave Cyprus and return for trial, and police remained in contact with victims while they were abroad; no victims left Cyprus and returned to testify in trial in 2018 (two in 2017). The law entitled victims to witness protection through a request made by the police to the Attorney General; no requests were made in 2017 or 2018. Police officers escorted victims to court proceedings, but in previous years, police sometimes did not share information and updates on court procedures or did not keep appointments

at promised times, creating anxiety among victims. Observers reported key witnesses left the country before trial due to long delays, hindering prosecution efforts. The law allowed courts closed-door trials, a partition to separate victims from their traffickers, remote testimony, and the use of video-recorded testimonies for child victims; however, courts used none of the methods in 2017 or 2018. Prosecutors and judges did not seek restitution in criminal cases and required victims to pursue compensation through civil suits; 10 victims applied for legal aid to pursue civil suits.

PREVENTION

The government increased prevention efforts. The Multidisciplinary Coordinating Group (MCG) to combat trafficking, comprising relevant government agencies and NGOs, met twice (once in 2017) and admitted four NGOs into the group. The government did not adopt the 2019-2021 national action plan. The Ministry of Justice and police commissioned a study with a university to identify gaps in investigating and prosecuting trafficking cases. The Ombudsman accepted the role of external evaluator of the government's anti-trafficking policies in response to observers reporting a need for an independent evaluation of anti-trafficking policies and programs but had not assumed the role pending a formal amendment to the trafficking law. The government continued to print and distribute brochures in 11 languages aimed at potential victims on their rights and assistance available to them. The Ministry of Labor (MOL) inspected 128 employment agencies (122 in 2017) and revoked the licenses of six employment agencies for labor violations (10 in 2017). MOL also imposed a fine on one employment agency for fraudulent recruitment (three in 2017) and police separately investigated one case involving an employment agency (three in 2017). The Ministry of Interior implemented a new contract for employment of domestic workers and defined the process by which the employee or the employer could terminate the contract. In addition, the contract set a €309 ($354) minimum salary for domestic workers and required employers to be responsible for accommodation, medical insurance, meals, visa fees, travel expenses, and repatriation ticket. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Cyprus. Victims identified in Cyprus in 2018 were from Bulgaria, Cameroon, China, Cyprus, Ethiopia, The Gambia, India, Latvia, Moldova, Ukraine, Nigeria, Romania, Russia, Uzbekistan, and Vietnam. Traffickers subject women, primarily from Eastern Europe, Vietnam, India, and sub-Saharan Africa, to sex trafficking. Sex trafficking occurs in private apartments and hotels, on the street, and within commercial sex outlets in Cyprus, including bars, pubs, coffee shops, and cabarets. Traffickers recruit some female sex trafficking victims with false promises of marriage or work as barmaids or hostesses. Traffickers subject foreign migrant workers—primarily from South and Southeast Asia—to forced labor in agriculture. Migrant workers subjected to labor trafficking are recruited by employment agencies and enter the country on short-term work permits; after the permits expire, they are often subjected to debt-based coercion, threats, and withholding of pay and documents. Domestic workers from India, Nepal, the Philippines, and Sri Lanka are vulnerable to forced labor. Traffickers subject asylum seekers from Southeast Asia, Africa, and Eastern Europe to forced labor in agriculture and domestic work. Unaccompanied children, children of migrants, Roma, and asylum seekers are especially vulnerable to sex trafficking and forced labor. Romani children are vulnerable to forced begging.

