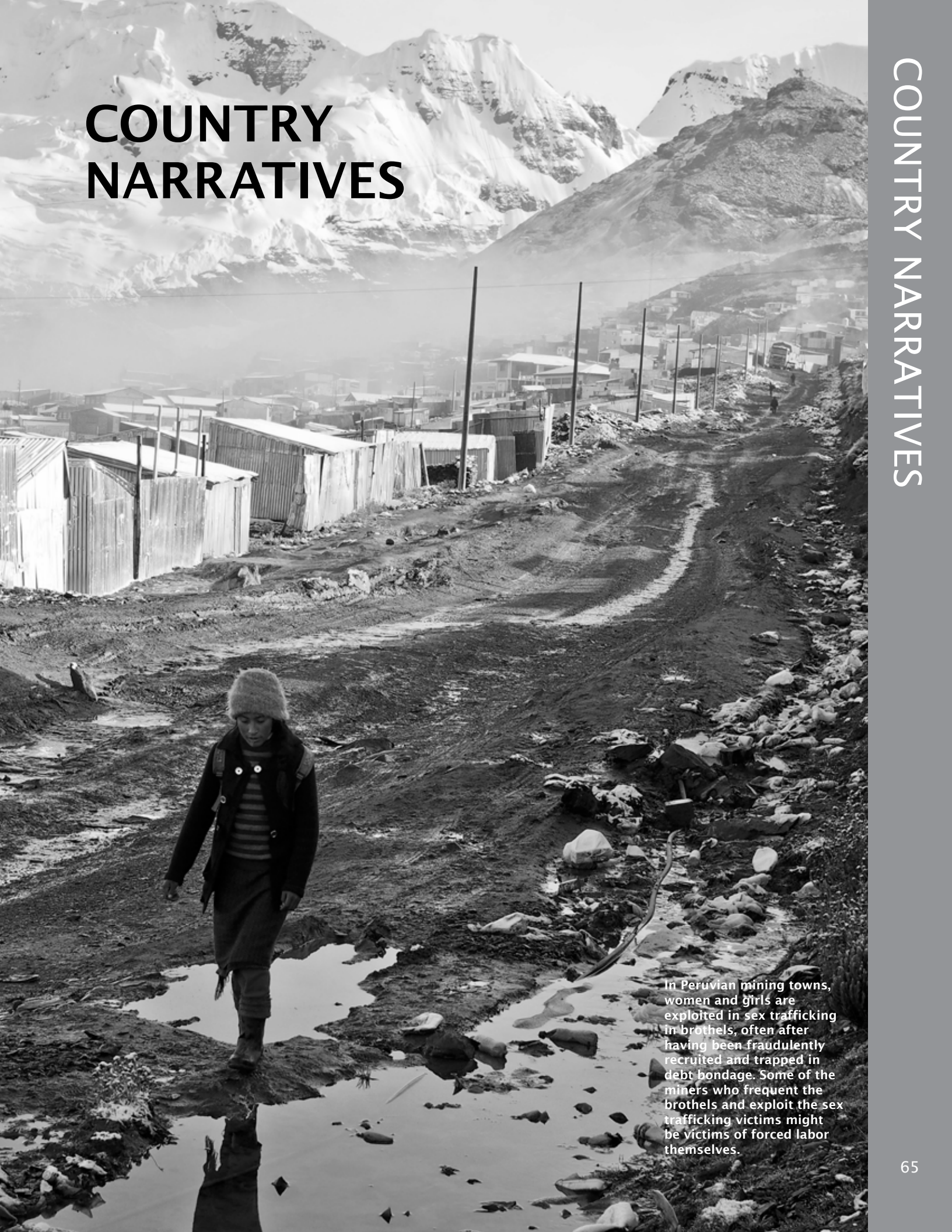


# COUNTRY NARRATIVES



In Peruvian mining towns, women and girls are exploited in sex trafficking in brothels, often after having been fraudulently recruited and trapped in debt bondage. Some of the miners who frequent the brothels and exploit the sex trafficking victims might be victims of forced labor themselves.



## AFGHANISTAN: Tier 2 Watch List

Afghanistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking. Most Afghan trafficking victims are children who end up in carpet making and brick factories, domestic servitude, commercial sexual exploitation, begging, poppy cultivation, transnational drug smuggling, and assistant truck driving within Afghanistan, as well as in the Middle East, Europe, and South Asia. NGOs documented the practice of bonded labor, whereby customs allow families to force men, women, and children to work as a means to pay off debt or to settle grievances, sometimes for multiple generations with children forced to work to pay off their parents' debt. Some Afghan families knowingly sell their children into sex trafficking, including for *bacha baazi*—where men, including some government officials and security forces, use young boys for social and sexual entertainment. There are reports that some law enforcement officials, prosecutors, and judges accept bribes from or use their relationships with perpetrators of *bacha baazi* to allow them to escape punishment. Some families send their children to obtain employment through labor brokers and the children end up in forced labor. Opium-farming families sometimes sell their children to settle debts with opium traffickers. According to the government and the UN, insurgent groups forcibly recruit and use children as suicide bombers. Boys, especially those traveling unaccompanied, are particularly vulnerable to trafficking. Children in orphanages are also particularly vulnerable and were sometimes subjected to trafficking. Some entire Afghan families are trapped in debt bondage in the brick-making industry in eastern Afghanistan. Members of the Shia Hazara minority group were victims of forced recruitment and forced labor.

Men, women, and children in Afghanistan often pay intermediaries to assist them in finding employment, primarily in Iran, Pakistan, India, Europe, or North America; some of these intermediaries force Afghans into labor or prostitution. Afghan women and girls are subjected to sex trafficking and domestic servitude primarily in Pakistan, Iran, and India. The majority of Afghan victims in Pakistan are women and girls subjected to trafficking for the purpose of commercial sexual exploitation, including through forced marriages. 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. Some Afghan boys are subjected to sex trafficking in Greece after paying high fees to be smuggled into the country. In January 2016, an international organization reported the Iranian government and the Islamic Revolutionary Guards Corps (IRGC) coerced male Afghan migrants and registered refugees to fight in Syria in IRGC-organized and commanded militias by threatening them with arrest and deportation to Afghanistan. Some of those coerced into service were boys younger than the age of 18, some as young as 12, and have been used as combatants. Afghan boys are at high risk of sexual abuse by their employers in Iran and harassment or blackmailing by the Iranian security service and other government officials.

There were reports of women and girls from the Philippines, Pakistan, Iran, Tajikistan, Sri Lanka, and China subjected 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,

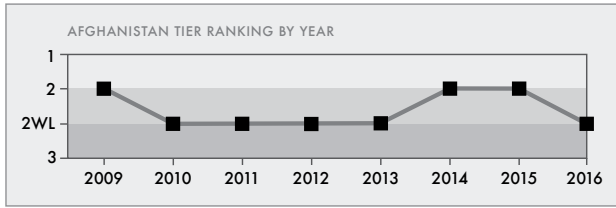
Nepal, India, Iran, Pakistan, and Tajikistan; the recruiters subject these migrants to forced labor after arrival.

In 2015, widespread and credible reporting from multiple sources indicated both the government and armed non-state groups in Afghanistan continued to recruit and use children in combat and non-combat roles. The UN verified and reported an increase in the number of children recruited and used in Afghanistan, mostly by the Taliban and other armed non-state actors. In January 2011, the Afghan government signed an action plan with the UN to end and prevent the recruitment and use of children by the Afghan National Defense and Security Forces (ANDSF), and in 2014, they endorsed a road map to accelerate the implementation of the action plan. Despite these efforts, there are still government cases of recruitment, most notably by the Afghan Local Police (ALP) and National Police (ANP). In a widely publicized case, a 10-year-old boy participated with Afghan local police forces in operations against the Taliban; local authorities publicly recognized the child, whom the Taliban later murdered. The media reported in some cases security force units used children as personal servants or support staff, and for sexual purposes. The abuse and sexual exploitation of children continues to be an issue of serious concern, as members of the Afghan security forces and other groups of non-state actors frequently sexually abuse and exploit young girls and boys.

The Taliban have used children as combatants and combat support personnel since the 1990s, but increased their use in 2015 in conjunction with an increase in the group's operations against the Afghan government. The Taliban have a well-established process of indoctrination and recruitment using religious and military education, and teaching children between the ages of 6 and 13 how to use small arms and produce and deploy improvised explosive devices. Children from impoverished and rural areas, particularly those under Taliban control, are especially vulnerable to recruitment. The children receive food and clothing, and some families receive cash payments or protection in exchange for sending their children to the schools.

The Government of Afghanistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government doubled convictions and increased prosecutions of trafficking-related offenses in 2015. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Afghanistan is placed on Tier 2 Watch List. Victim protection efforts remained inadequate. The government routinely incarcerated, prosecuted, and convicted trafficking victims as criminals for moral crimes. Official complicity remained a serious problem, especially in the sexual exploitation of children by members of the military and police, in spite of public statements by the President and the Ministry of Interior (MOI) condemning the practice; and the recruitment and use of children by Afghan security forces was a concern. However, the government reported no investigations, prosecutions, or convictions of complicit officials. The existing anti-trafficking law does not prohibit all forms of human trafficking, but the government began to revise it, aiming to align definitions of trafficking and smuggling with international law. Law enforcement and judicial officials continued to have a limited understanding of human trafficking, and the government did not develop or employ systematic procedures for the identification and referral of victims to protective services. Government-run shelters for trafficking victims remained closed during the reporting period, although

government officials did refer trafficking victims to shelters run by NGOs on an informal basis.



## RECOMMENDATIONS FOR AFGHANISTAN:

Cease the recruitment and use of children by the Afghan security forces and ensure adequate protection and reintegration support for demobilized children; continue to increase investigations, prosecutions, and convictions under the anti-trafficking law, while respecting due process; investigate and prosecute government officials, law enforcement, and members of the military suspected of being complicit in trafficking and convict and appropriately sentence the perpetrators; cease the penalization of victims for offenses committed as a direct result of being subjected to trafficking, including stopping prosecutions for moral crimes and placement of child trafficking victims in juvenile rehabilitation centers; finalize and enact current draft amendments to the 2008 anti-trafficking law to prohibit and penalize all forms of trafficking in persons; strengthen the capacity of the Ministry of Interior (MOI)'s anti-trafficking/smuggling units, including further increases in the number of staff in each region and ensuring their ability to differentiate between smuggling and trafficking; continue to increase the capacity of the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling (high commission) to coordinate and report on the government's anti-trafficking efforts, and oversee implementation of the anti-trafficking national action plan; as the security situation and access to rural areas allow, educate officials at national, provincial, and local levels on the definition of human trafficking, as well as identification, protection, and law enforcement strategies; improve efforts to collect, analyze, and accurately report counter-trafficking data; implement culturally appropriate long-term victim rehabilitation programs for boys designed for their specialized needs; educate government officials and the public on the criminal nature of *bacha baazi* and debt bondage of children; and proactively inform government officials, especially at the MOI and Ministry of Defense, of the law prohibiting the recruitment and enlistment of minors, and enforce these provisions with criminal prosecutions.

## PROSECUTION

The government made law enforcement efforts; while prosecutions increased and convictions of traffickers doubled, these may have included non-trafficking cases, and official complicity remained a serious and pervasive problem. The 2008 Law Countering Abduction and Human Trafficking/Smuggling, along with article 516 of the penal code, prohibits many but not all forms of human trafficking. The law defines sex trafficking of a child only when coercion is used. The law prescribes between eight and 15 years' imprisonment for persons convicted of some forms of labor trafficking and prescribes penalties of up to life imprisonment for those convicted of some forms of sex trafficking. The 2009 Elimination of Violence Against Women law and other provisions of the penal code include penalties for many forms of trafficking. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government completed a draft revision of the

2008 anti-trafficking law, aiming to better align definitions of trafficking and smuggling with international law and outline increased protection provisions for victims of trafficking; the draft remained pending review and adoption at the end of the reporting period. The draft revision of the anti-trafficking law criminalizes specific exploitative aspects of *bacha baazi*, although it does not explicitly name the practice. Furthermore, in separate legislation, the Afghanistan Independent Human Rights Commission (AIHRC), completed a draft law explicitly naming and criminalizing *bacha baazi*, intended to be enacted and applied while extensive revisions to the penal code were completed; however, the Ministry of Justice did not approve the draft law, and it will be considered for incorporation into the revisions to the penal code. The government enacted a law in the previous reporting period to prohibit national security institutions from enlisting minors, supplementing existing policies at both the interior and defense ministries prohibiting the recruitment of minors into governmental armed forces; however, the government did not proactively inform officials of such provisions and relied instead on recruiters at the interior and defense ministries to identify underage applicants.

From March 2015 through February 2016, the government reported the prosecution of 70 human trafficking cases, which resulted in 46 convictions with sentences of imprisonment ranging from three months to 15 years, double the 23 convictions reported in 2014; however, officials did not provide detailed information on these cases, which may have included non-trafficking crimes. An additional 31 cases remained under investigation by the arresting agency or the prosecutor's office at the close of the reporting period. Law enforcement and judicial officials continued to have a limited understanding of trafficking. Dari, the language spoken most widely in Afghanistan, uses the same word for both human trafficking and human smuggling, compounding the confusion. MOI had a central anti-trafficking/smuggling unit staffed with 17 officers and an additional two officers in each of the 34 provinces; however, officers were not solely dedicated to anti-trafficking, and officials noted two officers per province was insufficient. International organizations and NGOs continued to provide training in 15 provinces to police, prosecutors, and other government officials on investigating and prosecuting trafficking cases; some of the governor's offices in those provinces provided venues for the trainings.

Official complicity in trafficking remained a serious and pervasive problem. Some government and security officials reportedly engaged in the practice of *bacha baazi*. The Afghanistan Independent Human Rights Commission's 2014 report revealed that most who engage in *bacha baazi* pay bribes to or have relationships with law enforcement, prosecutors, or judges that effectively exempt them from prosecution. Some law enforcement officials reportedly facilitated trafficking and raped sex trafficking victims. Government military and police forces, as well as pro-government militias, continued to use children in combat and non-combat roles. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; officials reported they had no indication of government complicity in trafficking by Afghan officials during the year.

## PROTECTION

The government maintained inadequate efforts to protect victims, failing to protect and prevent children from sexual exploitation and recruitment and use by the armed forces and continuing the widespread penalization of victims. The

government did not report the number of victims identified, but an international organization reported the government referred approximately 40 victims to it for assistance in 2015. The government did not develop or employ systematic procedures for the identification of victims and their subsequent referral to protective services. The government, particularly authorities from the Ministry of Labor and Social Affairs, Martyrs, and the Disabled (MOLSAMD) and the Ministry of Women's Affairs, in practice referred victims to NGO-run shelters. Police lacked formal guidelines and funding to provide basic care (including water and food) to victims during investigations. In some instances, police officers paid out-of-pocket for basic victim care. All short-term shelters, previously owned by the government, remained closed due to a lack of resources. MOLSAMD provided registration, referral, and social services for trafficking victims, including receiving victims repatriated to Afghanistan from other countries. NGOs operated women's protection shelters in 20 provinces that provided protection, legal, and social services to female victims of violence, which were available to victims of trafficking. At times, the government placed child victims in orphanages, although some children in orphanages were subjected to trafficking. There continued to be no shelters for adult male victims.

Despite a directive by the high commission to cease prosecution of trafficking victims, victims continued to be penalized for crimes committed as a result of being subjected to human trafficking. Authorities sometimes treated male and female victims as criminals simply for being unchaperoned or for having committed moral crimes; officials continued to arrest, imprison, or otherwise punish female victims for prostitution or adultery, without regard to whether they had been subjected to forced prostitution, or for escaping from husbands who forced them into prostitution. Officials sometimes placed male and female victims who could not be accommodated in shelters in prisons. NGOs reported placement of child trafficking victims in juvenile detention centers, sometimes for several years. Male child sex trafficking victims, including those subjected to *bacha baazi*, were in some cases referred to juvenile rehabilitation centers on criminal charges. Children attempting to join the army using falsified documents were remanded to juvenile rehabilitation centers, sometimes for indefinite periods, while awaiting prosecution and trial. The government made no efforts to demobilize child soldiers associated with governmental or nongovernmental armed groups or provide or refer such children for protection services or reintegration support.

The government encouraged victims to participate in investigations; however, it did not provide adequate support, security, or protective services for victims to safely do so without supplemental trauma. NGOs reported child trafficking victims are at times forced to testify in front of their alleged traffickers. Afghan law allows foreign victims to remain temporarily in Afghanistan for at least six months. There was no information the government forcibly deported any foreign trafficking victims in 2015.

## PREVENTION

The government made modest improvements to trafficking prevention efforts. The government continued to coordinate its anti-trafficking activities through its high commission, which met four times in 2015, with attendance of deputy ministers, and separately held 12 working level meetings. The high commission produced its scheduled annual report of the government's anti-trafficking activities in March 2015; the report on 2015 activities had not yet been released. The national action

plan was not updated in 2015. The high commission's member ministries took some limited steps to implement activities set forth in its national anti-trafficking action plan, including the establishment of 33 provincial anti-trafficking commissions, of which 14 were functioning at the close of the reporting period. The government warned citizens through radio, television, and print media of the dangers of illegal migration and investigated two employment agencies suspected of fraudulent recruitment practices. For example, the Ministry of Information and Culture broadcasted 128 messages on trafficking to the public via the Afghan National television channel. In September 2015, the president ordered the creation of a committee to investigate, monitor, and oversee the prevention and prosecution of sexual abuse of children by security forces. However, no additional progress was reported toward fulfilling the goals of the action plan signed in January 2011 to combat the practice of *bacha baazi* by Afghan security forces. The government did not take steps to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

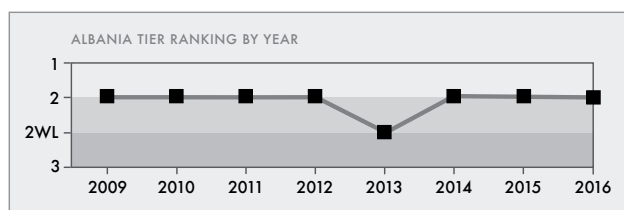
## ALBANIA: Tier 2

Albania is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Albanian women and children are primarily subjected to sex trafficking within Albania; in bordering Kosovo, Macedonia, Montenegro, and Greece; and in other European countries. Albanian and some foreign victims are subjected to forced labor in Albania, particularly in the tourism industry. Children, including those of Romani or Balkan Egyptian ethnicity, are subjected to forced begging and other forms of compelled labor in Albania and neighboring countries; girls are vulnerable to child sex trafficking. NGOs report an increase in the number of Albanian children subjected to forced labor in Kosovo and the United Kingdom. Albanian women and girls are subjected to sex trafficking or forced labor following arranged marriages in Albania and abroad. In past years, some foreign women from European countries were subjected to sex trafficking in Albania. Middle Eastern, Central Asian, and African migrants, particularly Syrians, transit Albania to reach Western Europe and are vulnerable to trafficking, although police have yet to identify any as trafficking victims. Corruption and high rates of turnover within the police force inhibit law enforcement action to address trafficking.

The Government of Albania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government improved law enforcement efforts by convicting more traffickers than in 2014, including some traffickers who forced children to beg; but the government and NGOs identified fewer victims, and the government prosecuted fewer suspected traffickers than in 2014. The government decreased funding to the state-run shelter for trafficking victims; and psychological, medical, and reintegration services at the state-run shelter, though improved, were still inadequate. Government funding to NGO shelters remained insufficient, although the government funded the salaries of 12 staff members at two NGO shelters. The government continued to investigate and punish victims for unlawful acts committed as a result of being subjected to trafficking, although the law exempts victims from punishment for crimes committed as a result of their exploitation. The government had a 2014-2017 national strategy and action plan to combat trafficking, although it remained underfunded, and it increased the budget



of the anti-trafficking coordinator. The national coordinator regularly convened stakeholders belonging to the national referral mechanism.



## RECOMMENDATIONS FOR ALBANIA:

Do not punish victims for unlawful acts committed as a direct result of being subjected to trafficking, particularly sex trafficking victims exploited in prostitution; increase funding to NGO-run shelters for trafficking victims and provide funding on a regular basis; improve services provided at the state-run shelter, particularly medical, psychological, and reintegration services; fund mobile units operated by civil society groups and law enforcement to identify victims and further train police, labor inspectors, and other front-line officials on proactive identification of victims; vigorously investigate, prosecute, and convict traffickers, including complicit officials; encourage victims to assist in the prosecution of their traffickers by facilitating participation in the witness protection program and expanding training for prosecutors dealing with victim witnesses; improve the capacity of border and migration police to screen irregular migrants for trafficking indicators; and continue efforts to screen street children for signs of trafficking.

## PROSECUTION

The government increased anti-trafficking law enforcement efforts. Articles 110(a) and 128(b) of the criminal code prohibit sex and labor trafficking and prescribe penalties of eight to 15 years' imprisonment; these are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. The Serious Crimes Prosecutor's Office investigated 25 suspected traffickers in 2015, a decrease from 39 suspects in 2014. The state police also investigated 90 suspected traffickers during the reporting period. The government did not disaggregate law enforcement data to demonstrate efforts against both sex trafficking and forced labor. The government prosecuted 15 defendants in 2015, a decrease from 18 prosecuted in 2014. Courts convicted 11 traffickers, an increase from nine in 2014. All convicted traffickers received prison sentences ranging from six to 17 years, three of which fell below the prescribed minimum penalty of eight years' imprisonment. Authorities continued to prosecute some traffickers for the lesser crime of "exploitation of prostitution" rather than trafficking, because the two laws overlap in some areas. Exploitation of prostitution carries a punishment of two to five years' imprisonment, and up to 15 years' imprisonment under aggravated circumstances, and authorities often applied the lesser charge because it was easier to investigate and prosecute. Some officials also only recognized cases involving cross-border movement as trafficking. Border police continued to screen irregular migrants at the southern border with Greece for trafficking indicators, and in September the government developed a contingency plan to handle the influx of a large number of migrants, which stipulated the screening of all migrants for trafficking indicators. In 2015, the government trained 240 judges, prosecutors, and police officers on investigation and prosecution of traffickers and victim identification and protection. High turnover rates and corruption

hampered the efficacy of police training. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Police participated in two multi-national law enforcement operations, which resulted in the arrest of 10 Albanian suspected traffickers.

## PROTECTION

The government identified and assisted victims but continued to provide inadequate funding for victim services. The government and NGOs identified 109 victims of trafficking and potential trafficking victims in 2015, a decrease from 125 in 2014. Of these, authorities granted 38 official victim status after they agreed to undergo a formal interview with law enforcement and social services representatives, which was required to obtain this status. The government identified 80 victims; NGOs identified 27; and two victims were self-identified. NGOs reported the lack of government funding for the NGO-led mobile units responsible for most victim identification led to fewer victims being identified. Of all identified victims, 48 were minors and 87 were female. NGOs reported the following trends among the victims assisted by NGO-run shelters: 67 percent of victims were subjected to sex trafficking, nine percent were victims of labor trafficking, and 16 percent were victims of forced begging; 86 percent of victims were exploited within Albania, 12 percent abroad, and two percent both domestically and abroad. Four shelters, three of which were operated by NGOs and one that was state-run, provided assistance to trafficking victims, including food, counselling, 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. However, NGOs reported the government did not provide adequate financial support for the implementation of medical, psychological, and reintegration services. NGO shelters assisted 89 victims, and the state-run shelter assisted 20. The government provided 11,300,000 lek (\$93,000) to the state-run shelter in 2015, a significant decrease from 19,770,000 lek (\$163,000) in 2014. The government did not provide adequate funding to NGO shelters, allocating 3,000,000 lek (\$24,700) strictly for food expenses. However, the government also provided funding for 12 staff member salaries at two NGO shelters and provided funding for renovation of the state-run shelter. NGO shelters continued to operate under severe financial constraints throughout 2015 and relied on outside sources for day-to-day operating costs. Of the 25 million lek (\$206,000) in the government's Special Fund for Crime Prevention, 5 million lek (\$41,000) was disbursed to NGOs to support victims of crime; however, no funds went to support trafficking victim service providers. Only one NGO-run shelter provided specialized services for child trafficking victims, and it continued to operate without adequate funding. Foreign victims had access to the same services as domestic victims, including legal assistance. Male victims were accommodated in apartments paid for by NGOs. The government issued trafficking victims health cards that provide free access to health care. The government ran a program that incentivized companies to hire former trafficking victims, but observers continued to report some companies forced former victims to work without proper compensation.

Law enforcement and social worker child protection units had a direct role in identifying child victims and ensuring their protection, although they remained underfunded and understaffed. One NGO-operated mobile unit identified 13 potential trafficking victims in 2015, after receiving funding from the Czech government to continue service during the year. NGOs reported, in most cases, authorities did not formally

identify victims during investigations, instead labeling cases as “exploitation of prostitution.” This prevented formal interviewing to identify victims, made victims vulnerable to prosecution for crimes committed as a result of their exploitation, and prevented them from accessing trafficking-related services. Victims who testified against traffickers had access to the witness protection program, but no trafficking victims participated in the program, and NGOs reported at least one case where law enforcement discouraged a victim from accessing these services after testifying. Forty-eight victims testified against traffickers. The law provided foreign victims a three-month reflection period with temporary residency status and authorization to work for up to two years, although the government had yet to grant this status to a victim. Victims could obtain restitution from the government or file civil suits against traffickers, but no victims received restitution in 2015. The law exempts victims from punishment for crimes committed as a result of their exploitation, but NGO-run shelters reported the government convicted three formally identified sex trafficking victims in prostitution.

## PREVENTION

The government continued efforts to prevent trafficking. The government had a 2014-2017 national strategy and action plan to combat trafficking; however, the plan’s individual stakeholder ministries were underfunded for trafficking activities, and some diverted trafficking funds to other purposes. The government increased funding for the national anti-trafficking coordinator’s office to 5.2 million lek (\$43,000) in 2015 from 4.7 million lek (\$39,000) in 2014. The national coordinator continued to publish regular activity reports on its website and regularly convened stakeholders belonging to the national referral mechanism. Twelve regional anti-trafficking committees comprising local officials and NGOs worked on prevention and victim assistance, but these committees’ nation-wide effectiveness was limited. The national coordinator’s office, the state police, and the general prosecutor’s office signed a memorandum of understanding to monitor the performance of the criminal justice system in handling trafficking cases. The government co-ran and advertised a free hotline and a mobile application for citizens to report suspected trafficking cases. This hotline received 492 calls during 2015, 11 of which provided information on possible trafficking cases. The national coordinator’s office ran two major anti-trafficking campaigns during 2015. The first, held from June to August, focused on child sex and labor trafficking and included awareness raising in schools and community centers, discussions with high school students, conferences and seminars with state and border police and social services, and youth awareness meetings that explicitly targeted Roma populations. For the second campaign, the national coordinator’s office designated October as Anti-Trafficking Month and organized a series of events with the financial support of NGOs. The government did not demonstrate efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking guidance for its diplomatic personnel, and the national coordinator briefed Albanian diplomats stationed in nine cities on human trafficking regulations.

## ALGERIA: Tier 3

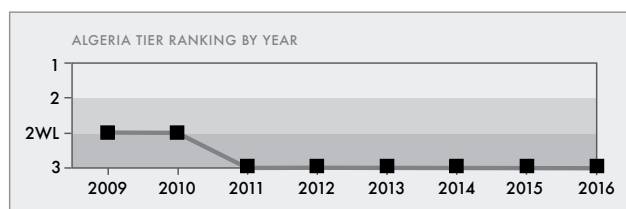
Algeria is a transit and destination country and, to a lesser extent, a source country for men, women, and children subjected to forced labor and sex trafficking. Undocumented

sub-Saharan migrants, primarily from Mali, Niger, Cameroon, Cote d’Ivoire, and Nigeria, are most vulnerable to labor and sex trafficking in Algeria, mainly due to their irregular migration status, poverty, and language barriers. Single women and women traveling with children are also particularly vulnerable to exploitation. 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 or 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. An international organization reported in 2015 that 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 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. While many of these relationships are purportedly consensual, these women are at risk of trafficking, and migrants in Tamanrasset reported instances when women are prevented from leaving the home and raped by their “partner.” Media and civil society organizations reported in 2015 that some sub-Saharan African migrant women working as domestic workers for Algerian families experience physical abuse, confiscation of passports, and withheld pay.

Foreign women and to a lesser extent children, primarily sub-Saharan African migrants, are exploited in sex trafficking in bars and informal brothels, typically by members of their own communities, in Tamanrasset and Algiers. Nigerien female migrants begging in Algeria, who often carry children—sometimes rented from their mothers in Niger—may be forced labor victims. According to an international organization in 2015, some Nigerien children are also forced to beg in Algeria. In 2014, the media and an international NGO reported Vietnamese migrants were forced to work on construction sites for Chinese contractors in Algeria. Some Algerian women, and to a much lesser extent children, reportedly endure sex trafficking in Algeria. Civil society organizations in 2015 reported isolated instances of foreign and Algerian children in sex trafficking and in forced labor on construction sites.

The Government of Algeria does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government newly acknowledged the trafficking problem in Algeria and demonstrated new political will to address it. It formed an inter-ministerial anti-trafficking committee, which produced a national anti-trafficking action plan in December 2015; however, the government did not dedicate a budget to

implement the plan during the reporting period. Despite these efforts, the government did not report prosecuting or convicting any sex trafficking or forced labor offenders. Though the government initiated two investigations of potential forced labor crimes during the reporting period, it conveyed that it could not report on the status of the cases due to domestic privacy laws. As in previous years, the government did not make efforts to identify victims among vulnerable groups, directly provide appropriate protection services for victims, nor refer victims to NGOs for such care. Authorities continued to arrest and detain potential foreign trafficking victims for acts committed as a direct result of being subjected to trafficking, such as immigration violations.



## RECOMMENDATIONS FOR ALGERIA:

Investigate, prosecute, and convict sex and labor trafficking offenders and punish them with sufficiently stringent penalties; implement and designate a budget for the national anti-trafficking action plan; establish formal procedures for the identification and referral to care of trafficking victims, and ensure victims do not face arrest, deportation, or other punishment for acts committed as a direct result of being subjected to trafficking; train law enforcement, judicial and healthcare officials, and social workers on these identification procedures; develop formal mechanisms to provide appropriate protection services, either directly or through support and partnership with NGOs and international organizations, including shelter, medical and psychological care, legal aid, and repatriation assistance, to all trafficking victims; ensure the safe and voluntary repatriation of foreign victims, including through collaboration with relevant organizations and source-country embassies; and raise public awareness of the indicators and risks of trafficking, including on the difference between human trafficking and smuggling.

## PROSECUTION

The government made limited anti-trafficking law enforcement efforts. Algeria prohibits all forms of trafficking under section 5 of its penal code. Prescribed penalties under this statute range from three to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Law No.14-01, which criminalizes the buying and selling of children younger than the age of 18, provides for prison terms 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 non-trafficking crimes such as human smuggling or illegal adoption. In July 2015, the government adopted article 139 of the penal code, which criminalizes anyone who economically exploits a child with a penalty of one to three years' imprisonment and a fine; the punishment is doubled if the offender is a family member or guardian of the child. These penalties are neither sufficiently stringent nor commensurate with those prescribed for other serious crimes, such as rape.

Government officials reported difficulty in distinguishing

trafficking victims from regular migrants, smuggled persons, and asylum-seekers, and the government remained without an effective system to collect and report anti-trafficking law enforcement data. The government reported an ongoing investigation of two suspected forced labor cases, but it did not provide details due to domestic laws that prevent the disclosure of information related to ongoing investigations. The government did not report prosecuting or convicting trafficking offenders in this reporting period, which represents a slight decrease from its one sex trafficking conviction in 2014. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. Various civil society organizations in Oran, Algiers, and Tamanrasset alleged that police officers were aware of illegal brothels, where women could be vulnerable to sex trafficking, and permitted these establishments to remain in business; however, there was no evidence to suggest officials actively facilitated trafficking in these locations. The General Directorate for National Security maintained six active brigades of police officers specialized in illegal immigration and human trafficking, which received 15 days of specialized training; however, it was unclear whether they received adequate training on anti-trafficking measures. Throughout the reporting period, the government partnered with an international organization to provide human trafficking training to law enforcement officials, prosecutors, and judges. For example, in June 2015, officials from the police participated in a training on human smuggling and trafficking for which the government provided the venue, transportation, and accommodation costs for participants. In March 2016, prosecutors and judges participated in a similar training in which the government provided comparable support. The Ministry of Labor (MOL), in cooperation with an international organization, implemented a train-the-trainers course in November 2015 to train labor inspectors on international laws on forced labor.

## PROTECTION

The government demonstrated negligible efforts to identify and protect trafficking victims. The government did not proactively screen for, develop procedures for the identification of, or report any identified trafficking victims during the reporting period. For example, a civil society organization reported a case involving a Cameroonian forced labor victim to the police, yet authorities did not take measures to remove the victim from the workplace or provide her with protection services. Government officials admitted difficulty distinguishing trafficking victims from irregular migrants, smuggled persons, and asylum-seekers, as well as identifying trafficking victims among ethnically cohesive migrant communities. Government officials continued to rely on victims to self-report abuses to authorities; however, trafficking victims among the migrant populations typically did not report potential trafficking crimes to the police for fear of arrest and deportation or the likelihood they would face difficulty in reporting crimes, seeking protective services at government facilities, and filing charges against their perpetrators. The government continued to punish victims for crimes committed as a direct result of being subjected to human trafficking. For example, although the government mostly ceased deporting illegal migrants since 2012, migrants and a civil society organization reported authorities regularly arrested, detained, and sometimes convicted migrants for their illegal immigration status without identifying potential trafficking victims among this population.

Although the Algerian anti-trafficking law allows for the provision of services to trafficking victims, the government



did not implement any mechanisms to directly provide services to trafficking victims, nor did it have a formal mechanism to refer potential victims to protection services operated by civil society groups or NGOs. Civil society organizations continued to be the primary providers of protection services, such as temporary shelter and medical, legal, and counseling services. A 2012 amendment to the anti-trafficking law encourages trafficking victims to participate in investigations or prosecutions of trafficking offenders through the provision of financial assistance, housing, and medical care. Similarly, in July 2015, article 65 of the criminal procedural code introduced provisions that provide physical protection to witnesses and victims, including their family members, who participate in criminal judicial proceedings; however, no trafficking victims received any of these legal benefits in the reporting period. Trafficking victims were legally entitled to file civil suits against trafficking offenders, but the government did not report cases in which victims took this action during the reporting period. The government did not report if it provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

## PREVENTION

The government made significant efforts to prevent human trafficking. The government newly acknowledged human trafficking as a problem in Algeria, in comparison to previous years when some government officials denied the crime existed in the country. In September 2015, the prime minister ordered the formation of an inter-ministerial committee composed of 14 government ministries and institutions to coordinate the government's anti-trafficking activities; this committee met six times during the reporting period. In December 2015, the committee produced a national action plan, which detailed actions to improve the government's response to trafficking, including: prevention and awareness efforts; strengthening national legislation; improving victim identification and protection measures; strengthening judicial and police officials' capacity to combat trafficking; and fostering cooperation and partnerships with national and international NGOs to protect victims. The government, however, did not dedicate a budget to implement its action plan but committed to do so through a presidential decree. During the reporting period, the government did not conduct anti-trafficking public awareness or educational campaigns. The government took actions to reduce the demand for commercial sex acts, but it did not report taking measures to reduce the demand for child sex tourism among Algerians traveling abroad. The government took limited measures to reduce the demand for forced labor. MOL conducted a child labor investigation of more than 15,000 businesses in the trade, agriculture, construction, and service industries, in which it identified 122 businesses that illegally employed 97 children. The ministry issued labor violation reports against these businesses, but it was unclear if the government penalized them for such violations. The government provided anti-trafficking training as a part of its broader human rights training for its diplomatic personnel.

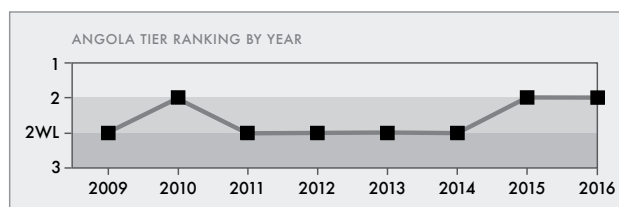
## ANGOLA: Tier 2

Angola is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Angolans, including minors, endure 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, Namibe, Zaire, and Uíge are the most vulnerable to trafficking activities. Some Angolan boys are taken to Namibia for forced labor in cattle herding, while others are forced to serve as couriers to transport illicit goods, as part of a scheme to skirt import fees in cross-border trade with Namibia. Angolan women and children are subjected to domestic servitude and sex trafficking in South Africa, Namibia, and European countries, including the Netherlands and Portugal.

Women from Vietnam and Brazil engaged in prostitution in Angola may be victims of sex trafficking. Some Chinese women are recruited by Chinese gangs and construction companies with promises of work, but later are deprived of their passports, kept in walled compounds with armed guards, and forced into prostitution to pay back the costs of their travel. Chinese, Southeast Asian, Brazilian, Namibian, Kenyan, and possibly Congolese migrants are subjected to forced labor in Angola's construction industry; they may be subject to withholding of passports, threats of violence, denial of food, and confinement. At times, workers are coerced to continue work in unsafe conditions, which at times reportedly resulted in death. Chinese workers are brought to Angola by Chinese companies that have large construction or mining contracts; 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 some endure 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 Democratic Republic of Congo (DRC) to Angola for labor and sex trafficking.

The Government of Angola does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Inter-ministerial Commission to Combat Trafficking in Persons (the commission) worked to improve efforts to combat trafficking in Angola by beginning to standardize the collection of data on anti-trafficking law enforcement efforts and establishing five ad hoc provincial commissions in Benguela, Huila, Namibe, Uíge, and Zaire provinces. The government trained approximately 350 officials on the 2014 money laundering law that includes provisions prohibiting trafficking. Additionally, it raised awareness of its anti-trafficking efforts to more than 1,000 private citizens and NGO leaders. During the year, the government investigated 10 potential trafficking cases, two of which were referred for prosecution. The government increased protection efforts, identifying 55 potential child trafficking victims during the year; however, it made inadequate efforts to identify and provide protective services to adult victims. The government has never convicted a trafficking offender using the 2014 money laundering law.



## RECOMMENDATIONS FOR ANGOLA:

Use provisions in the 2014 money laundering law to investigate



and prosecute forced labor and sex trafficking offenses; train law enforcement officials on these provisions; systematically investigate labor trafficking in the Angolan construction sector; develop systematic procedures for identifying trafficking victims, and train officials on such procedures; develop uniform and systematic referral procedures for all provinces; undertake efforts to provide shelter, counseling, and medical care to both child and adult victims, either directly or in partnership with NGOs; collect and analyze anti-trafficking law enforcement data; and continue to organize nationwide anti-trafficking public awareness campaigns.

## PROSECUTION

The government maintained its minimal law enforcement efforts in 2015. The 2014 money laundering law prohibits all forms of trafficking in persons and prescribes penalties of eight to 12 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. Trafficking is criminalized in chapter III, articles 19, 20, and 23. Article 19 criminalizes the act of delivering, enticing, accepting, transporting, housing, or keeping of persons for the purposes of sexual exploitation, forced labor, or trafficking of organs, including by force, fraud, or coercion. Article 19 also makes the enticement, transport, or housing of a child for such purposes by any means a trafficking offense; in keeping with international law, it does not require the use of fraud, force, or coercion to prove a trafficking case when a child is the victim. This provision appears to overlap with article 22, pimping of minors, which provides a lower penalty of two to 10 years' imprisonment for promoting, encouraging, or facilitating the exercise of the prostitution of children, with enhanced penalties for the use of force, threat, or fraud of five to 12 years' imprisonment; these penalties are not commensurate with those prescribed for other serious crimes, such as rape. Slavery and servitude are separately criminalized in article 18, with sentences of seven to 12 years' imprisonment. The Law on the Protection and Integral Development of Children of August 2012 prohibits the exploitation of children under article 7, and article 33 prohibits the kidnapping, sale, trafficking, or prostitution of children; however, this law fails to define and prescribe penalties for these crimes, limiting its utility.

In 2015, the government reported on law enforcement efforts to address trafficking crimes, including its investigation of 12 potential trafficking cases, compared with 18 in the previous reporting period. Of these, the government initiated prosecutions in two cases, compared with five in 2014. Although a few of these cases involved domestic trafficking, these anti-trafficking law enforcement efforts appeared to focus on investigating potential child trafficking crimes involving transnational movement. The government did not report on progress to initiate prosecutions and convict suspected trafficking offenders from investigations during previous reporting periods. It has never convicted a trafficking offender. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Due to a culture of corruption, law enforcement efforts were stymied in many areas, including anti-human trafficking. Many Angolan judges were not familiar with the 2014 money laundering law provisions as Angolan courts have been prosecuting trafficking crimes by enforcing provisions of the penal code (written in 1886) to prosecute crimes like kidnapping, forced labor, or abuse of minors rather than the more recently defined crime of trafficking with enhanced sentencing requirements. The government did not convict a trafficking offender using the 2014 money laundering law in the current reporting period.

Resistance from the national police to share information in their national crime database has slowed down the commission's analysis of trafficking in Angola. The government, at times in partnership with international organizations, trained more than 350 officials during the year. National police academy training continued to include human trafficking provisions. In August 2015, the government hosted a workshop for 101 law enforcement and social service officials on human trafficking, including indicators of trafficking and the consequences traffickers should face. The government maintained a labor agreement with the Government of China, which requires Chinese companies to follow Angolan labor laws; however, Angolan authorities have not prosecuted construction companies and employers, including Chinese-run operations, for alleged forced labor abuses.

## PROTECTION

The government increased its efforts to protect victims. The government identified and referred 55 trafficking victims to services, 51 of whom were forced labor victims, including 40 minors, compared with 17 potential trafficking victims identified the previous year. The national police, the Office of the Attorney General, and the commission demonstrated efficient coordination after police identified a minor victim allegedly subjected to sex trafficking and held captive in Kilamba city. Although multinational construction company Odebrecht was found guilty in Sao Paulo, Brazil, of subjecting Brazilian nationals to trafficking in Angola between 2012 and 2013, the government did not identify any trafficking victims in Angola after a series of site visits.

The National Institute of Children (INAC) received referrals of child victims and managed child support centers in all 18 provinces, which provide food, shelter, basic education, and family reunification for crime victims younger than age 18; however, it was unclear how many children were assisted at such centers during the year. The Ministry of Social Assistance and Reinsertion (MINARS) and the Ministry of Family and Women's Affairs (MINFAMU) received referrals of female victims, as they manage a national network of safe houses for women. Both networks of shelters provide legal and psychological assistance to victims. MINARS, MINFAMU, and the Organization of Angolan Women (the women's wing of the ruling Popular Movement for the Liberation of Angola political party) operated 30 counseling centers, seven multipurpose shelters, and 52 children's shelters, which trafficking victims could access. The commission developed guidelines for referring possible trafficking victims to the provincial attorney general's office and representative for the Directorate for Human Rights, and for liaising with INAC and MINFAMU.

Law enforcement and social services officials lacked a mechanism for screening vulnerable populations, including persons in prostitution. Neither documented nor undocumented foreign workers were screened for trafficking victimization and may have been arrested and deported for unlawful acts committed as a result of having been subjected to trafficking, including immigration and employment violations. For example, authorities who found workers without work permits during labor inspections fined the employers and arrested and deported the workers. On previous occasions when authorities identified trafficking victims among foreign laborers, the Angolan government routinely repatriated them to the source countries without providing care or ensuring proper treatment upon their arrival. Angolan law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they

may face hardship or retribution. The national police, with the assistance of social workers and psychologists as appropriate, reportedly used victim testimonies for their investigation and prosecution of traffickers.

## PREVENTION

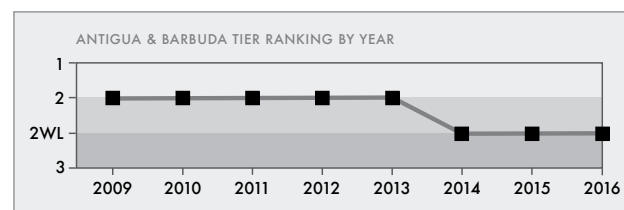
The government increased its efforts to prevent human trafficking. The commission—established in 2014 under the direction of the Ministry of Justice and Human Rights and the Ministry of Social Assistance and Reintegration—was instrumental in encouraging increased collaboration between national police and provincial government officials. The commission established provincial commissions to combat trafficking in Benguela, Huila, Namibe, Uíge, and Zaire that shared information with the national commission. It also convened government officials from all the provinces for a series of meetings to examine the extent of trafficking in the country. Preliminary findings from a government-funded report assessing the nature of trafficking revealed children were working on farms in the southern provinces, as well as in the construction sector, and highlighted the vulnerabilities of migrants in search of work along the Angola-DRC border. The commission also established formal partnerships with the National Council for Youth, the Pastoral Group on Immigration of the Catholic Church, and several Protestant community associations. In November, the commission started a bilateral working group with Mozambique's national coordinating body to discuss regional trafficking concerns and share best practices.

During the reporting period, the government funded six public information radio campaigns to raise awareness of trafficking. Additionally, in May 2015 commission members participated in a series of discussions on trafficking issues on two popular television shows. At a young women's empowerment event, the national police commander spoke to 125 female high school students on the dangers of trafficking, how to identify traffickers and methods for reporting suspected trafficking cases. INAC launched a campaign called "Cata-Vento" ("Pin Wheel") to promote awareness and educate the public about the consequences of child labor. The government provided anti-trafficking training for its diplomatic personnel.

## ANTIGUA AND BARBUDA: Tier 2 Watch List

Antigua and Barbuda is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. Legal and undocumented immigrants from the Caribbean region, notably from Jamaica, Guyana, Haiti, and the Dominican Republic, as well as from Southeast Asia, are most vulnerable to trafficking. The trafficking in persons committee reported sex trafficking in bars, taverns, and brothels. There are anecdotal reports that children are subjected to sex trafficking, including by parents and caregivers. Forced labor occurs in domestic service and the retail sector. Credible sources reiterated concerns of possible trafficking-related complicity by police officers, such as officials facilitating movement of a trafficking victim by receiving them at the airport, collaborating with the trafficker in the movement of a victim, and providing security for an establishment involved in trafficking. The police reported that traffickers changed tactics, remitting a greater portion of the proceeds to victims and allowing victims to keep their passports, making it difficult to investigate cases.

The Government of Antigua and Barbuda does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Antigua and Barbuda is placed on Tier 2 Watch List for the third consecutive year. Per the Trafficking Victims Protection Act, Antigua and Barbuda was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards. The government amended the 2010 trafficking in persons act to remove legal obstacles to successful prosecutions, in particular by giving the high court authority for trafficking cases. The government did not report any prosecutions or convictions of traffickers, though it increased the number of investigations of suspected cases of trafficking from two to 10. Authorities identified and offered services to those who wished to stay in the country and facilitated the repatriation of those who wished to return home.



## RECOMMENDATIONS FOR ANTIGUA AND BARBUDA:

Vigorously prosecute trafficking offenses and convict and punish traffickers, including complicit officials; formalize procedures for law enforcement, child welfare officials, and other front-line responders to identify victims, including children subjected to trafficking for sexual exploitation, and refer them to appropriate services; train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence to reduce dependence on victim testimony; implement the national action plan to guide government efforts in combating trafficking; and improve data collection on prosecutions, convictions, and victim identification and care.

## PROSECUTION

The government maintained minimal prosecution efforts. In 2015, the government amended the Trafficking in Persons (Prevention) Act of 2010, vesting jurisdiction for trafficking cases in the High Court of Justice as opposed to the Magistrate's Court. This amendment corrected a problem, noted since 2010, that impeded the government's ability to prosecute and convict suspected traffickers. Antigua and Barbuda's anti-trafficking act prohibits all forms of human trafficking, including bonded labor, and prescribes punishments of 20 to 30 years' imprisonment and fines of 400,000 to 600,000 Eastern Caribbean dollars (\$148,000 to \$222,000). These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

Authorities conducted 10 trafficking investigations, including four sex trafficking investigations and five labor trafficking investigations, one of which involved the false recruitment of a caretaker from Guyana that remained under investigation. One investigation was discontinued due to insufficient evidence. The government has not reported any prosecutions of traffickers since



2011, though two suspects were charged during the reporting period. In comparison, authorities investigated and charged two suspected sex traffickers in two cases in 2014, although judges dismissed both cases due to the prior flaw in the law. The government has never reported any trafficking convictions. The national police acknowledged it struggled to identify perpetrators and obtain evidence. Credible sources raised concerns of continued possible trafficking-related complicity by police officers and an apparent conflict of interest in the practice of police officers providing security for sex trade establishments. The acting commissioner of police issued two directives ordering police officers to cease working at strip clubs; two officers were suspended for violating the new policy, but later were reinstated. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, NGOs reported that three investigations involved police officers, including one case in which a police officer went to the airport to collect the victim, another in which a police officer collaborated with the trafficker in the movement of a victim, and a third in which a police officer acted as security for an establishment involved in trafficking. Two of these officers received formal reprimands, but authorities took no further action due to insufficient evidence. One case remains under investigation. Some members of the Trafficking in Persons Prevention Committee, the national coordinating body, reported distrust of law enforcement within the population. The government did not train law enforcement or immigration officers on trafficking. Several members of the national coordinating body cited lack of training as an obstacle to anti-trafficking efforts.

## PROTECTION

The government made moderate progress in the protection of victims. The government identified 10 trafficking victims—two adult female Guyanese sex trafficking victims, four adult female Jamaican sex trafficking victims, and four adult male Haitian labor trafficking victims—an increase from seven identified in 2014. The immigration department began modifying its written procedures to identify victims at the port of entry. An anti-trafficking taskforce responded to 10 suspected trafficking situations, provided emergency relief, and informed the immigration department about 10 new victims. The gender affairs department funded victim services and continued to offer assistance to victims, such as counseling, health care, shelter, food and clothing, assistance to communicate with families, travel arrangements, and assistance with employment, work permits, and immigration relief, through an ad hoc referral process. This was augmented with in-kind donations from businesses. There are no specialized services for victims and no organized NGOs that shelter victims. In 2015, the government provided modest financial assistance to various entities for victim assistance. The government granted temporary residency to one victim for two weeks; at the close of the reporting period, the government had successfully repatriated all 10 identified victims upon request by the victims. One victim from an ongoing sex trafficking investigation supplied video testimony. The anti-trafficking law establishes that trafficking victims should not be returned to their own countries or a country from which they have been subjected to trafficking without consideration of their safety and the possibility of harm, death, or being subjected to trafficking again. The 2010 anti-trafficking act protects identified victims from punishment for unlawful acts committed as a direct result of having been subjected to trafficking. Per the anti-trafficking act, a victim can file a civil suit for restitution from a government official

complicit in trafficking; however, the government reported no civil suits during the reporting period.

## PREVENTION

The government sustained modest prevention efforts. The ministry of national security estimated its annual budget for anti-trafficking efforts at 66,000 Eastern Caribbean dollars (\$24,400), a six percent decrease from 2014 levels. The government conducted a week-long awareness-raising campaign, including a march; school, government office, and NGO visits; and a fair, which resulted in greater awareness of the crime and contributed to an anecdotal increase in calls to the government-run hotline that also serves victims of domestic violence and sexual assault. Six of the 10 cases investigated in the reporting period originated with calls to the hotline. The anti-trafficking committee met 10 times during the reporting period, and continued to oversee implementation of the three-year national action plan, which expires in 2016. The government released a 2015 annual report on the efforts of the anti-trafficking committee during the reporting period. The government approved a new action plan, covering 2016 through 2018. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government and NGOs reported no evidence that child sex tourism occurred in Antigua and Barbuda; the government reported no child sex tourism investigations.

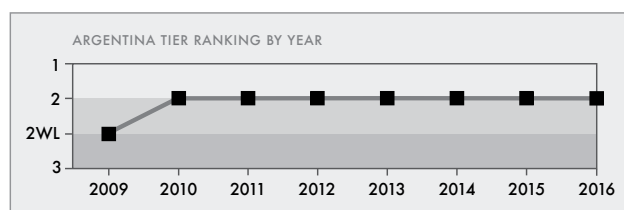
## ARGENTINA: Tier 2

Argentina is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Argentine women and children are subjected to sex trafficking within the country, as are women and children from other Latin American countries. To a more limited extent, Argentine men, women, and children are subjected to sex and labor trafficking in other countries. 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. Chinese citizens working in supermarkets are vulnerable to debt bondage. Argentine officials report isolated cases of foreign victims recruited in Argentina and subjected to trafficking in third countries.

Women and girls who live in extreme poverty, a violent family environment, or suffer from addiction are among those most vulnerable to trafficking; a significant number of them, mainly from Bolivia and Paraguay, and to a lesser extent from the Dominican Republic, Uruguay, and Brazil, are victims of sex trafficking, along with individuals from rural areas and the northern provinces. Traffickers from across Argentina bypass regulations that ban brothels by establishing “mobile brothels” in vans and trucks, making raids more difficult; this practice is particularly prevalent in the northern area of the country. Street vendors may victimize susceptible migrants from neighboring or African countries in forced labor. Transgender Argentines are exploited in sex trafficking within the country and in Western Europe. Social and online networking has become one of the most common methods to recruit women and children for sexual exploitation. Since the passage of a law prohibiting newspapers from publishing offers for sexual

services, there has been a rise in misleading classified ads promising employment. Official complicity, mainly at the sub-national levels, continues to hinder the government's efforts to combat trafficking. Two provincial police agents and a local labor inspector were convicted for complicity in trafficking-related crimes during the year.

The Government of Argentina does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The General Prosecutor's Office for Human Trafficking and Sexual Exploitation (PROTEX) continued its efforts to investigate cases and build partnerships for legal assistance to victims. The government convicted some complicit officials, but official complicity remained a widespread problem. The government identified fewer victims but increased the availability of services by opening five regional anti-human trafficking offices. The establishment of the Federal Council to Fight Human Trafficking and Exploitation and for Victims' Assistance, as mandated by the Trafficking in Persons Law, remained pending.



## RECOMMENDATIONS FOR ARGENTINA:

Increase funding for and availability of specialized shelter, legal, medical, and employment services for victims, particularly of forced labor crimes, in partnership with civil society, at the federal, provincial, and local levels; increase prosecutions and convictions with dissuasive sentences of government officials complicit in trafficking; consistently offer foreign victims the opportunity to remain in the country and document how many do so; strengthen efforts to investigate, prosecute, convict, and punish traffickers with sufficiently stringent sentences; strengthen coordination among the federal and provincial governments and NGOs, including through establishing the federal council on human trafficking and implementing an anti-trafficking plan with an adequate budget; improve efforts to collect data on anti-trafficking law enforcement and victim protection efforts; and expand training for officials, including on victim identification and assistance.

## PROSECUTION

The government maintained law enforcement efforts. Law 26842 of 2012 prohibits all forms of human trafficking and prescribes penalties of four to 10 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law establishes the use of force, fraud, and coercion as aggravating factors rather than essential elements of trafficking, and defines facilitating or profiting from the prostitution of others and illegal sale of organs as human trafficking. The government issued implementing regulations for the law in January 2015; these regulations outline victim assistance procedures and mandate interagency collaboration, among other provisions. Although trafficking is a federal crime, some provincial authorities investigated or prosecuted trafficking cases under different statutes related to exploitation and pimping, making it difficult to collect comprehensive data. Confusion over whether federal

or provincial governments had jurisdiction caused significant delays in trafficking investigations and prosecutions.

Authorities did not report the total number of anti-trafficking cases investigated by police in 2015. The anti-trafficking prosecutor's office, which monitors trafficking cases heard by courts in the country, opened investigations of 226 sex trafficking cases and 132 labor trafficking cases, compared with 200 investigations in 2014. Authorities prosecuted 47 individuals for sex trafficking and 51 for labor trafficking in 2015, compared with 92 individuals prosecuted for sex and labor trafficking in 2014. The government convicted 35 traffickers in 2015 and acquitted 10 alleged traffickers; six other individuals were convicted of trafficking-related crimes. Sentences ranged from three to 12 years' imprisonment. Authorities did not report how many sentences were suspended. In comparison, authorities convicted 67 traffickers in 2014. A federal court in Mendoza province convicted a group of individuals, including two police agents and a local labor inspector, of sex trafficking of women in a brothel. Three police officers were among 16 individuals suspected of sex trafficking women in Buenos Aires province; the three officers were indicted and awaited trial at the close of the reporting period. The federal court overturned the acquittals for human trafficking of the Mayor of Lonquimay and a police official of La Pampa province. Several investigations of trafficking-related complicity remained ongoing, including: two separate cases from 2013 in which deputy police chiefs allegedly provided protection to brothels where sex trafficking occurred; a 2010 investigation of over 70 Buenos Aires police officers accused of taking bribes to protect brothels; and a 2010 investigation of the former head of the anti-trafficking police unit accused of running brothels. In an instance of international cooperation, upon the request of an Argentine judge, Spain granted the extradition of a citizen who, along with a group of Argentines, was charged with sex trafficking Argentine and Paraguayan victims.

The government provided anti-trafficking training to police, prosecutors, and judicial officials, among others, including through a virtual training course. Some provincial judges had limited understanding of trafficking, which at times hampered efforts to hold traffickers criminally accountable. Some government materials and officials incorrectly stated that for the crime of trafficking to have occurred, the victims had to have been transported.

## PROTECTION

Government efforts to assist victims remained uneven. The Program for Rescue—a team of government officials in Buenos Aires responsible for coordinating emergency victim services nationwide—reported identifying 424 potential human trafficking victims in December 2015, compared with 1,509 potential victims in 2014. This number may include the total number of individuals encountered during anti-trafficking law enforcement raids, some of whom were likely in exploitative labor without force, fraud, or coercion. Authorities did not report how many of these victims were adults or children, men or women, Argentine citizens or foreign nationals, or how many were exploited in sex or labor trafficking. The government opened five new regional counter-human trafficking offices in the provinces of Chaco, Santa Fe, La Pampa, Mendoza, and La Rioja, which served to cooperate with security forces in raids and liaise with hospitals, educational centers, NGOs, and other government and social services agencies. The offices employed psychologists, social assistance workers, and lawyers and provided counseling and other services to victims. While



the quality and extent of victim care varied by province, overall victim support improved in Buenos Aires and the provinces where the regional human trafficking offices opened. Foreign victims had the same access to care as Argentine nationals, although foreign victims were sometimes unaware of available services. Some federal officials had formal procedures for victim identification and assistance, but implementation of systematic procedures to identify victims among vulnerable populations varied by province. Some front-line responders had limited understanding of trafficking. There were no efforts made to identify and assist victims of domestic servitude.

Authorities did not report how many victims they provided with comprehensive services in 2015 or how much funding federal, provincial, or local governments provided for services to trafficking victims. The Program for Rescue took initial victim statements and provided emergency post-rescue care after law enforcement operations to an unspecified number of victims. The Ministry of Social Development oversaw victim services, and each province had a designated government entity responsible for coordinating victim protection at the local level. Federal and provincial authorities provided an unspecified amount of funding to one NGO for services for trafficking victims. Most government or NGO shelters provided care for trafficking victims along with gender-based violence or other populations, but authorities did not report how many trafficking victims were assisted at shelters or lodged in hotels in 2015. The government announced a new initiative to improve the employment prospects of forced labor victims but did not report how many trafficking victims received employment assistance in 2015. Specialized services were limited, and NGOs reported an acute need for shelter, job training, legal services, and emergency care. The 2012 anti-trafficking law required the government establish a fund for trafficking victims, but this fund was not created in 2015. There were no reports of identified victims jailed or penalized for unlawful acts committed as a direct result of their being subjected to trafficking. Authorities did not report how many foreign victims received temporary or long-term residency as authorized by law. It was unclear whether foreign victims were fully informed of residency and assistance options before repatriation. The government successfully collaborated with Bolivia, Paraguay, Peru, and Spain, on human trafficking cases. Argentine immigration authorities and NGOs reported repatriating victims to neighboring Bolivia and Paraguay.

Human trafficking laws provide for legal counseling for victims by the justice and labor ministries, including legal assistance during prosecution of traffickers and the filing of civil suits to obtain restitution. The prosecutorial office, established in the previous reporting period, continued to provide victims assistance during trials and referrals to government services and pro bono legal services. In September 2015, PROTEX and the Law School of the National Center University signed a cooperation agreement to implement legal assistance clinics for trafficking victims, although the clinics had not opened during the reporting period.

## PREVENTION

The government sustained prevention efforts. The efforts of the federal council on human trafficking—a broad working group mandated by the 2012 law to include federal government entities, provincial officials, and NGOs—and the smaller executive council on human trafficking—mandated to implement the initiatives of the federal council—were unclear during the year. Authorities did not issue a national anti-trafficking plan as required by law; without a plan, no specific budget allocations

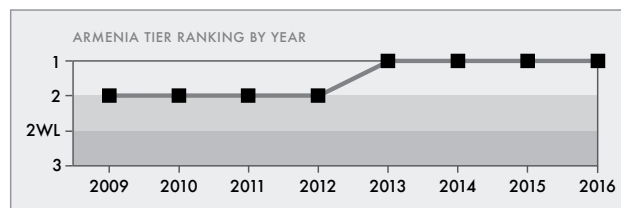
could be assigned to new anti-trafficking structures. Some provincial governments undertook prevention efforts. NGOs and municipal authorities continued to express concern about child sex tourism, though there were no reported investigations or prosecutions related to this crime. The government continued proactive efforts to register informal workers and employers in rural areas and investigate non-compliance with labor laws.

The government provided anti-trafficking training for its diplomatic personnel. The government did not launch new programs but continued with training programs targeting employers, unions, and the general public to reduce the demand for commercial sex acts and forced labor. Argentine troops received anti-trafficking training prior to their deployment abroad on international peacekeeping operations.

## ARMENIA: Tier 1

Armenia is a source and, to a lesser extent, destination country for men, women, and children subjected to sex and labor trafficking. Armenian women and children are subjected to sex and labor trafficking within the country as well as sex trafficking in United Arab Emirates (UAE) and Turkey. Chinese women have been subjected to sex trafficking in Armenia. Armenian men are subjected to forced labor in Russia and, to a lesser extent, in Turkey. Armenian women and children are vulnerable to forced begging domestically. Some children work in agriculture, construction, and service provision within the country, where they are vulnerable to labor trafficking. Men in rural areas with little education and children staying in child care institutions remain highly vulnerable to trafficking. Conflict-displaced persons, including Syrian Armenians, living in Armenia are at risk of exploitation and have been subjected to bonded labor.

The Government of Armenia fully meets the minimum standards for the elimination of trafficking. A law entered into force in June 2015 establishing standard procedures for the identification, support, protection, and reintegration of suspected and identified trafficking victims across national and local government bodies, NGOs, international organizations, and civil society. It also affords foreign trafficking victims the same rights and services as Armenian citizens, and ensures assistance is provided regardless of a victim's cooperation with law enforcement efforts. The government maintained strong collaboration with anti-trafficking NGOs, local media, donor organizations, and regional partners. The government had dedicated resources for victim services and provided funding to one NGO-run shelter for trafficking victims. The anti-trafficking interagency group met regularly to coordinate activities across the government. The government provided training and materials on victim identification to police investigators and border officials, as well as appropriate human rights training to employees at correctional institutions. The government increased the number of trafficking investigations, but initiated fewer prosecutions and secured slightly fewer convictions. The government continued to lack formal victim-witness protection.



## RECOMMENDATIONS FOR ARMENIA:

Improve efforts to identify victims of forced labor, including by strengthening victim identification training for officials, ensuring labor inspectors are able to conduct regular inspections and identify victims through unannounced visits, and increasing cooperation across law enforcement entities; adopt a new national action plan for 2016-2018; license, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad; provide sensitivity training to judges and lawyers to improve treatment of victims; work with Russian authorities to identify Armenian forced labor victims and prosecute labor traffickers; work with NGOs to find ways to identify and assist Armenian victims in Turkey and reintegrate victims; approve legislation to establish victim-witness protection measures; effectively develop and implement new trafficking victim compensation mechanisms; continue awareness-raising campaigns to rural and border communities and to children leaving child care institutions; and continue robust partnerships with civil society groups.

## PROSECUTION

The government sustained modest law enforcement efforts, but authorities reported fewer prosecutions and convictions. Articles 132 and 132-2 of the criminal code prohibit both sex and labor trafficking and prescribe penalties of five to 15 years' imprisonment; these are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 14 new trafficking cases in 2015, compared with 10 in 2014. Four of the cases involved labor trafficking; of the 10 sex trafficking cases, six were redefined as rape or prostitution charges and one was dropped. Authorities initiated prosecutions against two defendants and courts convicted three traffickers in 2015, compared with seven prosecutions and convictions in 2014. Two traffickers received sentences of 11 years' imprisonment and one received 11 years and six months' imprisonment. Prosecution of labor trafficking cases remained a challenge as most cases happened in Russia, where Armenian investigators continued to have difficulties collaborating with law enforcement. The government provided training on trafficking and victim identification to more than 250 police investigators and new border control employees. The Ministry of Justice continued to include trafficking topics in mandatory human rights training for employees of corrections institutions. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

## PROTECTION

The government increased protection efforts. The Law on Identification and Assistance to Victims of Human Trafficking and Exploitation came into force in June 2015. The law outlines actions for national and local government bodies, NGOs, international organizations, and civil society to identify and support trafficking victims. It also ensures victim assistance is not linked to their cooperation with law enforcement and affords foreign trafficking victims the same rights and services as Armenian citizens. The mechanisms to compensate victims provided by the law were not finalized by the end of the reporting period. The government identified three male and six female trafficking victims in 2015, compared with 11 in 2014; authorities notified all victims of their right to services and five of the victims accepted NGO shelter assistance. The government assisted an NGO to repatriate a male labor trafficking victim from Russia; the victim did not stay at a shelter or testify

against his traffickers. The absence of an Armenian embassy in Turkey hindered the identification of Armenian trafficking victims in Turkey. The National Security Service distributed to border control troops 150 manuals on providing assistance to trafficking victims.

In 2015, the government allocated 46,259,000 drams (\$95,000) for assistance to trafficking victims and partially funded one NGO that provided shelter to 18 victims and vulnerable individuals, six of whom were referred in 2015. A short-term shelter operated by another NGO provided support to seven victims. The government and local NGOs jointly provide victims legal, medical, and psychological assistance; housing; and access to social, educational, and employment projects. Victims of trafficking are eligible for free health care through a government program; two victims received this service in the reporting period. Due to security concerns, NGO shelters required adult victims to notify staff when they left shelters unescorted, but victims were free to leave if they no longer wanted assistance. Services were available to female and male victims. There was no special shelter available for child victims; they could be housed in an adult trafficking shelter or referred to a child care institution. As a result of a legal change that suspended the majority of labor inspectorate functions in July 2015, inspectors were unable to conduct regular inspections and thus unable to identify indications of forced labor. During the last several years, victims reported greater trust in law enforcement when assisting investigations and prosecutions; however, observers reported that for various reasons, including fear of retaliation from their traffickers, victims were reluctant to assist in prosecutions. The government continued to lack formal victim-witness protection. In 2014 a draft law establishing victim-witness protection was submitted to Parliament; the law remained pending at the close of the reporting period. There were no reports in 2015 that authorities inappropriately detained identified trafficking victims; the law exempts them from criminal prosecution for crimes they were forced to commit as a result of being subjected to trafficking. However, there was one incident of police providing information on a victim's location at an NGO to her alleged trafficker; an internal investigation resulted in disciplinary action against the police station's leadership.

## PREVENTION

The government continued robust trafficking prevention efforts. Government agencies conducted a variety of prevention projects and activities, although the government reported that some observers believed it did not reference trafficking in public awareness campaigns frequently enough. Police transmitted videos and participated in television programs devoted to trafficking issues. Police held awareness-raising discussions at schools, and officials 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. Government agencies posted trafficking information on their websites, including information on hotlines operated by police and NGOs; hotline calls led to preventive measures and investigations. The Inter-Agency Working Group against Trafficking in Persons met regularly, published reports of its activities, and began developing a fifth national action plan for the period of 2016-2018; a new action plan was not approved by the end of the reporting period. The Ministerial Council to Combat Trafficking in Persons only met once during the year due to the resignation of its chair; however, a new chair was appointed by the end of the reporting period. The government

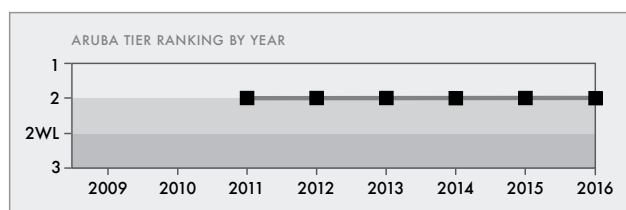


provided anti-trafficking training for its diplomatic personnel and for its troops before deployment overseas on international peacekeeping missions.

## ARUBA: Tier 2<sup>†</sup>

Aruba is a source and destination country for women, men, and children subjected to sex trafficking and forced labor. Venezuelan women are vulnerable to trafficking in Aruba's commercial sex trade and foreign men and women are vulnerable to forced labor in the service and construction industries. 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. A 2013 international organization report identified women in Aruba's regulated and unregulated prostitution sectors, domestic workers, and employees of small retail shops as populations most vulnerable to trafficking. This report also noted some children may be vulnerable to sex trafficking and to forced labor in Chinese-owned supermarkets and restaurants.

The Government of Aruba does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government drafted a new national anti-trafficking action plan for 2015-2019, formalized standard operating procedures to guide front-line responders in the proactive identification of trafficking victims and their referral for care, and appointed a deputy national anti-trafficking coordinator. The government screened potential trafficking victims, identified one potential victim, initiated one investigation, and sought to uphold a conviction; but did not initiate any new prosecutions or secure any new convictions during the reporting period.



### RECOMMENDATIONS FOR ARUBA:

Vigorously investigate and prosecute trafficking offenses, and convict and punish traffickers; proactively identify trafficking victims among all vulnerable groups, including domestic workers, migrants in construction, supermarkets, and the retail sector, and women in the regulated prostitution industry and who hold adult entertainment visas; continue to systematically provide information to all immigrant populations upon their arrival in Aruba so they are familiar with their rights and where to go for help; finalize and implement the victim assessment and referral process; formalize agreements with local NGOs and private sector accommodations to shelter adult and child victims; allocate sufficient resources to enable the national anti-trafficking taskforce and national coordinator to improve anti-trafficking efforts; and implement the 2015-2019 national anti-trafficking action plan.

### PROSECUTION

The government did not initiate any new prosecutions for trafficking offenses for the second consecutive year, but sought to uphold the conviction of a human trafficker in the court of appeals. Articles 203a and 286a of the criminal code prohibit all forms of trafficking in persons. In 2014, the government enacted amendments to the penal code that increased penalties for trafficking offenses to eight to 18 years' imprisonment and a fine of 25,000 to 100,000 florins (\$14,045-56,180). These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The national coordinator received five referrals for potential sex trafficking and forced labor cases, but found only one potential forced labor case warranted further investigation. The government did not prosecute or convict any traffickers in 2015—it similarly failed to prosecute or convict any traffickers in 2014; in 2013 there were two prosecutions and convictions. A trafficker convicted in 2013 appealed his conviction; the public prosecutor sought to uphold the conviction and sentencing, but the court has not yet rendered a judgment. The public prosecutor and police screened all human smuggling cases for indicators of human trafficking. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The national coordinator for anti-human trafficking and smuggling provided training on trafficking indicators to police officers and managers, prison guards, health and social affairs officials, and immigration officials.

### PROTECTION

The government sustained progress protecting victims. The government drafted a trafficking victim referral process to guide officials using a three-tier system of high, medium, and low urgency based on factors such as risk of bodily harm or injury, vulnerability of the potential victims involved, and living conditions at the moment of assessment. Upon referral by the national hotline, police, or a concerned resident, the national coordinator screened six potential trafficking victims and identified one potential labor trafficking victim in 2015, compared with one potential labor trafficking victim identified in 2014 and two potential victims identified in 2013. The labor trafficking victim received services from local NGO partners, and the case remained under investigation. Multi-disciplinary teams of police, labor officials, and immigration officials conducted inspections aimed at identifying potential labor exploitation. The government operated a hotline for trafficking victims and had a policy to provide potential victims with emergency shelter, food, medical care, legal assistance, temporary immigration relief, and financial and repatriation assistance. Authorities maintained informal, verbal agreements with local NGOs and private sector accommodations to shelter adult and child victims. The national anti-trafficking taskforce lacked a dedicated budget for shelter and other forms of victim assistance, but formally requested funding. Foreign victims are entitled to the same rights and protection as Arubans. Officials conducted risk assessments before deciding whether victims could leave shelters unchaperoned, and their movement was limited if their lives were at risk. The anti-trafficking taskforce continued to provide law enforcement and social services officials with a checklist of the most common signs of human trafficking. The law authorizes the extension of temporary immigration relief for foreign victims for three

<sup>†</sup> 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.

to six months on a case-by-case basis, and allows foreign victims whose employers are suspected of human trafficking to change employers; no identified victims required such relief in the reporting period. The criminal code enables trafficking victims to receive restitution not to exceed 50,000 florins (\$28,000) for financial and emotional damages inflicted by their traffickers. Trafficking victims may file civil suits against their traffickers, and there is no limit for damages awarded in such suits. There were no reports of the government punishing victims for unlawful acts committed as a direct result of being subjected to human trafficking.

## PREVENTION

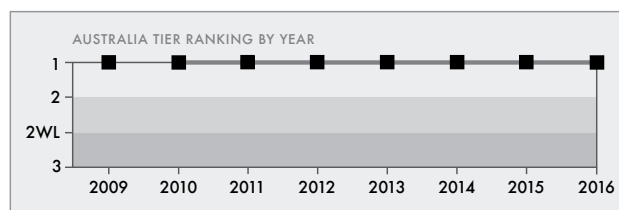
The government increased prevention efforts. The taskforce completed a national anti-trafficking action plan for 2015-2019, which was pending approval by the minister of justice. The government also assigned to the taskforce a deputy national coordinator with anti-trafficking experience in the Netherlands. In 2015, the government partnered with the Netherlands and other Kingdom of the Netherlands partners to update their memorandum of understanding to strengthen coordination and cooperation on anti-human trafficking efforts. The government continued its on-going trafficking awareness campaign, which included posters and flyers in four languages targeting both victims and the general public; the campaign was linked to a hotline staffed by the national coordinator trained to assist trafficking victims. The minister of justice led an outreach event for more than 500 high school students on National Anti-Human Trafficking Day to raise awareness about sex trafficking. In an effort to reduce the demand for commercial sex acts, 2014 amendments to the criminal code criminalized the receipt of services from a trafficking victim if the individual knows the victim is being forced or coerced to provide the services. The government developed an information card for immigrants on how to recognize forced labor, which will be placed on work permit applications in 2016. The government adopted new procedures to screen and inform adult entertainers and meet with a Dutch consular officer to ensure the applicant knows his/her rights and are fully informed of the work agreement before picking up their in-flight letter at the Dutch Embassy in Colombia. Upon arrival, such visa recipients undergo medical check-ups and receive information about their rights, risks, and resources. The government launched a new research project on the commercial sex industry with the Pan American Health Organization. There were no reports of child sex tourism occurring in Aruba or of Arubans participating in international sex tourism. The government provided anti-trafficking training for its diplomatic personnel.

## AUSTRALIA: Tier 1

Australia is primarily a destination country for women and girls subjected to sex trafficking and for women and men subjected to forced labor. A small number of children, primarily teenage Australian and foreign girls, are subjected to 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 the sex trade. After their arrival, some of these women are coerced to enter or remain in prostitution. Some foreign women—and sometimes girls—are held in captivity, subjected to physical and sexual violence and intimidation, manipulated through illegal drugs, obliged to pay off unexpected or inflated debts to traffickers, or otherwise deceived about working arrangements.

Some victims of sex trafficking and some women who migrate to Australia for arranged marriages are subjected to 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, construction, hospitality, and domestic service. Traffickers often operate independently or are part of small organized crime networks that frequently involve family and business connections between Australians and overseas contacts. 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.

The Government of Australia fully meets the minimum standards for the elimination of trafficking. The government prosecuted a modest number of suspected traffickers, although it did not obtain any convictions under trafficking provisions for a second year. The government increased the number of victims it identified and referred to the government-funded support program, and it made changes to its visa policies intended to better address the needs of foreign trafficking victims. It prosecuted two and convicted one Australian child sex tourist for exploitation of children abroad. The government began implementation of a new five-year national action plan to combat human trafficking.



## RECOMMENDATIONS FOR AUSTRALIA:

Vigorously investigate and prosecute trafficking offenses, with increased focus on labor trafficking, and convict and stringently sentence sex and labor traffickers; increase efforts to train police 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; strengthen efforts to proactively identify trafficking victims among vulnerable groups, such as undocumented migrants or workers filing civil grievances; require social service providers to be present when conducting initial screening interviews with potential victims and ensure such interviews are conducted in a safe and neutral location; continue efforts to expedite visas for victims; sustain and increase funding to NGOs for robust victim protection services; consider establishing a national compensation scheme for trafficking victims; continue to implement or fund awareness campaigns, particularly among rural communities and migrant populations; increase efforts to prosecute and convict Australian child sex tourists; and develop a targeted campaign to raise awareness among clients of the legal commercial sex industry about the links between prostitution and trafficking.

## PROSECUTION

The government made modest anti-trafficking law enforcement efforts. Australia prohibits sex and labor trafficking and trafficking-related offenses through divisions 270 and 271 of



the Commonwealth Criminal Code, which prescribe maximum penalties of 12 to 25 years' imprisonment and fines of up to 197,000 Australian dollars (\$144,000). These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. A February 2015 amendment to the criminal code grants universal jurisdiction to slavery offenses under division 270. The criminal code, through the 2013 Crimes Legislation Amendment, also prohibits forced labor and prescribes penalties of nine years' imprisonment, and the Migration Act of 2007 prohibits exploitation of migrant workers through forced labor, sexual servitude, or slavery and prescribes penalties of up to five years' imprisonment and various fines; these are sufficiently stringent penalties and commensurate with those prescribed for other serious crimes. State and territorial laws criminalize the prostitution of children.

The Australian Federal Police (AFP) investigated 61 cases of alleged trafficking and related offenses, a decrease from 87 cases investigated in 2014; nearly half of these cases related to suspected forced marriage offenses and it is unknown how many of these involved sex or labor trafficking. The government initiated prosecutions of four defendants, including three for suspected labor trafficking offenses, and one for suspected sex trafficking, and continued prosecution of two defendants (one for suspected sex trafficking and one for forced labor) begun in previous years; this is a decrease from nine defendants prosecuted in 2014.

For the second year, the government did not obtain any convictions under the trafficking provisions in the criminal code: it convicted six suspected traffickers under other laws which carry lesser penalties, prosecutors dropped trafficking charges against three suspects, and courts acquitted two individuals on trafficking charges.

One suspect was found not guilty on all trafficking charges but sentenced to 16 months' imprisonment for violations of the migration act; in a separate case, a defendant was found not guilty on all trafficking charges and charged a fine for violation of the Foreign Passports Act. Four individuals involved in the deceptive recruitment and debt bondage of foreign women in sex trafficking were convicted and sentenced to prison terms ranging from three years and two months' imprisonment to four years' imprisonment on charges of dealing in proceeds of crime. The government dropped all charges against three individuals suspected of labor trafficking offenses. AFP maintained its use of specialized teams to investigate suspected trafficking offenses, although the majority of labor trafficking cases continued to be addressed through civil mechanisms. The government funded and facilitated training on trafficking investigations, legal provisions, and victim support for 22 police and immigration officers. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government sustained efforts to protect trafficking victims. Authorities identified 35 potential victims (including four for sex trafficking, 17 for forced labor, and 14 for which the form of exploitation was unclear), compared with 33 in 2014, and referred them to the government-funded support program. Only AFP has the legal authority to refer victims to the government's support program; NGOs provided services for additional victims who were either not formally recognized by AFP or who chose not to communicate with law enforcement. Potential victims could typically access accommodation, living expenses, legal

advice, health services, vocational training, and counseling provided by the government. In 2015, the government amended policies to expand access to English language training for foreign victims. The government continued to provide approximately one million Australian dollars (\$731,000) annually to fund its victim support program. In 2015, the government repatriated one Australian trafficking victim from abroad and provided unspecified support through this program. There were no government-run shelters for trafficking victims and one known trafficking-specific shelter run by an NGO in the country. In 2015, the government made reforms to its visa policies intended to better address the needs of foreign trafficking victims. It granted referred stay (permanent) visas, which required victims to assist with an investigation or prosecution of a trafficking offense, to four victims and their immediate family members. Victims identified by authorities were not detained, fined, or penalized for unlawful acts committed as a direct result of being subjected to trafficking.

The government's efforts to identify and refer victims of forced labor to services were limited; authorities did not routinely screen for indicators of labor trafficking among vulnerable groups. Authorities identified the majority of victims through immigration compliance actions, which may have made some victims reluctant to communicate with law enforcement officers out of a fear of detainment and deportation. The government did not ensure social service professionals were present during initial screening interviews, although procedures were in place for law enforcement officers to bring them in at their discretion. Victims could be eligible for compensation through general crime victim schemes at the state and territorial level, but benefits varied by region and could only be granted on the basis of trafficking-related crimes. In March 2015, a court ordered a convicted trafficker to pay 186,000 Australian dollars (\$134,000) in back wages and interest to the Indian national he subjected to forced labor. In May 2015, the Supreme Court of Victoria enforced a United States court order for \$3.3 million in damages against a former U.S. diplomat living in Australia, related to trafficking offenses committed against a domestic worker. The former domestic worker advised the court that she had received in full a settlement sum. NGOs reported concerns of victims not always adequately informed about legal avenues available to those who wish to remain in Australia to pursue compensation or civil remedies.

## PREVENTION

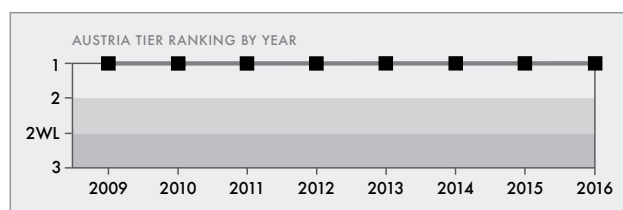
The government sustained efforts to prevent trafficking. It began implementation of its five-year national action plan to combat trafficking, launched in the previous year, and submitted an annual report to Parliament detailing its work. The government continued to fund the Australian Institute of Criminology to conduct research on human trafficking in the country. The Fair Work Ombudsman conducted awareness campaigns on migrant workers' rights and pursued civil cases through the courts for workplace violations, such as underpayment of wages; however, none of the cases it investigated were referred to AFP or immigration officials for criminal investigation of potential forced labor. The government funded anti-trafficking initiatives and delivered trainings in the Asia-Pacific region. The government continued to distribute materials to passport applicants outlining the application of Australian child sexual exploitation and child sex tourism laws to Australians overseas, and in 2015 it prosecuted two and convicted one Australian for committing child sex tourism crimes in other countries. The government did not take significant steps to reduce the demand for forced labor or commercial sex acts but continued to

demonstrate efforts to raise awareness of and prevent trafficking within its legal sex industry. It provided anti-trafficking training for its diplomatic personnel prior to being posted abroad and to military personnel prior to deployment on international peacekeeping missions.

## AUSTRIA: Tier 1

Austria is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. The majority of identified victims are girls and women subjected to sex trafficking. Victims primarily originate from Eastern Europe (Bosnia and Herzegovina, Serbia, Romania, and Bulgaria) and, to a lesser extent, China, Nigeria, the Middle East, North Africa, Southeast Asia, and South America. Traffickers sometimes lure women by offering fictitious positions, including over social media, as au pairs, cleaners, waitresses, or dancers. Forced labor occurs in the agricultural, construction, catering, restaurant, and cleaning sectors, and among domestic laborers in diplomatic households. Physically and mentally disabled persons from Eastern Europe and Romani children are victims of forced begging. In 2015, authorities identified trafficking victims among a growing population of unaccompanied minor asylum seekers, including children from Syria, Afghanistan, and North Africa forced into begging.

The Government of Austria fully meets the minimum standards for the elimination of trafficking. While the number of prosecutions and convictions declined, the government substantially increased funding for victim services and continued to identify and refer victims in partnership with NGOs. The government improved its efforts to identify trafficking victims among refugees, irregular migrants, and asylum-seekers, and provided training on victim identification to NGOs providing care to those vulnerable populations. The government continued its efforts to prevent domestic servitude in diplomatic households and its support of campaigns to sensitize buyers of commercial sex acts about sex trafficking and to prevent child sex tourism.



### RECOMMENDATIONS FOR AUSTRIA:

Sentence convicted traffickers proportionate to the gravity of the crime; expand and enhance efforts to identify victims among irregular migrants, asylum seekers, and individuals in prostitution; continue to sensitize judges on the challenges trafficking victims face in testifying against their exploiters; revise procedures to allow victims who agree to cooperate in prosecutions, particularly EU nationals who do not meet the current criteria for residency, to receive residence permits; and continue efforts to identify trafficking victims among children exploited in prostitution and forced begging and men working in sectors vulnerable to labor exploitation.

### PROSECUTION

The government sustained vigorous law enforcement efforts. The government prohibits both sex trafficking and labor trafficking

under article 104(a) of the Austrian criminal code, which prescribes penalties ranging up to 10 years' imprisonment. Article 104 criminalizes "trafficking for the purpose of slavery" and prescribes penalties ranging from 10 to 20 years' imprisonment. article 217 prohibits the movement of people into Austria for prostitution and prohibits the use of deception, threats, or force in the transnational movement of persons for prostitution. Penalties prescribed in article 217 range from six months' to 10 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In January 2016, the government adopted additional criminal code provisions strengthening prohibitions against trafficking-related crimes, including section 106a, criminalizing forced marriage and section 205a, criminalizing nonconsensual sex, exploitation, and the use of intimidation to obtain consent.

The government investigated 118 trafficking suspects in 2015 (six under article 104, 57 under article 104(a), and 55 under article 217), compared with a total of 147 investigations in 2014. The government prosecuted 35 trafficking defendants in 2015 (10 under article 104(a), and 25 under article 217), a decrease from 57 prosecutions in 2014. Austrian courts convicted 15 traffickers in 2015 (two under article 104(a), and 13 under article 217), a decrease from 49 convictions in 2014. Prison sentences ranged from three months to more than five years in 2014, the most recent year for which sentencing data was available, but courts partially or fully suspended some sentences.

The government provided training on victim identification and trafficking awareness to a wide range of government employees, including law enforcement, military, diplomatic, detention center, asylum reception center, revenue authority, labor inspectorate, border control, and judicial personnel. Training was conducted at all levels, and is included as part of the standard curriculum for law enforcement. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

### PROTECTION

The government maintained strong protection efforts. Police, NGOs, and other government institutions identified and assisted 271 female and 30 male victims in 2015, an increase from 268 victims in 2014. The government disbursed approximately 831,760 euros (\$905,000) to a specialized anti-trafficking NGO to assist and house victims, a decrease from 838,740 euros (\$1.02 million) disbursed in 2014. The government also disbursed approximately 400,000 euros (\$435,000) to two NGO-run counseling centers for male trafficking victims and undocumented migrants, a substantial increase from 180,000 euros (\$219,000) disbursed in 2014. Government funding comprised the bulk of these organizations' budgets. The center for male victims, which began to offer secure accommodation in March 2015, assisted 30 victims and provided counseling to 424 men, some of whom may have been unidentified victims. The center for undocumented migrants identified and referred one trafficking victim in 2015. A government-run center for unaccompanied minors assisted child trafficking victims and offered specialized psychological care. Government-funded NGOs provided trafficking victims with emergency shelter, medical care, psychological care, and legal assistance. NGO staff helped victims prepare for court proceedings and assisted foreign victims with repatriation.

The government granted 17 foreign victims temporary residence permits in 2015, which allowed them unconditional access to

the Austrian labor market. Victims who were EU citizens could not legally remain in the country unless they met a minimum income requirement; this was reportedly a challenge for EU victims in previous years, and many had to leave who would have preferred to remain in Austria. Government officials from multiple agencies had guidelines and checklists to proactively identify trafficking victims. Government inspectors and police proactively screened women in prostitution for trafficking indicators; however, in previous years, NGOs reported that staff at health centers lacked resources to identify victims among individuals in prostitution. NGOs worked with government officials to improve their ability to identify trafficking victims and reported police identification was generally effective. The government increased efforts to identify trafficking victims among migrants and asylum-seekers, providing training to border officials, NGOs, and directly to migrants; nonetheless, officials identified no trafficking victims among migrants transiting through or remaining in Austria in 2015. Identified victims of trafficking were granted a 30-day reflection period to receive assistance and decide whether to cooperate in investigations. The justice ministry reported 160 victims assisted in prosecutions during 2015. Victims could testify via video conference and could provide anonymous depositions. Victims could also file civil suits for compensation against traffickers, though it was unclear whether any victims collected judgment awards in 2015. In previous years, experts reported Austrian judges needed more sensitization training on dealing with trafficking victims as witnesses. While the government did not report any cases of trafficking victims being detained, fined, or jailed for unlawful acts committed as a direct result of being subjected to human trafficking, NGOs identified cases where authorities convicted and fined victims who had been forced to commit misdemeanors, such as pickpocketing.

## PREVENTION

The government continued robust efforts to prevent trafficking. A national anti-trafficking coordinator headed a taskforce that coordinated the government's anti-trafficking efforts and included NGOs. The government published a detailed annual report on its website on the implementation of its 2012-2014 national action plan and began implementation of its action plan for 2015-2017. The government subsidized several publications and television programs on trafficking and funded campaigns to inform women in prostitution of their legal rights. The government also continued school exhibitions to sensitize Austrian youth to trafficking. The exhibitions were supplemented by a handbook for teachers that contained information on identifying victims. The interior ministry continued to run a 24-hour trafficking hotline and email address. The taskforce distributed leaflets on child trafficking to government authorities and the military. The government continued to support regional anti-trafficking initiatives, hosted several international conferences on trafficking, and continued to cooperate with Germany and Switzerland on the "Don't Look Away" campaign that placed ads against child sex tourism in public transportation. The government reissued the "Global Code of Ethics for Tourism" to tour operators, hotels, and restaurants to combat child sex tourism. The government continued efforts to prevent trafficking by diplomats posted in Austria. The foreign ministry continued events for employees of diplomatic households, increasing workers' awareness of their rights and sensitizing them to trafficking. The government required foreign domestic workers in diplomatic households to appear in person to receive their identity cards. The government did not make efforts to reduce the demand for commercial sex acts, but did conduct awareness campaigns to sensitize clients

of prostitution about sex trafficking. Austrian troops received government-funded anti-trafficking training conducted by an NGO prior to their deployment abroad as part of peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

## AZERBAIJAN: Tier 2

Azerbaijan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Azerbaijani men and boys are subjected to forced labor in Turkey, Russia, United Arab Emirates (UAE), and Azerbaijan. Women and children from Azerbaijan are subjected to sex trafficking within the country and in Turkey, Russia, and UAE. Azerbaijan is a destination country for sex and labor trafficking victims from Turkey, Uzbekistan, Turkmenistan, Ukraine, and, in previous years, China and Russia. Some migrant workers from Turkey and other countries in Europe and South and Central Asia are subjected to forced labor in Azerbaijan. Azerbaijan was used as a transit country for victims of sex and labor trafficking from Central Asia to UAE, Turkey, and Iran in previous years. Within the country, some children, particularly those of Romani descent, are subjected to forced begging and forced labor as roadside vendors and at tea houses and wedding facilities. Filipina victims are subjected to domestic servitude in Azerbaijan.

The Government of Azerbaijan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government increased the number of trafficking investigations, maintained strong prosecution and conviction rates, and handed down severe sentences for labor and sex traffickers. The government increased victim identification efforts through the identification of seven Azerbaijani victims of forced labor; however, the government did not provide adequate and consistent financial support to NGO partners that provide rehabilitation and reintegration services to victims for the third year in a row. The government did not have formal standard operating procedures for implementation of the referral mechanism, and communication amongst participating agencies and organizations remained weak. Sources reported the government continued to pressure victims to assist in the investigation and prosecution of alleged traffickers, and victims who refused to participate did not receive the same quality of care as those who did participate.



## RECOMMENDATIONS FOR AZERBAIJAN:

Proactively investigate potential trafficking cases, particularly situations of potential forced labor; vigorously investigate and prosecute trafficking offenses and convict and punish trafficking offenders; create standard operating procedures to implement the national referral mechanism and formalize the role of NGOs and other stakeholders in the referral process; improve communication among government agencies, including about



victim referrals and potential cases; increase funding to victim service providers and expand the network of providers outside Baku; proactively respond to the referral of potential trafficking victims by NGOs; provide safe accommodation and the same protective services for victims who choose not to cooperate with law enforcement as for those who do; provide sensitivity training to law enforcement officers, prosecutors, and the judiciary, including on how to work with trafficking victims who have experienced psychological trauma; strengthen the capacity of the State Migration Service to identify and refer foreign trafficking victims to services; and target public awareness campaigns to foreign migrant workers, describing indicators of human trafficking and avenues to seek help.

## PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. The 2005 Law on the Fight against Trafficking in Persons and article 144 of the criminal code prohibit sex trafficking and forced labor and prescribe penalties of five to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 29 potential sex or labor trafficking cases in 2015, 22 for suspected sex trafficking offenses and seven for suspected labor trafficking offenses, an increase from 23 trafficking investigations in 2014. The government prosecuted 32 defendants and convicted 23 traffickers in 2015, compared with 26 convictions in 2014; 18 were for sex trafficking and five for forced labor. All of the convicted traffickers were sentenced to prison: seven traffickers, two charged with forced labor and five charged with sex trafficking, received one- to five-year sentences; and 16, three charged with forced labor and 13 charged with sex trafficking, received five- to 10-year sentences. Civil society reported the government increased capacity of front-line responders through the institutionalization of training through the Ministry of Justice. The government did not report training prosecutors or judges during the reporting period.

## PROTECTION

The government increased efforts to identify and assist victims, although funding for NGOs remained insufficient for the third consecutive year. The Ministry of Internal Affairs' (MIA) Anti-Trafficking Department (ATD) continued to run a shelter in Baku; however, the shelter was heavily guarded and victims, including adults, did not have freedom of movement. Experts reported the shelters lacked specialized care for victims. In 2015, the government certified 63 trafficking victims, of which 56 were women, six were men, and one was a child, compared with 54 victims certified in the previous reporting period. Of the 56 women certified, 53 were sex trafficking victims and three were labor trafficking victims. All six men certified were labor trafficking victims and one child was a sex trafficking victim. Of the 63 certified victims, 49 were Azerbaijani citizens exploited abroad, 38 in Turkey, eight in UAE, and three in Russia; the government referred 48 to the MIA-run shelter, where they received legal, medical, and psychological support. The government provided 63 victims with a one-time allowance of 400 manat (\$245), nine victims with employment assistance, and eight victims with vocational training; it also directed 40 victims to NGOs and 58 to the state-run Victim Assistance Center (VAC) for additional social services. The government allocated 44,000 manat (\$27,500) to the VAC, an increase from 32,000 manat (\$20,000) in the previous reporting period; however, this budget did not allow the VAC to hire adequate staff. The government did not provide any funding for victim assistance

to the NGO partners that provided shelter and other services for 40 victims during the reporting period. These institutions continued to be significantly underfunded, considering the frequency with which they are asked to provide vital housing, medical, employment, and legal assistance to victims. For example, most shelter staff that provided critical protective services during the reporting period worked on a voluntary basis. Sources reported the government pressured victims to assist in investigation and prosecution of alleged traffickers. Victims who refused to participate did not receive the same quality of assistance as those who did and were not permitted to stay at the MIA-run shelter in Baku.

The government identified seven foreign national victims of trafficking from Turkmenistan, Ukraine, and Uzbekistan, all of whom received services from ATD. The government paid for five sex trafficking victims from Uzbekistan to reside in a private apartment rather than the MIA-run shelter upon the victims' request, and it coordinated with the Government of Uzbekistan to repatriate all of them. One Chinese victim from the previous reporting period remained at the Azerbaijan Children's Union shelter awaiting the conclusion of his case. Another victim from the previous reporting period was awarded restitution of 5,000 manat (\$3,000). ATD authorized the provision of legal representation to trafficking victims at the government's expense. Although ATD had a list of indicators for identifying victims, it was unclear how the list was distributed or when it was referenced in the course of an inspection. The government did not have formal standard operating procedures for implementation of the referral mechanism, and communication among participating agencies and organizations remained weak. Experts widely reported flaws in the referral process, including the government's failure to officially acknowledge or provide services for victims identified by NGOs. The government did not follow up on the referral of 130 potential trafficking victims received by an international organization during the reporting period.

## PREVENTION

The government increased prevention efforts. ATD led the implementation of the national action plan (2014-2018) during the reporting period. The government publicly released an annual assessment of the country's anti-trafficking efforts, including prosecution data and protection efforts, which was made available online. The national anti-trafficking coordinator presented the government's efforts to Parliament in April 2016. On October 14, 2015, the Cabinet of Ministers ruled in Decision 330 for an expansion of social services for migrants vulnerable to trafficking and requiring additional training of migration, customs, and border officials to help improve the identification of migrants as potential trafficking victims. VAC conducted awareness campaigns in 20 regions, reaching approximately 600 individuals. The Ministry of Youth and Sport and the State Committee for Women, Family, and Children Affairs (SCWFCA) held events to raise awareness in 53 regions and also used social media and the government's website to share information intended to raise awareness about trafficking. SCWFCA published booklets, ran three different public service announcements, and participated in public and private television programs to discuss the dangers of trafficking. The labor inspectorate placed billboards throughout the city to encourage employees to register their contract in the government's electronic database and held awareness campaigns in vocational schools throughout the country. The United States Department of Justice and ATD co-sponsored an international conference promoting multidisciplinary,

interagency taskforces and regional mutual legal assistance in March 2016 that focused on trafficking in persons. The program increased the capacity of domestic enforcement agencies to share information, avoid duplication of effort, leverage resources, and establish points of contact and working relationships with their regional counterparts. It also improved the Azerbaijanis' response to trafficking in persons crimes by increasing the capacity of prosecutors to obtain foreign evidence through a variety of channels. The State Migration Service (SMS) issued identity documents and residency status to 198 illegal migrants and legalized the residency status of 2,039 illegal migrants reducing the vulnerability of these individuals to trafficking. The government did not report any new measures to reduce the demand for commercial sex or forced labor. In accordance with the national action plan, the government trained diplomats to protect the rights and interests of Azerbaijani citizens who are discovered as victims abroad. The training did not address the prevention of diplomats themselves from engaging in trafficking, but the government had plans to hold additional such training.

## THE BAHAMAS: Tier 1

The Bahamas is a source, destination, and transit country for men, women, and children from other Caribbean countries, South and Central America, and Asia subjected to sex trafficking and forced labor, including in domestic servitude and construction. Vulnerable populations include migrant workers—especially from Haiti, Jamaica, Colombia, and Venezuela—who arrive voluntarily to work as domestic employees and laborers, but may be recruited or deceived by traffickers who lure victims with fraudulent recruitment practices, such as false promises of employment through advertisements in foreign newspapers. Also vulnerable are children born in The Bahamas to foreign-born parents who do not automatically receive Bahamian citizenship and individuals in prostitution and exotic dancing. Traffickers confiscate victims' passports and restrict their movements.

The Government of The Bahamas fully meets the minimum standards for the elimination of trafficking. The government continued strong collaboration across multiple government agencies, resulting in prosecutions of traffickers and protection of victims. The government arrested and prosecuted five alleged traffickers during the reporting period, sent letters to employees with work permits explaining the definition of trafficking and advising employers of the prohibition against document retention, tasked labor inspectors to screen for trafficking indicators when inspecting labor sites, and developed a referral process for immigration officers to screen for trafficking indicators. The government faced challenges in identifying victims, but continued efforts to implement its victim identification and referral protocol and provided training on trafficking in persons for 157 government officials responsible for identifying and assisting trafficking victims.



## RECOMMENDATIONS FOR THE BAHAMAS:

Increase efforts to prosecute, convict, and appropriately punish traffickers; implement the victim identification and referral protocol to identify victims of sex and labor trafficking, especially among vulnerable groups; continue to provide all identified victims with adequate protection and assistance; use independent interpreters when conducting inspections of migrant worker labor sites, and continue to interview workers privately; increase grassroots outreach with potential trafficking victims among vulnerable groups, in partnerships with NGOs; finalize policies and procedures for data collection, victim care, research, and case management; strengthen engagement with officials involved in anti-trafficking activities in other countries in the region; and continue to implement a nationwide public awareness campaign to educate the public and officials about human trafficking and its manifestations in The Bahamas, including the distinction between trafficking and smuggling.

## PROSECUTION

The government sustained anti-trafficking law enforcement efforts. The Trafficking in Persons (Prevention and Suppression) Act 2008 prohibits all forms of human trafficking and prescribes penalties ranging from three years' to life imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities initiated three new human trafficking prosecutions of five alleged traffickers and continued prosecutions against three alleged traffickers during the reporting period, but did not obtain convictions. It initiated 12 new labor and sex trafficking investigations involving 53 potential victims from The Bahamas and other Caribbean countries, South and Central America, and Asia, compared with 13 new investigations involving 50 potential victims in 2014. Officials screened 49 of the individuals for possible trafficking indicators during these investigations, and confirmed three through in-person interviews. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. In January 2016, the Court of Appeal ruled trafficking cases cannot be tried in the Supreme Court absent an amendment to Bahamian criminal procedure, quashing the Supreme Court's 2014 sentence of one convicted perpetrator of trafficking crimes to 15 years' imprisonment for trafficking in persons and seven years' imprisonment for withholding the victim's documents. The government appealed the Court of Appeal ruling to the Privy Council in London; meanwhile, it continued to prosecute cases in the Magistrates' Courts. Government officials funded and delivered training to 157 police, investigators, prosecutors, judges, and other officials on the Bahamian anti-trafficking law, trafficking indicators, victim referral and assistance, and trafficking investigations and prosecutions. The government cooperated with the United States to investigate a potential forced labor case, and with Costa Rica to investigate a potential trafficking case. Bahamian officials also worked with Colombian authorities to facilitate a Colombian victim's testimony in a case before the Bahamian courts.

## PROTECTION

The government sustained efforts to protect victims. Authorities continued to implement a formal victim-centered protocol to guide front-line responders in how to identify trafficking victims and refer them to services. During the reporting period, the government screened 49 potential trafficking victims—41 adult females and seven adult males—and one potential child victim. Authorities identified three sex trafficking victims—all

foreign nationals, one child and two adults—and referred them for appropriate care and assistance, including housing and medical, psychological, legal, immigration, and reintegration assistance. The government reported spending approximately 42,000 Bahamian dollars (\$42,000) on trafficking victims' care, including subsidies to three NGOs. The government granted three foreign victims relief from deportation; two victims were ultimately repatriated with Bahamian government assistance to their home countries and one victim remained in the country and continued to receive deportation relief. Authorities initially provided a work permit to one of the adult victims who later requested repatriation. Authorities encouraged trafficking victims to assist in prosecutions by providing lodging, food, a stipend, clothing and other basic necessities, accompaniment to court proceedings, and witness protection, as needed. For the first time, the justice system allowed the statements of five sex trafficking victims who had been repatriated to their country of origin to be admitted as evidence pursuant to a 2014 amendment to criminal procedure and evidence laws. In addition, the Criminal Procedure Code allowed trafficking victims to submit statements to the court to inform judges of the harm inflicted by their traffickers prior to sentencing of convicted traffickers.

The 2008 anti-trafficking act provides victims with immunity from prosecution for unlawful acts committed as a direct result of being subjected to trafficking, which the government effectively implemented for the three confirmed trafficking victims during the reporting period. The anti-trafficking act also authorizes the court to order convicted defendants to pay restitution to victims, however, such restitution was not ordered in 2015. In response to previous concerns about the small number of foreign trafficking victims formally identified among those foreign nationals detained at the migrant detention center, the government developed a process for law enforcement officers to screen for trafficking indicators and refer potential victims to service providers for assistance, including legal and interpretation assistance, as well as appropriate immigration relief.

## PREVENTION

The government increased prevention efforts, taking steps to inform the public and potential victims about trafficking. The government's inter-ministerial committee to coordinate anti-trafficking policy met regularly, as did the government's anti-trafficking taskforce, which was charged with ensuring operational coordination on trafficking cases. In addition, the minister of national security met with members of the diplomatic and honorary consul corps to inform them about government efforts to combat trafficking and resources available for potential victims. The government continued to conduct a nationwide public awareness campaign to educate students about human trafficking, disseminated 2,700 anti-trafficking pamphlets to inform potential victims of their rights and available resources, conducted outreach in vulnerable communities to inform people about trafficking, and continued to air public service announcements on television and radio throughout the country. The government partnered with NGOs to implement its 2014-2018 national anti-trafficking strategy and detailed action plan that outlines efforts related to government infrastructure, prevention, victim and witness protection, investigation and prosecution, and partnerships. NGOs reported the government actively solicited their participation and feedback, including in outreach to vulnerable communities.

The government did not have standard operating procedures

for data collection and victim care or terms of reference for research, and case management. Authorities developed and disseminated anti-trafficking pamphlets, which included checklists of warning signs that may indicate a person is being subjected to trafficking and a telephone number to call for help. The government sent letters to employees with work permits explaining the definition of trafficking and advising employers of the prohibition against document retention, and it published a notice advising job seekers on avoiding potential fraud in the cruise ship industry. Labor inspectors screened for indicators of trafficking when inspecting work sites. The government provided anti-trafficking training for its diplomatic personnel, including a rotation in legal affairs and written material. The Ministry of Foreign Affairs distributed trafficking awareness-raising materials in consular reception areas. The government conducted awareness efforts targeted at potential clients of the sex trade or potential victims of forced labor; it closed some sex trade establishments, conducted random inspections of businesses and conducted operations in strip clubs and bars to identify and hold accountable owners of such establishments. Authorities did not consider child sex tourism to be a problem in The Bahamas and reported no child sex tourism investigations, although it did train tourism officials and placed anti-trafficking pamphlets in tourism information booths.

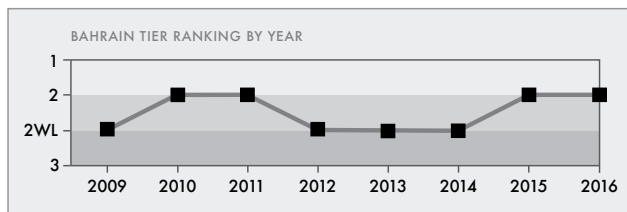
## BAHRAIN: Tier 2

Bahrain is a destination country for men and women subjected to forced labor and sex trafficking. Men and women from South, Central, Southeast, and East Asia; East and West Africa; the Middle East; and other countries migrate voluntarily to Bahrain to work as domestic workers or as laborers in the construction and service industries. In recent years, NGOs observed a greater influx of workers from parts of Africa. Some migrant workers face forced labor after arriving in Bahrain, experiencing unlawful withholding of passports, restrictions on movement, contract substitution, non-payment of wages, threats, and physical or sexual abuse. Withholding of workers' identity cards and passports and intimidation by employers prevents some workers from reporting abuse. "Free visa" holders, who work for an employer who is not their sponsor and are therefore working illegally, are particularly vulnerable to exploitation. Government and NGO officials report physical abuse and sexual assault of female domestic workers, who are often strictly confined to the household, are significant problems in Bahrain. NGOs report male Bangladeshi unskilled workers are in high demand and are considered by employers to be exploitable as they typically do not protest difficult work conditions or low pay. Domestic workers are highly vulnerable to forced labor and sexual exploitation because they are largely unprotected under the labor law. In recent years, reports of suicides among migrant workers have been associated with forced labor, debt bondage, and isolation. Migrant workers did not always have access to their employment contracts and many were unaware of their terms of employment. A large percentage of foreign workers borrowed money or sold property in their home countries to secure their jobs, increasing their vulnerability to debt bondage. Women from Asia, the Middle East, and Eastern European states are subjected to forced prostitution in Bahrain.

The Government of Bahrain does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government identified an increased number of trafficking victims; continued to refer victims to services, including to a newly established



shelter; made modest efforts to prosecute and convict trafficking offenders, including a government official; launched a hotline to report migrant worker abuse; and continued awareness-raising efforts. The government provided anti-trafficking training for more than 120 officials, including prosecutors, immigration officials, labor officials, and police officers. However, among hundreds of reported labor violations in Bahrain, efforts to investigate and prosecute serious trafficking crimes or identify potential forced labor victims remained minimal. Corruption and official complicity, especially in facilitating the “free visa” scheme, remained a concern in the reporting period. Despite past commitments and pledges, the government did not abolish the sponsorship system, which contributed to forced labor and debt bondage in the country. The government continued to arrest, detain, and deport potential trafficking victims.