AREA ADMINISTERED BY TURKISH CYPRIOTS

The northern area of Cyprus is administered by Turkish Cypriots. In 1983, the Turkish Cypriots proclaimed the area the independent "Turkish Republic of Northern Cyprus" ("TRNC"). The United States does not recognize the "TRNC," nor does any other country except Turkey. If the "TRNC" were to be assigned a formal ranking in this report, it would be Tier 3. The area administered by Turkish Cypriots continues to be a zone of impunity for human trafficking. Turkish Cypriot authorities do not fully meet the minimum standards for the elimination of trafficking and are not making significant efforts to do so. Turkish Cypriots did not keep statistics on law enforcement efforts against trafficking offenders. The area administered by Turkish Cypriots lacked shelters and social, economic, and psychological services for victims. Local observers reported authorities were complicit in facilitating trafficking, and "police" continued to retain passports upon arrival of women working in nightclubs. The "Nightclubs and Similar Places of Entertainment Law of 2000" provided the most relevant legal framework via-a-vis trafficking and stipulated nightclubs may only provide entertainment such as dance performances. "Parliament" passed the 2000 UN TIP Protocol in April 2018. Additionally, trafficking-related cases could be tried under the "TRNC criminal code," which prohibited living off the earnings of prostitution or encouraging prostitution and forced labor. However, Turkish Cypriots rarely enforced this law and rarely prosecuted nightclub owners, bodyguards, or clients. In 2017, "police" arrested the owner of a nightclub and tried him for "encouraging prostitution" and "living off the earnings of prostitution," and in October 2018, the "Ministry of Interior (MOI)" prevented five nightclub owners with criminal records from recruiting women on hostess and barmaid "permits." Additionally, in February 2018, the Mayor of Nicosia Turkish Municipality closed four nightclubs, citing the absence of established "legal" frameworks and reports of sexual exploitation, and continued to deny "permit" renewals to the four nightclubs. After a "court" denied the nightclub owners' lawsuit against the municipality, two of the "nightclubs" moved to other localities and the other two ceased operating. The authorities made no efforts to punish labor recruiters or brokers involved in the recruitment of workers through knowingly fraudulent employment offers or excessive fees for migration or job placement. There was no "law" that punished traffickers who confiscate workers' passports or documents, change contracts, or withhold wages to subject workers to servitude.

Turkish Cypriot authorities did not allocate funding to anti-trafficking efforts, "police" did not receive training to identify victims, and authorities provided no protection to victims. "Police" confiscated passports of foreign women working in nightclubs and issued them identity cards, reportedly to protect them from abuse by nightclub owners who confiscated passports. Observers reported women preferred to keep their passports, but "police" convinced them to render passports to avoid deportation. Foreign victims who voiced discontent about the treatment they received were routinely deported. The "government" reportedly allowed trafficking victims serving as material witnesses against a former employer to find new employment and resided in temporary accommodation arranged by the "police," but experts reported women were accommodated at nightclubs. The Turkish Cypriot authorities did not encourage

victims to assist in prosecutions against traffickers and deported all foreign victims. If the police requested a victim to stay to serve as a witness, the "law" required the "police" to provide temporary accommodation; however, the only shelter for trafficking victims closed in July 2016.

During the reporting period, "TRNC" authorities issued 1,605 six-month "hostess" and "barmaid" "work permits" for individuals working in nightclubs and two pubs operating in the north (1,084 in 2017). As of March 2019, there were 319 women working under such "permits" (400 as of January 2018). Nightclub owners hired female college students to bypass the cap on the number of employees legally permitted in each club and avoid taxes and monitoring. Observers reported authorities did not consistently document the arrival of women intending to work in nightclubs. Most permit holders came from Belarus, Moldova, Morocco, Russia, and Ukraine, while others came from Armenia, Kazakhstan, Kenya, Kyrgyzstan, Paraguay, Tajikistan, Tanzania, and Uzbekistan. Reportedly, some "parliament" members were clientele of the nightclubs. Women were not permitted to change location once under contract with a nightclub, and Turkish Cypriot authorities deported 638 women (331 in 2017) who curtailed their contracts without screening for trafficking. While prostitution is illegal, female nightclub employees were required to submit to weekly health checks for sexually transmitted infections, suggesting recognition and tacit approval of prostitution. Victims reported bodyguards at the nightclubs accompanied them to "health and police checks," ensuring they did not share details of their exploitation with "law enforcement" or doctors. The "law" that governed nightclubs prohibited foreign women from living at their place of employment; however, most women lived in dormitories adjacent to the nightclubs or in other accommodations arranged by the owner. The "Nightclub Commission," composed of "police" and "government officials" who regulate nightclubs, prepared brochures on employee rights and distributed them to foreign women upon entry. The "Nightclub Commission" met monthly and made recommendations to the "MOI" regarding operating licenses, changes to employee quotas, and the need for intervention at a particular establishment. The "Nightclub Commission" reportedly inspected approximately five nightclubs every two weeks and followed up on complaints; however, in practice, inspections focus on the sanitation of kitchens and interviews with women working in nightclubs always took place in front of nightclub bodyguards or staff, preventing potential trafficking victims from speaking freely. The "Social Services Department" in the "Ministry of Labor" continued to run a hotline for trafficking victims; however, it was inadequately staffed by one operator who had not received any training on trafficking. An expert reported trafficking victims were afraid to call the hotline because they believed it was linked to authorities. Authorities deported 40 female nightclub workers after having sought help from the authorities due to complaints regarding their working conditions (47 in 2017). During the reporting period, the "TRNC" issued 3,143 work permits to domestic workers (945 in 2017). Turkish Cypriots made no efforts to reduce demand for commercial sex acts or forced labor.