## RECOMMENDATIONS FOR BAHRAIN:

Significantly increase the investigation, prosecution, and conviction of traffickers, particularly those involving forced labor; abolish or significantly amend provisions of the sponsorship system, including taking steps to eliminate the “free visa” scheme; vigorously investigate cases involving passport retention and non-payment of wages; continue to institute and apply formal procedures to identify trafficking victims among vulnerable groups, such as domestic workers and women in prostitution; institute a formal victim referral mechanism for law enforcement and other government officials to refer identified victims to protection services; ensure identified trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking, such as illegal migration or prostitution; expand labor law protections to include domestic workers and actively enforce those laws; ensure shelter staff receive anti-trafficking training and have appropriate resources to communicate with expatriate workers that speak other languages; eliminate obstacles to migrant workers’ access to legal recourse; continue to train officials on the anti-trafficking law and victim identification; and continue to publicly raise awareness of trafficking issues in the media and other outlets for foreign migrants, specifically domestic workers, in their native languages.

## PROSECUTION

The government made modest efforts to investigate, prosecute, and convict trafficking offenders. Bahrain’s anti-trafficking law, Law No.1 of 2008, prohibits all forms of trafficking in persons and prescribes penalties ranging from three to 15 years’ imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Although withholding a worker’s passport is illegal and carries a financial penalty under a ministerial order, a worker is required to file a complaint with the police or the Labor Market Regulatory Authority (LMRA), which can only refer a complaint to the court if the employer refuses to return the passport. According to NGO sources, employers accused of passport retention often claimed a worker’s passport was lost. A 2014 royal decree prohibiting and penalizing the

falsification of immigration documents enables authorities to prosecute Bahraini companies that illegally obtain work permits; however, it was unclear whether the decree was implemented during the reporting period.

The government reported it investigated 18 trafficking cases involving 28 suspects during the reporting period, eight of which were forced labor cases and 10 sex trafficking cases, compared to 21 investigations the previous reporting period. The government convicted 17 traffickers for sex trafficking; sentences were usually 10 years’ imprisonment and a fine of BD 2000 (\$5,300), and deportation after serving their jail sentence for non-Bahrainis. There were five additional cases being prosecuted at the end of the reporting period, including three sex trafficking and two forced labor cases.

Cases of unpaid or withheld wages, passport retention, and other abuses were often treated as labor violations and resolved through arbitration; a worker could file a complaint against the employer in labor court if arbitration was not successful. LMRA could refuse to issue new work visas to an employer until its open cases were resolved. Only particularly egregious cases were referred to the public prosecutor under the anti-trafficking law. In 2015, the Ministry of Labor and Social Development (MOLSD) received 746 complaints of non-payment of wages covering 945 migrant workers, and successfully arbitrated 255 of those cases. It referred four cases of non-payment of wages to the public prosecutor. Most of the cases resolved by MOLSD involved wage payment delays of one to two months. LMRA employed 63 inspectors in enforcement of the anti-trafficking law. According to LMRA, embassies could also inspect their nationals’ living situations, and all workers had the right to file complaints with MOLSD. The Ministry of Interior (MOI) funded anti-trafficking training sessions for 50 officials annually at the Royal Police Academy. Government officials reported a general lack of awareness of trafficking crimes among working-level police.

## PROTECTION

The government made modest efforts to protect victims. The government identified 90 trafficking victims in 2015, compared with 50 victims in 2014. The National Committee to Combat Trafficking in Persons (national committee) opened the new Migrant Worker Service Center and Shelter in November 2015, with a capacity of up to 120 victims in separate men’s and women’s sections. The service center maintains offices for LMRA’s migrant worker protection unit, physical and mental health professionals, and a representative from the police anti-trafficking unit and provides a training room for shelter residents to learn new skills and a conference space for the national committee. Trafficking victims in Bahrain also sought shelter at their embassies or at an NGO-operated trafficking shelter.

Labor Law No. 36 provides some protection to domestic workers, requiring employers provide domestic workers a labor contract specifying working hours, annual leave, and bonuses and to pay the worker at least once a month. Nonetheless, the government did not report any efforts to issue guidance on implementing the law. LMRA was responsible for coordinating with other relevant ministries, referring trafficking cases for prosecution, and conducting interviews of victims in collaboration with the respective embassies. When investigating claims of abuse from domestic workers that ran away from their employers, some police stations reportedly followed up immediately, while others waited days or weeks before attempting to contact the employer. Inspection agencies cited

difficulties conducting unannounced inspections of domestic worker living situations and investigating claims of abuse of domestic workers without receipt of an official complaint, due to cultural norms surrounding privacy in homes. This failure to immediately investigate claims of abuse and potential trafficking crimes left victims at risk of further exploitation and without protection services.

The MOI's anti-trafficking division provided law enforcement officials with written procedures, developed in partnership with an international organization, on taking statements and referring victims to services such as medical care and shelter. However, police identification of victims and implementation of those procedures continued to be inconsistent across different stations. Many police officials across the country did not systematically and proactively identify victims among vulnerable groups, such as domestic workers who fled abusive employers or women arrested for prostitution. More than 80 government officials, including inspectors, health officials, police officers, social workers, shelter personnel, and prosecutors were trained in December 2015 on victim assistance and referral procedures for specialized services.

NGOs reported workers who entered the country illegally or under false pretenses often did not benefit from protections in the law. The government sometimes punished trafficking victims for crimes committed as a direct result of being subjected to human trafficking. Some migrant workers who fled abusive situations were unaware that they should contact police to report the abuse, or chose not to due to their status as a "free visa" holder. Cases could be difficult or expensive to resolve; workers who could not resolve the cases were often deported. NGOs assessed punishment of trafficking victims had decreased in recent years.

Bahraini officials stated they encouraged victims to participate in the investigations and prosecutions of their traffickers, and the public prosecutor was responsible for protecting trafficking victims during preliminary investigations and court proceedings. The labor law stipulates foreign workers may change sponsors during investigations and court proceedings. It was unclear how many trafficking victims whose cases were not being adjudicated were able to change sponsors. Workers rarely filed complaints against employers due to distrust of the legal system, lengthy court procedures, inability to afford legal representation, lack of interpretation and translation services, concern over potential loss of residence permits during proceedings, and fear of additional maltreatment at the hands of the employer. The government assisted with the repatriation of trafficking victims during the reporting period. The national committee reported a new policy was implemented allowing foreign nationals identified as trafficking victims to obtain alternative employment without being subjected to the 30-day restrictions placed on migrant workers.

## PREVENTION

The government maintained efforts to prevent human trafficking by continuing its awareness campaigns targeting both migrant workers and Bahraini employers. The national committee met regularly during the reporting period and focused primarily on expanding victim assistance, including the newly established shelter, broadening training for government personnel, and raising awareness. From July to December 2015, LMRA held an amnesty for "free visa" holders in which they could legalize their employment with a new sponsor or return to their country and retain the right to return to Bahrain legally in the future.

More than half of the "free visa" holders took advantage of the amnesty; approximately 32,000 legalized their status and approximately 10,000 left Bahrain. In November 2015, the national committee launched a hotline for reporting abuse of migrant workers in English, Hindi, and six other Indian languages. The hotline served as a resource to educate workers about their rights and the services available. The government held the second annual Bahrain Awareness Awards in November 2015, a public awareness campaign focused on fair treatment of domestic workers. The awareness-raising competition targeted Bahraini youth aged 16 to 26 years, calling for submission via social media of photos, drawings, short movies, or posters to encourage respect for the rights of domestic workers.

LMRA continued to make available pamphlets on workers' rights, sponsored advertisements on public transit, and provided mobile phones with SIM cards to each foreign worker upon arrival at the Bahrain Airport. The Expatriate Protection Unit within LMRA maintained its role as an information hub and service center for trafficking victims and potential victims. LMRA continued overseeing domestic workers during the reporting period. Despite past commitments and pledges, the government did not abolish the sponsorship system, which contributed greatly to forced labor and debt bondage. The government did not make efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

## BANGLADESH: Tier 2

Bangladesh is primarily a source and, to a lesser extent, a transit and destination country for men, women, and children subjected to forced labor and sex trafficking. Some Bangladeshi men and women who migrate willingly to work in the Middle East, Southern and East Africa, South and Southeast Asia, Europe, and the United States face conditions indicative of forced labor. Before their departure, many migrant workers assume debt to pay high recruitment fees, imposed legally by recruitment agencies belonging to the Bangladesh Association of International Recruiting Agencies (BAIRA) and illegally by unlicensed sub-agents; this places migrant workers at risk of debt bondage. Some recruitment agencies and agents 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. Bangladesh is host to an estimated 32,000 registered Rohingya refugees and up to 500,000 undocumented Rohingya, whose stateless status increases their vulnerability to human trafficking. Rohingya and Bangladeshi migrants who travel by boat to Southeast Asian countries are subject to starvation, assault, abduction, and ransom demands—some migrants who are not able to pay ransom are sold into forced labor, primarily on fishing boats. Women and girls who migrate for domestic work are particularly vulnerable to abuse. Some women who migrate through Bangladeshi recruitment agencies to Lebanon or Jordan for domestic work are subsequently sold and transported to Syria and subjected to forced labor and sex trafficking. Some women and children are subjected to sex trafficking and forced labor in India and Pakistan.

Within the country, children and adults are subjected to sex trafficking, domestic servitude, and forced and bonded labor, in which traffickers exploit an initial debt assumed by a worker as part of the employment terms. Street children are sometimes coerced into criminality or forced to beg; begging

ringmasters sometimes maim children to increase their earnings. In some instances, children are sold into a form of bondage by their parents, while others are induced into labor through fraud and physical coercion, including in the domestic fish processing industry, or exploited in sex trafficking. According to an international expert on debt bondage, Bangladeshi families and Indian migrant workers are subjected to bonded labor in some of Bangladesh's brick kilns; some kiln owners sell bonded females into prostitution purportedly to recoup the families' debts, and some Bangladeshi families are subjected to debt bondage in shrimp farming. Some ethnic Indian families are forced 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.

The Government of Bangladesh does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government significantly increased trafficking investigations—with a notable increase in labor trafficking investigations from 12 cases in 2014 to 265 cases in 2015. Prosecutions also increased, and the government finalized and launched its 2015-2017 national action plan and continued to fund nine multipurpose shelters, drop-in centers, and safe homes, which were accessible to victims of trafficking. However, for the third consecutive year, the government continued to prepare but did not finalize the implementing rules for the 2012 Prevention and Suppression of Human Trafficking Act (PSHTA), thereby impeding the identification, rescue, and rehabilitation of trafficking victims. Convictions decreased, and although complicity of some officials in trafficking offenses remained a serious problem, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses in 2015. The government reported identifying significantly fewer victims in 2015, and the government's efforts to refer victims to care during the reporting period were unknown. The government remained without a formal mechanism to refer trafficking victims to protective services and did not provide adequate victim services. While the government renewed a labor export agreement with Malaysia aimed to mitigate the impact of private recruitment agencies' high fees and sometimes unscrupulous practices, the agreement had not yet been implemented at the end of the reporting period, and the government did little to protect Bangladeshi migrant workers outside of this agreement from extremely high legal recruitment fees and the deceitful practices of some employment recruiters.



## RECOMMENDATIONS FOR BANGLADESH:

Finalize, adopt, and disseminate the implementing rules for the PSHTA, and train government officials on its use; take steps to eliminate all recruitment fees charged to workers by licensed labor recruiters; increase prosecutions and convictions, particularly of labor trafficking, while strictly respecting due process; establish minimal guidelines for provision of adequate victim care and standard operating procedures for the referral of victims to such services; thoroughly investigate credible

allegations of government complicity in trafficking and prosecute officials who are complicit; enhance the training provided to officials, including law enforcement, labor inspectors, and immigration officers, on methods to identify trafficking cases and refer victims to protection services; expand the support services available to victims within Bangladesh and at Bangladesh's embassies abroad; use the PSHTA to prosecute fraudulent labor recruiters; improve quality of pre-departure trainings for migrant workers, including sessions on labor rights, labor laws, and methods to access justice and assistance in destination countries and in Bangladesh; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government demonstrated mixed efforts in law enforcement—investigations and prosecutions increased; however, convictions decreased, and for the third consecutive year the government continued to prepare the implementing rules for the PSHTA but did not finalize them. The 2012 PSHTA generally prohibits and punishes all forms of human trafficking, although it prohibits the fraudulent recruitment of labor migrants only if the recruiter knows the recruited worker will be subjected to forced labor. Prescribed penalties for labor trafficking offenses are five to 12 years' imprisonment and a fine of not less than 50,000 Bangladeshi Taka (BDT) (\$633), and prescribed penalties for sex trafficking offenses range from five years' imprisonment to the death sentence. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 181 sex and 265 labor trafficking cases in 2015, an increase from 146 sex and 12 labor trafficking cases in 2014. Of the forced labor cases, 98 cases were specifically investigated for bonded labor. Authorities prosecuted 481 alleged traffickers in 2015, compared with 449 in 2014, under the 2012 PSHTA. The government convicted four traffickers in 2015, compared with 15 in 2014. The courts sentenced three of the convicted traffickers to life imprisonment and one to 10 years' imprisonment. During the reporting period, the government provided anti-trafficking training at training centers to 10,890 police officers in 94 training programs. An international organization provided training to 81 investigators on human trafficking and other crimes; the trafficking in human beings police unit provided in-kind support for the trainings. Some NGOs reported information about the PSHTA had not been circulated widely among district and local officials.

Complicity of some officials in trafficking offenses remained a serious problem. Media reported on the alleged involvement of a Chittagong Division member of Parliament in smuggling, extortion, and possibly human trafficking related to the Andaman Sea migration crisis. According to one report, politicians, police, and border security forces on both sides of the India-Bangladesh border allegedly used a token system to allow traffickers to evade arrest. Observers reported police and border guards sometimes ignore potential trafficking crimes at brothels and maritime embarkation points. In 2014, a Bangladeshi citizen filed a suit in New York against his former employers, a Bangladeshi consular official and his wife, alleging violations of the Trafficking Victims Protection Act, among other forms of exploitation; the case remained ongoing, and the official has since assumed two other diplomatic posts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses in 2015.



## PROTECTION

The government demonstrated decreased efforts to protect trafficking victims. The Ministry of Home Affairs had standard operating procedures for the proactive identification of trafficking victims; however it is unclear how widely they were disseminated or used. The government reported the identification of 1,815 victims in 2015; of those identified, 1,310 were men, 315 women, and 190 children. This was a significant decrease from 2,899 victims identified in 2014; experts commented the decrease may be due in part to the application of a more accurate definition of trafficking. Of the 1,815 victims identified in 2015, police rescued 1,306. Separately, the government reported it repatriated approximately 2,700 of its citizens as part of the Bay of Bengal and Andaman Sea crisis—a small number of whom may have been trafficking victims. The government did not provide services specifically designed for trafficking victims, but children and adult female victims could access support services for vulnerable people through nine multipurpose shelters, drop-in centers, and safe homes administered by the Ministry of Social Welfare. Adult male victims could not access government services; NGOs provided male victims with some services. The government continued to lack a formal mechanism for authorities to refer victims to care. The government placed an unknown number of victims in government-operated shelters in 2015, compared with nine of the 2,899 victims identified in 2014 who were placed in government-operated shelters. NGOs provided shelter and services specifically for trafficking victims; police referred victims to these services on an ad hoc basis. The government continued to operate shelters in its embassy in Riyadh and consulate in Jeddah for female Bangladeshi workers fleeing abusive employers; however, overall, officials lacked resources in destination countries to assist labor trafficking victims adequately. Bangladeshi migrant workers, originally hired through the Bureau for Manpower, Education, and Training (BMET), could lodge complaints with BMET upon their return to Bangladesh, and seek government arbitration on labor and recruitment violations, including allegations of forced labor. NGOs reported not all victims were aware of this opportunity for redress. The arbitration process provided victims with remediation, but rewards were often minimal and did not adequately address illegal activities, including alleged fraud by licensed recruitment agencies.

The PSHTA provides for victim protection during judicial proceedings, including police security and the ability to testify via video, but it is unclear how frequently officials employed such protections. NGOs noted insufficient protection resulted in fewer investigations and prosecutions overall. The Governments of Bangladesh and India coordinated the rescue and repatriation of child trafficking victims through established standard operating procedures; however, the PSHTA did not provide legal alternatives to the removal of foreign victims of trafficking to countries where they might face hardship or retribution. Unregistered Rohingya refugees, including potential trafficking victims, may have been at risk of indefinite detention because of their lack of documentation.

## PREVENTION

The government demonstrated limited efforts to prevent trafficking. The government continued to allow BAIRA to legally set extremely high recruitment fees, which may have facilitated debt bondage of Bangladeshi workers abroad. BMET did not cancel any recruitment agencies' licenses in 2015, compared with four canceled in 2014. In 2015, 29 victims filed cases against Dhaka-based recruitment agencies through support provided by

a foreign government. The government continued to use a labor export agreement with Saudi Arabia from the previous reporting period mandating that employers cover travel costs, including plane fare and medical tests, and that female domestic workers should be employed by a third party rather than the private households in which they work; however, the government did not stipulate the maximum cost or eliminate the processing fee charged to the migrant by recruitment agencies. The Ministry of Expatriate Welfare and Overseas Employment's (MEWOE) Vigilance Taskforce continued to operate with a mandate to improve the oversight of Bangladesh's labor recruiting process. In February 2016, the government signed a new agreement to facilitate the migration of up to 1.5 million Bangladeshi workers to Malaysia under a government-to-government agreement that aimed to mitigate the impact of private recruitment agencies' high fees and sometimes unscrupulous practices; however, the agreement increased the fees charged to Malaysian companies that employ foreign workers, and observers expressed concern these fees would be deceitfully passed onto migrant workers by their employers, increasing their vulnerability to debt bondage. Also, shortly after the agreement was signed, Malaysia banned the recruitment of new foreign workers; this ban remained in place at the end of the reporting period, effectively nullifying the agreement. The government continued to require a 21-day pre-departure training course for Bangladeshi women going abroad to work as domestic servants; the training focused on learning practical skills, such as using household appliances, but included modules on trafficking awareness and self-protection.

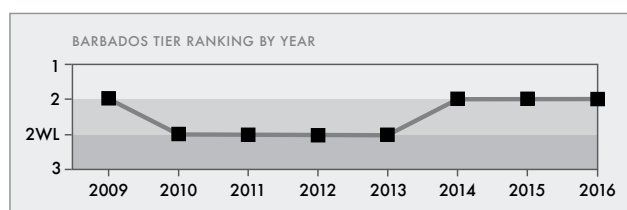
The government finalized and launched the 2015-2017 national action plan in June 2015, providing for better coordination between the government and NGOs. The Ministry of Home Affairs published its annual report on human trafficking. MEWOE conducted some trafficking awareness campaigns, including through posters and newspaper ads, at the national level and in some high risk localities. In Cox's Bazar, the district employment and manpower office utilized television advertisements, and in response to the Andaman Sea migration crisis hosted multiple workshops to educate the public and local officials about trafficking. The government trained military personnel to recognize and prevent trafficking in persons prior to their deployment abroad on international peacekeeping missions and provided anti-trafficking training for its diplomatic personnel. The government did not demonstrate efforts to reduce the demand for commercial sex or forced labor. Bangladesh is not a party to the 2000 UN TIP Protocol.

## BARBADOS: Tier 2

Barbados is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Authorities and NGOs report foreign women have been forced into prostitution in Barbados. Foreigners are subjected to forced labor in Barbados, most notably in domestic service, agriculture, and construction. Legal and undocumented immigrants from Jamaica and Guyana are especially vulnerable to trafficking. Child sex trafficking occurs in Barbados. There are anecdotal reports by authorities and NGOs that children are subjected to sex trafficking, including by parents and caregivers.

The Government of Barbados does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. A new anti-trafficking law was approved by Parliament but was awaiting proclamation at the close of the reporting period and is not yet in force. Current

law does not prohibit all forms of trafficking and prescribes some penalties—fines—that are not sufficiently stringent; the new draft law would prohibit all forms of trafficking but still allow insufficiently stringent penalties to deter the crime. The government has never convicted a trafficker, but one 2013 prosecution remains awaiting trial for the second consecutive year. The government continued drafting, but did not formally approve or implement for the second consecutive year, a national action plan establishing activities and priorities for 2016 through 2020, although the government did use the national action plan to inform a two-year work plan, covering 2015-2016, which was implemented. A government-wide anti-trafficking manual outlining identification and referral procedures was not completed for the second consecutive year. The government identified 12 potential trafficking victims, and assisted a previously identified trafficking victim during the reporting period. The government cited an overall lack of resources and manpower to adequately combat trafficking.



## RECOMMENDATIONS FOR BARBADOS:

Enact and implement a new anti-trafficking law to prohibit all forms of human trafficking and prescribe penalties that are sufficiently stringent (without an alternative of a fine) and commensurate with those prescribed for other serious crimes, such as rape; investigate, prosecute, and convict traffickers, including complicit officials, and apply stringent sentences that deter future trafficking crimes; train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence to reduce dependence on victim testimony; continue training and encouraging government officials to implement procedures to proactively identify labor and sex trafficking victims among vulnerable populations, such as Barbadians and foreigners in prostitution and migrant workers; provide adequate funding to organizations that assist trafficking victims; codify provisions for victims' legal alternatives to their removal to countries in which they would face retribution or hardship; continue to enhance partnership with NGOs to combat human trafficking; enact a national action plan to combat trafficking and complete the government-wide anti-trafficking manual; and make efforts to reduce the demand for commercial sex acts or forced labor.

## PROSECUTION

The government made inadequate efforts to prosecute traffickers in 2015, and has never reported any trafficking convictions. The law does not prohibit all forms of human trafficking, in particular internal trafficking, and does not prescribe penalties for trafficking that are sufficiently stringent. Articles 13, 19, and 20 of the Sexual Offenses Act; articles 33 and 34 of the Offenses against the Person Act; and article 8 of the Transnational Organized Crime (TOC) Act of 2011 address trafficking in persons. Aiding, abetting, or compelling prostitution under article 20 of the Sexual Offenses Act is punishable by five years' imprisonment, which is not commensurate with the prescribed penalty for rape, which is life imprisonment. The transnational trafficking of an adult under the TOC Act is punishable by

15 years' imprisonment or a potential fine with no jail time, which is not commensurate with the prescribed penalty for rape. Transnational trafficking of a child is punishable by imprisonment for life, which is commensurate with the prescribed penalty for rape. In 2015, the government drafted a new anti-trafficking bill, which will repeal the TOC Act, expand the definition to include internal trafficking, and enact more serious penalties for child trafficking; it was approved by the parliament and is awaiting proclamation. The trafficking of adults and children under the new bill is punishable by a potential fine with no jail time; these penalties are not sufficiently stringent or commensurate with the prescribed penalties for other serious crimes, such as rape.

Authorities investigated six new potential trafficking cases during the reporting period, compared with eight in 2014. The government determined four of the six suspected cases to be trafficking, involving 12 adult female potential trafficking victims, three of whom were subjected to sex trafficking in Jamaica and identified at the airport upon their arrival in Barbados. The three victims from Jamaica chose to return home and thus were not available to assist in prosecutions. The police identified the remaining nine Jamaican victims during a raid of a commercial sex establishment that forced the closure of the establishment. All nine of the victims elected to return to Jamaica and refused to assist in prosecutions. The other two cases were determined to be child sexual abuse and rape. The government reported no new prosecutions or convictions in 2015 or 2014. One prosecution—involving an immigration official for alleged complicity and misconduct in public office as a result of an April 2013 raid of a local brothel—remained pending, awaiting trial for the second consecutive year. The government did not report any new investigations or prosecutions of government employees complicit in human trafficking offenses and has never reported any convictions of government employees complicit in such offenses. The police said it struggled to target perpetrators and obtain evidence, given perpetrators' shift in tactics. The specialized anti-trafficking police unit, which also investigates child abuse and exploitation crimes, noted a significant increase in the number of cases referred to the unit, but cited a lack of manpower to investigate adequately all cases under its purview. The unit trained 200 front-line police officers on indicators of trafficking.

## PROTECTION

The government sustained moderate efforts in the protection of victims. Officials identified 12 adult female potential sex trafficking victims compared with none in the previous reporting period. The police intercepted three of the victims at the airport upon arrival in the country, but all three chose to depart the country. The government supplied meals to the victims in the airport and offered victim assistance, which the victims refused. The government also offered victim services to the nine Jamaican victims identified in the raid, but all nine victims refused services and elected to return to Jamaica. The government continued to provide shelter and occupational training to one of five victims identified in 2013, who cooperated with the police to provide evidence against the alleged traffickers in the case. Law enforcement generally referred victims to the gender affairs bureau, which coordinated assistance with local NGOs; the NGOs reported the mechanism worked. Authorities continued to develop a government-wide manual for the second year detailing written identification and referral procedures to better guide the victim referral process. The government had an agreement with an NGO to provide shelter for male trafficking victims, although this NGO did not assist

any during the reporting period. Authorities provided some funding to an NGO crisis center that provided shelter and psychological, medical, and occupational services to female victims of violence, including potential trafficking victims. This organization and the government's gender affairs bureau cooperated with other NGOs to offer additional services. The government acknowledged having insufficient funding to support multiple victims for long periods of time. The government maintained an informal policy allowing foreign victims to receive temporary legal alternatives to their removal to countries where they would face hardship or retribution, and continued providing one victim with temporary residency in 2015. NGOs did not report any trafficking victims detained, deported, fined, or jailed for unlawful acts committed as a direct result of being subjected to human trafficking.

## PREVENTION

The government made moderate efforts to prevent trafficking. The attorney general led the government's anti-trafficking taskforce, which met monthly and included permanent secretaries from several ministries. The government developed its national anti-trafficking action plan, covering 2016 through 2020, in collaboration with various government agencies and NGOs; however, it awaited final approval at the close of the reporting period before it could be implemented. The government implemented most objectives in its two-year work plan, including quarterly reporting on national trafficking statistics; public awareness presentations at two churches, reaching 75 people; an anti-trafficking awareness and training session for all government permanent secretaries; training for 40 officials in the immigration department, the Ministry of Labor, and the child care board; coordination with the labor department to produce brochures on labor trafficking; and efforts to integrate the labor department into the taskforce. The government continued to post information at the international airport listing elements of trafficking and a hotline victims could use for assistance. The government did not provide anti-trafficking training for its diplomatic personnel. The government made efforts to reduce demand for forced labor through outreach to the private sector on the penalties in the new law, but did not make efforts to reduce the demand for commercial sex acts.

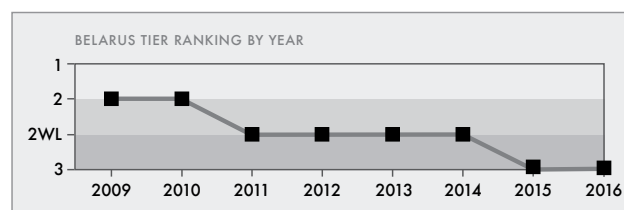
## BELARUS: Tier 3

Belarus is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Belarusian victims are primarily subjected to trafficking in Russia and within Belarus, 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, and the UN Human Rights Council adopted a resolution in July 2015 expressing deep concern at the government's "violations of labour rights amounting to forced labour," among other human rights issues. The European Parliament condemned an April 2015 Belarusian presidential decree which requires unemployed persons to pay a fee to the state or potentially face compulsory community service. The UN Committee on Economic, Social and Cultural Rights took the position that an

earlier presidential decree, issued in December 2012, "effectively takes away the right of workers in the wood-processing industry to freely leave their jobs." That decree assigns monthly bonuses to employees in the wood-processing industry that they must pay back if they resign; failure to repay these "bonuses" risks a court order obligating the employee to continue to work in that industry under law enforcement supervision. The ILO Committee of Experts reported that a 2010 law allows for Belarusians suffering from alcoholism or drug dependencies to be "interned in 'medical labour centers' for a period of 12 to 18 months and have an obligation to work, and refusing to work results in punishment, such as solitary confinement, for up to ten days." As of June 2015, an estimated 6,700 people were held at these centers. The government continued the practice of *subbotniks*, which requires employees of the government, state enterprises, and many private businesses to work on occasional Saturdays and donate their earnings to finance government projects. 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 intimidated and fined some workers who refused to participate. Authorities require university and high school students to help farmers during the harvesting season without paying them for their labors, in addition to other forced community service projects. Authorities reportedly forced military conscripts to perform work unrelated to military service. Per a 2006 presidential decree, parents who have had their parental rights removed are subjected to compulsory labor, and the government retains 70 percent of their wages. The ILO Committee of Experts noted its deep concern in 2016 that the Belarusian criminal code permits penalties involving compulsory labor be imposed for the expression of views opposed to the established political, social, or economic system. The ILO Committee of Experts cited reports that the government used or threatened to use arbitrary detention involving compulsory labor for apparently political motives.

The Government of Belarus does not fully meet the minimum standard for the elimination of trafficking and is not making significant efforts to do so. The government continued to be a leader in multilateral efforts to combat trafficking and made efforts to protect victims exploited abroad and internally by criminal enterprises. Additionally, the government developed a formal victim identification and referral mechanism and issued a contract to an NGO to provide victim services, the first such contract since a January 2013 law created the framework for state financing for NGOs. However, the government is engaged in practices that condone forced labor, and made no efforts to reform its policies. In fact, in 2015, the government introduced a new penalty on unemployed citizens that requires payment of a fee to the state to avoid compulsory community service. Other policies effectively creating state-sponsored forced labor continued, affecting civil servants, workers in the wood processing industry, students, and citizens suffering from drug or alcohol dependency, among others. For the third consecutive year, authorities did not convict any traffickers under the trafficking statute.





## RECOMMENDATIONS FOR BELARUS:

Reform state policies to end all forms of state-sponsored forced labor, including by repealing presidential decrees and other laws that result in the unemployed, civil servants, wood processing workers, students, and citizens suffering from drug or alcohol dependency, among others being subjected to forced labor; significantly increase efforts to investigate and prosecute cases of forced labor and sex trafficking; amend article 181 to include causing children younger than 18 to engage in prostitution as a trafficking crime, regardless of evidence of coercion, as prescribed by international law; 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 individuals in prostitution for indicators of trafficking; and increase labor inspections to identify internal forced labor.

## PROSECUTION

The government did not increase law enforcement efforts. Article 181 of the criminal code prohibits both sex and labor trafficking and prescribes penalties ranging from five to 15 years' imprisonment in addition to the forfeiture of offenders' assets, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Contrary to the definition of trafficking under international law, article 181 does not consider causing children younger than 18 to engage in prostitution a trafficking crime unless there is evidence of coercion. The government reported one trafficking investigation in 2015 under article 181, compared with one in 2014 and six in 2013. Authorities also initiated one investigation under article 181-1, which criminalizes the use of forced labor. The government did not convict any traffickers under article 181 in 2013, 2014, or 2015, which reflected a continuing decrease in law enforcement efforts, following the conviction of one trafficker in 2012, seven in 2011, and 12 in 2010. Authorities prosecuted at least six individuals for potential child sex trafficking offenses under other articles in the criminal code in 2015, compared with three individuals in 2014. The interior ministry's law enforcement academy continued to provide trafficking-specific training to Belarusian law enforcement officials, as well as foreign officials invited by the government.

## PROTECTION

The government made some increased efforts in victim protection. The government identified five trafficking victims in cases investigated under articles 181 and 181-1 in 2015, compared with 16 in 2014. Authorities identified additional trafficking victims in cases investigated under other statutes; the government reported 116 actual and potential trafficking victims from cases under other statutes, compared with 97 in 2014. The government reported law enforcement officials referred 27 victims for care by international organizations and NGOs, compared with 32 in 2014. NGOs reported assisting 263 trafficking victims in 2015, 47 of whom were children. With the assistance of international organizations and NGOs, in June 2015 the government approved a formal victim identification and referral mechanism that outlined roles for state agencies and civil society in identifying, referring, and assisting victims. It also created the instructions and forms for authorities to register victims and issue referral orders for the provision of

care services. The government reported training designated police officers and diplomats on the new procedures in 2015. Authorities identified 76 potential sex trafficking victims among the 1,625 individuals charged with prostitution in 2015 and exempted them from any criminal or administrative penalties.

An NGO received 212 million rubles (\$11,425) in government funds to provide medical, social, and psychological assistance to victims of trafficking and domestic violence; this was the first instance of financing NGO-provided services specifically for trafficking victims since a January 2013 law authorized the provision of government funding to NGOs running social welfare programs. The government also provided in-kind assistance to other anti-trafficking NGOs in the form of discounted rent on office space, lower taxes, and placement of awareness-raising materials on state-owned television and billboards. The government did not have trafficking-specific facilities available to care for victims, but local authorities operated 109 "crisis rooms" that offered temporary shelter, including beds, meals, and personal hygiene products to vulnerable adults, including victims of natural and manmade disasters, domestic violence, and human trafficking. Observers reported most victims sought assistance at private shelters because the government's centers were poorly equipped and lacked qualified caregivers. The government offered free medical services and psychiatric consultations to victims. The labor and social welfare ministries reported assisting four labor trafficking victims. The education ministry maintained centers that could provide vulnerable children with shelter and basic provisions; however, similar to past years, no child trafficking victims have received services at these facilities, despite the government identifying child sex trafficking victims.

## PREVENTION

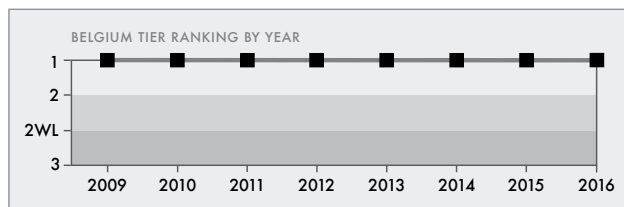
The government maintained efforts to prevent trafficking. The government conducted public awareness campaigns through television, radio, and print media. The interior ministry continued to operate a hotline for safe travel abroad to inform potential labor migrants and identify illegal recruitment practices; the hotline received 1,280 calls for consultations in 2015. Although authorities charged 58 individuals with administrative offenses related to illegal recruitment, forced labor regulations were seldom enforced, and resources and inspections dedicated to preventing forced and compulsory labor were minimal and inadequate to deter violations. The government drafted a 2016-2018 State Program on Countering Crime and Corruption, which included anti-trafficking activities; the program was not adopted by the close of the reporting period. The government did not report efforts to reduce the demand for commercial sex.

## BELGIUM: Tier 1

Belgium is a destination, transit, and limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims primarily originate in Eastern Europe, Africa, East Asia, and South America, notably Bulgaria, Romania, Albania, Nigeria, China, India, and Brazil. Male victims are subjected to forced labor in restaurants, bars, sweatshops, horticulture sites, fruit farms, construction sites, cleaning businesses, and retail shops. Belgian girls, some of whom are recruited by local pimps, and foreign children—including Roma—are subjected to sex trafficking within the country. Some Belgian women have been subjected to sex trafficking in

Luxembourg. Forced begging within the Romani community in Belgium also occurs. Foreign workers are subjected to forced domestic servitude, including in the diplomatic community assigned to Belgium. In 2015, approximately 35,000 people applied for asylum in Belgium, a dramatic increase over previous years; experts anticipate migrants whose asylum applications are denied are highly vulnerable to trafficking.

The Government of Belgium fully meets the minimum standards for the elimination of trafficking. The government continued to prosecute and convict traffickers, fund NGO shelters providing specialized assistance to trafficking victims, provide extensive training to police officers on victim identification, and began implementation of a new four-year national action plan. The government took measures to identify and reduce potential trafficking-related exploitation at reception centers, in response to the dramatic increase in asylum-seekers during the reporting period. However, the government did not allocate a regular budget to NGO shelters, and sentences for convicted traffickers continued to be suspended, with most traffickers receiving little to no prison time.



## RECOMMENDATIONS FOR BELGIUM:

Allocate regular funding for NGO-run shelters for trafficking victims; improve security at reception centers to prevent traffickers from recruiting asylum-seekers; increase awareness raising efforts among migrant populations, including asylum-seekers; enhance training of law enforcement, prosecutors, and judges to improve the conviction rates of traffickers and ensure sufficiently stringent sentences; enhance training of relevant professionals to increase the number of trafficking victims identified, including child victims; revise the definition of human trafficking under Belgian law to more closely align with the definition in the 2000 UN TIP Protocol; and provide disaggregated prosecution and conviction data for cases involving force, fraud, or coercion.

## PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. Belgium prohibits all forms of trafficking through a 2005 amendment to the 1995 Act Containing Measures to Repress Trafficking in Persons. The law's maximum prescribed penalty—20 years' imprisonment—is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Belgium's definition of trafficking in persons is broader than the definition in the 2000 UN TIP Protocol. The failure of an employer to meet prevailing wage, hours, and working conditions can constitute "exploitation" under Belgian law, and these cases are included in the government's prosecution data. Contrary to the definition of trafficking under international law, coercion is considered an aggravating factor under Belgian law rather than an integral part of the base offense for adults. Belgian law does not require evidence of any form of coercion to secure a trafficking conviction. In its most recent assessment, GRETA reported the overbroad definition may lead to confusion between trafficking

and other criminal offenses and possible difficulties in mutual legal assistance with foreign governments that use a definition more consistent with the UN TIP Protocol.

The government initiated prosecutions against 299 defendants in 2015, compared with 259 in 2014; it prosecuted 151 defendants for sex trafficking offenses and 124 for labor trafficking or economic exploitation offenses (112 and 115 in 2014, respectively). The government prosecuted 14 defendants for coerced criminality and 10 for forced begging. Authorities convicted and sentenced at least 93 traffickers in 2015 with charges including 195 counts of aggravating circumstances, compared with 47 traffickers in 2014. Most convicted traffickers received no prison time or a partially or fully suspended prison sentence. The government sentenced 88 convicted traffickers to prison terms (of which 52 were suspended or partially suspended), compared with 42 prison sentences (19 of which were suspended or partially suspended) in 2014. Most prison sentences ranged from one to five years' imprisonment; 12 offenders were sentenced to one year, 46 were sentenced to between one and three years, 21 were sentenced to three to five years, and nine were sentenced to five years or more. The government continued efforts to prosecute eight members of the Abu Dhabi royal family for allegedly subjecting 17 girls to forced servitude while staying at a Brussels hotel in 2008. The government conducted two investigations related to the attempted recruitment of asylum-seekers waiting in reception centers, potentially for trafficking purposes; the investigations were ongoing at the close of the reporting period. The government provided basic training to all local and federal police officers, as well as advanced training for officers specializing in cases of labor and sexual exploitation. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government maintained strong efforts to protect trafficking victims. Federal and regional governments continued to fund three dedicated NGO-run shelters providing specialized, comprehensive assistance to trafficking victims, including psycho-social, medical, and legal care. These shelters assisted at least 152 new adult victims in 2015 (including 93 victims of labor trafficking and 43 victims of sex trafficking), compared with 162 new victims assisted in 2014. While NGOs referred more than 20 victims to the shelters, most victims were identified by law enforcement, social workers, and medical professionals. The shelters were open to all victims regardless of gender, immigration status, or nationality. Despite complete reliance on these three shelters for the majority of victims' services, the government provided ad hoc rather than dedicated funding. The government funded three shelters for minors; trafficking victims shared these facilities with victims of other crimes. The government continued to employ systematic procedures to identify and refer victims for care. The government reportedly did not penalize identified victims for unlawful acts committed as a direct result of being subjected to trafficking; however, victims who were not properly identified, particularly child sex trafficking victims, were vulnerable to such penalization. The government organized trainings and awareness campaigns for front-line professionals, such as law enforcement, hospital and social workers, military trainers, magistrates, and other stakeholders to improve identification efforts, and circulated administrative notices to prosecutors.

The government granted most identified foreign trafficking

victims residence and employment permits and protective services; many services were conditional on the victim assisting in the prosecution of his or her trafficker. To qualify for victim status, victims must have broken off all contact with traffickers and agreed to counseling at a specialized trafficking shelter. Victims who were not citizens of EU member states could only obtain permanent residency upon the successful prosecution and sentencing of traffickers, although residence permits for indefinite periods of time were available without conviction if authorities established a formal charge of trafficking. During the year, the government issued or renewed 552 residence permits to trafficking victims. Although government-supported NGOs provided some legal representation to victims, such support was limited due to a lack of steady funding.

## PREVENTION

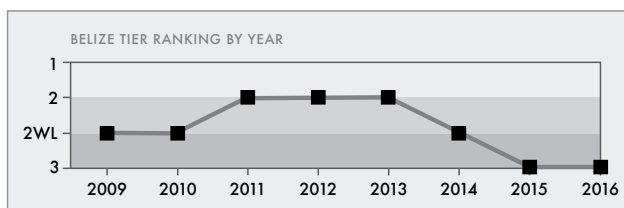
The government maintained strong efforts to prevent trafficking. The government continued to lead awareness campaigns focused on victim identification. Flyers were also available in the consular sections of Belgian embassies and consulates abroad. The inter-departmental coordination unit, in consultation with NGOs and other non-governmental stakeholders, developed and began implementation of a new national action plan for 2015-2019. The government did not make efforts to reduce the demand for commercial sex acts during the year; however, the government continued to implement programs to reduce the demand for forced labor, such as a widely used program that subsidizes the wages of maids and domestic assistants. In response to the dramatic increase in asylum-seekers in the country, authorities took measures to identify and reduce exploitation at reception centers, including training for reception center staff and awareness-raising among the migrant population; however, authorities and the national rapporteur identified vulnerabilities in securing these centers during the reporting period. The government did not provide anti-trafficking training to its diplomatic personnel.

## BELIZE: Tier 3

Belize is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. The UN Special Rapporteur on Trafficking in Persons reported family members facilitate the sex trafficking of Belizean women and girls. In tourist regions, foreign child sex tourists, primarily from the United States, exploit child sex trafficking victims. Sex trafficking and forced labor of Belizean and foreign women and girls, primarily from Central America, occur in bars, nightclubs, brothels, and domestic service. LGBTI men, women, and children are vulnerable to sex and labor trafficking. Foreign men, women, and children—particularly from Central America, Mexico, and Asia—migrate voluntarily to Belize in search of work and are often exploited by traffickers who recruit victims using false promises of relatively high-paying jobs. Some migrants are subjected to forced labor in restaurants, shops, agriculture, and fishing or to sex trafficking. Trafficking-related complicity by government officials, including those at high levels, remains a problem.

The Government of Belize does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Authorities initiated investigations into seven cases involving six suspects and continued one prosecution initiated in a previous year, but did not begin any new prosecutions. In early 2016, the government convicted

one trafficker, but imposed a fine in lieu of jail time. Victim identification efforts remained weak. Authorities identified seven victims in 2014 compared with 10 identified the previous year. Although law enforcement raids on commercial sex establishments increased in number from last year, they were ineffective in identifying trafficking victims; moreover, following the raids the government arrested, detained, and deported potential victims for immigration violations. The government did not investigate or prosecute any public officials for alleged complicity in human trafficking-related offenses, despite reports of a significant level of official complicity.



## RECOMMENDATIONS FOR BELIZE:

Develop and consistently implement formal procedures to identify and refer to care victims of sex and labor trafficking among vulnerable groups, involving Spanish-speaking social workers, NGOs, or victim advocates in the process to ensure trafficking victims are not penalized and re-victimized for crimes committed as a direct result of trafficking; implement victim-centered procedures during raids, including conducting interviews in a safe and neutral location, separate from immigration inquiries; implement the anti-trafficking law by vigorously investigating and prosecuting suspected traffickers, including complicit officials, and imposing stringent penalties, including jail time, on convicted traffickers; consider implementing measures to expedite trafficking prosecutions; increase efforts to reintegrate victims and deliver specialized victim care, in partnership with NGOs; update and implement the national anti-trafficking plan; prosecute and impose stringent penalties on child sex tourists; amend laws to effectively criminalize all commercial sex acts with minors and to restrict the ability to offer fines in lieu of prison time during sentencing for trafficking offenders; and develop a targeted campaign to raise awareness among clients of Belize's legal sex trade about the links between prostitution and trafficking.

## PROSECUTION

The government made inadequate efforts to investigate and prosecute trafficking offenses and convict traffickers. The Trafficking in Persons (Prohibition) Act 2013 prohibits all forms of trafficking and prescribes penalties of one to eight years' imprisonment for the trafficking of adults and up to 12 years' imprisonment for the trafficking of children. The prescribed penalties are sufficiently stringent, but are not commensurate with those prescribed for rape. The 2013 Commercial Sexual Exploitation of Children (Prohibition) Act criminalizes the facilitation of prostitution of children younger than 18. This law, however, allows adults to legally engage in sexual activity with 16- and 17-year-old children in exchange for remuneration, gifts, goods, food, or other benefits if there is no third party involved—leaving children of this age group vulnerable to sex trafficking.

The government investigated seven sex trafficking cases involving six suspects, but did not initiate any new prosecutions. Authorities continued a child sex trafficking prosecution



from 2014 that resulted in the February 2016 conviction of a Honduran national for subjecting a 15-year-old Honduran girl to sex trafficking. A judge imposed a fine of approximately 74,000 Belize dollars (\$37,000), including approximately 15,600 dollars (\$7,800) in compensation to the victim, but did not impose jail time. This was the first conviction under the 2013 anti-trafficking law. The government did not provide updates on cases pending from previous years.

The government's enforcement activity against suspected trafficking consisted largely of raids on venues operating in Belize's sex trade; due to limited intelligence-gathering, a lack of formal victim identification procedures, and suspected complicity among some law enforcement officials, few trafficking crimes were uncovered during these operations and at times they caused further harm to victims. Many women and girls, potentially including trafficking victims, were arrested, jailed, or deported for immigration violations. Many off-duty police officers provided security for sex trade establishments, which may have inhibited victims from coming forward and officers from investigating allegations of trafficking in the sex trade—particularly if made against their employers. The government did not investigate, prosecute, or convict any officials for complicity in trafficking crimes. The Ministry of Human Development hosted a roundtable with judicial officials to discuss ways to improve the anti-trafficking law and prosecutions. The government coordinated training workshops financed and delivered by NGOs for front-line officials on child protection issues, including child trafficking.

## PROTECTION

The government made minimal efforts to protect trafficking victims. Authorities identified seven sex trafficking victims in 2015, including three women and four girls, compared with 10 victims identified in 2014. The government did not have formal written procedures to guide officials in identifying victims. Police asked questions to screen for indicators of trafficking among women and girls apprehended in raids on bars; officials screened more than 250 women and girls suspected to be sex trafficking victims in 2015 and identified five victims through this method. Local experts report these procedures have been largely ineffective in identifying trafficking victims, as the incidence of trafficking among this population is believed to be much higher. Instead, many women and girls, potentially including trafficking victims, were arrested, jailed, or deported for immigration violations. Victims' fear of detention or deportation may have made them reluctant to communicate with law enforcement officers, leaving some victims unidentified.

Identified victims were referred to the Department of Human Services, which made decisions for protection on a case-by-case basis. Adult victims were typically referred to an NGO shelter, while children were placed in foster homes. Experts questioned the appropriateness of foster home placements due to the lack of education about human trafficking for foster parents, uneven coordination and communication between the foster parents and government agencies, and limited psycho-social care for the victims. Services such as medical care and psychological counseling, when available, were provided by NGOs. The government encouraged victims to assist in investigations by providing witness protection and coordinating lodging; court delays and fear of retaliation by traffickers may have caused victims to decline or withdraw cooperation with law enforcement and return to their home countries. The government had a policy to grant temporary

residency status to victims willing to cooperate in investigations or prosecutions, though it is unknown whether any received this benefit in 2015; one foreign victim identified in 2014 remained in the country and participated in a prosecution. Victims could apply for work permits, but the cost of 500 Belizean dollars (\$250) to obtain such permits imposed a significant barrier. Belize's anti-trafficking law exempts victims from punishment for crimes committed as a result of being subjected to trafficking; however, NGOs reported that victims not formally identified by the government were commonly arrested, jailed, and deported.

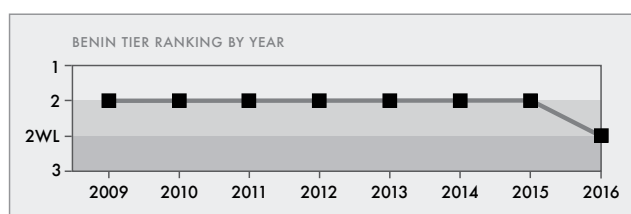
## PREVENTION

The government demonstrated minimal prevention efforts. Its anti-trafficking council met quarterly and reportedly began work on a new national action plan, though none was in place during the reporting period, and the prior 2012-2014 anti-trafficking national strategic plan remained largely unimplemented. The government, in partnership with an NGO, expanded its awareness campaign through television, posters, and billboards in English, Spanish, Mandarin, and Hindi. Authorities continued to disseminate public service announcements on child sexual exploitation, tourism, and the demand for commercial sex acts, but did not investigate, prosecute, or convict any child sex tourists. The government did not make efforts to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel.

## BENIN: Tier 2 Watch List

Benin is a source, transit, and destination country for women, children, and men subjected to forced labor and sex trafficking. Most identified victims are Beninese girls subjected to domestic servitude or sex trafficking in Cotonou. The practice of *vidomegon*, which traditionally provided educational or vocational opportunities to children by placing them in the homes of wealthier families, is sometimes used to exploit children in domestic servitude. Children from Benin and neighboring countries are forced to labor on farms, in commercial agriculture (particularly in the cotton sector) in artisanal mines, at construction sites, or as street or market vendors. A 2013 study cited more than 7,800 children subjected to labor exploitation in the markets of Cotonou, Porto-Novo, and Parakou. Togolese girls are exploited in prostitution in Benin. Cases of child sex tourism involving both boys and girls in Mono and on the shores of the Bight of Benin have been reported in previous years. In northern Benin and Nigeria, *marabouts*, Koranic teachers, exploit Beninese children in forced begging in Koranic schools. Most Beninese child trafficking victims are from the northern regions, and many are recruited and transported to neighboring countries where they are forced to labor in homes, mines, quarries, restaurants, markets, and on cocoa farms. The department of Oueme in southeast Benin was reportedly a primary area of recruitment for child trafficking victims. Most child victims intercepted in Benin, either from Benin or other West African countries, are exploited or intended for exploitation within the country. Benin is the largest source country for trafficking victims in the Republic of the Congo; Beninese victims are also subjected to trafficking in Nigeria, Gabon, and Lebanon. West African women are exploited in domestic servitude and forced prostitution in Benin. At least one Moldovan trafficking victim was identified in Benin during the reporting period.

The Government of Benin does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Benin is placed on Tier 2 Watch List. The government decreased prosecution, protection, and prevention efforts. During the reporting period, the government identified 131 potential child trafficking victims and convicted four traffickers for the illegal movement of these children. However, authorities continued to focus on intercepting traffickers and victims in transit rather than rescuing victims from exploitation in the country. The government did not systematically investigate instances of trafficking of adults or provide protective services to adult victims. Anti-trafficking legislation—including prohibitions and penalties for the trafficking of adults—remained pending review by the Ministry of Justice (MOJ) for the fourth consecutive year. Inadequate funding and staffing for the Office for the Protection of Minors (OCPM), the Ministry of Family (MOF), and the Ministry of Labor (MOL) continued to hinder anti-trafficking progress. The government did not make efforts to investigate alleged government complicity.



## RECOMMENDATIONS FOR BENIN:

Finalize and enact legislation to criminalize all forms of trafficking consistent with the 2000 UN TIP Protocol; increase efforts to investigate, prosecute, convict, and adequately sentence offenders of sex and labor trafficking of adults and children, including complicit officials, via existing statutes; develop systematic procedures for proactive victim identification—including those found to be in situations of forced labor—and their subsequent referral to care; train law enforcement officials on relevant legislation and identification and referral procedures; increase funding to OCPM, MOL, and MOF to ensure they can adequately inspect worksites for trafficking crimes and provide support to victims; improve efforts to collect law enforcement data on trafficking offenses and make it available to other government agencies and the public; and launch a nationwide anti-trafficking awareness campaign.

## PROSECUTION

During the reporting period, the government decreased its anti-trafficking law enforcement efforts. Existing laws do not prohibit all forms of trafficking. The 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking (act 2006-04) criminalizes all forms of child trafficking, prescribing penalties of 10 to 20 years' imprisonment. However, the act focuses on prohibiting and punishing the movement of children rather than their ultimate exploitation and prescribes much lower penalties—six months to two years of imprisonment or fines—for actual trafficking crimes involving labor exploitation; these penalties are not sufficiently stringent. The penal code outlaws procuring or offering someone for prostitution and the facilitation of prostitution and prescribes punishments of six months to two years of imprisonment. The labor code prohibits forced labor and prescribes punishments

of two months to one year of imprisonment or a fine. These punishments are neither sufficiently stringent nor commensurate with punishments prescribed for other serious crimes, such as rape. Comprehensive anti-trafficking legislation that includes prohibitions and penalties for the trafficking of adults has remained pending MOJ review since the draft was completed in September 2012.

During the year, the Ministry of the Interior's OCPM—a specialized unit responsible for all criminal cases involving children—investigated 49 cases of child trafficking and 12 cases of exploitative child labor, compared with 102 cases of child trafficking and four cases of exploitative child labor in the previous reporting period. The government did not systematically investigate the trafficking of adults. OCPM referred 12 suspects to the courts for prosecution, compared with 19 suspects in the previous reporting period. MOJ reported convicting four offenders for child trafficking and the illegal movement of children, which may have included trafficking crimes, under act 2006-04, a decrease compared with 10 convicted in 2014, but did not report sentencing details for these convictions. However, courts routinely release convicted traffickers held in pre-trial detention before handing down suspended sentences. In one case, the government detained an alleged trafficker who forced two girls into domestic servitude in Nigeria and confessed he acted in collusion with a child trafficking network, which officials began to investigate during the reporting period.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Allegations of complicity involving Beninese diplomatic personnel resurfaced in the previous reporting period. Instead of assisting in the placement of child trafficking victims among care providers, consular staff allegedly colluded with complicit officials in a destination country to return victims to a trafficking network. Immigration officials in Cotonou also allegedly supplied falsified travel documents to facilitate the illegal movement of children as adults.