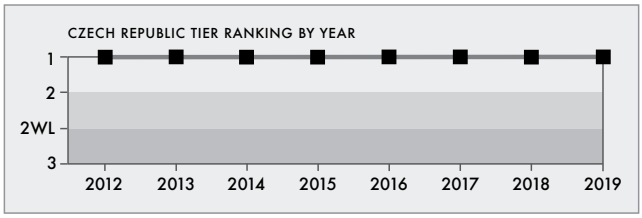
As reported over the past five years, human traffickers exploit domestic and foreign victims in "TRNC." Traffickers subject women from Central Asia, Eastern Europe, and Africa whom traffickers subject to sex trafficking in nightclubs licensed and regulated by the Turkish Cypriot administration. Nightclubs provide a source of tax revenue for the Turkish Cypriot administration; media reports in 2015 estimated nightclub owners paid between 20 million and 30 million Turkish lira ($3.79 million and $5.68 million) in taxes annually. This presents a conflict of interest and a deterrent to increased political will to combat trafficking. Men and women are subjected to forced labor in industrial, construction, agriculture, domestic work, restaurant, and retail sectors. Victims of labor trafficking are controlled through debt bondage, threats of deportation, restriction of movement, and inhumane living and working conditions. Labor trafficking victims originate from China, Nigeria, Pakistan, Philippines, Turkey, Turkmenistan, Vietnam, and Zimbabwe. Migrants, especially those who cross into the Turkish Cypriot community after their work permits in the Republic of Cyprus have expired, are vulnerable to labor trafficking. Romani children and Turkish seasonal workers and their families are also vulnerable to labor exploitation. Women issued permits for domestic work are vulnerable to forced labor. Men and women enrolled as university students, particularly from sub-Saharan African countries, are vulnerable to sex trafficking and forced labor. As in previous years, observers reported that a number of women, some of whom may be trafficking victims, entered the "TRNC" on three-month tourist or student visas and engaged in prostitution in apartments in north Nicosia, Kyrenia, and Famagusta. Migrants, asylum-seekers, refugees, and their children are also at risk for sexual exploitation.

RECOMMENDATIONS FOR TURKISH CYPRIOT AUTHORITIES:

Enact "legislation" prohibiting all forms of human trafficking. • Screen for trafficking victims, including in nightclubs and pubs. • Increase transparency in the regulation of nightclubs and promote awareness among clients and the public about force, fraud, and coercion used to compel prostitution. • Provide funding to NGO shelters and care services for the protection of victims; investigate, prosecute, and convict "officials" complicit in trafficking. • Provide alternatives to deportation for victims of trafficking. • Acknowledge and take steps to address conditions of forced labor, including among domestic workers.