## PROTECTION

The government decreased efforts to protect child trafficking victims during the year and made no efforts to identify adult victims or provide them protection. OCPM identified 131 potential trafficking victims in 2015, compared with 220 in 2014. OCPM provided the children temporary shelter and legal, medical, and psychological services, before transferring victims to long-term NGO shelters; however, the government failed to provide financial or in-kind support to NGOs providing such care. Officials with the Ministries of Family, Justice, and Interior worked in partnership with an international organization and NGOs to coordinate placement of child trafficking victims with host families who provided additional care to children prior to reinsertion into their home communities. Government social workers provided counseling for such children, while an NGO provided financial support to cover their basic needs. Through their broad services in support of victims of crime and vulnerable groups, 85 centers for social promotion under the MOF offered basic social services, food, and temporary shelter to trafficking victims throughout the country, particularly in rural areas where such services were scarce, and reintegration of victims into their home communities. Officials and NGO stakeholders in destination countries noted re-trafficking was an issue once victims returned to Benin, with the parents often sending the children or their siblings back to the trafficker to uphold their initial agreement to send children. In August 2013, Beninese and

Gabonese officials met to finalize an agreement for cooperation on child trafficking, although this remained incomplete at the end of the reporting period for the second consecutive year. The government did not make systematic efforts to identify adult trafficking victims or employ any mechanism to screen individuals in prostitution for trafficking, which may have left victims unidentified in the law enforcement system.

## PREVENTION

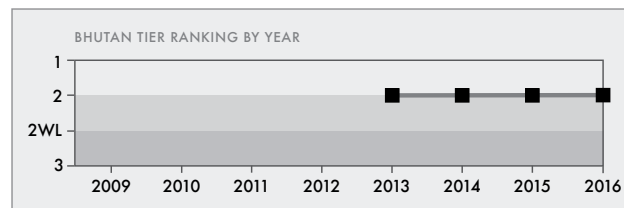
The government made decreased efforts to prevent trafficking in persons. The anti-trafficking coordinating body—the Trafficking and Exploitation Technical Working Group of the National Monitoring and Coordination Working Group for Child Protection—did not meet during the year, nor did its six affiliated working groups. The government engaged local authorities and traditional leaders in child trafficking prevention. The government has local child protection committees in 33 communities throughout the country to raise awareness, detect trafficking networks, and reintegrate victims, but it did not report any committee activities during the year. With support from a foreign donor, the government trained police officers, social assistants, local civil society organizations, and journalists to identify and re-integrate children as part of a project on migrant children in West Africa. During two five-day trainings MOL, in partnership with an international organization, trained 60 print and radio journalists on child sex and labor trafficking and subsequently disseminated information in local languages throughout villages and communities in the northern and southern Benin. In November 2015, MOL hired an additional 25 labor controllers, 31 labor inspectors, and five labor administrators. Labor inspectors generally imposed administrative penalties, resulting in fines, even for serious labor violations, some of which likely included trafficking crimes. The government took no systematic steps to reduce the demand for commercial sex acts or forced labor both within the country and abroad during the reporting period. It provided its troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, conducted by a foreign donor. The government did not provide anti-trafficking training for its diplomatic personnel.

## BHUTAN: Tier 2

Bhutan is a destination country for men, women, and children vulnerable to forced labor and sex trafficking, and a source country for Bhutanese children subjected to forced labor and sex trafficking within the country and in India. Bhutanese girls—working as domestic servants and entertainers in *drayungs*, or karaoke bars—may be subjected to sex trafficking and labor trafficking coerced by debt and threats of physical abuse. Rural Bhutanese are transported to urban areas, generally by relatives, for employment in domestic work, which at times involves forced labor. While most domestic workers in Bhutan are young girls from poor, rural areas of the country, Indian women and girls also seek employment in this sector. An expanding construction sector continues to increase demand for low-skilled foreign labor, primarily men from India, who are vulnerable to trafficking.

The Government of Bhutan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government and civil society did not identify any victims of trafficking during the reporting period; subsequently, the government did not investigate or

prosecute any trafficking cases. The government continued to detail personnel to an NGO serving trafficking victims and funded programs around the country to increase public awareness on anti-trafficking laws, including at industrial and construction sites in border districts. However, the government did not train officials during the year, and a lack of understanding of the crime continued to limit the government's response to human trafficking.



## RECOMMENDATIONS FOR BHUTAN:

Amend section 154 of the penal code to refine the definition of human trafficking so the purpose of the crime is “exploitation” rather than “any illegal purpose;” formalize standard operating procedures to proactively identify trafficking victims and refer them to protection services; proactively investigate potential cases of trafficking, and if there is enough evidence, prosecute those cases; train officials on the implementation of anti-trafficking laws and victim identification and referral procedures; undertake and publish a comprehensive assessment of all forms of human trafficking, including labor trafficking of men; continue to fund NGOs that provide protective services to trafficking victims; continue to conduct human trafficking awareness raising events among vulnerable populations; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government did not report any anti-trafficking law enforcement efforts beyond its standard policing duties during the reporting period. Article 154 of the penal code criminalizes 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.” This definition departs from the 2000 UN TIP Protocol definition because it requires the purpose be otherwise “illegal,” rather than for the purpose of engaging in “exploitation,” such as forced labor or sex trafficking. Bhutan also defines trafficking to include buying, selling, or transporting a child for any illegal purpose, and engaging a person in prostitution if the defendant transports, sells or buys the person within, into, or outside of Bhutan, in articles 227 and 379 of the penal code, respectively. It also prohibits all forms of child trafficking “for the purpose of exploitation” in article 224 of the Child Care and Protection Act of 2011. The punishments for these offenses range from three years’ to life imprisonment. The Labor and Employment Act of 2007 prohibits most forms of forced labor, with penalties from three to five years’ imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government did not investigate or prosecute any trafficking cases during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. The government did not conduct anti-trafficking training during the year and a lack of understanding of the crime continued to limit the government's response to human trafficking.



## PROTECTION

The government made modest efforts to protect trafficking victims; however, it did not employ systematic procedures for the identification and referral of victims. During the previous reporting period, the National Commission for Women and Children (NCWC), an autonomous agency funded by the government, began development of standard operating protocols for anti-trafficking law enforcement procedures, in partnership with an international organization and including input from government representatives; these procedures were not finalized during the reporting period. The government did not report identifying any victims during the reporting period. An NGO, supported with personnel from the government, provided shelter to women and child victims of crime, including human trafficking, and rehabilitation services to men, women, and children; however, it is unclear whether trafficking victims utilized its services during the year. There was no shelter facility for men. The government continued to deport undocumented migrant workers without screening them for trafficking victimization. The law did not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship.

## PREVENTION

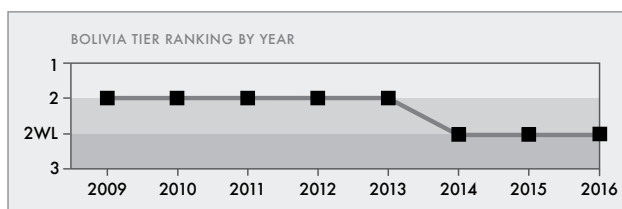
The government undertook some efforts to prevent human trafficking. The government did not have a national action plan to combat trafficking, nor did it appoint an agency to coordinate its anti-trafficking action; however, the government continued to partner with an international organization on a project designed to enhance government and civil society responses to trafficking. The NCWC partnered with an international organization to begin to establish a hotline and data collection system on women and child trafficking victims. The Bhutan Labor and Employment Act of 2007 required employment recruiters to abide by the same labor laws as employers and required recruiters to be licensed. The government registered migrant laborers and monitored working conditions. The NCWC conducted government-funded programs around the country to increase public awareness on anti-trafficking laws, including at industrial and construction sites in border districts. The police monitored businesses potentially offering commercial sexual services, such as massage parlors. The government did not report whether it took steps to reduce the demand for 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.

## BOLIVIA: Tier 2 Watch List

Bolivia is principally a source country for men, women, and children exploited in sex trafficking and forced labor within the country and abroad. To a more limited extent, women from neighboring countries, including Brazil, Colombia, and Paraguay, have been found in sex trafficking in Bolivia. Civil society and media report Bolivia serves as a transit and destination country for migrants from Africa, Chile, and the Caribbean, some of whom become victims of forced labor and sex trafficking. 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 found in sex trafficking within Bolivia and in neighboring countries such as Argentina, Brazil, Panama, Peru, and Chile. Within the country, Bolivian men, women, and children are found in forced labor in domestic service, 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. A significant number of Bolivians are found in forced labor in Argentina, Brazil, and Chile, other countries in sweatshops, agriculture, domestic service, textile factories, and the informal sector. Media reports also indicate traffickers, including extended families with ties to the communities and groups they exploit, use social and online networks to advertise high-paying jobs abroad to recruit vulnerable populations. Traffickers also exploit the absence of a national registry of employment agencies to establish informal temporary employment agencies, through which they identify and recruit potential victims. Some suspected traffickers reportedly bribe officials to avoid facing justice.

The Government of Bolivia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Bolivia is placed on Tier 2 Watch List for the third consecutive year. Per the Trafficking Victims Protection Act, Bolivia was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards. The government published and resourced its 2015-2019 national anti-trafficking action plan aimed at prevention, protection, and prosecution, as well as national and international coordination. The government devoted 18 million bolivianos (\$2.6 million) for 2015 of an estimated 60 million bolivianos (\$8.7 million) budget to implement the plan from 2015-2019. Authorities reportedly convicted five traffickers but did not report the total number of victims identified, referred, or assisted in 2015, or the kinds of services these victims received.



## RECOMMENDATIONS FOR BOLIVIA:

Strengthen efforts to prosecute all trafficking offenses, and convict and punish traffickers, including complicit officials; implement the established protocols for the identification of trafficking victims among vulnerable populations and the referral of victims to care services; establish a national registry of employment agencies to inhibit fraudulent labor recruitment; devote additional resources to implement the 2015-2019 national anti-trafficking action plan, including funds designated for specialized assistance for all trafficking victims across the country; direct dedicated human trafficking units to increase efforts on human trafficking cases rather than focusing on other crimes, such as missing persons; implement systematic victim-centered anti-trafficking training for government officials, including police, prosecutors, judges, and social workers; improve data collection and sharing on anti-trafficking efforts; adequately distinguishing human trafficking from other crimes; provide reintegration services to returning Bolivian trafficking victims; and coordinate efforts among government and non-governmental entities working to combat trafficking.

## PROSECUTION

Government anti-trafficking law enforcement efforts remained weak. Law 263 of 2012—the Comprehensive Law against Trafficking and Smuggling of Persons—prohibits all forms of trafficking and establishes penalties of 10 to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. Law 263 diverges from the international definition of trafficking in persons, however, by classifying non-trafficking crimes, such as illegal adoption and the removal or sale of organs without the purpose of exploitation, as human trafficking. While law 263 creates separate criminal offenses for trafficking in persons and smuggling of persons, it creates only one government infrastructure to address the two crimes, which may lead to confusion in collection of data and in the response to perpetrators and victims of these separate crimes. Some officials conflated human trafficking with the movement of children within the country or to other countries without proper documentation. Some police and prosecutors charged trafficking cases as non-trafficking crimes, such as pimping; this was sometimes due to a belief that trafficking cases were difficult to prove in court.

The government did not provide reliable or comprehensive data on the number of trafficking investigations or prosecutions initiated in 2015. Trafficking crimes reported to the Bolivian police decreased from 380 in 2014 to approximately 247 in 2015. Authorities reportedly convicted five traffickers, a decrease from 12 traffickers in 2014; however they did not report sentence length or specify the form of trafficking committed for each conviction. Press reports indicated two traffickers were sentenced to two and eight years' imprisonment, respectively, for smuggling and trafficking two newborn children for illegal adoption, a crime under law 263 but not under the international definition. The government operated two national anti-trafficking and anti-smuggling police units, one focused on internal law enforcement efforts and the other on border security. Civil society indicated departmental (provincial) governments received funding from a national tax, but devoted less than 1.5 percent to budgets for law enforcement operations, generally judged to be insufficient. As a result, police relied heavily on donations from NGOs and civil society to conduct operations, including anti-trafficking operations. The government, in collaboration with an international organization, provided anti-trafficking training to 108 investigators, police, prosecutors, judges, and social workers. While law 263 imposes a serious penalty for public servants involved in trafficking crimes, some experts reported traffickers could bribe prosecutors to avoid being charged. For the third consecutive year, no information was available regarding government response to a 2013 report from the ombudsman's office that two police officers allegedly forced female inmates into prostitution. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

## PROTECTION

The government made inadequate victim protection efforts. Authorities approved an early detection protocol for police and social service providers to identify trafficking and smuggling cases, and a protocol for specialized attention to trafficking and smuggling victims. However, these protocols were not implemented nor did they receive any dedicated funds. The government did not report the total number of victims identified, referred, or assisted in 2015 or the kinds of services these victims received. An international organization reported assisting five internal trafficking victims and repatriating 18

Bolivian victims of labor exploitation without assistance from the government. A civil society organization reported providing services to three foreign trafficking victims in Bolivia. The Ministry of Health administered periodic medical tests to individuals in the legal commercial sex trade, but did not screen for trafficking indicators. The Ministry of Labor (MOL) had 10 inspectors to investigate child and forced labor, and employed another 87 inspectors who could investigate such cases if found during routine labor inspections. MOL did not report the number, if any, of labor trafficking victims identified in 2015. Law 263 requires the MOL to create a national registry of employment agencies to monitor for trafficking activity. However, authorities did not establish this mechanism in 2015; and NGOs expressed skepticism that even with the registry, many employment agencies would continue to operate informally and be difficult to regulate.

Government-funded or provided specialized victim services were lacking in most of the country. NGOs provided the majority of specialized care, including emergency housing, without government funds. Law 263 requires regional governments to create specialized care centers for trafficking victims in each of Bolivia's nine departments, but the government did not operate or fund such centers. Law 263 also requires the government to provide free access to services for victims, but the government did not fund such services. Police were often unable to secure safe accommodation for trafficking victims identified in raids and reportedly used personal funds at times to assist victims. The government did not provide services to adult male victims. The government detained boy trafficking victims in juvenile justice centers with juvenile criminals due to a lack of shelters. Five departmental governments operated special victims units, which focused on providing legal and psychological services to victims of gender-based violence, but did not report the number of trafficking victims these units assisted in 2015. Victims may provide written testimony rather than testifying in a court proceeding, although the procedure was not used in 2015. Bolivian law allowed victims to seek civil damages, but there were no reports of trafficking victims doing so in 2015. The government could provide foreign victims with humanitarian visas to remain in Bolivia temporarily and if granted, enable victims to apply for a work permit; but it did not report issuing such visas in 2015. Two Colombian trafficking victims received permanent residency through a Mercosur agreement.

## PREVENTION

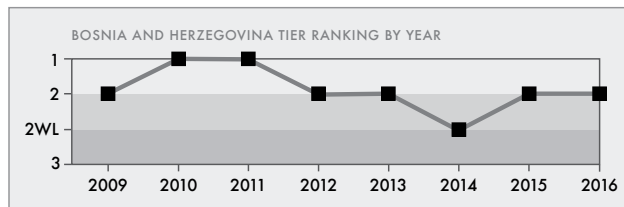
The government made modest progress in its prevention efforts. The government published and resourced its 2015-2019 national anti-trafficking action plan aimed at prevention, protection, and prosecution, as well as national and international coordination. The government devoted 18 million bolivianos (\$2.6 million) for 2015 of an estimated 60 million bolivianos (\$8.7 million) budget to implement the plan from 2015-2019. The Plurinational Council against Human Trafficking and Smuggling published a national policy to implement law 263 that requires each department to develop anti-trafficking plans; only one of nine departments developed a plan. Authorities conducted some anti-trafficking awareness events. The plurinational council met seven times in 2015 and civil society representatives participated for the first time. Two separate government entities were responsible for coordinating anti-trafficking efforts, and experts noted a lack of interagency coordination, in part due to overlapping mandates. In addition, the Office of the Human Rights Ombudsman continued to coordinate a network of government officials and civil society organizations, which engaged in prevention efforts in four border cities and

collaborated with civil society in four departments. Law 263 required media outlets to run public service announcements on trafficking and written news outlets to publish public service announcements on trafficking, and most outlets complied. The government created an observatory of trafficking crimes to collect information on trafficking trends and law 263 also mandates the plurinational council to submit an annual report to Congress on its work; neither report has been published. The Institute for Normalization of Quality, a semi-autonomous government agency, operated a “triple seal” certification program for sugar producers whose final products are certified to be free of child and forced labor. As of 2015, two companies obtained the seal. There were no reported investigations, prosecutions, or convictions for child sex tourism in 2015. The Vice Ministry of Tourism requested hotels to post signs informing tourists of sanctions for child sex tourism; some hotels complied. The government did not report efforts to reduce the demand for forced labor. The Department of Defense, in coordination with an international organization, provided anti-trafficking training to 19,000 troops that patrol national borders. The government provided anti-trafficking training for its diplomatic personnel.

## BOSNIA AND HERZEGOVINA: Tier 2

Bosnia and Herzegovina is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Bosnian women and girls are subjected to sex trafficking within the country in private residences, motels, and gas stations. Economically-vulnerable Romani children are subjected to forced begging and involuntary 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. Corruption creates an environment enabling some trafficking crimes.

The Government of Bosnia and Herzegovina does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Federation, Republika Srpska, and Brcko District authorities increased law enforcement efforts overall. The national, state-level criminal code was amended to further establish legal jurisdiction and increase the prescribed penalties for transnational human trafficking. While the Federation began the process of amending its criminal code to prohibit all forms of trafficking, its parliament had not yet formally passed the legislation at the end of the reporting period, hampering overall prosecution of trafficking crimes at all levels of the government during the year. The government trained prosecutors and judges on trafficking case-management techniques; however, experts stated judges deciding trafficking cases remained inadequately prepared, and interview techniques and protections available to shield child trafficking victims from further trauma were not adequately utilized. The government continued to allocate small grants to NGOs for assistance to trafficking victims, but male victims could not access specialized services.



### RECOMMENDATIONS FOR BOSNIA AND HERZEGOVINA:

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, and deliver sentences that are sufficiently stringent; harmonize Federation government legislation to explicitly criminalize all forms of trafficking consistent with state law and the 2000 UN TIP Protocol; train judicial authorities on a victim-centered approach to prosecution; train front-line officers on proactive victim identification, particularly those subjected to forced labor and forced begging; standardize victim assistance throughout the country and develop specialized assistance for male victims; adequately protect victims from threats and re-victimization during the investigation and prosecution of trafficking cases, particularly child victims; integrate Romani groups into decision-making processes regarding victim protection; allow trafficking victims to leave shelters at will without a chaperone; and adequately assist all victims regardless of whether their cases are prosecuted.

### PROSECUTION

The government demonstrated increased progress on anti-trafficking law enforcement efforts. Bosnia consists of two entities within the state, the Federation of Bosnia and Herzegovina and the Republika Srpska. Each entity has political, legislative, and judicial authority. The Brcko District is a self-governing unit under the jurisdiction of the state. Entity-level authorities address domestic trafficking offenses internal to their territories and state-level authorities address cases with international aspects. In May 2015, to distinguish legal jurisdiction, article 186 of the state-level criminal code was amended from prohibiting both domestic and international trafficking to only prohibiting sex trafficking and forced labor if the victim is exploited in a country in which he or she does not reside or have citizenship. The amendment also increased the prescribed penalties from a minimum of three to five years' imprisonment. Republika Srpska and Brcko District prohibit sex trafficking and forced labor with minimum prescribed penalties of three years' (Republika Srpska) and five years' (Brcko District) imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the Federation Parliament began the process of adopting articles 210a and 210b to criminalize sex trafficking and forced labor and organized human trafficking, respectively, but at the close of the reporting period had not formally passed the legislation.

During 2015, the state prosecutor's office launched an investigation against one trafficking suspect, the same number as during 2014, and indicted one individual under article 186. This was a decrease from 13 individuals indicted in 2014 for subjecting 672 individuals to labor trafficking; the case—Bosnia's largest indictment for trafficking in the country's history—remained ongoing. The state did not convict any traffickers in 2014 or 2015. In January 2015, with the support of Eurojust—the European Union's Judicial Cooperation Unit—



Bosnian and French law enforcement officials formed a joint investigative team to address a case in which Bosnian citizens, primarily Romani women and girls, were sent to France and forced to pickpocket and steal. During the reporting period, seven arrests related to the investigation were made in Bosnia and 11 in France.

During the reporting period, Republika Srpska, Brcko District, and Federation authorities increased law enforcement efforts overall. Republika Srpska authorities began two investigations into five suspected traffickers and indicted two persons, compared with zero investigations and prosecutions in 2014. Republika Srpska courts convicted two traffickers, compared with three in 2014, and sentenced them to two and three years' imprisonment. Brcko District authorities began one investigation against three suspected traffickers, compared with one suspected trafficker investigated in 2014, and issued one indictment against two suspects, compared with zero in 2014; there were no convictions in 2014 or 2015. Federation authorities investigated 10 suspects and prosecuted four defendants under their Enticement to Prostitution statute, compared with five suspects investigated and four defendants prosecuted in 2014. Federation courts convicted eight traffickers, compared with five in 2014. Two individuals received one year of imprisonment, one received two years', two received one-and-a-half years', and two persons were sentenced to three-and-a-half years' imprisonment. One trafficker received a suspended sentence, compared with two suspended sentences in 2014.

All three police academies maintained basic and advanced courses on trafficking, and the national state government continued to provide basic training for prosecutors and judges on trafficking cases. However, experts stated judges deciding trafficking cases remained inadequately prepared, and more training was necessary. During the reporting period OSCE, in partnership with the state, developed curricula for prosecutors and judges on trafficking cases and trained nine officials to serve as future trainers to their colleagues. NGOs hosted additional trainings for officials. Corruption and official complicity in trafficking crimes remained significant concerns. In December 2015, the state prosecutor's office issued an indictment of a Bosnian official for involvement in trafficking-related crimes; the consular official, based in Paris, was charged with sustained abuse of position for issuing travel documents to facilitate the movement of potential labor trafficking victims in exchange for money. A Federation police officer was charged with enticement to prostitution for coercing his paramour to provide sexual services to clients in exchange for money.

## PROTECTION

The government maintained its protection efforts. The government identified 31 victims of trafficking in 2015, compared with 48 in 2014; 24 victims were subjected to forced begging and seven to sex trafficking. Of these, 23 victims were female, 14 were minors, and all were citizens of Bosnia and Herzegovina. The state coordinator acknowledged there were likely to be additional victims that did not come to the attention of authorities. Bosnian law enforcement used a screening questionnaire to evaluate potential victims and authorities followed a formal referral mechanism for assisting victims. Authorities referred 14 victims to NGO-run shelters; officials provided assistance to victims only if they proactively requested it. Shelters accommodated male trafficking victims but did not offer them specialized services. Shelters did not permit victims to leave without a chaperone. Six government-run social welfare centers provided assistance to 129 children

involved in begging or working on the streets and identified of being at risk of trafficking. The Ministry of Human Rights and Refugees distributed small grants totaling 60,000 marks (\$33,400) to six NGOs for assistance to domestic trafficking victims, including shelter, clothing, counseling, education, and job training. Domestic victims did not have to stay at the shelters to receive reintegration assistance. The Ministry of Security budgeted 120,000 marks (\$66,800) for NGOs to provide assistance to foreign victims, including shelter, medical and psychological support, and repatriation services. The funds were returned to the state budget when no foreign victims were identified and were not re-allocated for domestic victim assistance.

Observers reported law enforcement and prosecutors were often unwilling to pursue investigations and prosecutions against a child's parents, even if they were involved in subjecting the child to trafficking; shelters would subsequently return the child to their parents. Experts expressed concerns about interview techniques used with child trafficking victims, reporting one instance where a victim was interviewed in front of the suspected exploiter. Furthermore, GRETA documented child victims were intimidated during trials and authorities did not use available legal protections to shield them from threats and re-victimization. Sub-state laws against enticement to prostitution permitted law enforcement to treat minors 14 years and older as juveniles willingly engaged in prostitution instead of victims of rape or sex trafficking crimes; however, during the reporting period, there were no reports of victims detained, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Only the criminal codes of the state and Brcko District contain provisions exempting trafficking victims from prosecution for such acts. Officials acknowledged the need to strengthen continuity of victim care throughout trials and improve protection of marginalized populations, such as Roma. Foreign victims were eligible for a humanitarian visa allowing them to temporarily live and work in Bosnia. Victims were permitted a 30-day reflection period to determine whether they wanted to request a visa, although in practice temporary residence permits were granted only to victims whose cases were prosecuted. Observers reported when prosecutors determined a victim's testimony was not needed, or when they closed a case, the government often initiated deportation procedures without providing adequate assistance or arranging for the victims' safe repatriation. Trafficking victims could seek restitution through criminal or civil suits. In 2014, an NGO filed the first lawsuit for non-material compensation on behalf of four trafficking victims; in 2015, a district court dismissed the charges and the NGO has since filed an appeal.

## PREVENTION

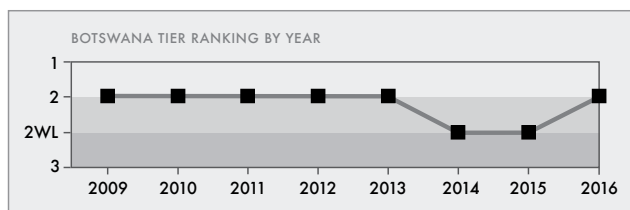
The government continued efforts to prevent trafficking. In December 2015, the Council of Ministers approved the 2016-2019 national anti-trafficking action plan. A nationwide interagency taskforce met monthly to monitor the progress of trafficking investigations and prosecutions and continued to implement its 2015-2017 work program towards increased awareness of trafficking, interagency cooperation, and cooperation with neighboring countries. The national anti-trafficking coordinator published its annual report in 2015. The government allocated 10,000 marks (\$5,570) for activities associated with the 2015 European Anti-Trafficking Day; an NGO developed a social media campaign that concluded with a photo exhibition and media event. The Ministry of Defense provided training on identifying and reporting trafficking to members

of the armed services from other European countries who participate in UN peacekeeping operations. The government continued public prevention campaigns targeting the demand for commercial sex acts. The government did not make efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

## BOTSWANA: Tier 2

Botswana is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. 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. Young Botswana serving as domestic workers for extended family may be denied access to education and basic necessities or subjected to confinement or verbal, physical, or sexual abuse—conditions indicative of forced labor. Botswana girls and women are possibly exploited in prostitution within the country, including in bars and along major highways by truck drivers. Some women may be subjected to trafficking internally or transported from neighboring countries and subjected to sexual exploitation. Officials confirmed for both adults and children of the San ethnic minority group labor conditions on private farms and cattle posts in Botswana's rural west might rise to the level of forced labor. Undocumented migrant children might be vulnerable to trafficking in Botswana. There has been no comprehensive international or domestic study of trafficking trends within the country.

The Government of Botswana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government investigated five trafficking cases and prosecuted seven traffickers under the 2014 Anti-Human Trafficking Act, in comparison with none reported the previous reporting period. The cases were ongoing at the end of the reporting period. The government did not convict any traffickers. The government established the Anti-Human Trafficking Committee, in accordance with the Anti-Trafficking Act, in January 2016; it held two meetings during the reporting period. The government identified six trafficking victims and provided them food, amenities, and basic assistance, including medical and psycho-social care. The government provided social service personnel with formal written procedures to guide them in identifying potential trafficking victims among vulnerable populations; other officials remained without formal identification and referral procedures. The government launched a nationwide public awareness campaign, which also served to educate local government officials in 16 districts. It conducted a train-the-trainers event for law enforcement and immigration officials on anti-trafficking efforts. The government did not provide anti-trafficking training for its diplomatic personnel.



## RECOMMENDATIONS FOR BOTSWANA:

Amend the anti-trafficking law to ensure penalties are sufficiently stringent by restricting the ability of judges to impose fines in lieu of prison time when sentencing convicted traffickers; continue efforts to investigate, prosecute, and convict traffickers using the 2014 Anti-Human Trafficking Act for both internal and transnational trafficking cases; implement formal victim identification procedures for all stakeholders, including law enforcement and immigration officials, and train officials on the procedures; fully formalize the system to refer victims to social services; continue to encourage victims to participate in the investigation and prosecution of traffickers through formal procedures; develop guidelines for specific protective services for trafficking victims, to be provided either directly or in partnership with NGOs; amend the 2009 Children's Act to define child trafficking including exploitation of children in prostitution without any force, coercion, or movement necessary; continue to conduct awareness campaigns, particularly in rural areas; and provide anti-trafficking training to diplomatic personnel.

## PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2014 Anti-Human Trafficking Act prohibits all forms of trafficking, although the law's definition of trafficking also links trafficking to ancillary crimes such as rape, pornography, and child labor. The act prescribes penalties for sex and labor trafficking of up to 30 years' imprisonment or a fine of one million pula (\$111,000), which are commensurate with those prescribed for other serious crimes. For sentences that only include a fine, penalties are not sufficiently stringent with those prescribed for other serious crimes, such as rape. Sections 57 and 114 of the 2009 Children's Act prohibit child prostitution and child trafficking, respectively; section 57 prescribes penalties of two to five years' imprisonment for facilitation or coercion of children into prostitution, while section 114 prescribes penalties of five to 15 years' imprisonment for child trafficking. The children's act does not define child trafficking; however, the 2014 Anti-Human Trafficking Act specifically links its definition of child trafficking to the children's act. The 1998 penal code prohibits most forms of trafficking in sections 150-158 (forced prostitution), section 256 (kidnapping for slavery), and sections 260-262 (slavery and forced labor). The sufficiently stringent penalties prescribed for offenses under these sections range from seven to 10 years' imprisonment, and are commensurate with those prescribed for other serious crimes, such as rape.

The government investigated five trafficking cases and prosecuted seven traffickers under the 2014 Anti-Human Trafficking Act, in comparison with investigating an unreported number of trafficking cases and obtaining no prosecutions the previous reporting period. The prosecutions were ongoing by the end of the reporting period; the government did not convict any traffickers. There were anecdotal reports that Botswana victims may have been subjected to internal trafficking, including children exploited in prostitution or domestic servitude. While authorities conducted some targeted investigations into the issue, they did not encounter any cases nor initiate any prosecutions involving Botswana victims. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The Ministry of Defense, Justice, and Security (MDJS) led awareness-raising and training sessions on the 2014 act, prosecuting trafficking offenders, and identifying and assisting potential victims for local government officials in all 16 districts. In December 2015, it separately held an informational session to sensitize judicial

officials at the national level across the country on trafficking and the 2014 Anti-Human Trafficking Act. In July 2015, MDJS also held a train-the-trainers event for 40 law enforcement and immigration officials. Judicial authorities lectured at the Botswana Police College to sensitize incoming recruits on trafficking issues. Additionally, during the reporting period, the police service included in its curriculum a section on human trafficking to educate recruits on the anti-trafficking law, victim identification, and investigation of human trafficking cases.

## PROTECTION

The government increased efforts to protect trafficking victims. The government identified six victims during the reporting period. Law enforcement officials, in partnership with an international organization, coordinated with the Department of Social Services to refer the victims to NGO-run shelter services while their cases were pending and ensured victims received medical services funded by the government, in comparison to the previous year where the government's role in referring and providing assistance to victims was limited by the lack of qualified cases. The government provided formal written procedures to guide social service officials in proactively identifying victims of trafficking among vulnerable populations; however, it did not provide such procedures for other officials, including law enforcement and immigration officials. The government had not fully operationalized the victim referral measures detailed in the 2014 act. The government provided an NGO-run shelter with 8,965,601 pula (\$804,000) during the reporting period. As permitted under the 2014 act, the government granted one foreign national victim an extended stay in Botswana. The government did not penalize trafficking victims for crimes committed in relation to being subjected to trafficking. The government implemented informal measures designed to encourage victims to assist in the investigation and prosecution of traffickers, in comparison to the previous reporting period where no measures were taken.

## PREVENTION

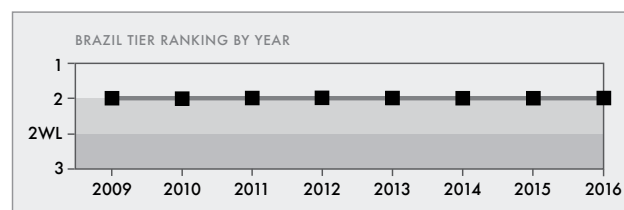
The government increased efforts to prevent trafficking during the year. In January 2016, MDJS established the Anti-Human Trafficking Committee in accordance with the 2014 act. It met twice during the reporting period. The committee and MDJS began work on a national action plan. In July 2015, in collaboration with an international organization, the government hosted an anti-trafficking commemoration day in Palapye to raise awareness on human trafficking; approximately 300 local citizens attended. The government made efforts to reduce the demand for commercial sex acts; however, it did not make efforts to reduce the demand for forced labor during the reporting period. It did not provide anti-trafficking training for its diplomatic personnel.

## BRAZIL: Tier 2

Brazil is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Brazilian women and children are exploited in sex trafficking within the country, and federal police report higher rates of children exploited in prostitution in the north and northeast regions. Brazilian women are found in sex trafficking abroad, often in Western Europe and China. Women and girls from other South American countries, including Paraguay, are exploited in sex trafficking in Brazil. Transgender Brazilians are

forced into prostitution in Brazil. Brazilian men and transgender Brazilians have been exploited 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 to a lesser extent, the United States. Brazilian law defines *trabalho escravo*, or slave labor, as forced labor or labor performed during exhausting work days or in degrading work conditions. While not all individuals in *trabalho escravo* are forced labor victims, many are. Some Brazilian men, and to lesser extent women and children, are subjected to *trabalho escravo* and debt bondage in rural areas, including in ranching, agriculture, charcoal production, logging, and mining. Exploitation of workers is sometimes linked to environmental damage and deforestation, particularly in the Amazon region. Brazilians are also found in *trabalho escravo* in urban areas in construction, factories, and the restaurant and hospitality industries. Brazilian women and children, as well as girls from other countries in the region, are exploited in domestic servitude with approximately 213,000 children employed as domestic workers in Brazil. Some Brazilian trafficking victims are forced to engage in criminal activity, including drug trafficking, in Brazil and neighboring countries. Brazilian forced labor victims have been identified in other countries, including in Europe. Brazil is a destination for men, women, and children from other countries—including Bolivia, Paraguay, Haiti, and China—exploited in forced labor and debt bondage in many sectors, including construction; the textile industry, particularly in Sao Paulo; and small businesses. NGOs and officials report some police officers tolerate children exploited in sex trafficking, patronize brothels, and rob and assault women in prostitution, impeding proactive identification of sex trafficking victims. Government officials and former officials have been investigated and prosecuted for *trabalho escravo*.

The Government of Brazil does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Brazilian law defines trafficking as a movement-based crime and statutes prohibiting trafficking do not align with international law, making it difficult to assess government efforts accurately. Decentralized data collection on prosecutions, convictions, and sentences inhibits government coordination and also makes assessment difficult. Most trafficking cases took many years to progress through the legal and judicial systems. An increased number of state governments offered vocational training and access to public services to forced labor victims. Authorities confirmed providing general services to only a small portion of potential victims, and the federal government did not fund specialized shelters, although some states provided job training for vulnerable populations, including forced labor victims. The government continued awareness-raising efforts.



## RECOMMENDATIONS FOR BRAZIL:

Increase efforts to investigate and prosecute trafficking offenses and convict and sentence traffickers, including those engaged in internal sex trafficking not involving movement, the exploitation of children in prostitution and child sex tourism, and any



form of trafficking involving complicit officials; improve judicial processes, including by improving coordination and collaboration between the judiciary and the federal prosecutor's office, so measurable results are achieved in holding traffickers accountable, and implement sentences that are sufficiently stringent; train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence to reduce dependence on victim testimony; in partnership with civil society, increase funding for specialized services for victims of sex trafficking and forced labor and fund shelters for victims of sex trafficking and forced labor; amend legislation to harmonize the definition of trafficking with the 2000 UN TIP Protocol and establish sufficiently stringent sentences for traffickers; verify with measurable results that victims of both sex and labor trafficking are referred to comprehensive services and that officials working at social service centers have funding and training to provide specialized care, such as employment assistance; increase oversight of local guardianship councils so child trafficking victims receive specialized services and case management; enhance timely data collection on prosecutions, convictions, and victim identification and care; increase law enforcement dedicated to identifying victims of sex trafficking and domestic servitude; increase labor inspectors trained to recognize and report indicia of forced labor; and increase collaboration between government entities involved in combating different forms of trafficking.

## PROSECUTION

Authorities maintained uneven law enforcement efforts largely focused on sex trafficking and not sufficient given the scope of both sex trafficking and labor trafficking in Brazil. The lack of a unified anti-trafficking law and comprehensive data made efforts difficult to evaluate. Brazilian laws prohibit most forms of trafficking in persons. Articles 231 and 231-A of the penal code respectively prohibit international and domestic sex trafficking, but they are inconsistent with international law as they require movement as a necessary element, with violence, threats, or fraud as aggravating elements as opposed to necessary elements of the offense. These articles prescribe penalties of two to eight years' imprisonment, which are sufficiently stringent, but not commensurate with those prescribed in Brazil for other serious crimes, such as rape. Officials investigated and prosecuted cases of sex trafficking not involving movement under other statutes, such as those related to pimping or sexual exploitation. Article 149 of the penal code prohibits *trabalho escravo*, or reducing a person to a condition analogous to slavery, prescribing penalties of two to eight years' imprisonment. Article 149 goes beyond situations in which people are held in service through force, fraud, or coercion to criminalize other treatment, including subjecting workers to exhausting work days or degrading working conditions. Article 149 does not adequately criminalize non-physical coercion, such as threatening foreign victims with deportation unless they continue to work. Draft legislation to harmonize the definition of trafficking with the 2000 UN TIP Protocol and increase the minimum sentences for anti-trafficking crimes was introduced in 2014, but not approved by Congress in 2015.

Since the laws related to trafficking also criminalize non-trafficking crimes, and other laws may have been used to prosecute and convict trafficking offenders, the total number of trafficking investigations, prosecutions, and convictions was unknown. In 2015, authorities reported 374 existing police investigations, 97 new or existing prosecutions under article 231 and article 231-A, and 12 new convictions, 10 under article 231 and two under article 231-A, as decided by regional federal

tribunals; and 296 new investigations, 65 new prosecutions, and nine new convictions under article 149. In comparison, in 2014, authorities reported police investigations of 75 new cases and five new prosecutions under article 231, and 77 cases and 16 new prosecutions in 2013; nine investigations and two new prosecutions under article 231-A; and 327 new or existing investigations, 105 new prosecutions initiated, and four final convictions under article 149. Most sex and labor traffickers convicted by lower courts appealed their convictions while out of jail; there were 43 appeals related to trafficking cases in the federal court system in 2015. These judicial processes lasted years and delays made holding traffickers accountable difficult. Authorities leniently implemented sentences issued under trafficking statutes. Based on incomplete data, in 2015 federal appeals courts upheld the convictions of 12 international sex traffickers in five cases and nine labor traffickers in six cases, compared with nine international sex traffickers in two cases and four labor traffickers in 2014. Officials reported no final convictions for cases involving child victims. Sex traffickers convicted in 2015 had sentences ranging from six years' to six years and five months' imprisonment; however, most convicted traffickers served these sentences under house arrest or by spending only nights in prison while being free during the day. Imposed sentences for convicted labor traffickers in 2015 ranged from one year and two months to nine years. In 2015, federal judges emphasized that collecting evidence from victims and witnesses gathered at the scene remained challenging, and that many cases had been dismissed due to insufficient evidence.

Efforts are also being undertaken by some states. In Paraíba state, officials investigated a criminal ring that subjected more than 50 male teenagers to trafficking in Latin America and Italy for sexual exploitation as transvestites. Investigations have been ongoing since 2013, and authorities arrested and charged 12 Italians and Brazilians in criminal court in 2015. The case is in the hearing stage. The federal government also brought a civil class action lawsuit for 20 million reais (\$5,566,400) against the defendants; a final ruling is expected in 2016. This is the first time the federal government filed a civil class action suit on behalf of trafficking victims in Brazil. Any monetary compensation from the lawsuit will go to a fund that assists trafficking victims, but it is unconfirmed whether any of the money will go to the victims in the case. In 2015, labor inspectors rescued 11 trafficking victims from northeastern Brazil who were hired for the construction of the Olympic Village. The prosecutor's office for labor cases said that although no civil action had been taken on this case, each of the workers was awarded 20,480 reais (\$5,700) in back-wages. No criminal charges have been filed to date.

Anti-trafficking law enforcement efforts were disjointed due to different laws and government entities involved. Significant challenges stemming from bureaucratic and systemic deficiencies in the criminal justice system remain in the areas of investigation and prosecution. Law enforcement units required more funding, expertise, and staff to investigate trafficking, and awareness of trafficking among law enforcement was low. In addition to state committees tasked with coordinating data sharing among courts, authorities established a national forum of judges from various levels, including the president of the supreme federal court, which compares notes and information on sentences related to trafficking cases. The coordinating body sought to prioritize the collection of data on judicial cases related to international sex trafficking and slave labor, and to work with the federal prosecutor's office to share prosecution data. The government collaborated with an international partner to provide a two-day anti-trafficking training for some law enforcement officials,

judges, and prosecutors; however, training for law enforcement remained uneven, especially for state police. In Sao Paulo, the city government trained police to detect signs of trafficking. The Ministry of Labor (MOL)'s anti-*trabalho escravo* mobile units freed workers and required those responsible for their exploitation to pay fines. Labor inspectors and prosecutors could only apply civil penalties, and the government did not criminally prosecute many *trabalho escravo* cases. Local political pressure, threats from landowners, a shortage of labor inspectors or police, and the remoteness of properties hampered some investigations. Officials found domestic servitude particularly difficult to identify and investigate.

Authorities did not report any new investigations of complicit officials in 2015. The government did not report progress on 2013 cases involving a judge in Bahia state allegedly involved in sex trafficking and police officers in Rio de Janeiro allegedly involved in operating a brothel.

## PROTECTION

The government maintained inadequate victim protection efforts and identified significantly fewer potential victims than in 2014. A government publication provided guidance on how to identify and assist potential trafficking victims, but many officials did not have or did not implement this guidance and lacked guidelines for screening vulnerable populations for trafficking indicators. Government entities used different definitions of trafficking, making it difficult to assess victim identification and assistance efforts. Sixteen of 27 state governments operated state-level anti-trafficking offices, which varied in effectiveness, and unreliable data remained a problem. There were also 19 offices helping migrants at airports, up from three in 2014. The 16 state anti-trafficking offices and 19 offices at airports reported a total of 528 potential sex trafficking and 176 potential labor trafficking victims in the first half of 2015, compared to 170 potential sex trafficking and 2,145 potential labor trafficking victims in the first half of 2014. They reported 459 potential sex trafficking and 700 potential labor trafficking victims in the latter half of 2015, compared to 81 potential sex trafficking and 1,185 potential labor trafficking victims in the latter half of 2014; in some cases the same victims were counted twice. MOL mobile inspection units identified many potential labor trafficking victims and identified and freed 1,010 laborers in situations of *trabalho escravo* in 2015, compared with 1,509 in 2014. Officials did not report the total number of victims of domestic servitude or commercial sexual exploitation of children identified in 2015.

The federal government did not fund specialized shelters for trafficking victims; however, some states provided job training for vulnerable populations, including forced labor victims. There were no specialized services for male and transgender sex trafficking victims. The government did not fund long-term shelter for trafficking victims. Specialized shelters for child sex trafficking victims were lacking, and NGOs and officials reported local guardianship councils often did not have the expertise or resources to identify child victims correctly and refer them to services. General victim services and shelters varied in quality from state to state and generally remained underfunded and inadequate. Anti-trafficking centers for social assistance were responsible for referring victims to services, but authorities did not report how many victims these offices referred to services. Of the 2,453 specialized social assistance centers across the country where psychologists and social workers provided assistance to vulnerable people, only 675 centers, or 28 percent, were certified to assist trafficking victims; and many centers

were underfunded. In 2014, 623 centers were certified to assist trafficking victims. Officials generally did not refer individuals in *trabalho escravo* to these centers. In 2014, the last year for which statistics were available, these centers reported assisting 1,137 trafficking victims, including 192 girls, 284 women, 145 boys, and 516 men. In comparison, in 2013, these centers reported assisting 292 trafficking victims. The Sao Paulo shelter providing temporary assistance for refugees and trafficking victims did not report how many victims stayed at the shelter.

The government provided individuals removed from *trabalho escravo* with unpaid wages plus three months' minimum wage salary and transportation home, a benefit sex trafficking victims did not receive. While labor prosecutors awarded some workers compensation from fines levied against employers, in some cases officials did not file for these indemnities, and in other cases victims did not receive them due to non-payment by employers. Authorities reported that rescued workers received 3.1 million Brazilian reais (\$860,000) in back pay in 2015. State governments in Mato Grosso, Bahia, Rio de Janeiro, and the "Bico do Papagaio" region provided funds to a program that offered vocational training to freed slave laborers. Most rescued slave laborers remained vulnerable to re-trafficking due to few employment options and lack of adequate assistance; however, the government sought to address this issue by expanding vocational training. The Ministries of Labor and Social Development signed a memorandum of understanding to provide forced labor victims access to comprehensive public services by including the victims in the registry for social programs, granting them priority access to the Bolsa Familia cash transfer program, unemployment insurance, subsidized low-income housing, a 60 percent discount on energy bills, and technical assistance—all implemented at municipal-level centers for social assistance. Some victims were reluctant to testify due to fear of reprisals from traffickers. Sex trafficking victims were eligible for short-term protection under a program for witnesses created in 1999, and authorities reported that two trafficking victims received protection in 2015, one victim of international trafficking for slave labor and one for international sex trafficking. Foreign sex trafficking victims were entitled to permanent visa status, and the government reported one victim received it in 2015, compared to no victims in 2014. At least one labor trafficking victim was repatriated to China with assistance from the Rio State government and NGOs; he was the first Chinese trafficking victim ever repatriated. There were no reports in 2014, the last year for which data were available, that victims were penalized for unlawful acts committed as a result of being subjected to human trafficking, although in past years police officers deported foreign citizens in *trabalho escravo* and with the weak victim identification system it is likely some victims were detained and jailed.

## PREVENTION

The government continued modest prevention efforts, amidst reduced resources and budgets. Coordination among anti-trafficking initiatives was uneven, making the initiatives less effective. The national committee on trafficking included selected NGOs, and officials maintained a separate commission to eradicate *trabalho escravo*. Authorities issued two reports in 2015 on efforts to implement the 2013-2016 plan for movement-based trafficking. Most federal ministries reported reduced budgets limited their ability to implement the plan. State anti-trafficking offices often lacked adequate human resources and budgets, and interagency coordination was weak in several states. Federal, state, and municipal entities undertook anti-trafficking initiatives and awareness efforts.

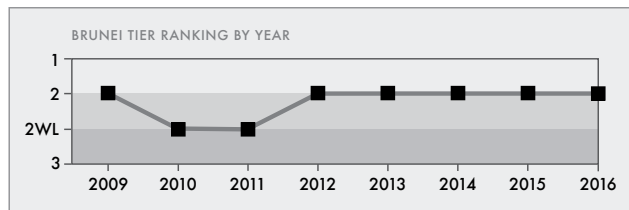
The MOL last published a public list identifying individuals and businesses responsible for *trabalho escravo* in 2014; some companies sued to be removed from the list. The July 2014 list cited 609 employers who were denied access to credit by public and private financial institutions because of this designation. The supreme federal court is expected to make a final decision in 2016 on the publication of the list. Authorities continued awareness campaigns in an effort to reduce the demand for commercial sexual exploitation of children. In 2014, federal police helped identify points of increased risk for sexual exploitation of children along federal highways; at the close of the reporting period, no data was provided as to efforts made at the points of risk. Officials did not report any new investigations, prosecutions, or convictions of child sex tourists in 2015. There was no reported progress on an ongoing prosecution of a case initially investigated in 2007 involving a fishing tour company that brought U.S. citizens to engage in child sex tourism with indigenous girls in Amazonas State. Military troops received anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

## BRUNEI: Tier 2

Brunei is a destination and transit country for men, women, and children subjected to forced labor and sex trafficking. Men and women from Indonesia, Bangladesh, China, the Philippines, Thailand, and Malaysia migrate to Brunei primarily for domestic work, or on social visit passes or tourist visas. Upon arrival, some are subjected to involuntary servitude, debt bondage, non-payment of wages, passport confiscation, physical abuse, or confinement. Some migrants who transit Brunei become victims of sex or labor trafficking upon arrival in Malaysia or Indonesia. Some women and girls are reportedly subjected to sex trafficking in Brunei. Although it is illegal for employers in Brunei to withhold wages of domestic workers for more than 10 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. Government officials have been investigated for complicity in trafficking offenses, including domestic servitude, in previous years, although no such investigations took place during the reporting period.

The Government of Brunei does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, authorities charged three foreign nationals for child sex trafficking and one individual for forced labor under the anti-trafficking law, compared to the previous two years in which it did not initiate any prosecutions. Victim protection efforts remained inadequate. Although the government used standardized mechanisms for proactive victim identification, it continued to detain and punish some individuals in prostitution and for labor and immigration violations who may have been victims of trafficking. The government did not offer foreign victims any long-term alternatives other than removal from the country, and shelters used to house victims restricted freedom of movement. The government informed the public on the illegality of withholding workers' passports but did not prosecute any employers or agencies for passport retention even though the practice remained widespread. The government continued national campaigns to raise trafficking awareness

among businesses, migrant workers, and the general public; however, it did not formally approve its national action plan to combat trafficking for the second consecutive year.



### RECOMMENDATIONS FOR BRUNEI:

Increase protective services to provide incentives for victims to participate in investigations and prosecutions, including by allowing adult victims in government shelters to move freely and by issuing work permits to all victims; cease arrest, deportation, and punishment of trafficking victims for crimes committed as a direct result of their being subjected to trafficking; train officials on implementation of proactive procedures to identify victims of trafficking among vulnerable groups, with a focus on psychological coercion as a technique used by traffickers; increase efforts to investigate and prosecute trafficking offenses and convict and punish both sex and labor traffickers, including complicit government officials; train judges on how to accurately and effectively implement Brunei's anti-trafficking laws; allocate government resources to the fund established by the 2004 law, and allow this to be paid directly to victims as restitution; enforce laws prohibiting acts that facilitate trafficking, such as retention or confiscation of migrant workers' identity documents; 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 clients of the sex trade; provide anti-trafficking training to diplomatic personnel; approve and implement the national action plan; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government demonstrated increased law enforcement efforts. The Trafficking and Smuggling Persons Order of 2004 prohibits both sex and labor trafficking and prescribes punishments of up to 30 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. The penal code prohibits travel outside the country for commercial sex with children, prescribing a punishment of up to 10 years' imprisonment. The government screened for suspected trafficking offenses among 66 cases involving labor complaints or prostitution, a slight decrease from 81 cases the previous year. After three years without initiating any trafficking prosecutions, the government charged three foreign nationals for child sex trafficking under the 2004 anti-trafficking law; it also charged one individual—a case pending trial since 2012—under the anti-trafficking law for allegedly recruiting and subjecting a domestic worker to forced labor. One alleged sex trafficking case from 2014 and the four cases charged during the reporting period remained pending. As in the previous reporting period, the government did not achieve any convictions. Officials continued to refer cases involving prostitution, unpaid wages, workers fleeing their place of employment, or physical abuse of workers to the Human Trafficking Unit (HTU) of the Royal Brunei Police Force (RBPF) for investigation. Some of these cases resulted in prosecutions for other offenses.



The HTU facilitated anti-trafficking training for an unknown number of labor, immigration, and marine police authorities during the year; however, many officials continued to conflate trafficking and human smuggling. Some judicial officials interpreted the law to require deception at the recruitment stage, resulting in fewer prosecutions or convictions under anti-trafficking laws when victims migrated willingly or were not deceived into trafficking immediately upon arrival in Brunei. Officials cited the lack of incentives for victims to remain in Brunei and participate in investigations as an impediment to effective law enforcement. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period.

## PROTECTION

The government sustained limited efforts to protect victims. The HTU continued to employ standardized interview questionnaires to screen and identify potential trafficking victims when apprehending persons in prostitution or when accompanying immigration and labor officials on operations in which there was suspected trafficking involvement. The government screened for potential trafficking victims in 66 cases and identified one child sex trafficking victim during the reporting period, although it initially detained and charged the child victim with prostitution. Once the government identified the victim as underage, it dropped prostitution charges and placed the victim in protective care. Some officials considered physical abuse or confinement as necessary factors for trafficking, and general misconceptions may have resulted in the government not identifying some victims and subjecting them to punishment. Officials apprehended foreign women and children during brothel raids and detained and deported many for labor or immigration violations; while some victims voluntarily requested deportation to avoid charges, this practice may perpetuate victims' fear of communicating with law enforcement officers. The government maintained a general-purpose shelter for female trafficking victims, but it required victims to apply to leave the shelter and to be accompanied by a chaperone. One victim and eight potential victims received assistance in the shelter, and three chose to reside at their respective embassies. No facilities were available for adult male trafficking victims.

The 2004 law established a fund to compensate victims and cover repatriation costs; however, the paucity of court judgments from which such funds are derived and the election of convicted traffickers to serve jail time instead of paying fines resulted in the fund's continued lack of resources. The Ministry of Home Affairs negotiated with finance ministers to secure financial allocation from the government's budget toward the fund; however, it did not allocate funding, as such discussions remained ongoing at the close of the reporting period. The lack of incentives to remain in Brunei encouraged foreign victims to elect immediate repatriation and decline participation in investigations. The government reported granting temporary stays in Brunei to some potential victims while working with respective embassies to obtain new travel documents or repatriation assistance; it also allowed victims of labor violations to receive temporary work passes on an ad hoc basis while assisting in investigations, although it did not issued such passes for a fourth consecutive year and many victims were ineligible as a result of not being legally employed at the time of the violation. The government offered no long-term alternatives to removal for victims who may face hardship or retribution upon return to their home countries.

## PREVENTION

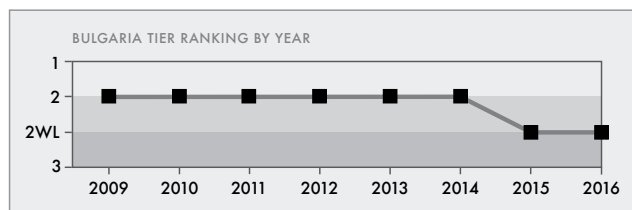
The government made uneven efforts to prevent trafficking. The government reported transforming its ad hoc anti-trafficking working group to a permanent interagency committee to coordinate implementation of its national action plan to combat trafficking; however, it did not formally approve this plan for the second consecutive year. Brunei's first anti-trafficking NGO was formed during the year and held a series of awareness-raising workshops, film screenings, and art exhibitions, despite lacking official recognition from the government. Police authorities and labor and immigration officials conducted 10 nationwide roadshows to raise awareness of human trafficking, which specifically targeted employers, human resource managers, students, migrant workers, and the general public, and reached over 1,200 companies and employees across the country. In 2015, the government placed informational posters in strategic public places, including immigration checkpoints, and government-influenced media continued to regularly publish articles related to trafficking. The government disseminated information to the public that employers should not withhold workers' passports, but it did not prosecute any employers or agencies for passport retention and the practice remained widespread. Officials prosecuted one individual who operated an employment agency without a license. It made limited progress in decreasing the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel. Brunei is not a party to the 2000 UN TIP Protocol.

## BULGARIA: Tier 2 Watch List

Bulgaria is a source and, to a lesser extent, transit and destination country for men, women, and children subjected to sex trafficking and forced labor. Bulgaria remains one of the primary source countries of human trafficking in the EU. Bulgarian women and children are subjected to sex trafficking within the country, as well as in Europe, Russia, the Middle East, and the United States. Several NGOs assert internal trafficking is increasing. Bulgarian men, women, and children are subjected to forced labor in other European states and Israel, predominantly in agriculture, construction, and the service sector. Bulgarian children and adults with disabilities are forced into street begging and petty theft within Bulgaria and in Austria, Greece, Italy, Sweden, and the UK. Romanian girls are subjected to sex trafficking in Bulgaria. Government corruption creates an environment enabling some trafficking crimes, and officials have been investigated for suspected involvement in trafficking.

The Government of Bulgaria does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Bulgaria is placed on Tier 2 Watch List for the second consecutive year. During the reporting period, the government designated a chairperson and appointed an executive secretary for the national anti-trafficking commission that drives the government's anti-trafficking efforts, leading to increased inter-ministerial coordination and policy development. The commission also awarded contracts to re-open two publicly funded shelters and an apartment for female trafficking victims. The country's overall capacity to shelter and provide services was minimal relative to the number of victims identified, and specialized services for child and adult male victims of

trafficking were nonexistent, although the government took steps to assess the needs of male victims with a view to offer consultation and other suitable services. Law enforcement investigated fewer trafficking cases, continuing a multi-year decline. Efforts to prosecute traffickers, which declined markedly in 2014, modestly improved in 2015 as prosecutors tried more traffickers. However, courts convicted fewer traffickers and issued suspended sentences for most of those convicted. Law enforcement continued to take action against public officials and police officers complicit in trafficking offenses.



## RECOMMENDATIONS FOR BULGARIA:

Enhance efforts to investigate, prosecute, and convict traffickers, particularly for labor trafficking, and hold convicted traffickers accountable with prison terms; increase the capacity of assistance available to women subjected to trafficking; proactively investigate, prosecute, and convict government officials complicit in trafficking, and hold convicted officials accountable with prison terms; provide all male victims with services, including reintegration assistance and legal services; provide specialized assistance to child victims; provide sensitivity training to prosecutors and judges working with sex trafficking victims; implement a comprehensive database of trafficking crimes and victims identified, referred, and assisted; provide knowledgeable legal counsel and courtroom protections for victims assisting prosecutions; and increase the number of traffickers subjected to fines and the number of victims receiving compensation.

## PROSECUTION

The government did not make progress in law enforcement efforts, as the government convicted fewer traffickers and issued suspended sentences to the majority of those convicted. Article 159 of the criminal code prohibits all forms of trafficking and prescribes penalties of between two and 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Authorities launched 71 sex trafficking and seven labor trafficking investigations in 2015, compared with 81 sex trafficking and six labor trafficking investigations in 2014. Authorities charged 55 defendants with sex trafficking and 10 with labor trafficking in 2015, compared with 43 and four, respectively, in 2014. The government convicted 47 sex traffickers and no labor traffickers in 2015, compared with 53 sex traffickers and one labor trafficker convicted in 2014. Only 16 of the 47 convicted sex traffickers—34 percent—received a prison sentence that was not suspended, a similarly low rate as in the previous two years. As in the previous reporting period, the government was unable to report the range of sentences imposed on convicted traffickers that resulted in imprisonment. Courts issued fines to 23 convicted traffickers in 2015, compared with 31 in 2014. Observers reported judges prescribed lesser penalties to sex traffickers if their victims had initially entered prostitution willingly, despite Bulgarian and international law deeming past experience in prostitution irrelevant when there is subsequent exploitation.

The specialized court for organized crime, established in 2012, continued to review trafficking cases, although the prosecutors at the court reported receiving fewer new investigations from law enforcement agencies as a result of a continuous restructuring of the units responsible for combating organized crime. In February 2015, Parliament reinstated the directorate for combating organized crime under the Ministry of Interior. Observers noted police rarely launched operations against internal trafficking and investigations were too lengthy, giving suspected traffickers time to conceal assets and relocate operations. Bulgarian authorities cooperated with six foreign governments on transnational investigations. The government provided specialized training for police officers, investigators, prosecutors, and judges.

The government demonstrated efforts to combat trafficking-related complicity of public officials. In May 2015, a court upheld a 10-year sentence of a former municipal councilor charged with leading an organized crime group involved in human trafficking; another appeal was pending at the close of the reporting period. In March 2016, prosecutors issued an arrest warrant for two police officers accused of forcing a university student to sell drugs and recruit his female classmates to prostitute themselves and sell drugs. In August 2015, authorities indicted seven police officers accused of bribery and blackmail, due in part to their alleged soliciting of bribes from pimps. The group was arrested in July 2014 and several members were held in custody during the investigation. At the end of the reporting period, a trial was ongoing against the group members at the specialized court for organized crime. Investigations of other police officers in recent years included allegations of recruiting victims, forcing a woman into prostitution, and warning traffickers of planned police raids. Observers alleged police and prosecutors rarely pursued high-profile traffickers. In addition, observers alleged some prosecutors arbitrarily dropped charges against defendants.

## PROTECTION

The government increased efforts to shelter victims, but decreased efforts in other areas of victim protection. The prosecution service identified 298 victims of sex trafficking and 32 victims of labor trafficking in 2015 from new and ongoing cases at the pre-trial and trial stages, compared with 409 sex trafficking and 27 labor trafficking victims identified in 2014. Thirty of the identified victims were children, compared with 46 in 2014. All victims identified during the year were Bulgarian, whereas two foreign victims were identified in 2014. Observers alleged law enforcement could not effectively identify victims, particularly foreign victims. Reports indicated police did not proactively search for signs of trafficking among women detained for prostitution, and prosecutors and judges lacked sensitivity when interacting with sex trafficking victims. The government has written procedures for authorities to use in referring victims to care facilities, but authorities did not consistently apply them. Local authorities in one region trained 90 social workers, police, and NGO staff on victim identification and assistance. The government funded training for 80 labor inspectors and social workers covering human trafficking. The law permits anonymity for victims during the pre-trial and trial phases, but authorities rarely applied this, resulting in victims changing their statements out of fear, intimidation, and bribery. Authorities did not consistently inform victims of their rights, including the right to legal aid. Observers reported police investigators interviewed victims three to four times during the pre-trial stage, a practice that could retraumatize victims. There were specific cases of police interviewing child victims seven times. Observers reported victims lacked support during criminal cases, as the

state reportedly did not provide knowledgeable legal counsel during trials. Victims were often required to give testimony in the presence of the alleged trafficker, and it was common practice for alleged traffickers to confront their victims in court and question them through the judge, including inquiries into victims' previous sexual relationships.

Authorities re-opened two government-owned, NGO-operated shelters that closed in September 2014 and have a capacity of six persons each. The government spent approximately 25,000 lev (\$13,900) to refurbish and provide maintenance for both shelters in 2015. One shelter reopened in January 2016 and accommodated five victims in the first quarter of 2016. Additionally, one victim received services but did not utilize accommodation at the shelter. The government awarded a contract to an NGO in March 2016 to operate the second shelter, as well as a nearby apartment for long-term victim care; no victims were accommodated in this shelter or the apartment during the reporting period. The government allocated approximately 128,000 lev (\$71,200) for shelter operations in 2016, to be disbursed based on the number of victims receiving services during the year. Neither shelter was located in Sofia, the largest city and most common repatriation point for victims exploited abroad. However, the government also operated 16 crisis centers for child victims of violence and five for adults that could provide shelter and generalized psychological and medical assistance to victims of trafficking. The government provided these centers a fixed sum per victim assisted which, according to the State Agency for Child Protection, was insufficient to cover victims' needs, maintain the centers' premises, and attract qualified staff. The government did not offer male victims specialized services, including legal aid, reintegration assistance, or shelter. With assistance from NGOs, the national anti-trafficking commission began conducting a survey to assess the needs of male victims. The law allows foreign victims who cooperate 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. Foreign victims who choose not to assist in trafficking investigations are permitted to remain in Bulgaria for 40 days for recovery before repatriation; the recovery period for foreign child victims is 70 days. The government did not penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. No victims received compensation during the reporting period; observers reported the process for seeking compensation continued to be overly bureaucratic.

## PREVENTION

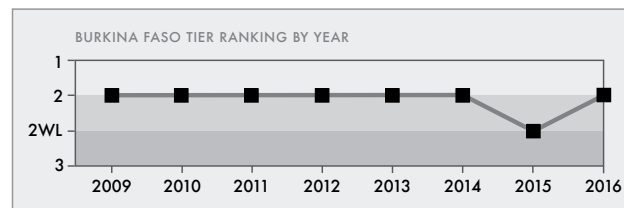
The government increased efforts to prevent trafficking. In June 2015, the government designated a chair for the national anti-trafficking commission and appointed an acting executive secretary; starting in the second half of 2015, the commission improved inter-ministerial coordination and re-energized governmental efforts, including developing long-term strategies and empowering local-level commissions. The national commission and its nine local commissions partnered with NGOs in awareness campaigns in 2015. In January 2016, the commission began developing a national anti-trafficking strategy for 2017-2021. The government continued to adopt annual national action plans accounting for individual activities to occur during the year; the government approved the 2015 plan in August 2015. The commission drafted and started implementation of the 2016 plan, although the government had not formally approved it by the close of the reporting period. The commission also continued to publish an annual report of

the government's anti-trafficking activities. Observers noted the need for improved statistics on law enforcement cases, identified victims, and their traffickers; the commission reported work on such a data collection system continued during the reporting period. The government provided anti-trafficking training to its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex.

## BURKINA FASO: Tier 2

Burkina Faso is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Burkinabe children are subjected to forced labor as farm hands, gold panners and washers, street vendors, domestic servants, and forced begging by unscrupulous Koranic school teachers; girls are exploited in sex trafficking. Burkinabe children are transported to Cote d'Ivoire, Mali, and Niger for forced labor or sex trafficking. To a lesser extent, traffickers recruit women for ostensibly legitimate employment in Lebanon, Qatar, Saudi Arabia, and various European countries but subject them to forced prostitution. Burkina Faso is a transit country for traffickers transporting children from Mali to Cote d'Ivoire, and is a destination for children subjected to trafficking from neighboring countries, including Ghana, Guinea, Mali, and Nigeria. Women from other West African countries are fraudulently recruited for employment in Burkina Faso and subsequently subjected to forced prostitution, forced labor in restaurants, or domestic servitude in private homes. In recent years, Nepalese traffickers have subjected Tibetan women to sex trafficking in Burkina Faso. During the reporting period, women and girls from Cote d'Ivoire were discovered in Burkina Faso en route to Saudi Arabia, where they allegedly would have faced domestic servitude. Reports from an international organization contend 10 Burkinabe peacekeepers deployed to the UN mission in Mali may have engaged in sexual exploitation.

The Government of Burkina Faso does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government reported an increased number of prosecutions and convictions of trafficking offenders, made some modest efforts to address unregistered Koranic schools that subject students to forced begging, and continued to train authorities and social workers on victim protection. It also increased its funding for victim services. Despite identifying seven alleged traffickers posing as Koranic school teachers, however, there is no evidence the government initiated investigations into the traffickers; victim protection measures remained inadequate, especially long-term services and services for adults; and the national anti-trafficking committee remained inactive for a second consecutive year.



## RECOMMENDATIONS FOR BURKINA FASO:

Vigorously investigate, prosecute, and convict trafficking offenders—including traffickers posing as Koranic school teachers—and apply penalties prescribed by the 2008 anti-



trafficking law; increase resources for victims, including social reintegration, to prevent additional trafficking among identified victims; expand training for law enforcement officials to identify trafficking victims among vulnerable populations, such as women in prostitution and children working in agriculture and mining, and refer them to protective services; increase the availability of shelter and services for all victims, including adults; strengthen the system for collecting anti-trafficking law enforcement and victim identification data, and ensure that authorities responsible for data collection receive adequate resources; investigate trafficking allegations that do not involve movement; improve coordination among the national and regional anti-trafficking committees, including by increasing funding to the regional bodies; convene the national, regional, and provincial anti-trafficking committees annually; and work with NGOs to develop a formal referral mechanism to provide victims with long-term care.

## PROSECUTION

The government increased its anti-trafficking law enforcement efforts. The 2008 anti-trafficking law prohibits all forms of trafficking and prescribes maximum penalties of 10 years' imprisonment. Law No. 11-2014/AN criminalizes child prostitution and the sale of children—including the sale of children for crimes not considered trafficking in the 2000 UN TIP Protocol—and prescribes penalties of five to 10 years' imprisonment or fines between 1,500,000 West African CFA francs (CFA) (\$2,490) and 3,000,000 CFA (\$4,980), or both. For sentences that include only a fine, penalties are neither sufficiently stringent nor commensurate with those prescribed for other serious crimes, such as rape. In September 2015, the government adopted a law on the prevention and repression of violence against women and girls. Under the law, sexual slavery is punishable with two to five years' imprisonment and a fine of one to two million CFA (\$1,660-\$3,320), which are sufficiently stringent and commensurate.

The government investigated 38 suspected traffickers in 2015, which led to the prosecution of 16 suspects and the conviction of nine traffickers—an increase from two prosecutions and no convictions in 2014 and closer to the 22 prosecutions and 18 convictions reported in 2013. During the reporting period, law enforcement intercepted seven unregistered Koranic teachers transporting 43 children to Mali and Cote d'Ivoire, allegedly for forced labor in cotton fields; officials returned the children to their families and arrested the seven teachers, but it is unclear if authorities investigated or continued to detain them. There were no prosecutions or convictions for forced begging by unscrupulous Koranic school teachers, despite the prevalence of this form of trafficking in the country. During the previous reporting period, the government arrested a Burkinabe woman for allegedly subjecting more than 30 women to trafficking in Lebanon, Qatar, and Saudi Arabia; she was imprisoned pending trial, but it was unclear if she remained in prison or if the case was ongoing at the end of the reporting period. Law enforcement identified 17 Ivoirian women and girls allegedly bound for domestic servitude in Saudi Arabia and arrested three suspected traffickers in connection with the case. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, law enforcement efforts remained hindered by general corruption in the judiciary.

## PROTECTION

The government sustained efforts to identify trafficking victims

and modestly increased its funding for short-term victim services for a large number of potential child trafficking victims, yet there were no shelters or services for adults, and long-term care for all victims remained inadequate. In 2015, the government continued to support 400 potential child trafficking victims, compared with 280 in 2014; it is unclear how many of these potential victims were identified during the reporting period and how many the government identified. The majority of these children were intercepted while being transported, sometimes in large numbers on trucks or buses, and were rescued prior to reaching destinations where they would have faced exploitation, typically in gold mines or in city centers as domestic servants or street beggars. Due to data collection constraints and lack of disaggregated trafficking and smuggling statistics, it is unclear how many of these children were trafficking victims. The government, with funding and other support from local NGOs and international organizations, operated 23 multipurpose transit centers that provided limited food, medical care, and counseling to child trafficking victims and children vulnerable to trafficking before reuniting them with their families; it did not report how many victims were referred to protective services. The government allocated 21,200,000 CFA (\$35,200) to these transit centers to support protection activities, including health care, schooling, vocational training, family returns, and social workers; the government had allocated the equivalent of approximately \$11,000 the previous reporting period. The government acknowledged victim services remained inadequate; the lack of protection and resources for victims resulted in many being subjected to additional trafficking after identification. The 2015 law on the prevention and repression of violence against women and girls mandates 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 sexual slavery. There is no evidence the government made efforts to establish such centers during the reporting period.

The government trained 210 government employees, social workers, police, *gendarmerie*, and members of civil society on the links between mobility and trafficking. It also trained members of its anti-trafficking committees—including law enforcement, immigration, and social services personnel—on the proactive identification of trafficking victims. The government had standard victim identification and referral procedures, but authorities and front-line responders did not employ them uniformly during the reporting period. The law provides that foreign citizens may apply for asylum if they fear they will face hardship or retribution in their country of origin. The government did not report assisting with the repatriation of victims abroad, but it helped such victims upon return develop personalized plans for reintegration into local communities. There were no reports of trafficking victims penalized for unlawful acts committed as a direct result of being subjected to trafficking.

## PREVENTION

The government moderately increased efforts to prevent trafficking. The Ministry of Social Action and National Solidarity, which had the lead on anti-trafficking efforts, renewed the annual national anti-trafficking plan, but there was no evidence the government took action to implement the plan; the national anti-trafficking committee—responsible for the plan's implementation and comprised of representatives from government ministries and NGOs—did not meet during the reporting period. Thirteen regional bodies composed of police, social workers, transit companies, NGOs, and other

regional stakeholders coordinated administrative efforts to support anti-trafficking law enforcement activities and victim protection efforts, as well as collect anti-trafficking data. These bodies lacked sufficient resources, and it is unclear how many met during the reporting period. The government had child protection networks, composed of law enforcement, judicial officials, health workers, and NGO representatives in 23 of the country's 45 provinces to improve coordination between stakeholders that provide care for child victims, including victims of trafficking. Some of the committees met during the reporting period and gathered trafficking data for the national anti-trafficking committee. The government began to develop a basic integrated data system to collect statistics on child protection, including child trafficking, and sent officials on field missions to brief law enforcement agents on the proper collection of anti-trafficking data. The government continued to conduct anti-trafficking advocacy campaigns and operated a toll-free number for people to report cases of violence against children and violations of children's rights, including trafficking. Unlike in previous years, the government did not provide funding for the hotline; it is unclear if the number received any trafficking-related calls during the reporting period. The government also allocated 106,671,000 CFA (\$177,000) to vocational training for and the social reintegration of young street children vulnerable to trafficking.

During the reporting period, the government created an intermediary body to help monitor new Koranic schools and teachers at the local level and identify unregistered schools and instructors who subject children to trafficking. This organization helped law enforcement intercept seven unregistered teachers and 43 children reportedly bound for exploitation in Mali and Cote d'Ivoire. The government did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. Burkinabe labor inspectors are not allowed to inspect private homes, rendering victims of domestic servitude invisible to authorities. While inspectors are authorized to inspect private farms, they rarely did. The government, in partnership with foreign donors, provided Burkinabe troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. During the reporting period, 10 Burkinabe peacekeepers were accused of sexual exploitation while deployed on the UN mission in Mali; the government was investigating the allegations at the end of the reporting period. While the government did not provide formal anti-trafficking training for its diplomatic personnel, it did give its diplomats an informal briefing on human trafficking.

## BURMA: Tier 3

Burma is a source country for men, women, and children subjected to forced labor and for women and children subjected to sex trafficking, both in Burma and abroad. 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—are subjected to forced labor or sex trafficking. Men are subjected to forced labor in fishing, manufacturing, forestry, agriculture, and construction abroad, while women and girls are primarily subjected to sex trafficking, domestic servitude, or forced labor in garment manufacturing. NGOs report a continued increase in the number of Burmese males transiting Thailand en route to Indonesia and Malaysia, where they are subjected to forced labor, primarily in fishing and other labor intensive industries. Some Burmese men in the Thai fishing industry are

subjected to debt bondage, passport confiscation, threats of physical or financial harm, or fraudulent recruitment; some are also subjected to physical abuse and forced to remain aboard vessels in international waters for years. Burmese women are transported to China and subjected to sex trafficking and domestic servitude through forced marriages to Chinese men; there have been reports that Burmese government officials are occasionally complicit in this form of trafficking. There were also limited reports of smuggled Rohingya individuals being abducted and sold into forced labor en route to other countries, or sold into forced marriage in Malaysia; some of these individuals may have become victims of domestic servitude or sex trafficking. Complicit officials in Burma, Thailand, and Malaysia reportedly facilitated the smuggling and exploitation of Rohingya migrants.

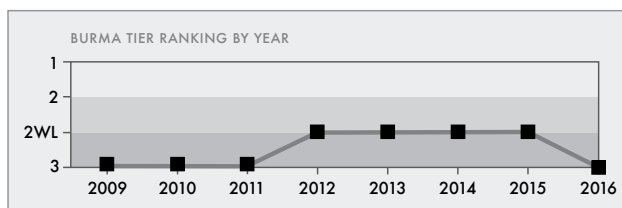
Within Burma, men, women, and children from ethnic areas—including the estimated 100,000 persons displaced by conflict in Kachin and northern Shan States and the estimated 120,000 displaced persons in Rakhine State—are at increased risk of trafficking. Rohingya individuals are particularly vulnerable to sex and labor trafficking in Rakhine State, including forced labor perpetrated by government authorities. Ethnic Rakhine are also reported to be victims of forced labor on the margins of conflict between the military and ethnic armed groups in Rakhine State. Local traffickers use deceptive tactics to recruit men into forced labor on palm oil and rubber plantations or in jade and precious stone mines. Children are subjected to sex trafficking or to forced labor (at times through debt bondage) in teashops, the agricultural and construction sector, and in begging. Children and adults are subjected to domestic servitude. A small number of foreign child sex tourists exploit Burmese children.

Some military personnel, civilian brokers, border guard officials, and ethnic armed groups continue to recruit or use child soldiers, particularly in conflict-prone ethnic areas, although monitoring groups report the incidence of forced conscription into government armed forces continued to decrease significantly. As of the close of the reporting period, international monitors had verified three cases of child recruitment by the Burmese military that occurred in 2015. In some cases, recruiters use deception, offering incentives or coercing children or their families through false promises about working conditions, salary, and promotion opportunities. Men and boys are forced to serve in ethnic armed groups through intimidation, coercion, threats, and violence; in the past, the Burmese army has employed similar tactics, though no such cases were verified during the reporting period. Some child soldiers are deployed to the front-line as combatants. In addition to formally recruiting at least three children into its ranks, the military continues to use children for labor or other support roles; children in Rakhine State are particularly at risk. Some ethnic armed groups abduct or recruit children—including from internally displaced persons camps—for use as soldiers in fighting against the Burmese army.

The Burmese military, civilian officials, and some ethnic armed groups use various forms of coercion, including threats of financial and physical harm, to compel victims to provide forced labor. In areas with active conflict, local populations—mostly men, but also women and children as young as 12 years old—are used for forced labor. ILO reported it continued to receive reports indicating the actual use of forced labor is decreasing overall, but the number of complaints of forced labor through the ILO complaints mechanism remains significant. Reports of forced labor occur across the country; prevalence is higher in

states with significant armed conflict, while reports have declined in cease-fire states. Reporting and verification mechanisms are weak or non-existent in conflict areas, making it difficult to assess fully the ongoing scale of forced labor. Officials continue to compel civilians to perform forced labor—at times using violence or threats of violence—including portering, mandatory work on public infrastructure projects, and activities related to the military's "self-reliance" policy. The army uses children as porters, cooks within battalions, or to carry supplies or perform other support roles. Under the self-reliance policy, military battalions are responsible for procuring their own food and labor supplies from local villagers – a major contributing factor to forced labor. Some observers noted forced labor practices are changing, resulting in a reported decrease in use of forced labor by the military and an increase in reports of forced labor in the private sector and by civilian officials. At the same time, international organizations reported forced labor remains common in areas affected by conflicts, particularly in Rakhine State. There were continued reports of widespread abuses by government soldiers, including forced labor of members of ethnic groups, in Shan, Karen, and Kachin states. Land confiscation by military, local government, and private businesses places agricultural workers at risk for forced labor, including on lands they previously occupied.

The Government of Burma does not fully meet the minimum standards for the elimination of trafficking and did not demonstrate overall increasing efforts compared to the previous reporting period. Although Burma meets the criteria for the Tier 2 Watch List, because it has been on the Tier 2 Watch List for four years, it is no longer eligible for that ranking and is therefore ranked Tier 3. The government continued to investigate and prosecute primarily cross-border sex and labor trafficking offenses and cooperate with international partners to identify and demobilize children forcibly recruited into the military's ranks. During the reporting period, the government released 146 child soldiers from its armed forces through implementation of its UN-backed action plan and launched a second national campaign to raise awareness about the recruitment and use of child soldiers. However, authorities continued to arrest and imprison deserters, including children who fled military service or were demobilized by civil society organizations. The government sent a delegation to Indonesia to advocate for victim screening and repatriation—conducted by an international organization—of more than 1,000 Burmese victims of forced labor on fishing vessels, and made efforts to provide limited reintegration assistance upon their return. Overall victim identification and protection, however, remained weak and a lack of adequate services left victims highly vulnerable to re-trafficking. Military and civilian officials continued to compel men, women, and children into forced labor, and army recruiters and civilian brokers continued to recruit children into the Burmese armed forces. Yet the government failed to make progress in holding civilian officials criminally accountable for trafficking offenses. The Ministry of Defense punished 11 officers and 14 noncommissioned personnel for child soldiering offenses, including through reprimands, fines, or a decrease in pension—but these penalties were not commensurate with the seriousness of the trafficking offenses committed. Despite several laws that prohibit underage recruitment into the military, the government has never prosecuted any military personnel or civilian brokers for child soldiering offenses in civilian courts. Furthermore, authorities have never used the 2012 Wards and Village Tracts Administration Act or other relevant laws to prosecute a forced labor offense committed by a public official.



## RECOMMENDATIONS FOR BURMA:

Prosecute and convict individuals complicit in forced labor and child soldiering offenses, including military and other government officials and civilian brokers—including in civilian courts—and apply stringent penalties, including jail time; make efforts to end the recruitment and use of children or forced labor by members of ethnic armed groups and prioritize these issues during peace negotiations; increase investigations, prosecutions, and convictions of internal trafficking offenses; cease all recruitment of children into the armed forces and actively identify and demobilize all individuals recruited as children currently serving in the military's ranks; cease official involvement in compelling civilians to perform any type of forced labor, including civilian portering; reform military policies—including the "self-reliance" policy—that drive the demand for forced labor and child soldier conscription; continue to strengthen age verification procedures for new military recruits; cease arresting, detaining, or otherwise punishing victims for acts committed while being subjected to trafficking or those fleeing trafficking situations, including through conducting age assessments of any potential minors before making an arrest for desertion; implement formal procedures for proactive victim identification among vulnerable groups and their referral to service providers; provide legal status to stateless persons in Burma to decrease their vulnerability to exploitation; continue to increase coordination between specialized anti-trafficking police units, general police units, and prosecutors; through partnerships with local and international civil society organizations, continue to prioritize and significantly increase funding for victim protection efforts, including victim shelters, provision of services for male victims, and reintegration support for former child soldiers; appoint a case manager to facilitate victims' involvement in criminal proceedings and maintain a victim-centered approach to investigations and prosecutions; and increase training and resources for consular officials and labor attaches in overseas diplomatic missions to provide assistance to Burmese migrant workers, including trafficking victims.

## PROSECUTION

The government sustained law enforcement efforts comparable to those in previous years, but it did not make progress in holding civilian officials criminally accountable for trafficking offenses. The 2005 Anti-Trafficking in Persons Law prohibits sex and labor trafficking and prescribes criminal penalties that are sufficiently stringent and commensurate with those prescribed for rape. Forced labor, including the recruitment of children into the army, is a criminal offense under both the Wards and Village Tracts Administration Act, passed in March 2012, and penal code section 374; violations can result in imprisonment for up to one year, a fine, or both—penalties that are not sufficiently stringent. In addition, section 359 of the 2008 constitution prohibits forced labor. During the reporting period, the government continued a legal review to develop recommendations to strengthen the 2005 law.



The government reported investigating 119 cases involving 373 suspects, and prosecuting and convicting 168 traffickers in 2015, compared with 98 cases investigated and 143 traffickers prosecuted and convicted in 2014. As in previous years, most of the government's law enforcement efforts focused on sex trafficking or forced service of Burmese women through forced marriages to Chinese men. The government reported investigating 21 suspected cases of internal trafficking and 33 cases of labor trafficking—compared with 26 internal and 18 labor cases in 2014. The anti-trafficking in persons division (ATIPD) maintained dedicated anti-trafficking taskforce (ATTF) police throughout the country, but a lack of clarity between the roles and responsibilities of ATTF officers and general police investigators, as well as poor police-prosecutor cooperation in Burma, continued to hamper the success of investigations and prosecutions. Local experts reported general (non-ATTF) police perceived they did not have the authority to pursue investigations proactively and primarily opened investigations only in response to complaints. An acute lack of basic policing equipment and resources was a major obstacle for police to undertake proactive investigations into trafficking crimes. The ATIPD provided both basic introductory and on-the-job training for police, and international organizations funded additional anti-trafficking training for Burmese officials.

Corruption and impunity remained pervasive in Burma and hindered the enforcement of human trafficking laws. Individuals with alleged ties to high-level officials reportedly pressured trafficking victims not to seek legal redress against traffickers. The power and influence of the Burmese military limited the ability of civilian police and courts to address cases of forced labor and the recruitment of child soldiers by the armed forces; there is no evidence any soldiers accused of trafficking crimes have ever been prosecuted in civilian courts, nor has the government ever prosecuted a civilian for child soldier recruitment. The Ministry of Defense undertook independent efforts to investigate and punish military personnel for child soldier recruitment; it reported punishing 11 officers and 14 noncommissioned personnel in 2015. It further reported issuing punishments for forced labor offenses, but these cases could not be verified. Imposed punishments were significantly lesser than those prescribed by criminal laws, with most receiving reprimands, fines, or a decrease in pension. There were no other investigations, prosecutions, or convictions of officials complicit in human trafficking offenses.

## PROTECTION

The government made progress in identifying and protecting victims, but overall victim protection remained inadequate and some officials reportedly continued to victimize men, women, and children in Burma. Most known victims were identified by authorities in other countries, including 1,018 men and boys an international organization repatriated after they were subjected to forced labor on Thai fishing vessels in Indonesia. Police and border officials identified an additional 118 victims at border crossings, compared with 68 such victims in 2014. An unknown number of victims were returned from Thailand and China, or were identified within Burma. In 2015, the government released 146 children from the military through implementation of its UN-backed action plan on child soldiers, compared with 322 children the previous year. The border guard forces released one child in 2015. Local observers reported once individuals were identified as possible child soldiers, the military made progress in providing immediate protections, including removal from combat, before formal verification procedures concluded. While law enforcement

officials continued to proactively identify suspected victims en route to China for forced marriages likely to result in sex or labor exploitation or to Thailand for potential sex trafficking, authorities did not follow standardized, nationwide procedures for the proactive identification of trafficking victims, and front-line officers largely lacked adequate training to identify potential victims. The government did not make efforts to screen for indicators of trafficking among other vulnerable groups such as returning migrant workers filing complaints regarding employment abroad, working children, or individuals in prostitution. The military identified 29 suspected cases of child soldier recruitment and cooperated with the UN, which received complaints throughout the year and referred to the government 210 suspected cases of forced labor and child soldier conscription committed by members of the military or civilian administrators. The military granted within 72 hours all requests from UN monitors to access military installations to inspect for the presence of children, although it sometimes denied access to certain locations within the installations. Deteriorating security conditions in Kachin and Shan states in 2015 occasionally restricted UN monitors' access to these regions—which were most likely to see the use of children around active fighting—and access to military detention facilities was at times denied or conditional. The military continued to victimize civilians. An NGO reported seven cases of forced labor by the Burmese military in Rakhine State between December 2015 and January 2016. In one case, three men were reportedly abducted from their village, subjected to threats, deprived of food, physically restrained, and forced to carry weapons and dig graves over the course of 11 days.

Police and border officials consistently referred repatriated victims and demobilized child soldiers to the Department of Social Welfare (DSW) to receive reintegration services, but the availability of services was limited. Local experts reported some improvement in working-level cooperation between DSW and the police during the year. The government conducted 10 trainings for 75 public officials and civil society members on the provision of assistance to trafficking victims. The government continued to operate five centers for women and children, including trafficking victims, one dedicated to female trafficking victims, and two facilities funded by a foreign donor that could serve both men and women. It did not report the total number of victims receiving services in these facilities, or whether shelters housed any men. The government accommodated the large influx of labor trafficking victims repatriated from Indonesia in transit centers for one or two days before reintegrating them in their home communities. Services in government facilities were rudimentary, but the government increased its funding allocation to trafficking victim protection, and some victims received psycho-social counseling, travel allowances, support for obtaining official documents, and assistance in returning to home communities. Trafficking victims, including former child soldiers, may have benefited from the government's first deployment of trained DSW social workers—whose mandate includes trafficking—to serve local communities. Overall government support to demobilized children remained minimal, with most services provided by civil society partners. NGOs and foreign donors funded and facilitated delivery of the bulk of services available to trafficking victims. Longer-term support was limited to vocational training for some former child soldiers, and women in major city centers and in 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 attaches in Thailand, Malaysia, and South Korea, whose responsibilities included assisting trafficking victims. In 2015, it sent a delegation to Indonesia that effectively advocated on behalf of trafficking victims on fishing vessels to facilitate their screening and repatriation by an international organization.

Authorities encouraged victims to assist in investigations and prosecutions, but the lack of adequate victim protection or compensation programs, exacerbated by a lengthy trial process and victims' mistrust of the legal system, caused many victims to decline cooperation. A cumbersome investigation process required victims to give statements multiple times to different officials, increasing the possibility of re-victimization. Further, a legal impediment to victim-prosecutor communication made court processes very opaque for victims. The government made efforts to include victims' perspectives in training sessions with police and during government meetings. Inadequate efforts to screen for indicators of trafficking in thousands of anti-prostitution interventions may have led to the treatment of sex trafficking victims as criminals. Authorities continued to arrest and imprison children who fled military service or were demobilized by civil society organizations on charges of desertion. However, in all cases where these individuals were identified as minors, authorities subsequently processed their release, although some remained in civilian detention for several months. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

## PREVENTION

The government increased prevention efforts, but did not make sufficient efforts to prevent trafficking crimes perpetrated by public officials. The central body for the suppression of trafficking in persons continued to coordinate anti-trafficking programs and policies in line with the five-year national action plan. The government introduced new training courses on age assessment into curriculum for military recruitment personnel and made real progress in centralizing military recruitment to enable greater oversight. While oversight and monitoring of recruitment procedures remained insufficient to prevent child recruitment, UN observers report age verification procedures were increasingly applied and were improving the military's ability to identify and prevent some child recruitment. In April 2015 the military issued and widely disseminated a directive prohibiting the use of children by the armed forces. The government did not reform the military's "self-reliance" policy that continued to make adults and children vulnerable to forced labor. The government continued to deny citizenship to an estimated 810,000 men, women, and children in Burma—most of whom were ethnic Rohingya living in Rakhine State. The lack of legal status and access to identity documents significantly increased this population's vulnerability to trafficking in Burma or in other countries. The government continued to conduct awareness campaigns in print, television, radio, billboards, and other media and train members of community-based watch groups and students on trafficking. ILO reported the public's awareness of laws prohibiting forced labor and the mechanism for reporting such complaints remained low. In January 2016, however, the government launched a second national campaign to raise awareness about the recruitment and use of child soldiers and encourage the public to report information about such cases through the dedicated hotlines operated by the UN. It did not make efforts to punish labor recruiters or brokers for illegal practices that increase migrants'

vulnerability to exploitation abroad. The government provided anti-trafficking training for its diplomatic personnel. Anti-trafficking police continued to provide training to tourism police units to stem child sex tourism, and authorities partnered with an NGO to raise awareness among some hotel industry personnel, but no related investigations or prosecutions were reported. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

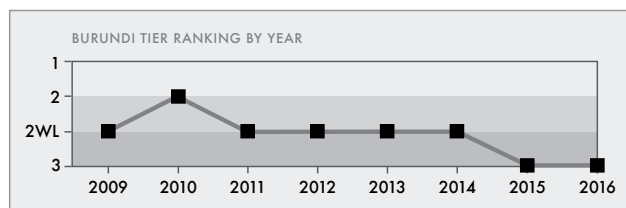
## BURUNDI: Tier 3

Burundi is a source country for children and possibly women subjected to forced labor and sex trafficking. Due to a complex political, economic, and security crisis in 2015, more than 236,000 Burundians fled to refugee camps in neighboring countries and countless more sought refuge at internally displaced persons (IDP) camps or moved to the homes of extended family members. Though there is little official data available on abuses committed against the approximately 25,000 IDPs, 60 percent are younger than age 18 and are highly vulnerable to exploitation. Burundi's chaotic security environment created an opportunity for criminals, including traffickers, to take advantage of Burundians in precarious or desperate situations. Between April and December 2015, approximately 70,000 Burundian refugees fled to Rwanda, which contributed to an increase in child sex trafficking of both male and female refugees in Rwanda. Burundian refugee girls residing in Rwanda's Kigeme refugee camp were reportedly exploited in prostitution in nearby towns. In July 2015, approximately 58 children, some younger than 15 years old, were fraudulently recruited and forced 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 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 these adult and child refugees could be victims of human trafficking. 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.

Children and young adults are coerced into forced labor on plantations or small farms throughout Burundi, in gold mines in Cibitoke, in informal commerce in the streets of larger cities, collecting river stones for construction in Bujumbura, and in the fishing industry. Traffickers include victims' family members, 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. Children endure domestic servitude in private homes, experiencing non-payment of wages and verbal and physical abuse. Children in domestic

servitude or working in guest houses and entertainment establishments may also be exploited in prostitution. Children are fraudulently recruited from rural areas for domestic work and later exploited in prostitution, including in Bujumbura. Young women offer vulnerable girls room and board within their homes, eventually pushing some into prostitution to pay for living expenses. These brothels are located in poorer areas of Bujumbura, along the lake, on trucking routes, and in other urban centers such as Ngozi, Gitega, and Rumonge. Some orphaned girls are exploited in prostitution, with boys acting as their facilitators, to pay for school, food, and shelter. Incarcerated women facilitate commercial sex between male prisoners and detained children within the Burundian prison system. Male tourists from East Africa and the Middle East, as well as Burundian government employees including teachers, police officers and *gendarmes*, military, and prison officials, are among the clients of Burundian girls in prostitution. Business people recruit Burundian girls for prostitution in Bujumbura, as well as in Rwanda, Kenya, Uganda, and the Middle East; they also recruit boys and girls for various types of forced labor in southern Burundi and Tanzania. In 2015, Rwandan officials and international and local NGOs reported that Burundian refugee girls were exploited in prostitution in Uganda after transiting Rwanda; some of these girls may also be subjected to forced labor in domestic work in Uganda.

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. The government's priorities and funding were focused on the complex political and security crisis in 2015, which stalled the government's efforts to combat trafficking. The government did not prosecute or convict any trafficking offenders, nor did it investigate or punish officials complicit in trafficking crimes. Authorities continued to lack understanding of the crime, and the government did not provide anti-trafficking training for its personnel. The government did not proactively identify trafficking victims or provide them with adequate protection services. Trafficking victims, including children and adults exploited in prostitution and children fraudulently and forcibly recruited into armed groups, continued to be vulnerable to arrest and detention for crimes committed as a direct result of being subjected to trafficking. The government's inter-ministerial anti-trafficking commission was inactive in 2015, and the government made very limited efforts to prevent trafficking.



## RECOMMENDATIONS FOR BURUNDI:

Take measures to ensure children and adults are not forcibly or fraudulently recruited into governmental and non-governmental armed forces, and provide them with appropriate protection services; implement the anti-trafficking law and significantly increase investigations, prosecutions, and convictions of traffickers, including complicit officials; institutionalize anti-trafficking training to include how to implement the anti-trafficking law for all police, prosecutors, judges, and border guards; establish standardized procedures for officials to proactively identify trafficking victims, including children and

adults, and refer them to appropriate care; ensure trafficking victims, including children and adults who are forcefully or fraudulently recruited into armed groups, are not punished for crimes committed as a direct result of being subjected to trafficking; and drastically improve provision of protective services to trafficking victims, including through partnerships with NGOs that provide appropriate care to victims.

## PROSECUTION

The government made little to no law enforcement efforts. Burundi's anti-trafficking law, enacted in October 2014, prohibits the trafficking of adults and children for the purpose of forced labor or services and sex trafficking. The definition of "forced labor or services" in the law, however, fails to account for situations where an individual might initially consent to labor but is later forced, defrauded, or coerced to provide such labor. Prescribed penalties under the law range from five to 10 years' imprisonment, penalties which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2015, the government redirected funding and security forces away from regular government activities to stabilize the country and counter anti-governmental protests. The government did not provide adequate funding for law enforcement agencies responsible for investigating trafficking crimes, thereby severely limiting their capacity and effectiveness. Furthermore, rampant corruption and officials' lack of investigative skills and basic understanding of trafficking crimes continued to impede investigations. The government did not provide training for its law enforcement and judicial officials on application of the anti-trafficking law.

The government did not prosecute or convict any trafficking offenders in 2015, and it made very limited efforts to investigate potential trafficking crimes. In November 2015, authorities arrested and detained three individuals for their alleged involvement in kidnapping two girls aged 12 and 14 years from Rumonge and forcing them into prostitution in Tanzania; however, the court acquitted and released them in December 2015. The government did not report investigating or prosecuting the perpetrators allegedly responsible for fraudulently recruiting 58 children to participate in an armed invasion in Rumonge Province in July 2015. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses, despite multiple allegations of significant government involvement in trafficking. Moreover, it was extremely dangerous for civil society organizations or individuals reporting on these allegations; several activists fled the country after receiving threats against themselves and their families when they attempted to investigate a trafficking network or provide care to a trafficking victim.

## PROTECTION

The government made inadequate efforts to identify and provide appropriate protection to trafficking victims. The government identified 11 trafficking victims in 2015. It was unclear, however, whether it provided any protection services directly or referred victims to civil society organizations for such care. For example, from April to October 2015, law enforcement officials identified nine young women who were recruited to work in Oman under false pretenses; however, authorities did not report providing or referring them to NGO-provided protection services. Overall, the government did not provide adequate protection services or support for NGOs, religious organizations, or women's or children's associations that offered care to trafficking victims. The government continued to operate a care center in Gitega,



which provided protection to foreign and domestic victims of sexual and gender-based violence (SGBV) including some potential trafficking victims; this center provided services to 752 SGBV victims, but it did not distinguish if trafficking victims were among them. Overall, lack of funding seriously reduced the government's ability to support victims.

The government did not have formal procedures for authorities to identify and refer trafficking victims to protection services, and law enforcement officials lacked training to identify potential victims. Furthermore, without standardized identification procedures, trafficking victims likely remained unidentified in the law enforcement system and vulnerable to being penalized for unlawful acts committed as a result of being subjected to trafficking. Although the government stated that trafficking victims would not be detained or held responsible for crimes committed during their exploitation, it was unlikely this policy was implemented. For example, the government detained 58 children for several months in Rumonge prison after they were forced to participate in an armed invasion in Kayanza Province in July 2015. These children were eventually released from prison, but the government did not provide them with protection services after their release; seven of the children, who were younger than the age of 15, received protection services from an international organization. The government did not encourage victims to participate in the prosecution of their traffickers. Burundian law did not provide foreign trafficking victims with legal alternatives to their removal to countries where they may face hardship or retribution.

## PREVENTION

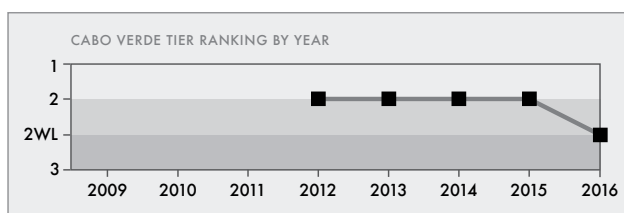
The government's efforts to prevent trafficking were inadequate. The government did not implement its national anti-trafficking action plan, which was validated in March 2014, and its inter-ministerial anti-trafficking commission was inactive. The government did not conduct anti-trafficking awareness campaigns in 2015, nor did it make efforts to prevent or raise awareness of the forcible or fraudulent recruitment of children and adults into armed groups. The government did not report efforts to monitor or investigate fraudulent labor recruitment practices. The government did not make efforts to reduce the demand for forced labor, but it took minor steps to reduce the demand for commercial sex acts and child sex tourism. The Children and Ethics Brigade, responsible for the investigation of trafficking crimes, conducted an unknown number of raids on hotels in Bujumbura and along the shore of Lake Tanganyika to combat sex tourism, but it did not report if it provided protection services to trafficking victims found during the raids or if perpetrators were referred for prosecution. The government did not provide anti-trafficking training for its diplomatic personnel. Prior to Burundian troops' deployment abroad on international peacekeeping missions, personnel received human rights training, provided by a foreign donor which included some training on human trafficking.

## CABO VERDE: Tier 2 Watch List

Cabo Verde is a source and destination country for children subjected to forced labor and sex trafficking within the country and in Guinea and a destination country for women in forced prostitution. Boys and girls, some of whom may be foreign nationals, are exploited in sex trafficking in Santa Maria, Praia,

and Mindelo. Sex tourism involving children subjected to prostitution also occurs. 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. West African migrants may transit the archipelago en route to situations of exploitation in Europe. Adult migrants from China, Guinea-Bissau, Senegal, Nigeria, and other ECOWAS countries may receive low wages, work without contracts, and have irregular status, creating vulnerabilities to forced labor and sex trafficking. During the reporting period, Nigerian women were identified in sex trafficking on the island of Boa Vista. Cabo Verde's porous borders make it difficult to monitor the flow of people across the borders, rendering both legal and illegal immigrants vulnerable to trafficking.

The Government of Cabo Verde does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government conducted one investigation, identified its first two adult trafficking victims, and enacted amendments to its penal code that provide a legal framework to prosecute trafficking. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Cabo Verde is placed on Tier 2 Watch List. The government did not prosecute or convict any traffickers, identify any child trafficking victims, or provide specialized services to victims, and it did not have a national committee or action plan to combat trafficking in persons.



## RECOMMENDATIONS FOR CABO VERDE:

Using the new penal code amendments, vigorously investigate and prosecute trafficking offenses, including child sex trafficking, and convict and punish traffickers; develop and institute standardized victim identification procedures—including for adults and victims among vulnerable populations—and provide specialized training to law enforcement and judicial personnel on such procedures; develop and institute a standardized victim referral mechanism to guide officials in referring identified trafficking victims to institutions that provide care; educate law enforcement that children exploited in prostitution is sex trafficking, and robustly investigate such cases, especially in high-tourist areas; provide training for law enforcement and judiciary officials on the anti-trafficking amendments; expand labor inspectors' mandates to include the regulation and inspection of workplaces in the informal sector, such as street vending, car washing, and agriculture; allocate funding for victim services—including for shelter and services for adults—to government agencies that provide care to trafficking victims; develop a system to compile comprehensive anti-trafficking law enforcement data; draft and implement a national action plan on trafficking in persons; designate a government entity specifically mandated to coordinate anti-trafficking efforts; and increase efforts to raise public awareness of human trafficking.

## PROSECUTION

The government amended its criminal code to prohibit all forms of trafficking in persons but maintained minimal law enforcement efforts. Cabo Verde amended its penal code in November 2015 in a way that appears to prohibit all forms of trafficking in persons under article 271-A by penalizing the use of force, fraud, or coercion for the purposes of sexual or labor exploitation. Article 271-A prescribes penalties of four to 10 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. When the victim is a minor, an undefined term which elsewhere in the criminal code is defined at 16, the use of any means with those purposes is a trafficking offense and the penalty increases to six to 12 years' imprisonment. As the law does not define labor exploitation, it could be implemented such that labor exploitation short of forced labor would be considered human trafficking. In addition to article 271-A, article 148 of the criminal code outlaws the promotion, encouragement, or facilitation of prostitution and sexual acts with minors younger than 16 years of age or persons suffering from mental incapacity with penalties of four to 10 years' imprisonment, or two to six years' imprisonment if the victim is between ages 16 and 18. Article 149 of the penal code punishes those who entice, transport, host, or receive children younger than 16 years of age or promotes the conditions for sexual acts or prostitution in a foreign country with two to eight years' imprisonment; however this does not prohibit such acts with children 16-18 years of age, which is inconsistent with the 2000 UN TIP Protocol. The Law of Foreigners prohibits knowingly subjecting an undocumented migrant worker to trafficking and prescribes penalties of two to six years' imprisonment. Article 271-A also prescribes penalties for those who have knowledge of trafficking crimes or use the services of trafficking victims (one to five years' imprisonment) and those who retain, conceal, damage, or destroy trafficking victims' identity documents (up to three years' imprisonment). Under the amended penal code, investigations into sex crimes involving children aged 14 and 15, including children exploited in prostitution, no longer require a complaint from a child's legal guardian.

The government did not provide comprehensive law enforcement data during the reporting period. It arrested and initiated an investigation of one alleged Nigerian sex trafficker involving two adult female victims from Nigeria; the investigation was ongoing at the end of the reporting period. The government did not report initiating any prosecutions, compared with one investigation and three prosecutions reported the previous reporting period, and did not convict a trafficker for the second consecutive year. Despite law enforcement and judges' lack of understanding of trafficking crimes—which hampered their ability to identify, investigate, and prosecute trafficking cases—the government did not provide anti-trafficking training to such officials during the reporting period. Insufficient staffing and a lack of resources also hindered law enforcement efforts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government identified its first two adult trafficking victims but continued minimal efforts to protect victims. The government identified two adult female sex trafficking victims, compared with no victims identified in 2014 but a significant decrease from 17 child victims identified in 2013. It is unclear if the identified victims received any services, specialized care, or were repatriated during the reporting period. There were

no shelters or services specifically for trafficking victims, but government-funded agencies could provide emergency services, temporary shelter, and psycho-social care to at-risk populations and female and child victims of crime, which trafficking victims could access. It is unknown if any trafficking victims benefited from these services during the reporting period. The government operated two shelters that provided temporary care for child victims of sexual abuse, violence, and abandonment, and maintained five protection and social reinsertion centers, which provided access to reintegration services for children experiencing long-term trauma, including trafficking. It is unclear whether any child trafficking victims received care in such facilities during the reporting period.

Border police have written procedures to guide in the proactive identification of trafficking victims and people vulnerable to trafficking, but these procedures were not fully implemented during the reporting period. The government did not have a formal mechanism to refer trafficking victims to care, but the Cabo Verdean Institute for Children and Adolescents continued to operate a national network to prevent and provide assistance to victims of child sexual abuse, which coordinated their referral to care and offered support throughout court processes. In practice, law enforcement officials would conduct sex trafficking victim interviews in collaboration with psychologists and the victims' parents, in cases of children, to provide a comfortable and safe environment for the victim. The government did not report collaborating with foreign governments on anti-trafficking law enforcement efforts. Cabo Verdean law does not provide for legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution. There were no reports officials penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking.

## PREVENTION

The government sustained modest prevention efforts. There was no government entity specifically mandated to coordinate anti-trafficking efforts and no national action plan to combat trafficking, which hampered the government's ability to address trafficking and coordinate prevention efforts. The national committees to prevent child sexual exploitation and to prevent and eliminate child labor continued awareness campaigns to address child labor and child sexual violence; it is unclear if these included information on human trafficking. The government approved a list of hazardous occupations and activities prohibited for children younger than 18 years to further protect children from harmful labor practices. Despite these measures, however, it did not identify any cases of forced child labor during the reporting period, and labor inspectors were not mandated to conduct inspections of workplaces in the informal sector, where Cabo Verdean children are vulnerable to forced labor. The government continued to operate six day centers through its *Nos Kaza* project, which aimed to reduce the vulnerability of street children to forced labor and sexual abuse, including child sex trafficking. It also continued to operate a hotline for reporting cases of child abuse, including sexual exploitation and child labor; the hotline did not receive any reports of trafficking during the reporting period. The government did not make efforts to reduce the demand for forced labor or commercial sex acts. The government continued projects to address child sexual abuse, which included child sex trafficking. The government did not provide anti-trafficking training for its diplomatic personnel.

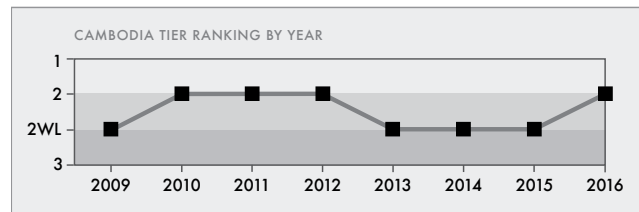
## CAMBODIA: Tier 2

Cambodia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Cambodian adults and children migrate to other countries within the region and increasingly to the Middle East for work; many are subjected to forced labor on fishing vessels, in agriculture, in construction, in factories, and in domestic servitude—often through debt bondage—or to sex trafficking. Migrants using irregular migration channels, often with the assistance of unlicensed brokers, were at an increased risk of trafficking, but those using licensed recruiting agents also became victims of forced labor or sex trafficking. 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. Significant numbers of male Cambodians continued to be recruited in Thailand for work on fishing boats and subjected to forced labor on Thai-owned vessels in international waters. Cambodian victims escaping this form of exploitation have been identified in Malaysia, Indonesia, Mauritius, Fiji, Senegal, South Africa, and Papua New Guinea. Cambodian men reported severe abuses by Thai captains, deceptive recruitment, underpaid wages, and being forced to remain aboard vessels for years. NGOs report significant numbers of women from rural areas are recruited under false pretenses to travel to China to enter into marriages with Chinese men; some are subjected to forced factory labor or forced prostitution.

All of Cambodia's 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 they are subjected to sex trafficking in brothels and, more frequently, "indirect" sex establishments such as beer gardens, massage parlors, salons, karaoke bars, and non-commercial sites. An NGO report released in 2013 examined the prevalence of children among individuals in commercial sex establishments in three Cambodian cities and found that children comprised 8.2 percent of this population. The study concluded that the 2013 finding represented a significant decline in this form of child sex trafficking compared to earlier reports by different entities published in 1997 and 2000. The same NGO reported that a March 2015 assessment found that the prevalence of children among this population declined further to 2.2 percent; the NGO had not yet formally published these results at the close of the reporting period. Cambodian men form the largest source of demand for children exploited in prostitution; however, men from other Asian countries, the United States, Australia, South Africa, and Europe travel to Cambodia to engage in child sex tourism. Vietnamese women and children, many of whom are victims of debt bondage, 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. Trafficking-related corruption remained a significant concern. Corrupt officials in Cambodia, Thailand, and Malaysia cooperate with labor brokers to facilitate the transport of victims between countries. Local observers report corrupt officials often thwart progress in cases where the perpetrators are believed to have political, criminal, or economic ties to government officials.