CZECH REPUBLIC: TIER 1

The Government of the Czech Republic fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Czech Republic remained on Tier 1. These efforts included convicting more traffickers, issuing significant prison terms to most convicted traffickers, providing comprehensive care for victims, and enhancing coordination among law enforcement and officials at regional and local levels. Although the government meets the minimum standards, judges and prosecutors continued to enforce the trafficking law unevenly and sometimes prosecuted trafficking crimes under the pimping statute, which resulted in no prison time for the majority of convicted offenders under that statute. The government did not obtain a labor trafficking conviction. The government did not effectively screen vulnerable populations for trafficking and failed to adequately identify domestic or foreign victims. Data collection by law enforcement was insufficient; police reported the lowest number of victims identified since 2008. In some cases, the courts suspended the sentences of convicted traffickers, weakening the deterrent effect of the penalties. Labor inspectors remained underutilized in victim identification efforts.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to effectively screen vulnerable populations and identify domestic and foreign victims and refer them to services. • Continue training first responders, including labor inspectors, police, and state contracting officers, on sex and labor trafficking victim identification criteria and on evolving trends in labor trafficking. • Vigorously investigate and prosecute suspected offenders of both sex and labor trafficking using the anti-trafficking statute, and sentence convicted traffickers to significant prison terms. • Improve and reform law enforcement data collection efforts, including by disaggregating sex and labor trafficking case data, and comprehensively report victim data, particularly on victims who do not participate in the Ministry of Interior (MOI) program. •Streamline identification procedures and specialized crisis and long-term case management and increase availability of services for children. • Increase training for prosecutors and judges on the severity of the crime and on applying the anti-trafficking statute to protect victims and ensure convictions result in significant sentences. • Train prosecutors and judges on the irrelevance of a victim's initial consent when proving a trafficking crime and utilize victim protection programs for trafficking victims. • Enhance collaboration between the labor inspectorate and police in order to effectively identify potential labor trafficking cases. • Improve victims' ability to access court-ordered restitution in criminal cases and compensation through civil proceedings.

PROSECUTION

The government increased law enforcement efforts. Section 168 of the criminal code criminalized sex trafficking and labor trafficking and prescribed punishments of two to 10 years' imprisonment. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government prosecuted some sex trafficking offenses as pimping; this occasional misapplication of the law was inconsistent with its international commitments. Section 189 prescribed penalties ranging from six months' to four years' imprisonment, a ban on business activities, or a sentence of forfeiture of property, which were significantly lower than the penalties prescribed under Section 168. Section 204 of the old criminal code prescribed penalties for at most three years, which were significantly lower than the penalties prescribed under Section 168.

In 2018, police initiated 13 trafficking investigations (16 in 2017 and 22 in 2016). Authorities prosecuted 18 defendants under section 168 (16 in 2017 and 19 in 2016). Courts convicted 16 traffickers—all for sex trafficking (nine total convictions for sex and labor trafficking in 2017, eight in 2016, and 19 in 2015); 15 perpetrators were Czech and one was Slovak. Courts sentenced three traffickers to prison terms ranging from one to five years and 10 traffickers to prison terms ranging from five to 15 years. Judges suspended the prison sentences of three additional convicted traffickers (three for three years' imprisonment with five years' probation); two of these also had to pay financial penalties of 500,000 koruna ($22,790) and 200,000 koruna ($9,120) respectively. Courts convicted 48 perpetrators (23 in 2017) of pimping; it was not clear whether any of these cases involved sex trafficking crimes. Three convicted perpetrators received prison sentences (one sentence of one to five years and two of five to 15 years). Two received no sentence and 43 received suspended sentences (42 under section 189 and one under sections 204). The government seized 26,000 koruna ($1,180) in assets from suspected traffickers, compared to 630,000 koruna ($28,710) in 2017. Authorities collaborated with foreign governments on four ongoing transnational investigations. The government trained approximately 300 law enforcement officials, labor inspectors, prosecutors, and judges on investigating and prosecuting trafficking crimes, on par with training efforts in 2017.