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 finalized

national guidelines for the identification and referral of victims, and local authorities identified 589 victims, an increase from 326 in the previous year. The government lacked comprehensive data on law enforcement efforts, but information collected from various sources indicates progress on prosecutions and convictions, particularly for labor trafficking offenses. The government began implementing the national action plan launched during the previous reporting period and allocated \$500,000 to the interagency committee that leads Cambodia's anti-trafficking efforts. However, the government failed to investigate, prosecute, or convict any complicit officials. The government did not issue formal guidance allowing the use of undercover investigation techniques in trafficking investigations, and the lack of explicit authority continued to impede officials' ability to fully hold sex traffickers accountable.



### RECOMMENDATIONS FOR CAMBODIA:

Vigorously investigate and prosecute trafficking offenses and convict and punish labor and sex traffickers, individuals who purchase commercial sex acts from children, and complicit officials; issue an executive decree (*prakas*) or other official guidance authorizing the use of undercover investigative techniques in the enforcement of the anti-trafficking law; fully implement the new nationwide protocol for proactive victim identification among vulnerable groups, and train officials on its provisions; increase the availability of services for male victims, especially men exploited in commercial fishing; establish systematic procedures and allocate resources to assist Cambodian victims through diplomatic missions abroad or in countries without Cambodian diplomatic representation; implement a system for monitoring, collecting, and reporting data on anti-trafficking prosecution and victim protection efforts; modify the law to allow restitution upon conviction of the trafficker; facilitate greater NGO access to the policy for formally transferring custody of child victims; increase efforts to make court processes more sensitive to the needs and interests of victims, including through the provision of witness protection and options for compensation; include anti-trafficking content in police training academies; and increase public awareness campaigns aimed at reducing the local demand for commercial sex and child sex tourism.

### PROSECUTION

The government lacked comprehensive data on law enforcement efforts, but information collected from various sources indicates progress in prosecutions and convictions, particularly for labor trafficking offenses. The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation explicitly addresses trafficking offenses in 12 of its 30 articles, prohibits all forms of trafficking, and prescribes penalties that are sufficiently stringent and commensurate with other serious crimes, such as rape. Some authorities lacked familiarity with the anti-trafficking law and used provisions of the penal code to prosecute trafficking offenses. The government did not provide comprehensive data on anti-trafficking law enforcement efforts. However, the information the government did provide,



augmented by NGOs, indicates the government prosecuted at least 69 suspects under its anti-trafficking law or comparable provisions in the penal code, including 38 for sex trafficking offenses and 31 for labor trafficking offenses. Reports from the government, media, and NGOs indicate the government convicted at least 19 sex traffickers and 24 labor traffickers, an increase from at least 22 sex traffickers and seven labor traffickers convicted during the previous year. Convicted traffickers received sentences ranging from two to 15 years' imprisonment. Five Taiwanese nationals convicted in absentia during the previous reporting period for the forced labor of hundreds of Cambodian men in the commercial fishing sector remained at large. The government continued to design and deliver donor-funded training on the implementation of the anti-trafficking law to police, prosecutors, judges, and other government officials. Local organizations and some officials noted an urgent need for more sophisticated evidence collection techniques, including undercover investigations, to decrease the reliance on witness testimony and adapt to the increasingly clandestine nature of sex trafficking in Cambodia. Police continued to investigate cases of sex trafficking that occurred in brothels or cases where victims brought complaints directly, but did not typically pursue more complicated cases. The government did not issue guidance granting explicit approval of undercover evidence collection in human trafficking cases; in its absence, many police self-limited such investigations, and prosecutors denied investigators' requests for such authority, which effectively forced them to close some investigations. An NGO reported officials faced particular challenges building cases for cross-border trafficking offenses.

Endemic corruption at all levels of the government severely limited the ability of individual officials to make progress in holding traffickers accountable. However, 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, whose 2011 conviction for human trafficking was overturned in an unannounced, closed-door Supreme Court hearing in 2013.

## PROTECTION

The government made progress on victim protection. During the year, the government finalized and adopted guidelines for a standardized, nationwide system for the proactive identification and referral of victims among vulnerable groups that had been in development for more than five years. With assistance from an international organization, the government continued to operate a transit center in Poipet, where it screened for trafficking victims among the approximately 60,000 migrants deported from Thailand in 2015. It identified 100 victims among this group and provided them temporary shelter; however, given the extent of trafficking among this population, it likely failed to identify many more victims. The government operated a temporary shelter in Phnom Penh for female trafficking victims and other crimes, and it referred trafficking victims to NGO shelters—most of which cared for victims of several forms of abuse—to receive further assistance. Authorities did not provide complete statistics on the number of victims it assisted or referred, and the total number of victims identified or assisted by the government or NGOs is unknown. However, local police identified and referred 589 trafficking victims to provincial agencies for NGO referrals, an increase from 326 referred in the previous year. Authorities reported the majority of these were victims of labor trafficking. The government continued to rely heavily on civil society to protect trafficking victims; however, it failed to facilitate NGO access to procedures intended to allow for the formal transfer

of custody of child victims, leaving organizations that accepted child victims vulnerable to court action. Government officials at times returned children to high-risk environments if family members would not consent to temporary guardianship in a shelter, leaving them extremely vulnerable to re-victimization. Despite a prevalence of male labor trafficking victims, assistance for this population remained limited.

Although the prime minister appealed to Cambodian diplomats to better serve overseas migrant workers, diplomatic missions overseas continued to lack adequate funding or capacity to provide basic assistance or repatriate victims; victims identified in countries without Cambodian diplomatic representation had access to even less support. The Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) received 857 repatriated Cambodian victims from Indonesia, China, Thailand, Malaysia, Vietnam, Papua New Guinea, Saudi Arabia, and South Africa. The majority were repatriated with the assistance of an international organization. Hundreds of these victims were subjected to forced labor on commercial fishing vessels, but experts estimate this represents only a small number of total Cambodians subjected to this form of trafficking.

The government required the repatriation of foreign victims and did not provide legal alternatives to their removal should they face hardship or retribution upon return to their countries of origin; five victims were repatriated to Vietnam during the reporting period. There were no reports the government punished individuals identified as victims for crimes committed as a result of being subjected to trafficking; however, insufficient victim identification efforts left many victims unidentified and at risk of being punished. Officials often lacked sufficient office space to keep victims and perpetrators separated during interviews. In cooperation with an NGO, the government launched a pilot project in three provinces designating trained social workers to provide case management services to victims with cases moving through the legal process. However, the 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 whose families received out-of-court settlements from traffickers often changed their testimonies, hampering the pursuit of successful prosecutions. Victims were theoretically eligible for restitution, although this was limited by a legal requirement that compensation be paid only following the completion of a trafficker's jail term.

## PREVENTION

The government increased prevention efforts. The interagency committee and its secretariat coordinated anti-trafficking activities and began implementing the national action plan launched during the previous reporting period. The government dedicated 72 staff members to the committee and, for the first time, allocated an independent budget of \$500,000. Local committees coordinated efforts at the provincial level; NGOs report the central government provided modest funds to four of these in 2015, compared to two committees in 2014. An NGO reported receiving 96 complaints from victims seeking legal redress from brokers or recruiting agents complicit in their being subjected to trafficking in Malaysia. The government convicted one labor recruiter for illegal practices that may have contributed to trafficking. With support from foreign and local donors, it produced and disseminated printed materials, radio broadcasts, billboards, and posters on the dangers of human trafficking. The anti-trafficking police independently developed and delivered training for members of the entertainment sector

on policies and procedures to prevent and report sex trafficking crimes. The government reported reaching an agreement with the Chinese embassy in Phnom Penh to scrutinize more closely visa applications from unmarried Cambodian women to identify potential vulnerabilities to and indicators of trafficking; it is unknown, however, whether this was implemented in such a way to reduce an undue burden for potential migrants. The Ministry of Tourism sustained collaboration with NGOs in producing trainings, billboards, and handouts aimed at reducing the demand for commercial sex acts and child sex tourism, although these efforts were targeted at foreign sex tourists rather than the local population that was the main source of demand for commercial sex with children. Authorities prosecuted six and convicted three child sex tourists, extradited one suspect to the United States, and prosecuted one and convicted five Cambodian citizens for the purchase of commercial sex acts with children. Local experts reported concern over the government's ongoing failure to impose appropriate punishments on foreign nationals who purchase commercial sex acts with children; during the year, one convicted offender's prison sentence was reduced from eight to five years. The government provided anti-trafficking training for its diplomatic personnel and to members of the military prior to their deployment abroad on peacekeeping initiatives.

## CAMEROON: Tier 2 Watch List

Cameroon is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking and a source country for men in forced labor. Child traffickers often use the promise of education or a better life in the city to convince rural parents to give their children over to an intermediary, who then exploits the children in sex trafficking or forced labor. Child traffickers increasingly resort to kidnapping victims, as heightened public awareness of trafficking has led parents to be less willing to give their children to these intermediaries. Homeless children and orphans are especially vulnerable to trafficking. Teenagers and adolescents from economically disadvantaged families are often lured to cities by the prospect of employment but are subjected to labor or sex trafficking. Cameroonian children are exploited 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 construction as errand boys, laborers, or night watchmen. Children are subjected to sex trafficking within the country. Reports document hereditary slavery in northern chiefdoms. Children from neighboring countries are exploited in spare parts shops or by herders in northern Cameroon, and transit the country en route to Gabon and Equatorial Guinea.

Cameroonian women and men are lured to Europe and other regions by fraudulent Internet marriage proposals or offers of well-paying jobs, and subsequently become victims of forced prostitution or forced labor, especially in domestic servitude. Cameroonians are exploited in forced labor and sex trafficking in several Middle Eastern countries, Haiti, the United States, and multiple African countries. Increasing numbers of Cameroonian women are exploited in domestic servitude in Kuwait. Cameroonians are increasingly acting as intermediaries in subjecting other Cameroonians to trafficking in foreign countries. These perpetrators are often locals working for foreign

recruitment agencies in Cameroon or former trafficking victims residing in destination countries. Anecdotal evidence indicates increasing numbers of Cameroonians are operating trafficking networks in Morocco that force women into prostitution. Cameroonian women also transit Morocco en route to Europe, where they are often forced into prostitution by European trafficking networks.

Adults and children from Central African Republic (CAR) and Nigeria are lured to Cameroon by the prospect of better employment opportunities and enhanced livelihoods but are subsequently subjected to labor trafficking. Refugees from CAR and Nigeria, as well as displaced Cameroonians fleeing insecurity in border areas, are more vulnerable to human trafficking in Cameroon, especially in urban areas. Nigerian traffickers increasingly bring Nigerian children to major Cameroonian cities for forced labor in spare parts shops. Media and international observers reported Cameroon was a destination for Nigerian women and girls used as forced suicide bombers and boys used as child soldiers by the terrorist organization Boko Haram during the reporting period. There are reports Cameroonian officials were complicit in human trafficking offenses.

The Government of Cameroon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, two regional anti-trafficking taskforces investigated some trafficking offenses and conducted awareness-raising activities. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Cameroon is placed on Tier 2 Watch List. The government recorded fewer trafficking investigations and convictions than the previous year and did not provide sufficient funding or resources to the anti-trafficking taskforces or inter-ministerial anti-trafficking committee, which severely hampered their ability to fulfill their mandates. The government did not adhere to its own sentencing requirements, issuing suspended sentences for trafficking crimes or allowing settlements out of court. It did not train or provide support for anti-trafficking training for its law enforcement officials. The government did not provide any repatriation assistance or victim services to dozens of Cameroonian trafficking victims identified abroad.



### RECOMMENDATIONS FOR CAMEROON:

Finalize and enact legislation to conform the definitions of human trafficking with international law and to address the lack of victim protection measures provided under current law; increase efforts to prosecute and convict traffickers for the full spectrum of trafficking crimes, including government officials complicit in trafficking-related offenses; expand training for police, labor inspectors, judges, lawyers, and social workers on the anti-trafficking law and victim-centered investigations; issue travel documents, including *laissez-passer* cards, to Cameroonian trafficking victims abroad to enable them to return home; provide repatriation assistance and victim services to Cameroonian trafficking victims identified abroad, and

increase services for adult trafficking victims; train government officials and NGOs on the standardized procedures for referring trafficking victims to government and NGO services; investigate allegations of fraudulent labor recruiters and agencies suspected of participating in human trafficking of Cameroonians abroad and prosecute if complicit in trafficking; provide funding, material resources, and training on trafficking investigations to the inter-ministerial anti-trafficking committee and regional anti-trafficking taskforces, and establish taskforces in the remaining seven regions; provide pre-departure information to citizens on their rights as foreign workers and sources of assistance while abroad; take action to regulate unlicensed recruiters and intermediaries, and monitor recruitment signs posted in rural areas; expand funding to Cameroonian embassies to better assist trafficking victims abroad; dedicate resources to improve data collection on victim identification and law enforcement efforts; and investigate cases of hereditary slavery in the northern regions.

## PROSECUTION

The government decreased law enforcement efforts. In its 2011 anti-trafficking law, the definition of “trafficking in persons” requires movement and does not define “exploitation.” The definition of “slavery in persons” does not require movement and criminalizes most forms of human trafficking. However, crimes of “slavery in persons” against a child younger than 18 years require the use of threat, fraud, deception, force, or other forms of coercion to be considered sex trafficking, which is contrary to international law where such means are not required. Section 4 of the law prescribes penalties of 10 to 20 years’ imprisonment and a fine of 50,000 to one million CFA francs (FCFA) (\$83-\$1,660) for trafficking and “slavery in persons,” which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Section 5 prescribes penalties ranging from 15 to 20 years’ imprisonment and a fine of 100,000 to one million FCFA (\$166 - \$1,660) if the trafficking victim is 15 years old or younger, if a weapon is used, or if the victim sustains serious injuries as a result of being subjected to trafficking. Section 3 prescribes penalties for debt bondage ranging from five to 10 years’ imprisonment and a fine of 10,000 to 1,000,000 FCFA (\$17-\$1,660). These penalties are also sufficiently stringent. Draft legislation to improve the 2011 law to address victim and witness protection and to address definitional inconsistencies with international law, which was drafted in 2012 in collaboration with the government, an NGO, and national and international experts, remained pending for the fourth consecutive year.

The government did not collect anti-trafficking law enforcement data from eight of its 10 regions, resulting in unreliable and incomplete statistics on victim identification and law enforcement efforts. Information available from the Northwest and Southwest regions indicated the government initiated 17 trafficking investigations, prosecuted 20 defendants, and convicted two traffickers, all for labor trafficking. This is a decrease from 25 investigations and eight convictions, but an increase from 11 prosecutions the previous reporting period. The two convicted traffickers received suspended sentences and paid fines of 60,000 FCFA (\$100) each; while all traffickers convicted during the previous reporting period faced jail time, penalties applied in 2015 were far below the minimum mandated by the 2011 law, reportedly because the victims’ families were paid by the defendants and refused to cooperate with the judiciary. These punishments were not commensurate with the seriousness of the crime, allowed the traffickers to avoid imprisonment, and served as an ineffective deterrent to the commission of

trafficking offenses. For the second year, prosecutions against at least three alleged traffickers and investigations of 10 additional cases remained ongoing, and the 2013 conviction of a child trafficker remained under appeal. Officials indicated that due to the lack of training for law enforcement and judicial staff, some trafficking offenses may have been tried as child abuse or kidnapping, which carry lesser penalties.

Although law enforcement, judicial personnel, and other relevant officials lacked training in distinguishing human trafficking from other crimes, the government did not directly provide anti-trafficking training or grant in-kind support for trainings by other organizations. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, there were indications that official complicity occurred. For example, authorities did not investigate a judicial official after a missing girl was discovered in domestic servitude in his home, reportedly because he agreed to pay for several years of the girl’s education as compensation. Despite the identification of several dozen Cameroonian trafficking victims abroad, including many in Kuwait, the government did not initiate investigations of labor recruitment agencies within Cameroon or cooperate with foreign governments on transnational trafficking investigations.

## PROTECTION

The government maintained its modest internal victim identification and protection efforts, but made inadequate efforts to identify or assist Cameroonians exploited abroad. Limited information available from two of the country’s 10 regions indicated the government identified 13 labor trafficking victims, including four children—a decrease from 17 victims identified the previous reporting period. The government provided all 13 victims with services, including transportation, temporary accommodation, and medical care. NGOs identified several dozen cases of Cameroonians subjected to labor trafficking abroad during the reporting period, yet there is no evidence the government provided victim assistance, including funds for repatriation. There were reports Cameroonian trafficking victims abroad approached a Cameroonian embassy for assistance, but the embassy did not help initiate investigations for trafficking offenses, provide or refer victims to protective services, or support repatriation. However, the government did not produce comprehensive statistics on the number of trafficking victims identified or the services these victims received, resulting in unreliable and incomplete statistics on victim identification and law enforcement efforts. The government continued to offer direct assistance to vulnerable children and child victims of crimes such as trafficking, including temporary shelter, medical and psychological services, and reintegration support through care facilities in several cities. Government shelters were available for women victims; however, there was no evidence any victims used the shelters during the reporting period. NGOs reported identifying at least 20 Cameroonian labor trafficking victims; NGOs provided the majority of in-country services to these victims, as well as victims identified by the government.

There is no evidence the government made efforts to encourage victims to participate in investigations or legal proceedings against their traffickers. It is unclear whether the government provided counseling, legal support, or any other assistance to victims during court proceedings. Victims may file suits or seek legal action against traffickers, and family members may also bring civil suits against traffickers on behalf of children. At least 20 victims filed restitution suits against traffickers during the reporting period; the cases were ongoing at the end of



the reporting period. The government could grant temporary residency status to foreign victims who, if deported, may face hardship or retribution; however, it did not report use of this accommodation during the year. There were no reports the government punished trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. However, due to a lack of formal victim identification procedures during the reporting period, some victims may have remained unidentified in the law enforcement system. During the reporting period, the government deported several thousand undocumented Nigerian refugees without screening for indicators of trafficking.

## PREVENTION

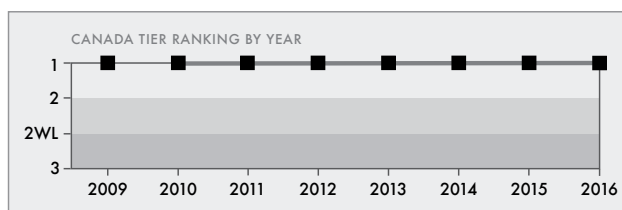
The government maintained prevention efforts, but its inadequate provision of resources to national and regional coordinating bodies stymied coordination on anti-trafficking initiatives. The inter-ministerial committee met on an ad hoc basis and made modest efforts to implement its 2014-2019 anti-trafficking national action plan by offering education and psycho-social care to street children vulnerable to trafficking and conducting awareness campaigns through its regional taskforces. The Ministry of Social Affairs continued to assist street children vulnerable to trafficking by placing 20 children in government-sponsored shelters that offered healthcare, education, and psycho-social services. Anecdotal reports suggest border police, especially those at the Nigerian and CAR borders, were more aware of trafficking and required parental authorizations for children traveling without their parents. The anti-trafficking regional taskforces' effectiveness decreased due to a severe lack of resources and clear mandates, and the government did not establish new taskforces in the remaining regions; it had established two new taskforces in the previous reporting period. The Northwest and Southwest taskforces, comprised of representatives from social welfare agencies, police, *gendarmerie*, magistrates, and NGOs, coordinated the response to trafficking cases and conducted awareness campaigns on the radio and through community watch groups; however, they lacked the resources and training necessary to adequately fulfill their mandates.

Although officials and NGOs identified several dozen Cameroonian trafficking victims in Europe and the Middle East, some of whom had been recruited and defrauded by unlicensed Cameroonian middlemen, the government did not attempt to proactively regulate such recruiters or initiate investigations of suspicious recruitment practices as cases arose during the year. To reduce the demand for commercial sex acts with children, the government continued its public awareness campaign against child sexual exploitation; however, it did not make efforts to reduce the demand for forced labor or for commercial sex acts with adults. The government provided briefings on international humanitarian law and the requirements governing international peacekeeping missions to members of the Cameroonian armed forces prior to their deployment abroad on such missions; it is unclear whether these trainings included anti-trafficking modules. There were allegations Cameroonian peacekeepers deployed to the UN mission in CAR sexually exploited civilians during the reporting period; the investigations were ongoing at the end of the reporting period. The government reported providing anti-trafficking training for its diplomatic personnel.

## CANADA: Tier 1

Canada is a source, transit, and destination country for men, women, and children subjected to sex trafficking; and a destination country for men and women subjected to forced labor. Women and girls from Aboriginal communities; migrants, including those newly arrived, at-risk youth; runaway youth; and girls in the child welfare system are especially vulnerable. Foreign women, primarily from Asia and Eastern Europe, are subjected to sex trafficking in Canada. Law enforcement officials report some local street gangs and transnational criminal organizations are involved in sex trafficking. Labor trafficking victims include foreign workers from Eastern Europe, Asia, Latin America, and Africa who enter Canada legally, but are subsequently subjected to forced labor in a variety of sectors, including agriculture, construction, food processing plants, restaurants, the hospitality sector, or as domestic servants, including in diplomatic households. Canada is a source country for tourists who travel abroad to engage in sex acts with children. Canadian trafficking victims have been exploited in the United States.

The Government of Canada fully meets the minimum standards for the elimination of trafficking. The Government of Canada continued to operate a national anti-trafficking taskforce to coordinate, monitor, and report on efforts to combat trafficking. Canadian authorities maintained law enforcement and prosecution efforts against sex traffickers and courts delivered longer sentences than in previous years. Awareness of and resources against sex trafficking were considerably greater than those against labor trafficking. Police identified fewer trafficking victims than the previous year; NGOs reported government funding for specialized services was inadequate; the quality, timeliness, and range of such services varied among the provinces. Interagency coordination was also uneven across the provinces and territories, as was national data collection on anti-trafficking efforts.



## RECOMMENDATIONS FOR CANADA:

Significantly increase specialized services and shelter available to all trafficking victims, in partnership with civil society and through dedicated funding from federal and provincial governments; increase use of proactive law enforcement techniques to investigate human trafficking, particularly forced labor; intensify efforts to prosecute and convict traffickers; increase training efforts for government officials, particularly for prosecutors and judges; improve coordination and communication among federal, provincial, and territorial actors and strengthen provincial interagency efforts; investigate and prosecute Canadian child sex tourists; and improve trafficking data collection, including to document numbers of identified victims and assistance provided.

## PROSECUTION

The government maintained efforts to hold traffickers criminally accountable, though most efforts focused on sex trafficking. Criminal code sections 279.01 and 279.011 prohibit all forms

of human trafficking, prescribing penalties of four to 14 years' imprisonment for trafficking of adults and five to 14 years' imprisonment for trafficking children. Aggravating factors, such as kidnapping, sexual assault, or death, increase the mandatory minimum penalty to five years' and the maximum penalty to life imprisonment for trafficking of adults, and six years' to life imprisonment for trafficking children. Such penalties are sufficiently stringent and commensurate with those for other serious crimes. Section 279.02 prohibits receiving financial or any other material benefit obtained from trafficking and prescribes a maximum penalty of 10 years' imprisonment where the victim is an adult, and a mandatory minimum of two years to a maximum of 14 years' imprisonment where the victim is a child. Section 279.03 prohibits withholding or destroying documents to facilitate trafficking and prescribes a maximum penalty of five years' imprisonment where the victim is an adult, and a mandatory minimum of one year to a maximum of 10 years' imprisonment where the victim is a child.

In 2015, police charged 112 individuals in 63 trafficking cases (two for labor trafficking) compared to 121 individuals in 77 cases in 2014. Prosecutions continued against 202 individuals, including 22 suspected labor traffickers. The government convicted six sex traffickers and no labor traffickers in 2015 compared to eight sex traffickers in 2014. Sentences ranged from six months' to 9.5 years' imprisonment, compared with fines or community service and probation to 6.5 years' imprisonment in 2014. NGOs noted a continued imbalance in the government's anti-trafficking efforts, with greater attention and understanding of sex trafficking versus forced labor. Contacts and NGOs indicated police and prosecutors' understanding of human trafficking varied, leading some to categorize trafficking cases as other crimes or to bring civil instead of criminal charges. Police and prosecutors used prostitution-related statutes for sex trafficking cases, sometimes due to a perception of difficulty proving exploitation to judges. Federal and provincial authorities conducted training sessions for some officials and maintained online training courses. The federal Royal Canadian Mounted Police (RCMP) included trafficking in the national academy training for all new recruits; trained 62 police officers in an in-depth human trafficking investigator's course; and maintained a national anti-trafficking enforcement unit in Quebec. A police sergeant who led a pilot anti-trafficking investigative unit in Hamilton, Ontario pled guilty to charges related to sexual misconduct involving witnesses in human trafficking cases. Because he resigned from the police force prior to sentencing, a prosecution under the Police Services Act was halted. The provincial special investigations unit conducted a separate investigation, found no criminal conduct, and closed the case in July 2015. Authorities did not report any other investigations, prosecutions, or convictions of government officials complicit in human trafficking.

## PROTECTION

The government identified fewer trafficking victims than in previous years; did not provide adequate funding for specialized victim services; and the range, quality, and timely delivery of services varied across the provinces. Police identified 99 new victims in cases where trafficking-specific charges were laid in 2015, compared with 261 victims in 2014. Of these, 90 were female, three were male, and the gender of six victims was unknown; nine were victims of labor trafficking; 90 were victims of sex trafficking; and 29 were children. Authorities reported a total of 300 trafficking victims related to current and ongoing cases before the courts where trafficking-specific charges were laid. Immigration officials continued to implement guidelines

to assess whether foreign nationals were potential trafficking victims, and police and prosecutors screened potential trafficking cases using established indicators, which has resulted in the identification of victims. Civil society reported provincial and territorial governments often lacked adequate resources and personnel to effectively monitor the labor conditions of temporary foreign workers or to proactively identify human trafficking victims among vulnerable groups.

The government did not report the number of trafficking victims assisted in 2015. The government assisted trafficking victims through its general crime victim assistance regime, which relied on Justice Canada's funding to provincial and territorial governments. NGOs, with provincial and federal support, also provided specific services, as did provincial crime victims assistance centers, where available. Services generally included shelter, legal and immigration services, medical care, psychological and crisis counseling, income support, and interpretation. According to a shelter survey published in July 2015, two percent (67 of 4,476) of women residing in shelters in April 2014 sought shelter due to trafficking.

While some provincial governments dedicated funding to victim assistance, Quebec'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. Manitoba funded initiatives to identify and assist victims of sexual exploitation, including sex trafficking victims, with a focus on Aboriginal communities. In 2015, the city of Toronto provided a \$1 lease of a house to an NGO, which raised private funds to operate a shelter for female sex trafficking victims. In Ontario, children 16 and older were not eligible for child protective care and were often diverted to co-ed youth shelters, leaving them vulnerable to recruitment into sex trafficking. The range, quality, and timely delivery of services varied, though 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. NGOs and law enforcement noted the demand for some services—particularly longer-term services such as housing and drug addiction treatment—exceeded available resources, and NGOs reported inadequate funding from the federal and provincial governments and, in some cases, cutbacks in existing funding. 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. NGOs noted victims without proper documentation may not be able to access general services, including health care. NGOs gave differing assessments of the effectiveness of the informal victim referral mechanism in use, with some desiring a more codified process and others prioritizing flexibility.

Foreign trafficking victims could apply for a temporary resident permit (TRP) to remain in Canada. The government issued TRPs to 44 foreign victims in 2015, compared with five TRPs in 2014; 19 permits were issued to first-term recipients; 25 were issued to persons who had previously received TRPs. In comparison, authorities granted 14 TRPs to 14 foreign victims in 2013. During a 180-day reflection period, immigration officials determined whether to grant TRP holders a longer residency period of up to three years. TRP holders could apply for fee-exempt work permits, but it was unclear how many foreign victims received these permits in 2015. Some government officials and NGOs reported difficulties and delays in getting TRPs for foreign victims. While victims waited to receive TRPs, they could not access government services, but could receive assistance from NGOs. There were no reports the government

penalized identified victims for crimes committed as a direct result of being subjected to human trafficking. Some NGOs indicated lengthy labor trafficking investigations could expose foreign victims to immigration violations, and some child sex trafficking victims might be treated as juvenile offenders for petty criminal offenses. There were no reports victims filed for or obtained restitution in 2015.

## PREVENTION

The government maintained diverse trafficking prevention efforts. The Department of Public Safety led a federal interagency taskforce, published regular anti-trafficking newsletters, and released annual progress reports in 2014 and 2015. The RCMP continued to conduct awareness-raising activities aimed at youth, law enforcement, and the public. The RCMP human trafficking awareness coordinators in British Columbia, Quebec, and Nova Scotia served as anti-trafficking points of contact for law enforcement across the country and participated in meetings to share local strategies, best practices, and successful cases. British Columbia had the only provincial anti-trafficking office in the country, which conducted training, prevention, and awareness activities. NGOs cited the need for better coordination between and among the federal, provincial, and territorial governments on anti-trafficking law enforcement efforts. Authorities provided information to temporary foreign workers to let them know where to seek assistance in cases of exploitation or abuse. In 2015, the government announced an overhaul of the temporary foreign worker program to increase detection of abuse and prioritize Canadian employees over lower paid migrants. The government did not report if these measures led to the identification of any potential trafficking victims. The government continued to limit which foreign diplomats were eligible to bring domestic workers to Canada. Authorities continued to distribute a publication warning Canadians traveling abroad about penalties under Canada's child sex tourism law. The Department of Justice reported sentencing one child sex tourist to two years and one day's imprisonment and designating this individual a long-term sex offender for 10 years in 2015. The government provided more than 370,000 Canadian dollars (\$292,300) to support anti-trafficking initiatives in 16 countries globally. Canadian authorities provided anti-trafficking information to Canadian military forces prior to their deployment on international peacekeeping missions. The government made efforts to reduce the demand for commercial sex and forced labor through awareness-raising, training, and research. The government provided anti-trafficking training for its diplomatic personnel.

## CENTRAL AFRICAN REPUBLIC: Tier 3

The Central African Republic (CAR) is a source, transit, and destination country for children subjected to forced labor and sex trafficking, women subjected to forced prostitution, and adults subjected to forced labor. Observers report most victims appear to be CAR citizens exploited within the country, and a smaller number are transported back and forth between CAR and Cameroon, Chad, Nigeria, Republic of the Congo, Democratic Republic of the Congo (DRC), Sudan, and South Sudan. Traffickers—likely including people from Nigeria, South Sudan, and Chad, as well as transient merchants and herders—subject children to domestic servitude, commercial sexual exploitation, and forced labor in agriculture, artisanal

gold and diamond mines, shops, and street vending. Within the country, children are at risk of becoming victims of forced labor, and Ba'aka (pygmy) minorities are at risk of becoming victims of forced agricultural work, especially in the region around the Lobaye rainforest. Girls are at risk of being exploited in commercial sex in urban centers. Girls forced into marriages are often subjected to domestic servitude, sexual slavery, and possibly sex trafficking. Reports indicate the incidence of forced marriages, often perpetrated by members of armed groups, increased during the year.

Surges in violent conflict in recent years resulted in chronic instability and the displacement of nearly one million people, increasing the vulnerability of men, women, and children to forced labor and sex trafficking. In March 2016, more than 420,000 people remained internally displaced and approximately 470,000 sought refuge in neighboring countries. There is limited information about the forms of exploitation believed to have increased as a result of years of conflict. The recruitment and use of children by armed groups, at times through force, particularly among armed groups aligned with the former Seleka government and the organized village self-defense units fighting against it known as the anti-Balaka, has been widely documented. The UN reported between 6,000 and 10,000 children remained under the control of these armed groups during the reporting period. On May 5, 2015, as part of the Bangui Forum for National Reconciliation, 10 armed groups operating in the country agreed to release all children under their control and cease recruitment of child soldiers. Since the beginning of 2015, 1,990 children have been separated from armed groups. The government remained without an effective disarmament, demobilization, and reintegration program. However, all children received reintegration support from an international organization and most were reunited with their families, while others received care from substitute families pending family tracing and reunification. There were 1,015 verified child soldiers amongst the ex-Seleka, anti-Balaka, and the Lord's Resistance Army (LRA), including 12 girls, at the end of the reporting period, a significant decrease following the demobilization agreement and subsequent demobilization programs. Children formerly associated with armed groups remained at risk of re-recruitment. For example, one armed group re-recruited approximately 150 children in January 2016.

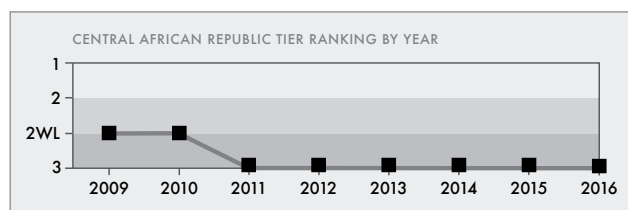
Allegations of sexual abuse by peacekeepers within the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) persisted during the reporting period. MINUSCA peacekeepers raped or sexually abused at least eight women and girls between October and December 2015, some of whom may have been trafficking victims. More than 100 cases have been reported since MINUSCA's inception in September, 2014, and 38 of these cases were reported during the reporting period. Peacekeepers from DRC and Republic of the Congo allegedly perpetrated the majority of these 38 reported cases; however, soldiers from Bangladesh, Morocco, Niger, Senegal, Cameroon, and Egypt were also reportedly involved.

The LRA, a Ugandan rebel group that operates in CAR's eastern regions, continued to enslave Central African, South Sudanese, Congolese, and Ugandan boys and girls for use as cooks, porters, concubines, and combatants. Some of these children may have been taken back and forth across borders into South Sudan or DRC. Between January and March 2016, the LRA abducted 217 people, nearly double the number abducted in 2015. One quarter of the abductions were children, 41 of whom are still missing or in captivity. The LRA also committed abductions,



forced girls into marriages, and forced children to commit atrocities such as looting and burning villages, killing village residents, and abducting or killing other children. During the reporting period, UNICEF reported the LRA abducted at least 12 children, who were used as porters and combatants.

The Government of the Central African Republic does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The transitional government, which assumed power in January 2014, continued to govern during the reporting period and was not aligned with any armed groups currently operating in CAR. In May 2015, as part of the Bangui Forum for National Reconciliation, 10 armed groups operating in the country agreed to release all children under their control and cease recruitment of child soldiers. An international organization, in partnership with the government, provided medical care and psychological services for demobilized child soldiers. Although criminal cases were heard during the reporting period for the first time since 2011, the government did not investigate or prosecute any trafficking cases or convict any traffickers. The government did not independently identify, provide protection to, or refer to service providers any trafficking victims.



## RECOMMENDATIONS FOR CENTRAL AFRICAN REPUBLIC:

Continue to demobilize and reintegrate child soldiers in armed groups and self-defense units, and institute a zero-tolerance policy for the use of children within the government's armed forces; thoroughly vet incoming members of the reconstituted Central African army (FACA) to ensure soldiers who have committed abuses against children are not reintegrated; investigate allegations of child recruitment into armed groups and punish public officials or civilians who perpetrate these crimes; train law enforcement officials and magistrates to use the penal code's anti-trafficking provisions to investigate and prosecute trafficking offenses; in collaboration with NGOs and the international community, provide care to demobilized child soldiers and children in commercial sexual exploitation and forced labor; and increase efforts to educate and encourage the public and relevant governmental authorities to identify and report trafficking victims among vulnerable populations, such as women and girls in prostitution, street children, children associated with armed groups, and Ba'aka minorities.

## PROSECUTION

The government decreased anti-trafficking law enforcement efforts during the reporting period. Article 151 of the penal code prohibits all forms of trafficking in persons and prescribes penalties of five to 10 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. If the offense involves a child victim, article 151 prescribes the additional penalty of hard labor. If the offense involves a child victim of sex trafficking or forced labor similar to slavery, the prescribed penalty is life imprisonment with hard labor. Articles 7 and 8 of the January

2009 labor code prohibit forced and bonded labor and prescribe sufficiently stringent penalties of five to 10 years' imprisonment. Victims can file civil suits to seek damages from their traffickers. These provisions were not enforced. Although Central African courts heard criminal cases during the reporting period for the first time since 2011, the government did not investigate or prosecute any trafficking cases or convict any traffickers and has not done so since 2008. Traditional dispute resolution methods are widely practiced throughout the country to punish criminal acts, often to the exclusion of formal legal proceedings. In previous reporting periods, NGOs reported low political will to prosecute traffickers. The government did not provide technical training to law enforcement, prosecutors, or judges.

## PROTECTION

The government made minimal efforts to identify and protect victims. It did not report identifying any trafficking victims during the year. The government did not develop measures for the proactive identification of victims among vulnerable groups or enact a standardized system for referring identified victims to NGOs to receive care. In previous years, reports indicated the government arrested and jailed individuals involved 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 involvement in commercial sex during this reporting period. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution, and no such victims were identified. However, an international organization, in partnership with the government, provided medical care and psychological services for demobilized child soldiers. No other specialized care was available for child or adult trafficking victims in the country. Diplomatic personnel in CAR's embassy in Kuwait provided assistance to some Cameroonian trafficking victims pending repatriation from Kuwait.

## PREVENTION

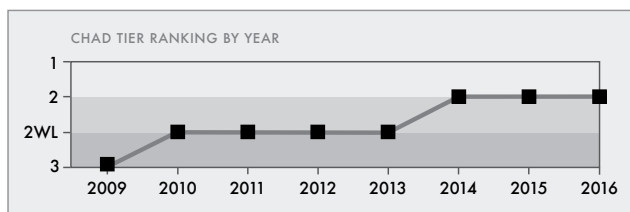
The government maintained minimal anti-trafficking prevention efforts during the reporting period. In May 2015, as part of the Bangui Forum for National Reconciliation, 10 armed groups operating in the country agreed to release all children under their control and cease recruitment of child soldiers. The UN reported the release of 520 children between May and August 2015. The government's working group carried out limited activities due to continued instability throughout the country. In March 2015, a working group established by an NGO, in partnership with the government, began drafting a national action plan against trafficking during the reporting period for presentation to the Transitional National Council during 2015. The government did not report any efforts to establish a policy against child soldiering or raise awareness about the country's laws prohibiting the use of children in armed forces. The government did not report any measures to reduce the demand for commercial sex acts or forced labor or provide anti-trafficking training for its diplomatic personnel.

## CHAD: Tier 2

Chad is a source, transit, and destination country for children subjected to forced labor and sex trafficking. The country's trafficking problem is primarily internal and frequently involves children being entrusted to relatives or intermediaries in return

for promises of education, apprenticeship, goods, or money, and subsequently subjected to forced labor in domestic service or herding. Children are subjected to forced labor as beggars and agricultural laborers. Some children who leave their villages to attend traditional Koranic schools are forced into begging, street vending, or other labor. Child herders, some of whom are victims of forced labor, follow traditional routes for grazing cattle and, at times, cross ill-defined international borders into Cameroon, Central African Republic, and Nigeria. Some of these children are sold in markets for use in cattle or camel herding. In some cases, child herders are subjected to forced labor by military or local government officials. Chadian girls travel to larger towns in search of work, where some are subsequently subjected to prostitution or are abused in domestic servitude. NGOs report that the Nigerian terrorist group Boko Haram, (which refers to itself as the Islamic State—West Africa Province), is involved in child trafficking.

The Government of Chad does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government took steps to increase its capacity to combat trafficking and sustain its progress from the previous reporting period. It regularly convened the inter-ministerial committee on trafficking and identified at least 13 trafficking victims. The government also completed during the reporting period, though has not yet published, a guide for security forces, NGOs, social workers, and civil society that outlines steps to assist suspected trafficking victims. The government continued efforts to prevent the recruitment and use of child soldiers by training members of the military and verifying the age of entrants at military centers. The government reported fewer prosecutions, more investigations, and the same number of convictions. The government did not provide services specific for trafficking victims and did not systematically refer victims to NGOs or international organizations for care.



## RECOMMENDATIONS FOR CHAD:

Enact legislation prohibiting all forms of trafficking in persons and prescribing sufficiently stringent punishments; strengthen enforcement of existing penalties to combat trafficking in persons; increase efforts to enhance magistrates' understanding of managing trafficking in persons cases and punishing trafficking offenses under existing laws; continue anti-trafficking law enforcement efforts, including the investigation and prosecution of suspected trafficking offenders; provide specialized anti-trafficking training to law enforcement officers and prosecutors; continue collaborating with NGOs and international organizations to increase the provision of protective services to all types of trafficking victims, including children exploited in prostitution or forced into cattle herding or domestic service; allocate regular funding to support the activities of the inter-ministerial committee on trafficking in persons, including funding for victim protection efforts; and 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 sustained modest anti-trafficking law enforcement efforts. Existing laws do not specifically prohibit trafficking, though they do prohibit forced prostitution and many types of labor exploitation. Title 5 of the labor code prohibits forced and bonded labor, prescribing fines of 50,000 to 500,000 Central African CFA francs (FCFA) (\$93-\$928), but not imprisonment; these penalties are not sufficiently stringent to deter this form of trafficking and do not reflect the serious nature of the crimes. Penal code articles 279 and 280 prohibit the prostitution of children, prescribing punishments of five to 10 years' imprisonment and fines up to FCFA 1,000,000 (\$1,860); these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Pimping and owning brothels are prohibited under penal code articles 281 and 282. The 1991 Chadian National Army Law prohibits recruitment of children younger than 18 years; punishment for those who violate this provision is at the discretion of military justice officials. Draft revisions to the penal code and a child protection code, both of which contain provisions criminalizing trafficking in persons, have not been enacted. During the last reporting period, the government drafted anti-trafficking legislation with the support of an international donor; the draft was pending final review by the Council of Ministers at the close of the reporting period. On May 21, 2015, the government, in collaboration with an international organization, inaugurated in N'Djamena the new facility for the Chadian National Police's Child Protective Services (Brigade des Mineurs), charged with the protection of children against all forms of abuse and exploitation, including trafficking. Although the government did not collect comprehensive law enforcement data, the government reported at least six investigations, four current prosecutions, and three convictions during the reporting period, compared with five investigations, five prosecutions, and three convictions during the previous reporting period. NGOs reported local officials were sometimes complicit in trafficking. Authorities arrested the police commissioner of the city of Kelo in February 2016 on suspicion of involvement in child trafficking and held him in custody while awaiting trial at the close of the reporting period.

## PROTECTION

The government sustained minimal efforts to identify and protect trafficking victims. It did not officially report the number of victims identified or referred to protection services, although it identified at least 13 victims in the course of its investigations. Regional committees, located in eight regions in Chad, identified and referred an unknown number of victims to protective services, but these service agencies lacked adequate resources to fully investigate every case. The lack of formal victim identification procedures continued to be a problem. However, during the reporting period the government drafted a guide for security forces, NGOs, social workers, and civil society that outlines steps to assist suspected trafficking victims, such as informing the police and referring victims to social services or local NGOs. The guide also details what role different institutions have during an investigation and provides guidance on social services, health centers, and shelters, as well as information about how to reunite victims with their families when possible. Inadequate human and financial resources severely limited the government's ability to provide adequate services to victims of all crimes, including trafficking victims. The government continued to provide limited in-kind contributions and social services to victims of crime through a joint agreement with UNICEF, though these services were not

specific to the needs of trafficking victims. Through this joint agreement, the government also provided facilities to UNICEF, which used the buildings as shelters for victims of crime, including trafficking victims. During the reporting period, these multipurpose shelters were used to provide shelter and services to an unknown number of children; the government ultimately reunited the children with their families. The government did not have a formal policy to offer temporary or permanent residency for foreign victims of trafficking. There were no reports the government punished any trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

## PREVENTION

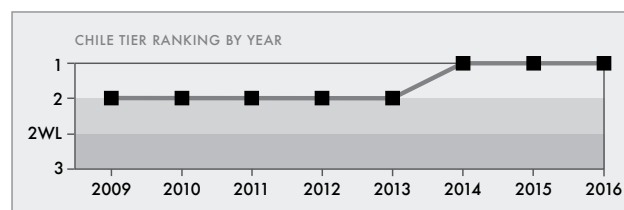
The government sustained modest efforts to prevent trafficking. The inter-ministerial committee responsible for coordinating government efforts to combat trafficking met regularly throughout the reporting period. In October 2015, the Ministry of Women, Childhood Protection, and National Solidarity conducted a two-week anti-trafficking training for magistrates, in cooperation with two international organizations. The government made no discernible efforts to reduce the demand for forced labor or commercial sex during the reporting period. The government provided Chadian troops human rights training, which included anti-trafficking training, prior to their deployment abroad on international peacekeeping missions, in collaboration with a foreign donor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## CHILE: Tier 1

Chile is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Chilean women and children are exploited in sex trafficking within the country, as are women and girls from other Latin American countries and Asia. Men, women, and children—primarily from other Latin American countries, as well as Asia—are exploited in forced labor in mining; agriculture; construction; street vending; the hospitality, restaurant, and garment sectors; and in domestic service. Authorities report Chinese immigrants may be vulnerable to sex trafficking and forced labor and Korean women are subjected to sex trafficking. Chilean authorities identified 260 children involved in illicit activities in 2015, including drug trafficking and theft; some of these children may have been trafficking victims. Chilean men were reported to be transported to Peru for the purposes of labor exploitation and Chilean women to Argentina for commercial sexual exploitation. Some Chilean women may be exploited in sex trafficking in other countries. NGOs report brothels in small towns are often frequented by police officers, dissuading potential trafficking victims from reporting exploitation. The government noted that traffickers, aware of law enforcement crackdowns on human trafficking, are changing their operations, including avoiding direct involvement in illegal activities, setting up work contracts for victims through third parties, and establishing shell companies to justify illicit gains.

The Government of Chile fully meets the minimum standards for the elimination of trafficking. Authorities convicted sex traffickers under child prostitution statutes, increased victim protection services to child sex trafficking victims, and created a separate fund to assist immigrants in vulnerable situations, including victims of trafficking. In April 2015, the government

enacted a law to strengthen protections for domestic workers. Authorities increased training for front-line responders, including health workers and phone operators. Authorities did not prosecute internal child sex trafficking cases as human trafficking, which hindered efforts to penalize traffickers appropriately and accurately assess anti-trafficking efforts.



## RECOMMENDATIONS FOR CHILE:

Increase efforts to investigate and prosecute all forms of human trafficking, including internal child sex trafficking, under law 20507, and convict and penalize traffickers with sufficiently stringent sentences, ordering victim restitution as appropriate; expand access to specialized shelters for victims, including male victims and victims outside the capital; continue training for front-line responders in victim identification and implementation of the victim assistance protocol; implement mechanisms requiring that cases of pimping of children be referred to specialized anti-trafficking police and prosecutors, and issue guidance to law enforcement and members of the judiciary clarifying that third-party prostitution of children is trafficking; strengthen law enforcement's capability to investigate trafficking cases outside the capital through training and resources, especially for potential forced labor and domestic servitude; develop guidelines for officials to screen for trafficking indicators for children involved in illicit activities; improve data collection; and enhance interagency coordination mechanisms and communication with NGOs.

## PROSECUTION

The government maintained its anti-trafficking law enforcement efforts. Law 20507 prohibits all forms of human trafficking, prescribing penalties ranging from five years and one day to 15 years' imprisonment, plus fines, for trafficking offenses. Such penalties are sufficiently stringent and 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 penalizes promoting or facilitating the prostitution of minors. Penalties for this crime range from three to five years' imprisonment, which are not commensurate with those for other serious crimes. In practice, judges often suspended or commuted sentences.

Anti-trafficking police units opened investigations of seven new sex trafficking and eight new labor trafficking cases in 2015. Authorities prosecuted 91 individuals for facilitating the prostitution of children; the government used the anti-trafficking law to prosecute only three cases of trafficking of adults. In 2014, the government initiated 115 prosecutions for facilitating prostitution of children and three prosecutions under the anti-trafficking law. The government did not report any convictions in 2015 under the trafficking law, and convicted three traffickers in 2015 under article 367. Two of those convicted were given sentences of three years' imprisonment and one a sentence of daily overnight imprisonment. Convicted traffickers under article 367 were at times released on parole or given suspended



sentences. In comparison, in 2014 authorities convicted five sex traffickers using the anti-trafficking law and 22 under article 367. During the previous reporting period, authorities investigated a former deputy police chief for involvement in the commercial sexual exploitation of children while in office. As of the end of the reporting period, the case was still under investigation. The government did not report any prosecutions or convictions of government officials allegedly complicit in human trafficking offenses during 2015. The government provided specialized training on trafficking to more than 520 government officials in 2015, including law enforcement, prosecutors, justice officials, social workers, health workers and labor inspectors, often in partnership with NGOs and international organizations. The public prosecutor's office maintained an active anti-trafficking working group made up of specialized units at the national office. In June 2015, the public prosecutor's office strengthened trafficking case management by providing additional guidelines for investigating human trafficking cases and designating a human trafficking coordinator in each regional office. The human trafficking coordinator will notify and coordinate new cases with specialized units at the national office to ensure its assignment to prosecutors with trafficking experience or experience prosecuting other complex or transnational crimes. In addition, the new guidelines also emphasized the importance of seeking international cooperation in transnational cases, and the prohibition of conditional pardons as a procedural means to an abbreviated criminal process. Authorities staffed a trafficking and smuggling investigative police unit in Santiago with 24 detectives; a similar unit in Iquique, with 11 detectives, had jurisdiction from Chile's northern border to Copiapo. The interagency taskforce acknowledged that the lack of legal representation for victims, particularly for those seeking restitution via civil lawsuits, was a challenge. Law enforcement reported that lack of qualified translators and interpretation services hampered some trafficking investigations with foreign victims.

## PROTECTION

Authorities increased victim protection efforts. Authorities identified 65 trafficking victims during the year, compared with 16 in 2014; 53 were labor trafficking victims, and 12 were exploited in sex trafficking. Most child sex trafficking victims were identified as victims under article 367, and the National Service for Minors (SENAME) assisted 1,285 children involved in commercial sexual exploitation in 2015. The National Service for Women (SERNAM) shelter, which provides specialized services for trafficking victims, assisted 10 women, including nine foreigners from Bolivia, Venezuela, Paraguay, Brazil, China, South Africa, and Syria. The Social Action Department of the Ministry of Interior created a separate fund to assist trafficking victims and other immigrants in vulnerable situations. Authorities continued to use an interagency victim assistance protocol, which established guidelines and responsibilities for government agencies in trafficking victim care, but law enforcement officials lacked guidelines for dealing with potential trafficking victims detained or placed in protective custody for alleged criminal acts, such as children involved in illicit activities.

Provision of victim services remained uneven across the country. The government funded several NGOs to assist adult labor and sex trafficking victims, although NGOs reported funding was inadequate to provide all necessary services, especially shelter. There were no shelters for male victims or victims outside the capital. SERNAM maintained its 2014 budget allocation of 85 million Chilean pesos (\$140,000) to fund the NGO-operated shelter for women victims of trafficking, smuggled women, and

their children. The shelter facilitated health, migration, and employment services. SENAME provided services to child sex trafficking victims through its national network of 17 NGO-operated programs for children, including boys, subjected to commercial sexual exploitation. SENAME increased this funding to 2.276 billion Chilean pesos (\$3.47 million) in 2015 from 1.539 billion Chilean pesos (\$2.54 million) in 2014. Specialized assistance for male victims was limited. Reintegration services such as education and job placement assistance remained lacking, and officials reported access to quality mental health services was expensive and limited. The Department of Migration created a specific no-fee visa for trafficking victims and issued 35 in 2015. The visa is valid for six months, renewable for up to two years. Renewal requires the victim denounce the crime to the prosecutor's office. Also, the government streamlined access to temporary visa services in the Santiago Metropolitan Region. The government did not report granting restitution to any victims through civil or criminal cases in 2015. There were no reports the government penalized trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking.

## PREVENTION

The government increased prevention efforts during the reporting period. The Ministry of Interior continued to lead the anti-trafficking interagency taskforce—which included government agencies, as well as international organizations and local NGOs—and its three sub-commissions. The taskforce developed and adopted a 2015-2018 national action plan. For the second year, the taskforce published a statistical report, with trafficking in persons data from 2014 and the first half of 2015. While there has been an improvement in interagency cross-referencing and sharing of data, better coordination was still needed. A new law strengthened protections for domestic workers, including by requiring registration of domestic worker contracts, setting limits on weekly hours, and authorizing labor inspectors to enter employers' homes, with their permission, or to require their appearance at a labor inspection office. The government launched the "Blue Campaign," a website to combat human trafficking, and a video campaign to commemorate the UN World Day against Trafficking in Persons. The government continued to conduct awareness efforts, including prevention campaigns focused on reducing demand for commercial sexual exploitation of children. Authorities provided anti-trafficking training to Chilean troops prior to their deployment abroad for international peacekeeping missions. The Ministry of Interior signed a memorandum of understanding with its counterpart in Ecuador, on prevention and criminal investigation of trafficking and assistance and protection of victims. The government took action to reduce child sex tourism by training 823 hotel employees and tour operators in all the regions, with an inaugural activity timed to coincide with Chile's hosting of the Copa America soccer tournament. The government took actions to reduce demand for commercial sex involving children by opening 26 prosecutions and handing down 23 convictions against individuals who purchased sex from children during the reporting period. The government did not report efforts to reduce the demand for forced labor. The government piloted an online anti-trafficking course for its diplomatic personnel.

## CHINA: Tier 2 Watch List

The People's Republic of China (China or PRC) is a source, destination, and transit country for men, women, and children

subjected to forced labor and sex trafficking. China's internal migrant population, estimated to exceed 294 million people, is vulnerable to trafficking with Chinese men, women, and children subjected to forced labor in coal mines and factories, some of which operate illegally and take advantage of lax government enforcement. Forced begging by adults and children occurs throughout China. There are reports of traffickers targeting children whose parents have migrated to the cities and left them with relatives and persons with developmental disabilities for forced labor and forced begging. International media and the ILO report children in some work-study programs supported by local governments and schools are forced to work in factories. African and Asian men are exploited on Chinese vessels, working under conditions indicative of forced labor.