The organized crime branch of the police was the lead investigative agency for trafficking; regional police were responsible for smaller-scale cases. Regional police directorates generally chose to devote their limited resources to fighting other types of crime, especially crimes deemed easier to solve and achieve a conviction. Law enforcement officials said they more easily identified sex trafficking cases than labor trafficking cases. Observers reported prosecutors and judges pursued trafficking cases unevenly due to lack of familiarity with the elements of the crime. Judges were apt to view labor cases as simple fraud, given the subtle use of coercive practices by perpetrators. The MOI had an online version and distributed 1,200 copies of an updated manual with indicators for identification and available services to police and labor inspectors. MOI organized a meeting of 150 law enforcement, asylum and migration officials, minority liaison officers, and state prosecutors to encourage collaboration and share information on trafficking cases and trends in specific Czech regions. The national labor inspectorate conducted 8,300 inspections, and identified approximately 4,580 illegally employed persons (2,900 in 2017), but did not identify any trafficking victims. The government amended the law to expand the authority of labor inspectors to go beyond inspection of labor documents. Experts reported inconsistent collaboration between regional police and labor inspectors, as well as a need for enhanced training for inspectors on labor trafficking indicators. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained victim protection efforts. Police had chronic weaknesses in data collection. The national police changed its data collection methodology in 2017 making it difficult to compare data on victims. Police reported identifying 11 victims (14 in 2017, 38 in 2016, and 92 in 2015, and 67 in 2014), all female children, representing the lowest number of identified victims reported by the police since 2008; it was unclear whether the children were referred for services. However, the MOI reported a different set of police data; according to the MOI, the police referred 10 adult victims to the assistance program, the largest number since 2013. NGOs referred seven (19 in 2017 and 13 in 2016). There were 17 new victims total (five labor trafficking, two sex trafficking, and 10 both sex and labor trafficking) in the program for victim services (24 in 2017, 14 victims in 2016, four in 2015, and 43 in 2014). Of the victims in the program, nine women were from the Philippines, one woman from Sierra Leone, one man from Romania, and six people—three men and three women—from Czech Republic. The government did not officially recognize victims who did not participate in the MOI's victim assistance program. In 2018, government-funded NGOs provided services to 180 potential

victims (137 in 2017). While the government made some effort to identify foreign victims of labor trafficking among the increasing number of illegally employed foreigners from non-EU countries, observers noted there were persistent weaknesses. The government informed foreign worker populations of their rights, requirements and available job offers all around the country in nine different languages on the Ministry of Labor and Social Affairs' (MLSA) official webpage; however, the webpage lacked awareness information on potential trafficking indicators and available services. Border police and asylum and migration officials did not always proactively screen migrants for indicators of trafficking.

The MOI program, which was administered by an NGO, was available to both foreign and Czech adult male and female victims of sex and labor trafficking regardless of their legal status, and required victims to assist law enforcement if they want to stay in the program after 60 days of support, unless subject to a serious health issue. Foreign victims accepted into the program could receive temporary residence and work visas for the duration of relevant legal proceedings, and apply for long-term residency; two new victims received long-term residency in 2018 (none in 2017). The program provided medical care, psychological and crisis counseling, housing, legal representation, vocational training, and other specialized services. Victims could voluntarily withdraw from the program at any time. Victims unwilling to assist law enforcement were eligible to access MLSA-funded welfare benefits, including housing, in-person and telephone crisis help, social counseling and rehabilitation, a drop-in center for children and youth, and social services for families with children. The MOI-funded NGO managed these benefits for trafficking victims. Only legal residents could access the welfare program, but NGOs could provide most of the services anonymously; therefore, legal status was not usually a limitation for support. During legal proceedings, victims often received a free legal advocate. Although there was a unique national referral mechanism for child and youth victims, observers reported identification procedures, crisis support, and long-term services were insufficient. Municipal-level offices of the department of social and legal protection of children made decisions to place children with an institution or NGO. Child victims received MLSA-funded welfare benefits, such as shelter, food, clothing, and medical and psychological counseling.

The MOI allocated approximately 1.6 million koruna ($72,920) for the victim assistance program and voluntary returns, the same amount as in 2017; the program spent 1.4 million koruna ($63,810). An international organization used some of this funding to repatriate three victims (six in 2017). The MLSA provided an additional 36.37 million koruna ($1.66 million) to support the integration of foreigners and victims of trafficking, compared to 27.5 million koruna ($1.25 million) in 2017, which included funding for welfare benefits provided by NGOs to trafficking victims not in the MOI program. Some experts noted a lack of funding for victim housing, especially female victims with more than one child.

Some experts criticized the Refugee Facility Administration (RFA) for charging a daily fee to some migrants for stays in transit zones; such fees increase the vulnerability of potential victims. The RFA designed a process where potential victims identified in an entrance interview for asylum-seekers would be housed in a guarded facility or, if in immediate danger, referred to NGOs for services; the RFA did not identify any victims in the transit zones in 2017 or 2018.

Victims had the legal option of seeking court-ordered compensation from their traffickers through civil suits and obtaining restitution in criminal proceedings. However, courts rarely issued restitution to victims in criminal cases, and compensation was rare, as victims could not afford attorney fees for a civil suit. To seek civil damages, the law required a finding of criminal misconduct against the defendant. The government ordered one convicted trafficker to pay 50,000 koruna ($2,280) to a victim. NGOs reported concern about potential trafficking victims in custody going unidentified.

PREVENTION

The government increased prevention efforts. The MOI chaired an inter-ministerial body that coordinated national efforts and implemented the 2016-2019 national strategy. A unit in the MOI served as the national rapporteur and prepared a comprehensive annual report on patterns and programs, which it released publicly in June 2018. The government continued to fund an NGO-run hotline to identify victims of trafficking and domestic violence, which operated six hours per day on weekdays. The law did not criminalize confiscation of workers' passports. MOI funds from the victim assistance program were available for prevention campaigns and field work; the government funded an NGO to conduct a public awareness campaign targeted at individuals vulnerable to labor trafficking and exploitation and to implement a project to raise awareness among secondary students. The MOI, along with the national organized crime agency and civil society groups, organized three trainings on combating trafficking for 200 social workers, crime prevention and minority liaison officers, municipal police officers, labor inspectors, and other local government representatives. The MLSA and the labor inspection office websites published information in multiple languages about foreign workers' rights and laws governing the employment of foreigners, and the MLSA organized a series of free one-day trainings for foreign laborers on how to enter the Czech labor market, which were attended by 400 migrant workers. The website also included a registry of available jobs offered by registered recruitment agencies in nine languages. The government trained 40 consular officers before departing for embassies abroad. The government temporarily stopped issuing authorizations for domestic employees of accredited diplomatic personnel in November because several diplomatic households violated their contracts with their domestic employees.

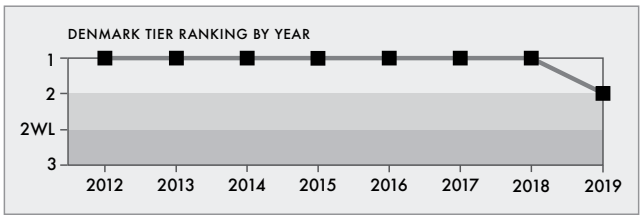
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Czech Republic, and traffickers exploit victims from Czech Republic abroad. Traffickers exploit women, girls, and boys from Czech Republic, Slovakia, Ukraine, Romania, Bulgaria, Nigeria, the Philippines, and Vietnam in sex trafficking in Czech Republic and also transport victims through Czech Republic to other European countries for sex trafficking. Men and women from Czech Republic, Ukraine, Romania, Bulgaria, Moldova, Mongolia, Nigeria, the Philippines, Russia, and Vietnam are subjected to forced labor in Czech Republic, typically through debt-based coercion, in the construction, agricultural, forestry, manufacturing, and service sectors, including in domestic work. Most identified victims in the country are Czech. Law enforcement reported an increase in non-EU victims. NGOs report labor trafficking was more prevalent than sex trafficking. Traffickers subject Romani women from Czech Republic to forced prostitution and forced labor internally and in destination countries, including the United Kingdom. Most traffickers are Czech citizens, and foreign traffickers

often recruit victims from their home countries and work in cooperation with local Czech citizens. Law enforcement report an increase in "marriages of convenience" where Czech women are recruited through sham marriages with non-EU men and then subjected to sex trafficking and/or forced labor. Private, unregistered labor agencies often used deceptive practices to recruit workers from abroad as well as from inside the country.