State-sponsored forced labor continues to be an area of significant concern in China. "Re-education through labor" (RTL) was a systematic form of forced labor in China for decades. The PRC government reportedly profited from the forced labor of individuals subjected to administrative (extra-judicial) detention, often with no remuneration, for up to four years. In 2013, the PRC's National People's Congress ratified a decision to abolish RTL. The government closed most RTL facilities by October 2015; however, the government converted some RTL facilities into state-sponsored drug rehabilitation facilities or detention centers. Reports of the government's ongoing use of forced labor in government rehabilitation facilities and detention centers continued. Religious and political activists held in legal education facilities reported that at times forced labor occurred in pretrial detention and outside of penal sentences. In Aksu prefecture, the government forced ethnic Uighurs to perform farm labor as a way of keeping them from getting involved in "illegal activities." The government previously detained some women arrested for prostitution for up to two years without due process in "custody and education" centers where they were subjected to forced labor, but reported that it had changed its official policy in 2015 to limit the time women arrested for prostitution could be held in detention facilities to 15 days. However, government officials acknowledged that isolated instances of forced labor may still occur in detention facilities or prisons, even if not officially condoned by the PRC.

Chinese women and girls are subjected to sex trafficking within China; traffickers typically recruit them from rural areas and take them to urban centers. Well-organized criminal syndicates and local gangs play key roles in the trafficking of Chinese women and girls in China, recruiting victims with fraudulent employment opportunities and subsequently forcing them into prostitution.

Chinese men, women, and children are also subjected to forced labor and sex trafficking in other countries. Traffickers recruit girls and young women, often from rural areas of China, using a combination of fraudulent job offers and coercion by imposing large travel fees, confiscating passports, confining, or physically and financially threatening victims to compel their engagement in prostitution. Chinese men and women forced to labor in restaurants, shops, agriculture, and factories in overseas Chinese communities. They 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 withholding of passports, restrictions on movement, non-payment of wages, and physical abuse. Chinese women and girls are subjected to

forced prostitution throughout the world, including in major cities, construction sites, remote mining and logging camps, and areas with high concentrations of Chinese migrant workers.

Women and children from neighboring Asian countries, Africa, and the Americas are subjected to forced labor and sex trafficking in China. North Korean women are subjected to forced prostitution, forced marriage, and forced labor in agriculture, domestic service, and factories. African and South American women are promised legitimate jobs in China and forced into prostitution upon arrival. The Chinese government's birth limitation policy and a cultural preference for sons create a skewed sex ratio of 117 boys to 100 girls in China, which observers assert increases the demand for prostitution and for foreign women as brides for Chinese men – both of which may be procured by force or coercion. Women and girls are kidnapped or recruited through marriage brokers and transported to China, where some are subjected to prostitution or forced labor.

The Government of the People's Republic of China (PRC) does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, China is placed on Tier 2 Watch List for a third consecutive year. Per the Trafficking Victims Protection Act, China was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards. Reports continued of the government's complicity in forced labor, including through state-sponsored forced labor policies. Despite the 2013 policy announcement abolishing the RTL program, unverifiable reports continued of forced labor in government detention centers outside the penal process. Overseas human rights organizations and media report local officials in Xinjiang coerced Uighur men and women to participate in forced labor in and outside of the province. The government's criminal law does not fully criminalize all forms of trafficking such as the facilitation of prostitution involving children younger than the age of 18 and defines several things as human trafficking that are not consistent with international law. The government handled most cases with indicators of forced labor as administrative issues and initiated prosecutions of the traffickers in relatively few cases. The government reported cooperating with other countries to repatriate foreign trafficking victims and improve anti-trafficking coordination efforts. Although authorities asserted all women arrested for prostitution are now screened for indicators of trafficking, it remained unclear if this occurred in practice during the reporting period, and some may have been punished for crimes committed as a direct result of being subjected to trafficking. Providing law enforcement data, the government reported substantial law enforcement efforts, convicting at least 714 traffickers, although it is unclear how many of these victims meet the international definition of human trafficking. The government amended its criminal code to address some of the gaps in the definition of trafficking-related crimes and approved a national victim identification system. The government took steps to implement its national action plan against trafficking in persons, which addressed efforts to amend the anti-trafficking law, improve interagency and international cooperation, boost anti-trafficking investigations, develop anti-trafficking awareness campaigns, and enhance victim protection services. The written plan directed all levels of government to allocate funding to implement the activities in the plan. In addition to local

government funding of local anti-trafficking operations, the Ministry of Public Security (MPS) supplemented 50 million RMB (\$7.7 million) for a special anti-trafficking fund for local law enforcement and 5 million RMB (\$774,593) to central government anti-trafficking campaigns, some of which focuses on activities inconsistent with international legal definitions of human trafficking.



## RECOMMENDATIONS FOR CHINA:

End forced labor in government facilities and by government officials outside of the penal process; vigorously investigate, prosecute, and impose prison sentences on perpetrators of trafficking crimes, including government officials who facilitate or are complicit in trafficking; update the legal framework to criminalize fully all forms of trafficking, including the facilitation of prostitution involving children younger than the age of 18; expand efforts to institute proactive, formal procedures to identify systematically trafficking victims—including labor trafficking victims, Chinese victims abroad, and victims among vulnerable groups, such as migrant workers and foreign and local women and children arrested for prostitution; improve procedures to prevent victims from being punished for acts committed as a direct result of being subjected to trafficking; cease detention, punishment, and forcible repatriation of trafficking victims; expand victim protection services, including comprehensive counseling, 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; increase the transparency of government efforts to combat trafficking and provide disaggregated data on efforts to investigate and prosecute sex and labor trafficking of adults and children; and provide data on the number of criminal investigations and prosecutions of cases identified as involving forced labor, including recruiters and employers who facilitate forced labor and debt bondage, both within China and abroad.

## PROSECUTION

The government reported substantial law enforcement efforts to address suspected trafficking crimes during the reporting period, as demonstrated through improved reporting on such efforts; however, lack of comparable data from 2014 and the inclusion of crimes outside international law's definitions of human trafficking inhibit an assessment of appreciable progress from the previous reporting period. The criminal code prohibits many forms of trafficking and prescribes harsh penalties, although it differs significantly from international law on human trafficking. Article 240 prohibits "abducting and trafficking of women or children," which is defined as a series of acts (e.g., abduction, kidnapping, purchasing, selling, sending, receiving) for the purpose of selling the women and children. That article does not apply to men; and the acts that comprise the crime are not tied to a purpose of exploitation, such as forced labor or forced prostitution, as international law defines trafficking in persons. Crimes under article 240 are punishable by no less than 10 years' imprisonment, with

life imprisonment or the death penalty possible in particularly serious circumstances. Article 241 was amended during the reporting period to criminalize the purchase of women or children, although without the purpose of exploitation as international law defines human trafficking. Article 358 prohibits organizing prostitution and forced prostitution, which is punishable by five to 10 years' imprisonment or, with aggravated circumstances, up to life imprisonment. Article 359 makes it a crime to harbor prostitution or seduce or introduce others into prostitution and is subject to a maximum of five years' sentence and payment of a fine; for the seduction of girls younger than the age of 14 into prostitution, the sentence is five years or more and a fine. It remains unclear whether Chinese law defines all children younger than age 18 who are induced to engage in prostitution as trafficking victims regardless of whether force, fraud, or coercion is involved. Article 244 makes it a crime to force a person "to work by violence, threat or restriction of personal freedom" and to recruit, transport or otherwise assist in forcing others to labor, punishable by three to 10 years' imprisonment and a fine. Prescribed penalties under all these statutes are sufficiently stringent and commensurate with those prescribed for other serious crimes, including rape.

Unlike in the previous year, the government provided some law enforcement data for this reporting period. Due to government's tendency to conflate human smuggling, child abduction, prostitution, forced marriage, and fraudulent adoptions with trafficking offenses, the exact number of human trafficking cases—as defined by international law—the government investigated, prosecuted, and convicted was unclear. MPS reported its investigation of 21 suspected cases of forced labor in 2015, but did not report the number of sex trafficking investigations. The government arrested 1,932 alleged traffickers under Chinese law in 2015, compared with 194 publicly reported in 2014. Government prosecutors reported they commenced 284 prosecutions for sex trafficking and forced labor involving 486 suspected traffickers and two prosecutions for forced begging involving three suspected traffickers. The government reported convicting 642 sex traffickers and 72 labor traffickers, compared with 35 total trafficking convictions publicly reported in 2014. The statistics the government provided include data on other crimes, including the abduction and sale of women and children, for which the nexus to human trafficking was unclear, as it remained unknown if the purpose of such acts included exploitation through sex trafficking or forced labor as defined in international law. It reported investigating 637 cases involving women and 756 cases involving children abducted and sold, 670 prosecutions involving 1,195 suspects, and the conviction of 1,362 perpetrators for the abduction and sale of women and children. The government handled most cases with indicators of forced labor as administrative issues through the Ministry of Human Resources and Social Services and seldom initiated prosecutions of such cases under anti-trafficking statutes. The government made efforts to cooperate with foreign governments to investigate allegations of trafficking and continued to cooperate with neighboring governments in sharing intelligence and collecting evidence on people involved in arranging marriages between Chinese citizens and foreign brides; foreign brides were reportedly sold by their families or abducted, and some became trafficking victims. The government did not provide detailed information on its efforts to train law enforcement officials, prosecutors, or judges on trafficking. However, when PRC authorities participated in trainings with other countries and international organizations, the PRC provided lodging, transportation and meals for some participants. The government arrested and convicted a former member of the national legislature for organizing prostitution,



a crime that may have had links to trafficking. The prosecution of several policemen connected to the same case remained pending.

## PROTECTION

The government did not undertake adequate efforts to protect victims and did not directly provide data on the number of victims it identified or assisted, or the services provided to victims. Media reported law enforcement and judicial officials continued to expel potential foreign trafficking victims. The government arrested significant numbers of women in prostitution during police raids; some of these women were detained in detention centers. While the government reported it mandated that all women arrested for prostitution be screened for indicators of trafficking, it was unclear if these women were screened or, if screened, whether victims were referred to shelters or other care facilities. The office to combat trafficking in persons developed and approved trafficking victim identification procedures and disseminated them to law enforcement officials throughout the country. The government acknowledged that victim identification procedures varied according to local officials' training and understanding of trafficking; this variation increased the risk that unidentified trafficking victims were detained and deported following arrest for unlawful acts committed as a direct result of being subjected to human trafficking.

The government reported at least 10 shelters specifically dedicated to care for trafficking victims, as well as more than 2,300 multi-purpose shelters nationwide that could accommodate trafficking victims. However, the government did not provide victim protection data to ascertain the extent to which trafficking victims in fact accessed these shelters. Rehabilitation services for trafficking victims, especially mental health services, were inadequate. Foreign embassies reportedly provided shelter or protective services to victims. The impact or effectiveness of the government's previously reported victim assistance—including border liaison offices, victim funds, hotlines, and government-to-government agreements to assist victims—remained unclear. The government reported trafficking victims who faced hardships in their home country could receive vocational skills training, vocational guidance, and employment services; it remained unclear if any victim benefited from this provision. Some women in forced marriages who may also have been victims of trafficking received residence permits. Chinese law provides victims the right to request criminal prosecution and claim financial compensation by filing civil lawsuits against their traffickers; it remained unclear if any victim benefited from this provision. The government does not provide any temporary or permanent residence visas to foreign trafficking victims as an incentive to cooperate in trafficking investigations or prosecutions.

The government maintained it does not forcibly repatriate any trafficking victim. Prior to this reporting period, credible reports stated that Chinese authorities forcibly repatriated some North Korean refugees by treating them as illegal economic migrants, despite reports some North Korean refugees were trafficking victims. The government detained and deported such refugees to North Korea, where they may have faced severe punishment, even death, including in North Korean forced labor camps. However, there have been no reports of the forced repatriation of North Koreans during this reporting period.

## PREVENTION

The government sustained efforts to prevent trafficking. The government funded a movie, contributed to a television show, and utilized traditional and social media to increase general understanding of the issue. The MPS used its official microblog to raise awareness of trafficking and receive information from the public regarding suspected trafficking cases. During peak travel periods, the All-China Women's Federation, and MPS continued national anti-trafficking publicity campaigns at train and bus stations, and on national radio—mainly targeting migrant workers. MPS continued to coordinate the anti-trafficking interagency process and lead interagency efforts to implement the National Action Plan on Combatting Human Trafficking. In 2015, MPS invested more than 5 million RMB (\$770,179) on handling major cases, conferences, trainings, information system construction, international law enforcement cooperation, and publicity, as well as 50 million RMB (\$7.7 million) for a special anti-trafficking fund for local law enforcement. Academics and experts noted the gender imbalance due to the previous one child policy could contribute to crimes of human trafficking in China. The government's easing of the birth limitation policy may affect future demands for prostitution and foreign women as brides for Chinese men. In response to the large number of cases of forced marriage, the government made efforts to further scrutinize visa applications of foreign women with indicators of vulnerability to trafficking. The government also highly publicized the amendment to the criminal code that criminalized the purchase of women and children and its penalties in an attempt to deter potential buyers.

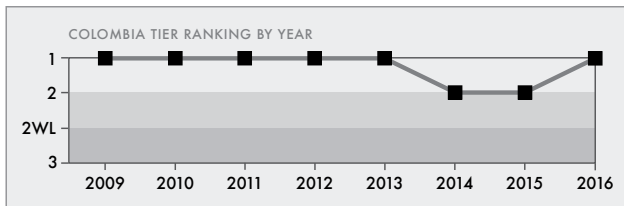
Several government policies continued to facilitate human trafficking. While the law prohibits employers from withholding property from an employee as a security deposit, there were reports that such practices continued, thus making certain workers vulnerable to forced labor. The government *hukou* (household registration) system continued to contribute to the vulnerability of internal migrants to trafficking. During the reporting period, the government required local governments to provide and pay for limited social services to newly registered residents, which may decrease the vulnerability of some migrant workers previously unable to access these services. However, *hukou* requirements did not change, and the benefits of the new policy remained limited given the size of the unregistered population, estimated at 294 million. The government reported making efforts to reduce the demand for forced labor by highly publicizing convictions for labor trafficking. The government did attempt to reduce the demand for commercial sex through its crackdown on corruption and high profile arrests of men soliciting or procuring prostitution. Despite reports Chinese nationals engaged in child sex tourism, the government made no efforts to prevent its citizens from engaging in child sex tourism while abroad. The government provided anti-trafficking training to its troops prior to their deployment abroad as part of international peacekeeping missions and to its diplomatic personnel.

## COLOMBIA: Tier 1

Colombia is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor in Colombia and in Asia, the Caribbean, Europe, Mexico, and Central and South America. Groups at high risk for trafficking include internally displaced persons, Afro-Colombians, Colombians with disabilities, indigenous Colombians, and Colombians in areas where armed criminal groups are active.

Sex trafficking of Colombian women and children occurs within the country and Colombian women and children are found in sex trafficking around the world, particularly in Latin America, the Caribbean, and Asia. Authorities reported high rates of children exploited in prostitution in areas with tourism and large extractive industries. Sex trafficking in mining areas sometimes involves organized criminal groups. Transgender Colombians and Colombian men in prostitution are vulnerable to sex trafficking within Colombia and in Europe. Colombian labor trafficking victims are found in mining, agriculture, and domestic service. Colombian children working in the informal sector, including as street vendors, are vulnerable to labor trafficking. Colombian children and adults are exploited in forced begging in urban areas. Illegal armed groups forcibly recruit children to serve as combatants and informants, to cultivate illegal narcotics, or exploit them in sex trafficking. Organized criminal groups and other individuals force vulnerable Colombians, including displaced persons, into prostitution and criminal activity—particularly to sell and transport illegal narcotics and serve as lookouts and assassins. Such groups use false job opportunities, and feigned friendship or romance to recruit victims and threats to maintain control over them. Colombia is a destination for foreign child sex tourists, primarily from North America and Europe.

The Government of Colombia fully meets the minimum standards for the elimination of trafficking. Authorities continued to investigate and prosecute trafficking cases and reported increased efforts to pursue sex trafficking cases. The government appointed 14 new prosecutors to handle the caseload associated with trafficking and related crimes, conducted awareness campaigns, and provided identified victims some services. The government strengthened internal coordination to combat trafficking. However, the government did not demonstrate progress in identifying victims from vulnerable populations, or prosecute and convict labor traffickers. Officials treated some trafficking cases as other crimes, which hindered efforts to identify and assist victims and hold traffickers criminally accountable.



## RECOMMENDATIONS FOR COLOMBIA:

Provide access to shelter and specialized services for more trafficking victims by increasing funding for NGOs and government entities; increase efforts to investigate, prosecute and convict traffickers, including complicit officials, for forced labor and sex trafficking; approve and fund the national anti-trafficking strategy; revise law 1069 to explicitly state victims do not need to file an official complaint against their traffickers to receive ongoing assistance; establish and implement formal mechanisms to identify trafficking victims among vulnerable populations within the country, including displaced Colombians; provide funding to the specialized trafficking in persons criminal investigation unit; increase training for labor officials and inspections of employers in sectors where trafficking indicators have been found; and improve data collection and disaggregation through implementing the national trafficking information system.

## PROSECUTION

The government increased efforts against transnational and internal sex trafficking, but took minimal steps to prosecute labor traffickers or complicit officials. Article 188 A of the penal code prohibits all forms of trafficking and prescribes punishments of 13 to 23 years' imprisonment plus fines up to 1,500 times the monthly minimum wage, penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 188 B provides aggravating factors, which if present, increase the article 188 A punishment by one-third to one-half, including if the victim is younger than 18 years of age. Article 141 prohibits forced prostitution in situations of armed conflict and prescribes a penalty of 160 to 324 months' imprisonment and a fine.

Data on law enforcement efforts was incomplete, as authorities sometimes categorized internal trafficking cases as other crimes, such as induction into prostitution or pimping. Police reported arresting 41 suspects for trafficking or related crimes, compared with 37 arrests in 2014. Law enforcement also reported investigating 56 possible trafficking cases referred from the anti-trafficking hotline, compared with 176 in 2014. Federal prosecutors reported investigating 135 new trafficking cases in 2015, compared with 122 in 2014, but it was unclear in how many cases prosecutors filed charges against alleged traffickers. Regional prosecutors reported the prosecution of 12 criminal organizations involved in trafficking and related crimes. The government convicted 31 individuals of trafficking and related crimes—including 11 internal traffickers and 20 transnational traffickers, compared with five transnational sex traffickers and two internal sex traffickers in 2014—and nine traffickers pled guilty. Judges sentenced 11 individuals for trafficking and related crimes, but the government did not report the terms of imprisonment. The government did not report any convictions for forced labor, despite a 2013 constitutional court directive ordering authorities to increase law enforcement efforts against domestic servitude. Government officials did not consider forced child recruitment or forced criminal activity by illegal armed groups or organized criminal groups to be trafficking in persons, and therefore investigated or prosecuted these cases as other crimes. In 2015, the government reportedly presented 104 cases of potential forcible recruitment or forcible use of children in the commission of criminal activities, but only 14 investigations were initiated. The government treated different forms of trafficking as distinct crimes subject to different government entities' jurisdiction, which resulted in uneven interagency coordination of anti-trafficking efforts. Authorities collaborated with U.S. and Latin American officials on anti-trafficking law enforcement operations and investigations.

In 2015, the government appointed 14 new prosecutors to handle the caseload associated with trafficking and related crimes, significantly increasing capacity compared to 2014, when one prosecutor handled all transnational trafficking cases for the entire country and one prosecutor in Bogota oversaw cases of internal trafficking and migrant smuggling in the city. In addition, the government established a specialized trafficking in persons criminal investigation unit with two prosecutors. Outside the capital, some designated local prosecutors handled internal trafficking cases in addition to their existing workloads. Many of these prosecutors were overburdened, underfunded, and lacked trafficking expertise. Social workers and other officials interacting with potential trafficking victims, such as children exploited in prostitution or in the worst forms of child labor, did not always refer these cases for criminal investigation. Officials and experts reported some authorities would not investigate trafficking cases without an official complaint. Authorities

trained a variety of officials—including prosecutors, judicial officials, police, and labor inspectors—on human trafficking, often through partnerships with international organizations. The government again provided no updates on a 2013 investigation of a city councilman and municipal employee in the department of Antioquia for possible involvement in commercial sexual exploitation of minors. Authorities arrested six immigration officials for alleged involvement with a criminal network engaged in human trafficking and drug smuggling, but did not report any prosecutions or convictions of government employees complicit in trafficking.

## PROTECTION

The government provided more services to victims than the previous year, but long-term protection was inadequate and victim identification, particularly of forced labor victims, was uneven. The Ministry of Interior (MOI) reported that authorities identified 67 trafficking victims compared with 59 in 2014. Of the identified victims, 45 were sex trafficking victims, 19 were forced labor victims, one was a forced begging victim, and two were unidentified. An international organization identified 51 trafficking victims—including 42 sex trafficking victims and nine forced labor victims. The government and an international organization identified 10 forced marriage victims, which Colombian authorities considered to be trafficking under their law. The Colombian Child Welfare Institute identified 39 girls and 6 boys exploited in prostitution and no children in forced labor—compared with 108 children exploited in prostitution in 2014—but did not identify these children as trafficking victims. Labor inspectors did not report identifying any forced labor victims and had limited access to some areas, such as illegal mining sites. Authorities and an international organization identified at least 229 children who separated from illegal armed groups in 2015, compared with 243 in 2014. Of these children, 72 were girls; 157 boys; 49 indigenous; and 27 Afro-Colombian. In June the government, through its ongoing negotiations to end a five-decade conflict with the Revolutionary Armed Forces of Colombia (FARC), secured a commitment from the FARC to release minors from its ranks, though that measure was not implemented at year's end.

The national anti-trafficking law—law 1069—mandated the government to provide emergency trafficking victim protection and assistance, which includes medical and psychological assessments and assistance, clothing and hygiene kits, housing, transportation, legal advice, issuance of travel and identity documents, and repatriation; and medium-term assistance, which includes educational services, job training and job search assistance, and economic support. Of the 67 identified victims, the government provided 62 with emergency assistance and services and 56 with medium-term assistance; six received protective measures, 35 received repatriation assistance, 56 received employment assistance, and 67 accessed medical services, an improvement over the previous year when 50 victims received emergency assistance and 12 victims received medium-term assistance.

The government designated points of contact in various agencies and met roughly every two months to improve communication within and between the Interagency Committee for the Fight against Trafficking in Persons (ICFTP) and the MOI to design policies, analyze results, and recommend actions. NGOs acknowledged improved coordination, but criticized the delays in service delivery, the absence of formal procedures for engagement with NGOs resulting in uncoordinated and limited engagement by the government, the lack of emergency housing, the lack of long-term victim assistance, and a lack

of attention to vulnerable populations. NGOs asserted Afro-Colombian, indigenous, LGBTI, and disabled persons received insufficient attention, but the government reported maintaining a shelter for LGBTI victims of violence, an indigenous training center, and policies to provide assistance to disabled victims. Shelter and services for male victims were very limited. NGOs reported victims found it difficult to access services, especially given the legal requirement to file an official complaint in order to receive long-term assistance, which served as a disincentive for them to self-identify. The government provided 596,097,411 pesos (\$180,070) to assist trafficking victims internally and 200,000,000 pesos (\$60,416) to assist Colombian trafficking victims abroad. The government also provided 730,921,325,661 pesos (\$220,796,714) to provide services to children and adolescents, including child trafficking victims. Law 1069 makes local governments responsible for providing services beyond emergency care, but most had no funding dedicated to providing specialized services. Working with an international organization receiving foreign donor funds, the government assisted 311 children recruited by illegal armed groups and provided them with health, psycho-social, and education services. Authorities lacked sufficient funding and personnel to provide specialized services, reintegration work with families, and vocational training for these children.

The government offered victims the option to participate in 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. The media reported victims being jailed or otherwise penalized for unlawful acts committed as a direct result of being subjected to trafficking, including in a case involving Brazilians in forced labor in the mining sector who were charged with immigration violations and illegal mining. The government again provided no updates on reports indicating a trafficking victim remains incarcerated as of February 2014 due to the testimony of another victim's father, who alleged her to be a recruiter in a trafficking ring. Authorities could provide foreign trafficking victims with temporary permission to remain in the country during the investigative process on a case-by-case basis; however, authorities have never reported doing so. A media report indicated a civil court upheld a settlement for back wages and benefits for a forced labor victim, but there were no reports trafficking victims received restitution to which they are entitled under articles 102 and 103 of the criminal procedure code of Colombia.

## PREVENTION

The government continued diverse prevention efforts. ICFTP conducted five formal meetings and increased engagement with NGOs, but for the second year did not approve or fund the pending 2014-2018 anti-trafficking strategy. NGOs and international organizations noted that the absence of a national trafficking information system hindered monitoring, research, and evaluation of the impact of trafficking in persons in Colombia; however authorities reported having designed and compiled data to begin testing a system. Members of civil society continued to file petitions to obtain information from ICFTP and the MOI. Authorities maintained an interagency commission for the prevention of child recruitment by armed groups and a separate committee on child sexual exploitation. MOI consulted periodically with anti-trafficking committees in the 32 departments, but NGOs indicated the committees lacked expertise and funding. Colombia's anti-trafficking operations center's toll-free 24-hour hotline received 3,625 calls, including 56 suspected trafficking cases, during 2015. Authorities continued several interrelated trafficking

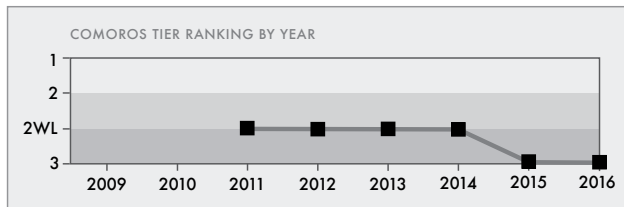


awareness campaigns, commemorated World Day Against Human Trafficking in July in various parts of the country, and conducted other prevention efforts, often in partnership with international organizations and NGOs. The government, working with an international organization, designed a strategy and campaign to prevent fraudulent recruiting, which can lead to forced labor, and distributed materials at a public event; however, it did not report efforts to reduce the demand for forced labor. Authorities conducted investigations for child sex tourism but did not report prosecutions or convictions for this crime. The government provided anti-trafficking training for its diplomatic personnel.

## COMOROS: Tier 3

Comoros is a source country for children subjected to forced labor and sex trafficking within the country; Comoran women and children are subjected to forced labor in Mayotte. Comoran women and Malagasy women who transit Comoros may be subjected to forced labor in the Middle East. Children on Anjouan, some of whom were abandoned by parents who left to seek economic opportunities in other countries, are subjected 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; some of these children are subjected to domestic servitude and physical and sexual abuse. Most Comoran children aged 3 to 7 (and some up to age 14) study at informal neighborhood Koranic schools headed by private instructors, where some are exploited as field hands or domestic servants as payment for instruction and subjected to physical and sexual abuse. Girls are reportedly subjected to sex trafficking in Comoros. 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. Some of the estimated 3,000 unaccompanied Comoran children on Mayotte are subjected to domestic servitude and sex trafficking, at times after the deportation of their parents.

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. The government did not investigate or prosecute sex trafficking or forced labor crimes, or identify and protect victims. The government did not investigate, prosecute, or convict traffickers, including complicit officials, and it provided inadequate resources to law enforcement officials, including the Morals and Minors Brigade, the office charged with the investigation of child abuse and exploitation. The government did not identify or assist any victims during the year, although it continued to support NGO-run centers offering counseling, medical, and legal service to child and female victims of sexual and other violence on each of the three islands. Officials lacked formal procedures for the systematic identification and subsequent referral of victims to care. Official complicity in trafficking crimes, the extensive use of out-of-court financial settlements in lieu of investigation and prosecution of crimes, and the use of mediation, resulting in the return of children to their alleged exploiters, continued to be serious concerns.



### RECOMMENDATIONS FOR COMOROS:

Redraft the amendments to the penal code related to trafficking to conform with the child labor law and existing penal code provisions, and enact the amendments; in cooperation with NGOs and international organizations, increase the availability of protection services, including counseling and psychological care, for adult and child trafficking victims; develop procedures to identify and refer trafficking victims to care; investigate, prosecute, and convict trafficking offenders, including allegedly complicit officials; end the practice of returning children to their exploiters through arbitration; work with international partners to implement recommendations from the forthcoming study on the forms and extent of the trafficking problem in Comoros; conduct anti-trafficking public awareness campaigns; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government made negligible anti-trafficking law enforcement efforts. Comoran law does not prohibit all forms of human trafficking. Article 310 of the penal code prohibits aiding or assisting in the prostitution of others, prescribing penalties of six months' to three years' imprisonment and fines. Article 311 prescribes increased penalties, ranging from two to 10 years' imprisonment, for aggravating factors related to article 310. Article 323 prohibits the facilitation of child prostitution and prescribes sufficiently stringent punishments of two to five years' imprisonment and fines; however, these penalties are not commensurate with those for other serious crimes, such as rape. Although prostitution is illegal in Comoros, existing laws do not criminalize the forced prostitution of adults. Article 333 prohibits illegal restraint and prescribes penalties of 10 to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. Article 2 of the labor code prohibits forced and bonded labor, prescribing insufficiently stringent penalties of three months' to three years' imprisonment or fines. The Law Countering Child Labor and Trafficking in Children (child labor law), which went into effect in January 2015, prohibits the worst forms of child labor in article 6 and child trafficking in article 13. However, articles 6 and 13 are inconsistent with each other: Article 6 does not require the means of threat or use of force or other forms of coercion, fraud, or deception and prescribes an insufficiently stringent penalty of five months' to 10 years' imprisonment, and article 13 does require the means of threat or use of force or other forms of coercion, fraud, or deception. Article 6 of the labor code also partially overlaps with articles 310, 311, and 323 of the penal code and prescribes penalties ranging from two to 10 years' imprisonment for such acts involving children. The overlap in these laws raises concern prosecutors may be unclear as to which laws to use to hold traffickers accountable. Despite parliamentary approval in 2014, the president has not yet assented to amendments to the penal code that would specifically add provisions to prohibit trafficking in persons.

The government did not report investigating, prosecuting, or convicting traffickers during the reporting period. It did not provide further information on the investigation, reported in a previous year, of a magistrate allegedly responsible for the domestic servitude of a 14-year-old girl. The government did not systematically collect data or information on law enforcement efforts, including human trafficking. During the year, the Morals and Minors Brigade continued to oversee the investigation of cases of child abuse and exploitation, potentially including child trafficking, nationwide, but its investigative efforts were hampered by a lack of government funds. The police generally lacked basic resources, including vehicles, fuel, and equipment, and often relied on victims to provide funds for transport or communication. The government did not provide trafficking-specific training for law enforcement officials on how to recognize, investigate, and prosecute trafficking and related crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Corruption at all levels of government, law enforcement, and the judiciary remained a significant concern in Comoros and hindered law enforcement efforts, including efforts to address trafficking. Many complaints were resolved through out-of-court financial settlements with victims' families. Judges renegotiated agreements between a child's parents and his or her trafficker, effectively re-trafficking the victim by returning the child to domestic servitude. Some police reportedly returned sexually abused children to their exploiters.

## PROTECTION

The government continued to provide limited support for victim protection services and did not identify or assist any victims or increase its capacity to do so during the year. The government did not provide direct assistance or services for victims and provided minimal support to NGOs doing so. There were no shelters for adults or child victims of abuse or human trafficking, and the quality of care provided remained poor. NGO staff sometimes provided temporary shelter in their private homes; however, children were often returned to their parents or guardians. In 2015, the government provided the salaries of two employees and donated office space for the NGO-run listening centers, which were supported by an international organization to provide assistance to abused and neglected children. The Morals and Minors Brigade lacked facilities to shelter child victims, even temporarily, and few of its staff had training in interviewing child victims of crime. The government did not develop or employ systematic procedures to identify trafficking victims or refer them to the limited care available. There were no reports of the government penalizing victims for crimes committed as a direct result of being subjected to trafficking; however, victims may have remained unidentified in the law enforcement and immigration systems.

## PREVENTION

The government made minimal efforts to prevent trafficking. The government's interagency monitoring group, established in 2013 to ensure implementation of the anti-trafficking national action plan and comprised of representatives of relevant government agencies, NGOs, and international organizations, continued to meet. The group reportedly developed a new national action plan in 2015, but it was not officially approved by the end of the reporting period. The government worked with an international partner to conduct a study on the forms and extent of the trafficking problem in Comoros, which was not released during the reporting period. The government did not conduct

anti-trafficking public awareness activities. The labor ministry signed an agreement with some labor recruitment agencies to facilitate review of transnational recruitment processes and also monitored advertisements in an effort to identify recruitment activities that might endanger Comorians seeking overseas employment. The government did not provide resources to the labor ministry for implementation of the new child labor law prohibiting child trafficking. The ministry's four labor inspectors did not receive training on the law, did not receive operational resources, such as vehicles and fuel, and did not conduct labor inspections of informal work sites where children are especially vulnerable to forced labor; inspectors did not remove or assist any children as a result of labor inspections. The government adopted a new sustainable development strategy (2015-2019), which includes a plan to update the national action plan to eliminate the worst forms of child labor and enhance the services provided by three reception centers for child victims of abuse and exploitation. The government continued to fund a toll-free emergency line for reporting crimes to assist in the identification of victims of child abuse and exploitation. 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.

## CONGO, DEMOCRATIC REPUBLIC OF THE: Tier 2 Watch List

The Democratic Republic of the Congo (DRC) is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Due to ongoing conflict, more than 1.8 million people have been displaced within DRC, and internally displaced persons in Katanga, North Kivu, and South Kivu provinces remain particularly vulnerable to abduction, forced conscription, and sexual violence by armed groups and government forces. In 2015, 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, some children were also forced to commit crimes for their captors, such as looting and extortion. In 2015, an international organization reported 491 confirmed cases of children who were forcibly recruited and used by armed groups, while 2,102 children were separated or escaped from armed groups. In late 2015, six Burundian child soldiers, who were forcibly recruited and trained in Rwanda, transited DRC to fight in armed groups in Burundi. Child soldiers that have been 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, and armed groups continued to recruit children.

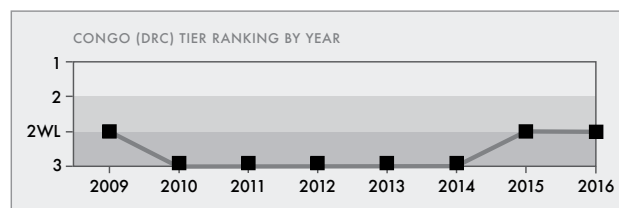
For a second consecutive year, international observers reported there were no cases of child recruitment by the Congolese national army (FARDC) in 2015. In furtherance of implementing the DRC government's plan to eliminate child soldiers within the FARDC, during the reporting period, an international organization reported that 12 children, some of whom were forcibly recruited in previous years, were screened and separated from the FARDC in coordination with child protection partners.

However, in 2015, some individual elements of the FARDC deviated from government policy and reportedly forced local populations to carry equipment. In addition, the FARDC worked and collaborated with an illegal armed group—which recruited and used 15 children during the reporting period—to coordinate battlefield maneuvers and capture of territory from a foreign illegal armed group.

Some men, women, and children working in artisanal mines in eastern DRC are subjected to forced labor, including debt bondage, by mining bosses, other miners, family members, government officials, and armed groups. Some children are subjected to forced labor in the illegal mining of diamonds, copper, gold, cobalt, 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 perpetrated by security guards employed by the state. Children are also vulnerable to forced labor in small-scale agriculture, domestic work, street begging, vending, and portering. Some street children are suspected to be forced to participate in illicit drug transactions and exploited in sex trafficking. Local observers suspect homeless children known as *chegues*, who beg and steal on the streets of Kinshasa, are sometimes forced labor victims. Some Congolese women and girls are subjected to forced marriage and thereby highly vulnerable to domestic servitude or sex trafficking. Some Angolans who enter the DRC illegally to work in Bas Congo province are vulnerable to forced labor. Children from the Republic of the Congo may transit through DRC en route to Angola or South Africa, where they may be subjected to domestic servitude. Congolese women and children migrate to other countries in Africa, the Middle East, and Europe, where some are exploited in sex trafficking, domestic servitude, or forced labor in agriculture and diamond mines. Some women may be fraudulently recruited and forced into domestic servitude abroad through false promises of education or employment opportunities.

The Government of the Democratic Republic of the Congo does not fully meet the minimum standards for the elimination of trafficking, however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, the Democratic Republic of the Congo is placed on Tier 2 Watch List for the second consecutive year. The government continued measures to end the recruitment and use of child soldiers by holding accountable officials complicit in child soldiering and cooperating with international organizations and NGOs to identify and demobilize child soldiers. The government also continued efforts to combat sexual exploitation and continued to support efforts to certify mines to prevent the use of forced and child labor. However, the government made negligible efforts to combat other forms of trafficking. It did not investigate, prosecute, or convict offenders of sex trafficking, as distinct from other sexual crimes, or labor trafficking; however, the government made efforts to improve its data collection of sexual crimes, including potential sexual slavery offenses. The government did not provide any protection services to trafficking victims; victims, including child soldiers, continued to be vulnerable to arrest and detention. Nevertheless, some officials in eastern Congo collaborated, on an ad hoc basis, with NGOs and international organizations to refer potential trafficking victims to protection services. Lack of an anti-trafficking framework, capacity, funding, and political will to address the crime, as

well as widespread corruption, continued to hinder efforts to combat all forms of human trafficking throughout the country.



## RECOMMENDATIONS FOR THE DEMOCRATIC REPUBLIC OF THE CONGO:

Develop legislation to comprehensively address all forms of trafficking, consistent with international law; create an inter-ministerial anti-trafficking committee to support development of anti-trafficking legislation and adopt an action plan to combat all forms of trafficking; develop procedures for collecting and reporting data on cases of sex trafficking as distinct from other sexual violence crimes; use existing legislation to investigate, prosecute, convict, and adequately sentence traffickers, and continue to investigate and prosecute government officials complicit in the unlawful recruitment and use of child soldiers; in partnership with civil society, take concrete steps to provide comprehensive protection services to victims of all forms of trafficking, and ensure trafficking victims, including child soldiers and other vulnerable persons, are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; develop procedures for officials to proactively identify trafficking victims among vulnerable groups, including women and children in prostitution, street children, and men, women, and children in artisanal mining, and to refer victims to NGO-run protection services; continue measures to end the unlawful recruitment and use of child soldiers by the FARDC and other armed groups, and continue to cooperate with international organizations and NGOs to identify, remove, demobilize, and refer all children associated with armed groups to appropriate care; improve training for law enforcement and judicial officials on combating all forms of human trafficking; and raise awareness about human trafficking among the general public.

## PROSECUTION

The government continued to investigate and prosecute officials complicit in child soldiering and sexual exploitation, but made negligible efforts to combat all other forms of trafficking throughout the country. The DRC does not have an anti-trafficking law, nor do existing laws address all forms of human trafficking; the lack of a legal framework continued to contribute to officials' lack of understanding of trafficking and their conflation of it with other crimes, such as international adoption. Adult forced labor is not criminalized under Congolese law, although the Constitution prohibits indentured servitude. The 2006 sexual violence statute (Law 6/018) prohibits sexual slavery, sex trafficking, and child and forced prostitution and prescribes penalties ranging from five to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Child Protection Law 09/001 prohibits forced child labor, child prostitution, and the use of children in illicit activities, and prescribes penalties of 10 to 20 years' imprisonment for sexual slavery; these penalties are sufficiently stringent and commensurate with other serious crimes. Forced child labor, debt bondage, and child commercial sexual exploitation carry



penalties of one to three years' imprisonment, which are not sufficiently stringent. The enlistment of persons younger than 18 years old into the armed forces and the police has penalties of 10 to 20 years' imprisonment. Corruption remained a hindrance to adequately punishing trafficking offenders.

The government did not investigate, prosecute, or convict offenders for sex or labor trafficking other than officials complicit in child soldiering. In 2015, the government investigated six FARDC members for child recruitment; these cases were ongoing at the end of the reporting period. The government reportedly charged 55 FARDC and 13 Congolese National Police (PNC) officials in military courts for crimes of sexual violence, but it was unclear if these cases involved sex trafficking crimes. The government convicted and sentenced a FARDC colonel in July 2015 to seven years' imprisonment for rape of a minor. In comparison to the previous reporting period, these law enforcement efforts demonstrate an increase in investigations of complicit officials involved in possible trafficking crimes but a decrease in investigations of child soldiering among other armed groups; they also demonstrated a decrease from the one prosecution of a PNC officer and two convictions of FARDC officers for sexual slavery in 2014. The government continued the ongoing investigation of cases initiated in 2013 involving sex trafficking of Congolese women in Lebanon and Kuwait. The government provided limited training to some police and military personnel on preventing child soldiering, but it did not provide training to officials on all forms of human trafficking.

## PROTECTION

The government continued to identify and refer child soldiers to international organizations for assistance, but it otherwise made negligible efforts to identify and protect victims of other forms of trafficking. Other than identifying child soldiers during the reporting period, the government did not identify victims of sex and labor trafficking among vulnerable groups, such as street children, women and children in prostitution, and men, women, and children in artisanal mining, even though the scope of the problem was significant. The government did not have formal written procedures for officials to appropriately identify trafficking victims; however NGOs in eastern DRC reported police and security officials identified and referred an unknown number of potential victims to NGOs on an ad hoc basis in 2015. Authorities in Goma identified four potential child trafficking victims who were fraudulently recruited for domestic work in Tanzania and referred the children to a local NGO-run trafficking shelter. The government did not provide specialized services or care to trafficking victims as distinct from other vulnerable groups. Trafficking victims were allowed to file cases against their traffickers in civil courts, and an NGO reported it assisted some victims in the prosecution of their traffickers. The Ministry of Social Affairs worked with local NGOs to reintegrate street children—some of whom may have been unidentified trafficking victims—and child soldiers into their communities and to reunify them with their families.

As part of the national Disarmament, Demobilization, and Reintegration plan, the government continued to collaborate with an international organization and NGO child protection partners to identify and remove child soldiers from the FARDC and other armed groups operating in eastern DRC. The FARDC reportedly increased efforts to screen for and prevent children attempting to join the military. Additionally, in late 2015, authorities identified and referred to NGO-run protection services six Burundian child soldiers who were transiting eastern DRC to fight for armed groups in Burundi. The government has

consistently allowed for the safe repatriation of foreign child soldiers in cooperation with an international organization. Despite these efforts, some trafficking victims, including child soldiers, continued to be subjected to detention for unlawful acts committed as a direct result of being subjected to human trafficking. An international organization identified 149 children in detention centers, who were detained for their alleged association with armed groups.

## PREVENTION

The government continued efforts to prevent the recruitment and use of children into armed groups, sexual exploitation, and forced labor in mining, but it did not make tangible efforts to prevent other forms of trafficking. During the reporting period, the government continued to implement a national action plan—supported by an international organization—to end the recruitment and use of child soldiers through the Joint Technical Working Group, comprising government ministries, NGOs, and international organizations. The working group met regularly throughout the reporting period, and it created three additional working groups in Bunia, Beni, and Lubumbashi provinces to prevent child recruitment and remove children from armed groups. In 2015, FARDC commanders signed a declaration to combat rape, including sexual slavery; the pledge required military leaders to take action against sexual violence committed by soldiers, and to ensure the prosecution of perpetrators and the protection of victims, witnesses, and judicial actors involved in addressing sexual violence.

Due in part to lack of capacity and security and political priorities, the government did not have an inter-ministerial anti-trafficking committee to address all forms of trafficking. The government did not initiate anti-trafficking public awareness campaigns during the reporting period. In 2015, it initiated a public awareness campaign against sexual violence, but it did not specifically address trafficking crimes. The government also began collecting data on reports of sexual and gender-based violence; however, it was unclear if any sex trafficking cases were identified through these efforts. The government did not make efforts to reduce the demand for commercial sex acts. The government took limited efforts to reduce the demand for forced labor in artisanal mining, but did not do so in other sectors. In 2015, the government worked in cooperation with an international organization to validate and certify approximately 81 artisanal mining sites in eastern DRC as conflict-free and child labor-free, bringing the total number of certified sites to 215. The Ministry of Labor, responsible for inspecting worksites for child labor, remained understaffed and had limited resources to conduct inspections of child labor violations, including trafficking violations, throughout the country. Furthermore, the government's committee to address child labor lacked funding and did not meet in 2015, nor did the government adopt a draft national action plan to combat the worst forms of child labor. During the reporting period, the government closed or suspended the operation of 49 private employment agencies for not complying with labor regulations. The government did not provide anti-trafficking training for FARDC members deployed abroad in peacekeeping operations; in January 2016, an international organization reported allegations that peacekeepers from the DRC committed sexual abuse crimes in Central African Republic, but it was unclear if any of these crimes amounted to sex trafficking. The government did not provide anti-trafficking training for its diplomatic personnel.

## CONGO, REPUBLIC OF THE: Tier 2 Watch List

The Republic of the Congo is a source and destination country for children, men, and women subjected to forced labor and sex trafficking. According to a study released by an international organization in 2013, most trafficking victims in the Congo originate from Benin and the Democratic Republic of the Congo (DRC), and to a lesser extent from other neighboring countries. Experts reported fewer child trafficking victims than in previous years, especially from Benin; however, traffickers may have developed more sophisticated methods to avoid detection. Trafficking victims are subjected to domestic servitude and market vending by other nationals of the West African community living in the Congo, as well as by Congolese nationals in the city of Pointe-Noire. Source countries for adult victims include DRC, Central African Republic (CAR), Cameroon, Benin, and Mali. Both adults and children are victims of sex trafficking in the Congo, with most between the ages of 9 and 11 and originating from the Congo and DRC and exploited in Brazzaville. Women and girls are also subjected to sex trafficking by Chinese and Malaysian construction workers building a national highway near Nkayi and Pointe-Noire. Most children subjected to trafficking within the country migrate from rural to urban areas to serve as domestic workers for relatives or family friends. Some child trafficking victims are also subjected to forced labor in stone quarries, bakeries, and the fishing and agricultural sectors, including in cocoa fields in Sangha department. As reported by an international organization in 2013, nationals of the Congo comprise 43 percent of traffickers, 28 percent of adult victims, and 14 percent of child victims in the Congo. Internal trafficking involves recruitment from rural areas for exploitation in cities, and the indigenous population is especially vulnerable to forced labor in the agricultural sector. Traffickers reportedly targeted vulnerable children from Oueme, a small and impoverished village in Benin.

The Government of the Republic of the Congo does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated four suspected traffickers during the reporting period, identified five trafficking victims, and provided some protective services. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, the Republic of the Congo is placed on Tier 2 Watch List for the second consecutive year. The government did not enact draft anti-trafficking legislation finalized in the previous reporting year, and knowledge of the country's existing anti-trafficking laws was uneven across the government. While the government investigated four suspected traffickers, it did not demonstrate vigorous efforts to prosecute and convict traffickers, failing to initiate any prosecutions of alleged traffickers in 2015 or convict any traffickers from cases that remained pending from up to five years ago. The government has never used existing laws that protect children and make trafficking illegal to secure a conviction. Serious allegations of official complicity persisted during the reporting period, and the government has yet to take action to further investigate such allegations. Harassment of anti-trafficking activists re-emerged as a concern. The lack of an inter-ministerial coordinating body continued to hinder countrywide progress to address internal trafficking and sex trafficking from DRC and other countries. The Republic of the Congo is not a party to the UN Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol.



### RECOMMENDATIONS FOR THE REPUBLIC OF THE CONGO:

Enact comprehensive anti-trafficking legislation that prohibits adult trafficking; greatly increase efforts to investigate and prosecute trafficking offenses and to convict and punish traffickers, including complicit government officials, under the 2010 Child Protection Code; fund and hold a special session of the high court to hear the trafficking case backlog; increase outreach, victim identification, and law enforcement efforts on sex trafficking and internal trafficking beyond Pointe-Noire, with specific attention to the trafficking of adults and indigenous populations; develop formal procedures to identify trafficking victims among child laborers, illegal immigrants, and women and girls in prostitution, and train social workers and law enforcement officials on these procedures; provide adequate security and supervision for victims placed in foster families and anti-trafficking activists and partners; establish a national body that includes all relevant ministries to increase coordination of countrywide anti-trafficking efforts; bolster anti-trafficking law enforcement cooperation with other governments in the region, especially Benin and DRC; and accede to the UN Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol.

### PROSECUTION

The government made minimal anti-trafficking law enforcement efforts, failing to prosecute or convict suspected traffickers, while serious allegations of official complicity emerged during the reporting period. Article 60, chapter 2 of the 2010 Child Protection Code prohibits the trafficking, sale, trading, and exploitation of children, for which article 115 prescribes penalties of hard labor for an undefined period of time and fines. Article 68 prohibits the worst forms of child labor, including forced labor and commercial sexual exploitation of children, for which article 122 prescribes penalties of three months' to one year's imprisonment or fines between the equivalent of approximately \$110 and \$1,080. Article 4 of the country's labor code prohibits forced or compulsory labor, imposing fines of the equivalent of approximately \$1,300 to \$1,900. None of these penalties is sufficiently stringent, and the penalties prescribed for sex trafficking are not commensurate with those prescribed for other serious crimes, such as rape. The penal code prohibits forced prostitution. Although Congolese law prohibits some forms of trafficking of adults, it does not outlaw bonded labor or the recruitment, harboring, transport, or provision of a person for the purposes of forced labor. Draft anti-trafficking legislation, completed in partnership with UNODC in the previous reporting period, advanced past Supreme Court review and awaits review by the new cabinet before going to Parliament.

The government investigated four suspected traffickers during the reporting period; however, it did not prosecute or convict any traffickers. All four alleged traffickers appeared before the Directorate of the Department of Social Affairs (DDAS) Trafficking in Persons Coordinating Committee in Pointe-Noire. Authorities charged one in December 2015 with "threat

toward an individual” under article 305 of the criminal code for allegedly forcing a Beninese child into domestic servitude and placed her in detention, where she was held for four weeks before being released without further comment from the judge overseeing her detention. The government charged another with “child abduction” and held her in detention for 27 days before releasing her pending further investigation. The government neither charged nor detained two of the alleged traffickers, but the Trafficking in Persons Coordinating Committee made them pay for the victims’ repatriation and reinsertion in Benin. The government failed to report progress in its prosecutions of at least 23 offenders, some charged nearly five years ago, and has never used existing law that addresses trafficking to make a conviction. As serious crimes, trafficking cases should be heard at the high court; however, cases continued to languish due to a significant backlog from recent years. The Ministry of Labor did not report investigating any cases of forced child labor in 2015. Law enforcement personnel did not undergo any anti-trafficking training during the reporting period due to a lack of funding. Limited understanding of the child anti-trafficking law among law enforcement officials, judges, and labor inspectors continued to hinder the prosecution of trafficking.

Serious credible allegations of official complicity, reported consistently since 2011, continued in 2015. Allegations resurfaced that judges in Pointe-Noire accepted bribes to drop charges against detained traffickers. However, the government did not investigate, prosecute, or convict these or other officials allegedly complicit in human trafficking offenses. Human trafficking activists faced harassment and threats from traffickers and complicit government officials, including police. There was no evidence during the reporting period to support previous concerns alleging the Consulate of Benin and the leadership of the Trafficking in Persons Coordinating Committee in Pointe-Noire were complicit in re-trafficking of rescued victims. Members of the Trafficking in Persons Coordinating Committee strongly denied these allegations.

## PROTECTION

The government decreased protection services to trafficking victims. The government, in partnership with an NGO, identified 15 trafficking victims during the reporting period, ranging from ages 12 to 19, a decrease from 23 identified during the previous reporting year. The government reported it repatriated two children, returned another to her biological family, and had two others remain with a host family awaiting repatriation. The government relied on partnerships with NGOs and foster families to enable victims in Pointe-Noire to receive access to care; protective services through government-civil society partnerships remained non-existent elsewhere in the country, including the capital, Brazzaville. The quality of care provided to victims varied widely. The foster care system, created in July 2009 and intended to ensure trafficking victims remained safe while the government and NGOs conducted family tracing, weakened during the reporting period due to inconsistent government funding and a decrease in the number of foster families able to receive children, down from five to three. The government allocated approximately 1,000,000 Central African Francs (CFA) (\$1,670) to the Trafficking in Persons Coordinating Committee, a decrease from approximately 8,000,000 CFA (\$14,000) during the previous reporting period; however, the money was never disbursed during the year. As a result, the committee operated largely on private donations to provide assistance for victims. Law enforcement, immigration, and social services personnel did not employ systematic procedures to proactively identify victims among vulnerable groups, relying

instead on NGOs and international organizations to identify victims. During the year, there were no reports of victims jailed or prosecuted for crimes committed as a result of their having been subjected to trafficking; however, inadequate identification efforts may have left victims unidentified in the law enforcement system. Although officials interviewed victims after their rescue—encouraging them to assist in the prosecution of their traffickers—child victims were not expected to testify in court. The government did not deport rescued foreign victims, but it did not issue temporary or permanent residency status to victims and had no legal alternatives to removal to countries in which victims would face retribution or hardship. For the fourth consecutive year, the government did not carry out joint investigations or extraditions of charged trafficking offenders as part of its bilateral agreement with the Government of Benin, despite the identification of a Beninese trafficking victim during the reporting period.

## PREVENTION

The government continued limited efforts to prevent trafficking in 2015. The national police in Pointe-Noire began a mapping project in the greater Pointe-Noire area to identify potential trafficking networks. The Trafficking in Persons Coordinating Committee based in Pointe-Noire organized a day-long conference and undertook a door-to-door campaign to raise awareness among students and adults about the trafficking in persons phenomenon and to equip them with knowledge on how to identify victims within their community and refer them to authorities for help. However, the government’s implementation of the 2014-2017 action plan was slow, and funding was not directly allocated to the plan or the efforts of the Trafficking in Persons Coordinating Committee in general. The government did not establish a national coordinating body to guide its efforts. The government did not take measures to reduce the domestic and transnational demand for commercial sex acts or forced labor. The government has signed the Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol; however, it has not yet acceded to either of these. The government did not provide anti-trafficking training for its diplomatic personnel.

## COSTA RICA: Tier 2 Watch List

Costa Rica is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Costa Rican women and children are subjected 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. There are a significant number of transgender Costa Ricans in the commercial sex industry who are vulnerable to sex trafficking. Costa Rican victims of sex and labor trafficking were identified in The Bahamas and Guatemala during the reporting period. 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 use psychological coercion—often exploiting stigma associated with prostitution—to compel victims to remain in prostitution. Child sex tourism is a serious problem, with child sex tourists arriving mostly from the United States and Europe. Men and children from other Central American



and Asian countries are subjected to forced labor in Costa Rica, particularly in the agriculture, construction, fishing, and commercial sectors. 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 reportedly vulnerable to forced labor in agriculture in Costa Rica. One government official is currently under investigation for suspected involvement in sex trafficking. During the year, a government official was investigated for using an official vehicle for unauthorized personal use; this official was visiting an establishment where, according to media reports, sex trafficking occurred.