DENMARK: TIER 2

The Government of Denmark does not fully meets the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included adopting a three-year national action plan and producing guidelines for businesses on preventing forced labor. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. The government initiated only one trafficking investigation during the reporting period, largely due to a reduction in the number of officers responsible for investigating human trafficking crimes. Additionally, courts convicted only one trafficker, the lowest number in more than a decade. The government continued to focus on the undocumented status of some foreign victims rather than screening for indicators of trafficking, often incarcerating them during review of their status. Furthermore, lack of incentives for victims to cooperate in investigations, such as residence permits, inhibited successful prosecutions and left victims vulnerable to re-trafficking and reluctant to come forward and work with police. Therefore Denmark was downgraded to Tier 2.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking cases under the trafficking statute and sentence convicted traffickers to significant prison terms. • Increase the number of police officers investigating trafficking crimes. • Increase incentives for all victims to cooperate in the prosecution of traffickers, including by permitting temporary residency for victims while they assist law enforcement. • Strengthen and streamline victim identification procedures, including by expanding law enforcement efforts to proactively identify and expeditiously transfer potential trafficking victims, especially those without legal status, from police or immigration custody to crisis centers or care providers to facilitate trust among this vulnerable group. • Allow victims receiving assistance to seek employment or temporary work.

PROSECUTION

The government decreased law enforcement efforts. Section 262(a) of the criminal code criminalized sex trafficking and labor trafficking and prescribed punishments of up to eight years' imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Since 2016, the government reassigned a large number of police units to counterterrorism, gang violence, and border security duties, shifting police attention away from trafficking and reducing the number of officers available to conduct investigations. Additionally, in 2018, the head of the police's anti-trafficking unit resigned due to the lack of resources; subsequently, the police folded the unit into the homicide division. Furthermore, police adopted a reactive approach to investigations and were more likely to investigate and charge suspected traffickers for crimes other than trafficking, such as pimping. As a result, during the reporting period, authorities investigated one trafficking case, a decrease from four in 2017, 25 in 2016, and three in 2015. Officials prosecuted three trafficking suspects, compared with two in 2017, three in 2016, and 58 in 2015. Courts convicted one trafficker in 2018, the lowest number of convictions in more than a decade (nine in 2017, 17 in 2016, 12 in 2015), and imposed a sentence of seven years' imprisonment. Experts reported authorities prosecuted limited trafficking cases because of the lack of incentives for victims to cooperate in investigations, escalating a sense of pessimism among police and NGOs about the likelihood of successful prosecutions. Additionally, experts criticized authorities' deficiency to prosecute and convict labor traffickers over the years, despite the significant number of identified victims. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The government's Center against Human Trafficking (CMM) provided police with instructions on trafficking at the police academy and additional training for police who became investigators. CMM also provided guidelines to defense lawyers representing trafficking victims.

PROTECTION

The government decreased protection efforts. Authorities identified 97 trafficking victims in 2018, compared with 98 in 2017. Of these victims, 61 were male, 35 were female, and one identified as transgender. Ten of the identified victims were minors (three in 2017). There were no Danish victims identified, compared with one in 2017. Experts noted authorities identified most victims via periodic police raids, and the trend toward online advertisement of prostitution made identifying sex trafficking victims more difficult. Government guidelines for identifying victims required the involvement of multiple government and law enforcement agencies, requiring several interviews of victims who were kept in detention before referral to NGOs, who stated victim identification methods were convoluted and involved them too late in the process. The government provided a list of indicators for police to reference for initial identification and procedures to guide officials in proactive victim identification. Guidelines required police to call CMM if a suspected victim was in custody. CMM was responsible for formal identification of victims of Danish or EU origin or who were documented migrants, and immigration services were responsible for formal identification of undocumented migrant victims following an initial CMM interview. Officials had the authority to detain potential victims for 72 hours and could extend this period when they needed more time to determine victim status or immigration status, or to identify traffickers. NGOs contended the current laws and political climate encouraged police officers to focus their efforts on addressing migration issues, thus primarily treating victims as undocumented immigrants subject to the justice system. NGOs also contended the onus of victim identification remained on victims rather than officials' proactive identification, and highlighted that many victims came from communities that distrust law enforcement, making them unlikely to self-