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. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Costa Rica is placed on Tier 2 Watch List for the second consecutive year. The government provided data on its anti-trafficking efforts, but it was difficult to reconcile statistics because Costa Rican law includes a definition of human trafficking that is inconsistent with international law. Authorities prosecuted three suspects and convicted one trafficker under the trafficking law and convicted eight offenders for child sex trafficking or related crimes using other laws. The government identified three sex trafficking victims during the reporting period. Separately, the government acted on evidence to raid commercial establishments where sex trafficking was suspected; 934 individuals were interviewed as a result of those raids but no trafficking victims were identified. The government did not disburse any of the \$3.6 million in its National Anti-Trafficking in Persons and Smuggling of Migrants Fund (FONATT), though it institutionalized the FONATT and identified projects to receive funding in 2016. Despite an identified child sex tourism problem, the government did not prosecute or convict any child sex tourists or other individuals who purchased commercial sex acts from children, although the government did collaborate with international partners to restrict entry to registered sex offenders.



## RECOMMENDATIONS FOR COSTA RICA:

Amend legislation to define human trafficking consistent with international law; intensify efforts to proactively investigate and prosecute trafficking offenses, including labor trafficking and cases not involving movement, and convict and punish traffickers; provide specialized shelter services for trafficking victims, including child sex trafficking victims, in partnership with civil society organizations and allocate government resources, such as from the FONATT, to fund them; reform victim identification procedures, with an emphasis on identifying forms of psychological coercion during interviews with potential trafficking victims, and ensure proper referral to services—even for victims whose cases do not meet the legal threshold to pursue a prosecution under Costa Rica's trafficking law; increase efforts to investigate, prosecute, and convict child sex tourists and others who purchase commercial sex acts from child trafficking victims; improve the efficacy and implementation of Costa Rica's victim assistance protocol,

particularly in cases occurring outside of the capital, for victims of labor trafficking, and for Costa Rican victims; conduct thorough and transparent criminal investigations and prosecutions of alleged government complicity in trafficking offenses and convict and punish complicit officials; increase anti-trafficking training for police, prosecutors, and judges; and improve data collection for law enforcement and victim protection efforts.

## PROSECUTION

The government demonstrated limited efforts to prosecute and convict traffickers, although it did provide more data on its law enforcement efforts than in previous years. The 2012 anti-trafficking law, Law 9095, prescribes penalties of four to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with other serious crimes. The definition of trafficking in the law is inconsistent with international law in that it requires displacement of the victim and also penalizes crimes such as illegal adoption, sale of organs, moving persons for the purpose of prostitution, and labor exploitation that does not amount to forced labor.

The government collected and shared data on its law enforcement efforts to combat trafficking and related criminal activity. Significant improvements to data collection were made compared to the previous reporting period. The attorney general's office reported investigating 31 new cases of movement-based trafficking, prosecuted three defendants under its anti-trafficking law, and convicted one trafficker. In addition, the government obtained eight convictions for child sex trafficking and related crimes using other laws. In 2014, the government prosecuted three defendants and convicted none under its anti-trafficking law. Prosecutors continued to appeal three acquittals from 2014 in a case of suspected labor trafficking involving Asian fishermen on boats in Costa Rican waters. Officials often prioritized investigating migrant smuggling over human trafficking cases with the belief that doing so reduces instances of smuggling and vulnerability to trafficking. The government provided anti-trafficking training to law enforcement officials, other public employees, and civil society members. The government reported completion of initial evidence collection in the investigation of a mayor suspected of sex trafficking that was opened in 2011; the case is now awaiting a possible court date. It did not prosecute or convict any government employees complicit in human trafficking or trafficking-related offenses.

## PROTECTION

The government made modest victim protection efforts. It identified three sex trafficking victims, though some NGO sources report the actual number of victims is higher. It did not make progress in ensuring identified victims received specialized services. The government did not collect comprehensive statistics on victims identified and assisted, and the data provided from different agencies could not be fully reconciled. Authorities had written procedures for identifying victims among vulnerable groups, such as migrants and individuals in prostitution, but these were not effective in identifying victims. The government's interagency anti-trafficking body, the National Coalition against Migrant Smuggling and Trafficking in Persons (CONATT), reported identifying one Costa Rican and two Nicaraguan victims of sex trafficking through unspecified means. In comparison, the government identified 23 victims—13 of sex trafficking and ten of labor trafficking—in 2014. The government conducted 25 targeted

raids of sites where sex trafficking was suspected and interviewed 934 potential victims (931 women and 3 men), but did not identify any trafficking victims among them, despite media reports that some were unpaid, deceived about the type of employment and working conditions, or compelled to remain in prostitution through threats of violence and other forms of psychological coercion. This suggests shortcomings in the methodology or implementation of the interviews. Some of these individuals may have been identified as victims of other crimes and referred to protective services.

The government updated its protocol for officials on the immediate response team responsible for certifying victims and coordinating among various agencies and NGOs to provide victim services, which could include food, lodging, and health, financial, and psychological support. The government did not report how many trafficking victims the team certified in 2015. 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 referral mechanisms were not always implemented in an effective or timely manner. The government did not allocate any of the approximately \$3.6 million in its FONATT to victim services. The government reported various agencies allocated approximately 4.4 million colones (\$8,300) to victim protection in 2015, including approximately 2.9 million colones (\$5,500) in financial support for seven victims, two of whom were identified in previous years. Remaining services were funded and provided by NGOs. In 2015, the government wrote and adopted guidelines for the medical treatment of trafficking victims. The office of care and protection for victims of a crime reported providing unspecified assistance to six sex trafficking victims and four labor trafficking victims—all adults from Nicaragua, Costa Rica, Venezuela, Panama, the Dominican Republic, and Nepal—in 2015. The National Women's Institute reported providing unspecified assistance to two Costa Rican victims—one exploited in sex trafficking and one in forced labor. The government repatriated one Costa Rican sex trafficking victim from The Bahamas, but did not report whether it provided any additional assistance; Costa Rican consular officials in Guatemala assisted one victim of labor trafficking, but the victim did not return to Costa Rica and the government did not report providing any services. The government did not report whether it assisted or referred to NGOs any child victims. The government neither provided nor funded specialized shelters for trafficking victims. There were no shelters available to male victims. However, government authorities referred trafficking victims to relevant agencies and NGOs for non-specialized shelter services, based on gender and age. Additionally, the victims' assistance agency had resources to pay for safe houses on a case-by-case basis. The government did not collect identification or protection statistics on victims subjected to sex or labor trafficking that did not involve movement. Police and NGOs noted victim services were virtually nonexistent outside of the capital.

The government reported granting temporary residency status, with permission to work or study, to foreign victims, but did not report how many received this benefit in 2015. The government did not penalize identified victims for unlawful acts committed as a direct result of being subjected to human trafficking; however, ineffective screening of vulnerable populations for indicators of trafficking may have led to some victims being penalized.

## PREVENTION

The government sustained prevention efforts. CONATT

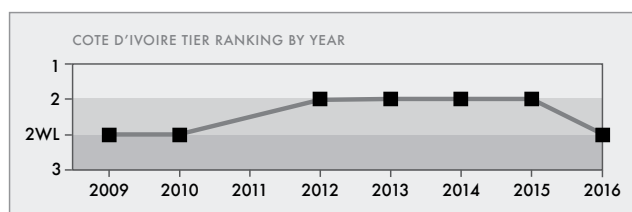
continued to meet quarterly and coordinate the government's anti-trafficking activities. In 2015, the government allocated \$1.7 million from the FONATT to 10 projects aimed at public awareness activities or supplementing the budget of existing enforcement authorities. Authorities distributed brochures and posters and held public events to warn about the dangers of trafficking. The government did not report punishment of any labor recruiters for illegal practices that contribute to trafficking. A quasi-governmental agency continued conducting trainings on combating child sex tourism for members of the tourism industry. The government did not extradite, prosecute, or convict any child sex tourists or other individuals for purchasing commercial sex acts from child trafficking victims in 2015. The government reported no updates on 32 such investigations from the previous year. The government and NGOs provided anti-trafficking training to 25 diplomatic personnel. The government made efforts to reduce the demand for commercial sex acts but did not report efforts to reduce the demand for forced labor. Working in collaboration with international partners, the government reported denying entry to 53 foreign registered sex offenders attempting to travel to Costa Rica as tourists.

## COTE D'IVOIRE: Tier 2 Watch List

Cote d'Ivoire is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Trafficking within the country is more prevalent than transnational trafficking, and the majority of identified victims are children. Due to a stronger emphasis on monitoring and combating child trafficking within the country, the prevalence of adult trafficking may be underreported. Ivoirian women and girls are primarily subjected to forced labor in domestic service and restaurants in Cote d'Ivoire but are also exploited in sex trafficking. Ivoirian boys subjected to forced labor within the country in the agricultural and service industries, especially cocoa production. Boys from other West African countries, including Benin, Burkina Faso, Ghana, Mali, and Togo, are found in Cote d'Ivoire in forced labor in agriculture (on cocoa, coffee, pineapple, and rubber plantations), and in the mining sector, carpentry, and construction. Some girls recruited from Benin, Ghana, and Togo for work as domestic servants and street vendors are subjected to forced labor. Some women and girls recruited from Ghana and Nigeria as waitresses are subjected to sex trafficking. During the reporting period local individuals, possibly working in concert with others abroad, recruited Ivoirian women and girls for work in Saudi Arabia but subjected them to domestic servitude upon arrival; other Ivoirian females were discovered in Burkina Faso, allegedly en route to such exploitation in Saudi Arabia. Authorities also identified Ivoirian trafficking victims in Cyprus. In previous years, Ivoirian women and girls have been subjected to domestic servitude in France and sex trafficking in Morocco. Officials note illegal Ivoirian migrants in Algeria are vulnerable to trafficking due to their irregular and illegal status. International organizations report primarily Ivoirian traffickers fraudulently recruit Ivoirian nationals for work abroad. A lack of comprehensive data on trafficking in Cote d'Ivoire renders the full scope of the problem unknown.

The Government of Cote d'Ivoire does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. With NGO support, the government conducted a raid of agricultural facilities and

market vendors resulting in the rescue of 48 children from child labor—some of whom were victims of forced child labor—and 22 arrests, including 11 individuals on human trafficking charges. It prosecuted, convicted, and sentenced one trafficker with a sufficiently stringent prison sentence and finalized but did not adopt an anti-trafficking national action plan. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Cote d'Ivoire is placed on Tier 2 Watch List. The government reported significantly fewer prosecutions and convictions for trafficking offenses than the previous reporting period and did not provide anti-trafficking training for law enforcement. It continued to rely almost entirely on NGOs to provide shelter and services for victims and did not have a formal mechanism to identify or refer victims to NGO care. Draft legislation to define and criminalize trafficking of adults and children remained pending ratification for the second year.



## RECOMMENDATIONS FOR COTE D'IVOIRE:

Reinvigorate efforts to investigate, prosecute, and convict traffickers, including of adult sex and labor trafficking, and apply sufficiently stringent penalties; enact legislation to prohibit all forms of adult trafficking, and use this and existing legislation to prosecute traffickers, including those who exploit adults in forced prostitution or forced labor; amend the established procedures to identify potential trafficking victims, to include adults and victims among vulnerable populations such as those working in cocoa, domestic servitude, and as street vendors; establish a formal victim referral mechanism for victim services, and train law enforcement and front-line responders on such protocols; increase the availability of trafficking-specific services, especially for adult victims and victims outside the capital, by allocating funding for NGOs or establishing government-run shelters; allocate more staff to the anti-trafficking police unit responsible for investigating trafficking offenses, and increase funding and resources so the unit may operate outside Abidjan; clearly delineate responsibilities among stakeholders for activities outlined in the 2016-2020 anti-trafficking action plan, and enhance interagency communication to effectively implement the plan; train child labor hotline operators on the procedures for referring reports of trafficking to regional authorities; actively monitor agencies and middlemen that recruit Ivoirians for work abroad, and investigate agencies if allegations of fraudulent recruitment arise; improve efforts to collect data on anti-trafficking actions, including cases of adult trafficking prosecuted under separate statutes in the penal code and victim protection efforts; and increase efforts to collect information on the scope of trafficking in Cote d'Ivoire and among Ivoirian nationals abroad.

## PROSECUTION

The government reported inadequate law enforcement efforts. Law No. 2010-272 Pertaining to the Prohibition of Child Trafficking and the Worst Forms of Child Labor, enacted in September 2010, prohibits compelling children into or offering

them for prostitution and prescribes penalties of five to 20 years' imprisonment and a fine ranging from 500,000 to 50,000,000 West African CFA francs (FCFA) (\$829 to \$82,900); these penalties are sufficiently stringent but not commensurate with penalties prescribed for other serious crimes, such as rape. Articles 335 and 336 prohibit pimping and exploitation of adults and children in prostitution by means of force, violence, or abuse. The penalties for subjecting a child to forced labor or situations akin to bondage or slavery are 10 to 20 years' imprisonment and a fine, punishments that are sufficiently stringent. Penal code article 378 prohibits the forced labor of adults and children, prescribing sufficiently stringent penalties of one to five years' imprisonment and a fine of 360,000 to 1,000,000 FCFA (\$597 to \$1,660). Article 376 criminalizes entering into contracts that deny freedom to a third person, prescribing punishments of five to 10 years' imprisonment and a fine of 500,000 to 5,000,000 FCFA (\$829 to \$8,290). In November 2014, the Ministry of Solidarity began drafting legislation that defines and prescribes penalties for both child and adult trafficking, but the law was not adopted or enacted during the reporting period.

The national police's 11-person anti-trafficking unit, located in Abidjan and a few regional precincts, bore primary responsibility for enforcing anti-trafficking laws throughout the country. The government allocated 3,600,000 FCFA (\$7,000) to the unit in 2014, but the government did not report how much funding the unit received in 2015. The Office of the First Lady dedicated material support, including computers and vehicles, but funding and resources remained inadequate, which hampered the unit's ability to investigate trafficking offenses, especially in areas outside Abidjan. The unit liaised with regional police on child trafficking investigations. The government did not report comprehensive data on anti-trafficking law enforcement efforts. In data collected from 13 of the country's 31 regions, the government reported investigating 27 alleged traffickers and prosecuting, convicting, and sentencing one trafficker to 10 years' imprisonment, a significant decrease from 25 prosecutions and 17 convictions reported in 2014. The government investigated 22 individuals for labor trafficking, three for kidnapping for the purpose of exploitation, one for sex trafficking, and one in which the type of exploitation was unknown; one investigation led to a conviction, five were dismissed for insufficient cause, 18 were ongoing at the end of the reporting period, and the status of three investigations was unknown. With NGO assistance, law enforcement units conducted raids of agricultural establishments and market vendors that led to the arrest of 22 individuals from Burkina Faso, Cote d'Ivoire, Mali, and Benin; 11 were arrested for trafficking, while the others were charged with exploitation of minors. Of the 22 arrested, authorities formally charged and imprisoned 12, who were awaiting trial; charged and freed six on provisional release pending further investigation; and released four for insufficient cause. Police reported four cases of child sex trafficking during the reporting period but launched only one investigation and did not refer the alleged trafficker for prosecution. Police reported two alleged cases of forced begging, but law enforcement did not investigate any suspects in connection with the cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, NGOs and media reports indicate corruption among police and *gendarmes* may have facilitated trafficking in 2015.

## PROTECTION

The government demonstrated inadequate efforts to identify and protect victims. It did not compile or report victim



identification data; therefore, the precise number of victims identified is unknown. The government did not have a formal mechanism to identify or refer victims to the care of local NGOs. The government did not operate any formal care centers exclusively for trafficking victims and relied almost entirely on NGOs and international partners to provide victim care. During the reporting period, Burkinabe officials identified 17 Ivoirian females in Burkina Faso allegedly destined for domestic servitude in Saudi Arabia. The Ivoirian government provided logistical coordination to the Burkinabe government to assist with repatriation efforts, and NGOs provided psycho-social services to the victims upon return. Four Ivoirian girl trafficking victims were identified in Saudi Arabia and returned to their families in Cote d'Ivoire. It is unclear who identified the victims, what type of trafficking they endured, and to what degree the Ivoirian government or NGOs assisted with repatriation or provided victim services upon return. In conjunction with international partners and an NGO, Ivoirian law enforcement conducted a raid of agricultural and market establishments and removed 48 children from situations of exploitation, 11 of whom were victims of forced child labor. Law enforcement and the NGO referred the victims to an NGO for shelter, medical attention, and psycho-social services, as well as repatriation assistance for the foreign trafficking victims among the group.

While the police anti-trafficking unit provided training to *gendarmes* on general child victim protection, neither the unit nor the government provided anti-trafficking training during the reporting period. International organizations reported government ministries responsible for administering victim services lacked coordination, which hindered the provision of such services. The government had no formal policy to encourage victims to participate in investigations against their traffickers and lacked a mechanism to assist victims in obtaining restitution from the government or their traffickers through civil suits. Although foreign victims reportedly had the same access to care, in practice the government generally referred foreign victims to their respective embassies for repatriation rather than providing shelter or services. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking; however, the lack of formal identification procedures for adult trafficking victims may have resulted in some adult victims remaining unidentified in the law enforcement system, and some may have been deported.

## PREVENTION

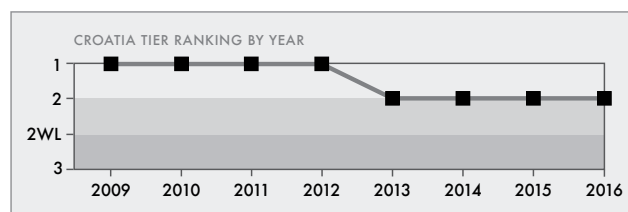
The government sustained modest efforts to prevent trafficking. The National Monitoring Committee (CNS) and the Inter-Ministerial Committee, established in 2011, continued to serve as the national coordinating bodies on child trafficking issues. The CNS continued a nationwide awareness campaign that included billboards to warn the public about potential situations of exploitation and trafficking, as well as the penalties for exploiting women and children in activities such as sex trafficking. The government, with guidance from an international organization and funding from international donors, drafted a 2016-2020 action plan to address adult and child trafficking; the plan was not yet adopted at the end of the reporting period. The government committed to devoting 1.94 billion FCFA (\$3,212,000) over the next five years to implement the plan. It had not yet determined which elements of the plan these funds will support. Technical partners will fund the remaining three-quarters of the plan's budget. The government continued to fund a child labor hotline that received reports of child trafficking; however, it was reported that hotline operators did

not consistently refer reports of trafficking to the proper regional law enforcement authorities. In July 2015, the government enacted a new labor code that raised the minimum working age from 14 to 16 years of age. Labor inspectors conducted 596 inspections of formal workplaces and did not report any child labor violations or remove any children from exploitative workplaces during the reporting period. The government did not demonstrate efforts to address the demand for commercial sex or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

## CROATIA: Tier 2

Croatia is a destination, source, and transit country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Croatian women and girls, some of whom respond to false job offers online, are exploited in sex trafficking within the country and elsewhere in Europe. Traffickers target Croatian girls in state institutions and subject them to sex trafficking. Economically marginalized Romani children from Croatia are at particular risk of forced begging in Croatia and throughout Europe. In previous years, Croatian, Bosnian, and Romanian women and men have been subjected to forced labor in the Croatian agricultural sector. Women and girls from the Balkans and Central Europe are subjected to sex trafficking in Croatia. Unaccompanied foreign children, who arrived in Croatia as part of the large migration flow through the Balkan Peninsula, may be vulnerable to trafficking.

The Government of Croatia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased its funding for two NGO-run shelters and identified a similar number of trafficking victims compared with 2014; however, in contrast to previous reporting periods, no victims of forced labor were identified. While the government maintained its overall law enforcement efforts, these remained inadequate, with light sentencing and a large proportion of acquittals upon appeal. The government organized multiple campaigns to raise awareness of trafficking among vulnerable populations, including youth.



## RECOMMENDATIONS FOR CROATIA:

Increase investigations and prosecutions of suspected traffickers, and punish offenders with dissuasive sentences; further strengthen efforts to proactively identify victims, particularly girls induced into prostitution and those subjected to forced labor; continue to train prosecutors on best practices for prosecuting trafficking cases, including methods for collecting evidence against suspected traffickers, to increase convictions; sensitize judges about secondary trauma in sex trafficking testimony; continue to inform all identified victims of their right to pursue restitution from their traffickers and encourage them to do so; devote more resources to the national anti-trafficking secretariat to enable it to effectively combat trafficking, including through

larger grants to NGOs; and continue to raise awareness of situations potentially resulting in trafficking among vulnerable populations, particularly youth.

## PROSECUTION

The government displayed mixed progress on law enforcement efforts. Croatia prohibits all forms of trafficking through articles 105 and 106, which prescribe penalties of one to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During 2015, the government investigated seven trafficking suspects, a continued decrease from 15 suspects investigated in 2014 and 39 in 2013, and initiated prosecutions of four defendants, compared with five in 2014. Eight traffickers were convicted in 2015, compared with five in 2014. Two labor traffickers received final convictions; one received a one-year suspended sentence of community service, and the other was sentenced to two years' imprisonment. Six sex traffickers received appealable verdicts. During the reporting period, convictions against an additional 12 defendants from a previous reporting period were appealed and the defendants were acquitted. Experts reported that some Croatian judges lacked an understanding of the impact of psychological trauma on a victim's ability to consistently and clearly relate the circumstances of his or her victimization and inappropriately dismissed as unreliable victim testimony that was delayed, partial, or inconsistent. Authorities continued to deliver trafficking-specific training to police, border, and traffic officers through both the Police Academy and local police headquarters. Croatian authorities collaborated with foreign governments, EUROPOL, and INTERPOL on international investigations that led to the arrest of suspected traffickers. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government sustained overall sufficient victim protection efforts, although experts remained concerned that victim identification efforts were inadequate. During 2015, police and NGOs identified 38 victims of trafficking, compared with 37 victims identified in 2014. Similar to 2014, approximately 90 percent of the identified victims were Croatian; however, all victims identified in 2015 were female victims of sex trafficking, in contrast to 20 percent of victims being male and six cases of labor trafficking in 2014. In 2015, four of the 38 identified victims were minors. Croatian law enforcement and social service personnel followed a standard operating procedure for identifying and referring victims to services, which included instructions on activating the national referral system when indicators of trafficking were present. Observers reported the procedures functioned well in practice, but first responders needed to do a better job of identifying victims, particularly in brothels and for potential forced labor in the agriculture, construction, and tourism sectors. When the referral system was activated, a mobile team consisting of a social worker, a victim specialist from the Croatian Red Cross, and usually two NGO representatives, was sent to coordinate victim care and placement. In response to the large number of migrants and refugees who transited Croatia en route to other European countries as part of the migration flow through the Balkan Peninsula, the government interviewed and registered all migrants and refugees and, in partnership with international organizations and NGOs, provided required care and assistance to those who needed it. Police, in partnership with an international organization, worked to identify and

address vulnerable populations' risk to exploitation, especially unaccompanied minors; however, migrants frequently departed Croatia within hours of arriving, which limited the government's ability to identify vulnerable people.

Croatian law entitles trafficking victims to safe accommodation and medical, psychological, and legal aid. A specially designated social worker in each county was responsible for providing initial care and coordinating further assistance for trafficking victims. Assistance was offered to all 38 victims identified in 2015, of which one accepted. Two victims, one of whom was identified in a previous reporting period, were accommodated in shelters during 2015. In comparison, 11 out of the 37 victims identified in 2014 accepted government assistance, of which five were accommodated in shelters. The government provided 446,541 kuna (\$65,500) to two NGO-run trafficking shelters in 2015, slightly more than it provided for shelter care in 2014. One shelter was for adults, and the other was for minors. Adult victims were allowed to leave shelters without chaperones after completing a risk assessment. Victims are entitled to seek financial compensation from the state, in addition to traffickers, but the government had not disbursed any payments by the end of the reporting period. Foreign trafficking victims were offered the same care as domestic victims, as well as renewable temporary residence permits, employment assistance, skills development training, and adult classroom education. Alternatively, authorities could assist foreign victims with voluntary repatriation to their country of origin. Written instructions issued by the state attorney mandated victims to not be prosecuted for crimes committed as a result of being subjected to trafficking.

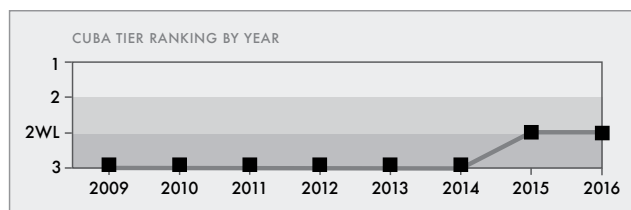
## PREVENTION

The government continued robust efforts to prevent trafficking. The senior-level national committee to coordinate anti-trafficking activities met twice during the reporting period and the committee's working-level operational team met monthly, including with NGOs, to implement the 2012-2015 national plan. The labor inspectorate is not included in the national committee or the operational team, despite its potential role in detecting victims of human trafficking. The Office for Human Rights and Rights of the National Minorities, which serves as the national committee's secretariat, established a working group for drafting a new national action plan. The human rights office spent 195,750 kuna (\$28,700), a slight decrease from 2014, on awareness-raising projects implemented by NGOs, professional training, and an emergency hotline. The government systematically monitored its anti-trafficking efforts and posted information on ministries' websites. The interior ministry implemented a program in cooperation with NGOs, local communities, and the private sector to prevent trafficking of women and children; the program targeted outreach to students and those in the service sector who may come into contact with a victim. The government continued a program to teach youth—particularly girls, asylum-seekers, and migrant youth—how to recognize potentially dangerous situations leading to trafficking, such as attractive job offers and romantic invitations to travel abroad. Police also held trafficking prevention seminars around the country with high school and primary school students. The human rights office continued a campaign sensitizing the public, including potential customers, to the reality that persons engaged in prostitution may be trafficking victims. The government did not make efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic personnel.

## CUBA: Tier 2 Watch List

Cuba is a source and destination country for adults and children subjected to sex trafficking and forced labor. Child sex trafficking and child sex tourism occur within Cuba. Cuban authorities report people from ages 13 to 20 are most vulnerable to human trafficking in the country. Traffickers also subject Cuban citizens to sex trafficking and forced labor in South America and the Caribbean. The government indirectly acknowledged the presence of foreign national trafficking victims in Cuba. The government is the primary employer in the Cuban economy, including in foreign medical missions that employ more than 84,000 workers and constitute a significant source of Cuban government revenue. Some participants in foreign medical missions and other sources allege Cuban officials force or coerce participation in the program; however, the Cuban government and some participants say the program is voluntary and well paid compared to jobs within Cuba. 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 not coerced.

The Government of Cuba does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore Cuba is placed on Tier 2 Watch List for the second consecutive year. The government reported continued efforts to address sex trafficking, including the prosecution and conviction of 18 sex traffickers in 2014 (the most recent available data) and the provision of services to 13 victims in those cases. The government publicly released a written report on its anti-trafficking efforts in October 2015. Multiple ministries engaged in anti-trafficking efforts, including the Ministries of Justice, Information Science and Communication, Interior, Foreign Affairs, Education, Tourism, Labor and Social Security, Culture and Health, and the attorney general's office. The penal code does not criminalize all forms of human trafficking, although the government reported its submission of some trafficking-related penal code amendments to the National Assembly for review during the reporting period. The Cuban government was more transparent in providing details of anti-trafficking efforts and the government's overseas medical missions program. However, the government did not prohibit forced labor, report efforts to prevent forced labor, or recognize forced labor as a possible issue affecting its nationals in medical missions abroad. The government provided funding for child protection centers and guidance centers for women and families, which serve all crime victims, including trafficking victims. These centers had the ability to screen cases, make referrals to law enforcement, assist with arranging cooperation with law enforcement up to prosecution, and provide victim services.



### RECOMMENDATIONS FOR CUBA:

Draft and enact a comprehensive anti-trafficking law that prohibits and sufficiently punishes 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; provide specialized training for managers in state-owned or controlled enterprises in identifying and protecting victims of forced labor; implement policies to prohibit force, fraud, or coercion in recruiting and retaining employees in such enterprises; train those responsible for enforcing the labor code to screen for trafficking indicators and educate workers about trafficking indicators and where to report trafficking-related violations; draft and adopt a comprehensive written national anti-trafficking action plan and dedicate resources to implement it in partnership with international organizations; provide specialized victim identification and referral training for first responders; establish formal policies and procedures to guide officials in the identification of all trafficking victims and their referral to appropriate services; adopt policies that provide trafficking-specific, specialized assistance for male and female trafficking victims, including measures to ensure identified sex and labor trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to sex trafficking or forced labor; and schedule a visit and cooperate with the UN special rapporteur on trafficking in persons.

### PROSECUTION

The government sustained law enforcement efforts by prosecuting and convicting sex traffickers, but took no action to address forced labor. The penal code does not criminalize all forms of trafficking, in particular forced labor and sex trafficking of children ages 16 and 17. The government did not report any labor trafficking investigations, prosecutions, or convictions. In January 2016, the government reported it was in the process of amending the code, including submitting amendments to the National Assembly to raise the age of consent; it is unclear whether the government will make additional amendments to improve the legal framework to address trafficking. Cuba prohibits some forms of trafficking through several penal code provisions, including: article 302 (procuring and trafficking in persons); article 310.1 (corruption of minors younger than 16 for sexual purposes); article 312.1 (corruption of minors younger than 16 for begging); and article 316.1 (sale and trafficking of a child younger than 16). The penal code's definition of sex trafficking conflates sex trafficking with prostitution and pimping. The law criminalizes inducement to or benefiting from prostitution, but treats force, coercion, and abuse of power or vulnerability as aggravating factors rather than an integral part of the crime. Legal provisions addressing "corruption of minors" criminalize many forms of child sex trafficking but define a child as an individual younger than 16 years of age; below the age set in international trafficking law, which is 18 years of age. Forced prostitution is illegal irrespective of the victim's age, and the government has reportedly prosecuted individuals benefiting from child sex trafficking. Provisions for adult and child sex trafficking do not explicitly criminalize the acts of recruitment, transport, and receipt of persons for these purposes. In December 2013, the government amended article 346.1 of the criminal code to mandate sentences of five to 12 years' imprisonment for various crimes, including for laundering funds obtained from trafficking in persons. Labor code article 116 prohibits entities from directly establishing labor relations with adolescents younger than age 17, even if adolescents may be authorized to join the work force.

In 2015, the government publicly presented official data on



prosecutions and convictions of sex traffickers during calendar year 2014, the most recent data available. Authorities reported 13 prosecutions and 18 convictions of sex traffickers, compared with 13 prosecutions and convictions in 2013. At least nine convictions in 2014 involved suspects accused of subjecting children to trafficking within Cuba, including the facilitation of child sex tourism in Cuba. The average sentence was seven years' imprisonment. The government also identified a group of Cubans abroad recruiting and transporting women with false promises of employment and fraudulent work contracts in order to subject the victims to debt bondage and forced prostitution. The government has not sought extradition in this case, and therefore no prosecutions or convictions of suspected traffickers in Cuba have resulted. Students at the Ministry of Interior Academy and police assigned to tourist centers reportedly received specific anti-trafficking training and victim assistance. The government demonstrated its willingness to cooperate with other governments on investigations of possible traffickers. The government arranges for high school students in rural areas to harvest crops and allegedly forces or coerces participation in medical missions, but it denies such claims. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking in 2014.

## PROTECTION

The government sustained efforts to protect sex trafficking victims, but did not make efforts to identify or protect victims of forced labor. Authorities identified 11 child sex trafficking victims and four adult sex trafficking victims in 2014; it did not identify any labor trafficking victims or male sex trafficking victims. Identified sex trafficking victims received government assistance; detailed information on assistance provided to the 15 identified victims was unavailable. Other government-organized NGOs, like the Federation of Cuban Women (FMC), the Prevention and Social Assistance Commission, and the Committees for the Defense of the Revolution contributed by identifying victims of trafficking to state authorities and providing victim services. Independent members of civil society expressed concern about the government's anti-trafficking efforts and limited information on the scope of sex trafficking and forced labor in Cuba given sparse independent monitoring by NGOs and international organizations. The government reportedly developed procedures to proactively identify sex trafficking victims, whereby first responders work with social workers to identify potential cases and refer them to law enforcement.

The government did not report having procedures to proactively identify victims of forced labor. Some participants in foreign medical missions and other sources allege Cuban officials force or coerce participation in the program; however, the government and other participants have stated the postings are voluntary. In support of their applications to receive immigration benefits from the United States, some Cubans working in missions abroad have stated Cuban authorities withheld their passports and restricted their movements. At the same time, some participants who left medical missions abroad have been able to obtain new passports from their embassies in neighboring countries. There have also been reports that Cuban authorities coerced participants to remain in the program by allegedly threatening to revoke their medical licenses or retaliate against their family members if participants leave the program. Reports of substandard working and living conditions and the presence of "minders" to monitor medical professionals outside of work also continued. Last year, Cuba reinstituted restrictions on travel for specialized doctors and some medical

personnel, requiring them to obtain an exit permit from their superiors before leaving the island. On September 9, 2015, the government agreed to reinstitute medical personnel that left their positions while abroad. As of April 1, 2016, the Cuban authorities claimed that 274 medical professionals returned to Cuba and were rehired at the same salary and level of responsibility.

The FMC received 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 provided services such as psychological treatment, health care, skills training, and assistance in finding employment. The government reportedly developed a referral process to transfer trafficking victims to law enforcement custody, secure evidence for prosecutions, and provide victim services and follow-on care. Neither the government nor the government-organized NGOs operated shelters or provided services specifically for male trafficking victims. Police encouraged child sex trafficking victims younger than age 16 to assist in prosecutions of traffickers by gathering children's testimony through psychologist-led videotaped interviewing, usually removing the need for children to appear in court. There were no reports of the government punishing sex trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government indirectly acknowledged the existence of some foreign trafficking victims in Cuba.

## PREVENTION

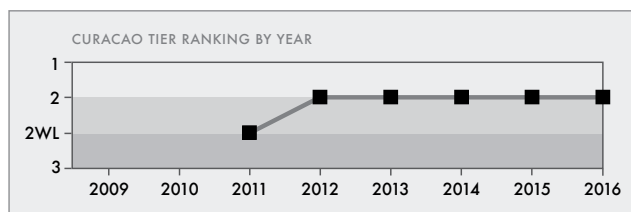
The government sustained prevention efforts to combat sex trafficking; however, authorities did not make efforts to prevent or address the demand for forced labor. The attorney general's office continued to operate a 24-hour telephone line for individuals needing legal assistance, including sex trafficking victims, and received calls related to potential trafficking cases in 2015 that led to investigations. State media continued to produce newspaper articles and television and radio programs to raise public awareness about sex trafficking. 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 Cuban government cooperated with foreign law enforcement in investigating foreign citizens suspected of sexual crimes against children, including child sex trafficking. Under Cuban law, authorities may deny entry to suspected sex tourists and expel known sex offenders, but reported no related convictions in 2014. The government did not report whether it provided anti-trafficking training for its diplomatic personnel. The government publicly released a written report on its anti-trafficking efforts in October 2015. In March 2015, authorities invited the UN special rapporteur on trafficking in persons to visit, but the visit had not been scheduled by the end of the reporting period. The government did not report specialized training for labor inspectors to screen for indicators of potential forced labor.

## CURAÇAO: Tier 2

Curacao is a source and destination country for women, children, and men subjected to sex trafficking and forced labor. Vulnerable populations include: women and girls in the unregulated commercial sex industry; foreign women from South America and other Caribbean countries in the regulated

commercial sex industry; and migrant workers, including from other Caribbean countries, South America, India, and China in the dry dock, construction, landscaping, minimarket, retail, and restaurant industries. Some media accounts indicate an increase in the number of Venezuelan women who work illegally at roadside bars (“snacks”) in Curacao. These women, who may also be engaged in prostitution, are vulnerable to human trafficking.

The Government of Curacao does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2015, the government conducted eight video conferences with anti-trafficking taskforce coordinators of autonomous countries within the Kingdom of the Netherlands. The interagency taskforce continued to coordinate national anti-trafficking efforts during the year, and the minister of justice issued a public statement about the dangers of human trafficking. The government did not prosecute or convict suspected traffickers or identify victims in 2015. Authorities did not designate a separate budget for the national taskforce, enact standard operating procedures on victim identification, or take steps to address sex trafficking within the unregulated commercial sex industry.



## RECOMMENDATIONS FOR CURAÇAO:

Increase efforts to identify and assist potential victims of sex trafficking and forced labor; finalize formal victim identification, referral, and protection measures to guide officials, including health workers, on assisting victims of forced labor and sex trafficking; vigorously prosecute trafficking offenses and convict and punish traffickers; complete and implement the new national anti-trafficking action plan; provide targeted training and resources to local officials to conduct outreach in migrant communities and identify potential labor trafficking victims; raise awareness among migrant workers about their rights, trafficking indicators, and available resources; and continue to implement multilingual public awareness campaigns directed at vulnerable groups, the general public, and potential buyers of commercial sex acts.

## PROSECUTION

The government did not report any new investigations, prosecutions, or convictions for trafficking offenses, a decrease from its prosecution and conviction of three traffickers during the previous reporting period. The government prohibits all forms of trafficking in persons through article 2:239 of its criminal code, which prescribes penalties ranging from nine to 24 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The national coordinator conducted extensive trainings for first responders, including law enforcement officials, prosecutors, and immigration officers on recognizing the signs of human trafficking.

## PROTECTION

The government made limited efforts to identify and assist trafficking victims, but appointed new staff to assist in victim identification and support. It did not identify or assist any victims in 2015, a decrease compared with seven identified in 2014 and six in 2013. During the reporting period, the national taskforce drafted but did not finalize standard operating procedures on victim identification for all front-line responders. In addition, the role of each relevant agency in trafficking cases, currently defined by their specific missions, was under review by the taskforce, which was re-evaluating and redesigning specific guidelines related to how the taskforce operates. In the interim, it continued to have verbal agreements to coordinate ad hoc victim referral among community-based organizations and government departments. While the government did not operate any specialized shelters for trafficking victims, it could host victims in a domestic violence shelter, which restricted victims' movements if their safety was at risk. The government's victim assistance bureau partnered with an NGO to provide victims with wide-ranging and comprehensive care and assistance, which included legal assistance, shelter, food, clothing, medical care, and counseling among other services. Government health officials who provided medical services to women in a brothel also provided anti-trafficking awareness materials to educate this vulnerable population about their rights, indicators of human trafficking, and resources for assistance.

In 2015, the public prosecutor's office appointed a social worker trained to identify trafficking victims and assist all victims of crime, including trafficking victims, through the penal process. The government has a policy to protect victims from being punished for crimes committed as a direct result of being subjected to human trafficking. Trafficking victims could seek restitution from the government and file civil suits against traffickers; however none did so in 2015. The government reported it had a policy to provide foreign victims with legal alternatives to their removal to countries where they may face retribution or hardship and could grant temporary residency status on a case-by-case basis; it did not report granting such relief in 2015.

## PREVENTION

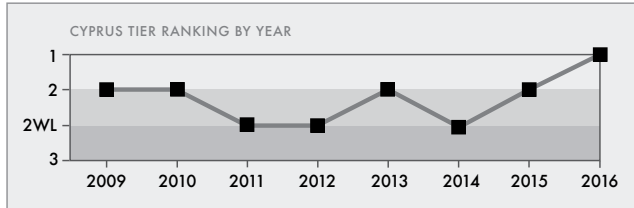
The government increased efforts to prevent trafficking. The interagency taskforce continued to coordinate national anti-trafficking efforts during the year and implement the Administrative Report on Trafficking in Persons, its existing anti-trafficking action plan; it also began to draft a revised version for 2016-2017. On International Human Trafficking Day, the minister of justice issued a public statement to raise awareness about the dangers of human trafficking. In addition, the government conducted eight video conferences with anti-trafficking taskforce coordinators of autonomous countries within the Kingdom of The Netherlands to share information and best practices. In June 2015, in coordination with INTERPOL, officials conducted a workshop on human trafficking for government personnel, with a focus on the vulnerabilities to trafficking faced by Colombians. The national coordinator participated in several radio and television programs to raise public awareness on human trafficking, and the government launched a public awareness video on national television during the carnival period, a period of increased tourism to Curacao. There were no known reports of child sex tourism occurring in Curacao. The government did not report efforts specifically targeting the demand for forced labor, nor did it have a campaign aimed at reducing the demand for commercial sex acts purchased from sex trafficking victims.

To prevent potential labor exploitation, officials ended an accelerated process for issuing work permits to ensure full review of each application. The Ministries of Justice and of Social Development, Labor, and Welfare began joint issuance of work and residence permits, and the Ministry of Labor began implementation of a policy allowing foreign migrant laborers to request residence permits independent of their employers to ensure employees had better knowledge of their work contracts. The Ministry of Social Development, Labor, and Welfare added 24 new labor inspectors in order to increase screening for human trafficking, tripling the number to 34. The government provided anti-trafficking training for its diplomatic personnel.

## CYPRUS: Tier 1

Cyprus is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Victims identified in Cyprus in 2015 were primarily from India, Bangladesh, Bulgaria, Romania, Philippines, Cameroon, Cote d'Ivoire, Slovakia, and Czech Republic. Sex trafficking victims from Paraguay were identified for the first time in 2015. Women, primarily from Eastern Europe, Vietnam, India, and sub-Saharan Africa, are subjected 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. Some female sex trafficking victims are recruited with false promises of marriage or work as barmaids or hostesses. Foreign migrant workers—primarily from South and Southeast Asia—are subjected 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 bondage, threats, and withholding of pay and documents. Asylum-seekers from Southeast Asia, Africa, and Eastern Europe are subjected 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.

The Government of Cyprus fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government convicted 31 traffickers, a significant increase from nine in 2014. The government approved a national referral mechanism outlining procedures for victim identification and referral to government services. It increased the number of police in the anti-trafficking unit from eight to 12 and expanded the unit's authority to make it the lead for all potential trafficking investigations throughout the country. Delays in delivering financial support to victims, a concern in the previous reporting period, were significantly reduced and trafficking victims were prioritized over less vulnerable beneficiaries. Authorities did not investigate potential trafficking cases among domestic workers or individuals in agriculture, as these cases were typically seen as labor disputes. Concerns were raised during the reporting period that some officers within the police anti-trafficking unit conducted insensitive interviews that may have re-traumatized victims. Observers also reported interpreters used in the interview process did not have sufficient knowledge of foreign languages, which may have affected victims' testimonies.



### RECOMMENDATIONS FOR CYPRUS:

Increase efforts to investigate potential labor trafficking cases among domestic workers and individuals in agriculture; fund specialized training for the police anti-trafficking unit, including best practices for interviewing trafficking victims; ensure professional translation services are available during victim interviews; increase efforts to raise awareness of trafficking and victim identification among police and migration authorities and provide training on victim identification, particularly for forced labor; launch a study of visa regimes for students, domestic and agricultural workers, and other categories to identify potential misuse by traffickers; further train judges and prosecutors to ensure robust application of the anti-trafficking law; seek timely restitution and adequate support services for victims; increase screening for trafficking among visa holders in vulnerable sectors such as agriculture and domestic work; and formalize the role of NGOs in the national referral mechanism.

### PROSECUTION

The government increased law enforcement efforts. Law 60(I) of 2014 prohibits all forms of trafficking and prescribes penalties of up to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. The government investigated 14 new cases involving 31 suspected traffickers in 2015, seven for sex trafficking and 24 for forced labor, compared with 24 cases involving 35 suspects in 2014. The government initiated prosecutions against 30 defendants under the trafficking law as well as chapter 154 of the penal code, chapter 105 of the Aliens and Immigration Law, and the Law for the Prevention of and Suppression of Money Laundering, an increase compared with 15 in 2014. Courts convicted 31 traffickers for sex trafficking under the anti-trafficking law and other laws, compared with nine in 2014 and two in 2013. All convicted traffickers received time in prison ranging from six months to eight years. The government continued to convict traffickers under non-trafficking statutes, leading to more lenient sentences in some instances. All identified victims cooperated with law enforcement in investigating their alleged traffickers. Authorities did not investigate potential trafficking cases among domestic workers or individuals in agriculture because officials perceived all such cases to be labor disputes.

The government increased the members of the police anti-trafficking unit from eight to 12 and expanded the unit's authority, designating it the lead in the investigation of all potential trafficking cases in all districts with support from other police units. The government funded 18 trainings and seminars to build the capacity of front-line responders throughout the government, including prosecutors, judges, law enforcement, social workers, and immigration officials. The police department produced a short film on trafficking, which it used during police training sessions. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.



## PROTECTION

The government increased efforts to protect victims, but identified fewer victims. The government streamlined the process for providing financial support to victims, a concern during the previous reporting period, and took all necessary steps to ensure trafficking victims were prioritized amongst less vulnerable groups entitled to public benefits. NGOs reported previous delays in the disbursement of monthly allowances to victims were significantly reduced during the reporting period. The government identified 40 victims of trafficking in 2015, compared to 46 in 2014. Of the 40 victims identified, 22 were labor trafficking victims, of which 16 were men and six were women. The government identified 13 victims of sex trafficking, all women. Two children, a 13-year-old boy and an 11-year-old girl, were victims of forced begging. Three people were victims of trafficking for criminal acts, two children and one woman. The government referred all identified victims to the social welfare office for government assistance. Eighteen female victims of sex trafficking, including some identified in the previous reporting period, were accommodated at the government-operated shelter in Nicosia, compared to 20 in 2014.

Victims could stay for one month or longer, as appropriate, in the shelter for a reflection period, a time in which victims could recover before deciding whether to cooperate with law enforcement. Female sex trafficking victims who chose not to stay in the state-run shelter were entitled to a rent subsidy and a monthly allowance. Female labor trafficking victims and all male victims of trafficking were eligible for a rent subsidy and a monthly allowance. As there were no specialized facilities for male trafficking victims, the government informally partnered with NGOs to place them in apartments. Observers reported shelter personnel were not adequately trained to provide the necessary psychological support to victims. Trafficking victims were referred to employment counselors trained to handle sensitive cases who sought suitable employment for each victim; however, finding employment for victims remained a challenge. Benefits to victims were not, as in previous years, automatically discontinued if a victim refused a job offer; rather, an employment counselor and social welfare officer examined each case. The government did not discontinue the provision of benefits to victims for any reason during this reporting period. The government provided financial support to the families of two child trafficking victims and referred the children to specialized therapy programs for substance abuse. Experts reported Social Welfare Service (SWS) staff in Nicosia exhibited greatly improved treatment of victims during the reporting period. The government provided 133,750 euros (\$147,125) in financial assistance to victims through a new public benefit scheme known as Guaranteed Minimum Income. The government provided an additional 116,988 euros (\$128,686) in the form of public assistance to victims who chose to stay in private apartments and were entitled to a rent subsidy and monthly allowance, compared with 118,066 euros (\$108,000) in 2014. The government spent 269,900 euros (\$302,700) to operate the trafficking shelter, an increase from 250,700 euros (\$281,000) in 2014. Victims had the right to work and were provided a variety of assistance and protection from deportation. They also had eligibility for state vocational and other training programs and the ability to change sectors of employment.

During the reporting period the government approved a national referral mechanism, which provides guidance on victim identification and outlines the referral procedure. Victims were interviewed by specialized personnel in the police anti-trafficking unit, which included a psychologist and a

forensic psychologist to conduct interviews with potential and identified victims before taking an official statement. During the reporting period, NGOs raised concerns that some of the police officers within the anti-trafficking unit conducted insensitive interviews that may have re-traumatized victims. Observers also reported interpreters used in the interview process did not have sufficient knowledge of local dialects, particularly for Francophone African countries, and made translation mistakes, which made victims' testimonies appear inconsistent. The law stipulates foreign victims be repatriated at the completion of legal proceedings, and police conducted a risk assessment for each victim prior to repatriation. The government granted temporary work permits to 28 victims during the reporting period; the remaining four victims chose not to participate in the police investigation against their traffickers and asked to be repatriated. The government granted asylum to two victims and extended the residence and work permit of three additional victims who asked to remain in the country after the completion of court proceedings. Twenty-two victims assisted law enforcement in the prosecution of suspected traffickers. Victims were permitted to leave Cyprus and return for trial and 10 victims did so during the reporting period; police remained in contact with victims while they were abroad to ensure their safety. Some victims assisted the police by providing written statements prior to being repatriated at their request. There were no reports of victims penalized for unlawful acts committed as a direct result of being subjected to human trafficking.

## PREVENTION

The government maintained prevention efforts. The multidisciplinary coordinating group to combat trafficking coordinated the implementation of the 2013-2015 National Anti-Trafficking Action Plan. During the reporting period, the Ministry of Labor carried out 111 inspections of employment agencies and investigated 13 complaints, referring four to the police for criminal investigation and revoking the licenses of 16 employment agencies for involvement in labor trafficking. The government continued to print and distribute booklets in seven languages aimed at potential victims on their rights and assistance available to them. The booklets were also distributed to Cypriot diplomatic and consular missions abroad to be given to visa applicants. The Ministry of the Interior provided training to labor inspectors, labor relations officers, social welfare officers, and officials in the Ministry of Health on labor trafficking and the provisions of the new 2014 trafficking law. It also included a segment on trafficking in the curriculum for students aged 15-18 years. A ministerial decision in April 2015 simplified the procedures for domestic workers to change employers and removed the minimum time requirements that a domestic worker stay with the same employer. The government did not report efforts to reduce the demand for forced labor or commercial sex acts. An NGO, in collaboration with the Ministry of Defense, continued to deliver lectures to soldiers about trafficking. The government provided anti-trafficking training for its diplomatic personnel.

## 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. The area administered by Turkish Cypriots continues to be a zone of impunity for human trafficking. The area is increasingly a destination for women from Central Asia, Eastern Europe, and Africa who are subjected

to forced prostitution in nightclubs licensed and regulated by the Turkish Cypriot administration. Nightclubs provide a significant source of tax revenue for the Turkish Cypriot administration; media reports estimated nightclub owners pay between 20 and 30 million Turkish lira (\$7-10 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, Pakistan, Philippines, Turkey, Turkmenistan, and Vietnam. 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. Roma children and Turkish seasonal workers and their families are also vulnerable to labor exploitation. Women who are issued permits for domestic work are vulnerable to forced labor. As in previous years, NGOs reported a number of women entered the "TRNC" from Turkey on three-month tourist or student visas and engaged in prostitution in apartments in north Nicosia, Kyrenia, and Famagusta; some may be trafficking victims. Migrants, asylum-seekers, refugees, and their children are also at risk for sexual exploitation.

If the "TRNC" were assigned a formal ranking in this report, it would be Tier 3. Turkish Cypriot authorities do not fully meet the minimum standards for the elimination of trafficking and are not making significant efforts to do so. The area administered by the Turkish Cypriots lacked an anti-trafficking "law." Turkish Cypriots did not keep statistics on law enforcement efforts against trafficking offenders. The area administered by Turkish Cypriots lacked shelters for victims 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.

Turkish Cypriots do not have a "law" that specifically prohibits trafficking in persons. Were there any trafficking-related cases, they would be tried under the "TRNC" "criminal code," which prohibits living off the earnings of prostitution or encouraging prostitution. The "criminal code" also prohibits forced labor. The "Nightclubs and Similar Places of Entertainment Law of 2000" provides the most relevant legal framework vis-a-vis trafficking and stipulates that nightclubs may only provide entertainment such as dance performances. Turkish Cypriots did not enforce this law nor did the "TRNC" prosecute nightclub owners, bodyguards, or clients during the reporting period. The authorities made no efforts to punish labor recruiters or brokers involved in the recruitment of workers through knowingly fraudulent offers of employment 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 Cypriots did not provide any specialized training on how to investigate or prosecute human trafficking cases.

Turkish Cypriot authorities did not allocate funding to anti-trafficking efforts, police were not trained to identify victims, and authorities provided no protection to victims. An NGO reported identifying a Ukrainian sex trafficking victim at the airport. The victim filed a complaint with the police implicating the nightclub owner and returned to her home country shortly thereafter; the police did not follow up on this case. In May

2015, a trafficking victim from Moldova broke her leg while trying to escape from the State Hospital, where she was locked in a room and threatened with deportation. 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. NGOs reported women preferred to keep their passports but police convinced them to render passports to police to avoid deportation. Foreign victims who voiced discontent about the treatment they received were routinely deported. Victims of trafficking serving as material witnesses against a former employer were not entitled to find new employment and resided in temporary accommodation arranged by the police; experts reported women were accommodated at nightclubs. The Turkish Cypriot authorities did not encourage victims to assist in prosecutions against traffickers, and all foreign victims were deported. If the police requested a victim to stay to serve as a witness, the police were required to provide temporary accommodation. The "Prime Minister" announced a "cabinet" decision to allocate land for construction of a women's shelter; however, NGOs criticized the "government" for announcing the location of the planned shelter. There was one privately funded shelter in operation during the reporting period, which provided protective services for six trafficking victims.

In 2015, "TRNC" authorities issued 1,481 six-month "hostess" and "barmaid" work permits for individuals working in 36 nightclubs and two pubs operating in the north. As of March 2016, 434 women worked under such permits. Nightclub owners hired female college students during the reporting period to bypass the cap on the number of employees legally permitted in each club and avoid taxes and monitoring. An NGO reported authorities did not consistently document the arrival of women intending to work in nightclubs. The majority of permit holders came from Moldova, Morocco, and Ukraine, while others came from Belarus, Kazakhstan, Kenya, Kyrgyzstan, Paraguay, Russia, 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 508 women who curtailed their contracts without screening for trafficking. While prostitution is illegal, female nightclub employees were required to submit to biweekly health checks for sexually transmitted infection screening, suggesting recognition and tacit approval of the prostitution industry. Victims reported bodyguards at the nightclubs accompanied them to health and police checks, ensuring they did not share details of their victimization with law enforcement or doctors. Turkish Cypriots made no efforts to reduce demand for commercial sex acts or forced labor. The "law" that governed nightclubs prohibited foreign women from living at their place of employment; however, most women lived in group dormitories adjacent to the nightclubs or in other accommodations arranged by the establishment owner. The "Nightclub Commission," comprised 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 "Ministry of Interior" regarding operating licenses, changes to employee quotas, and the need for intervention at a particular establishment. During the reporting period, police conducted several unannounced inspections of the nightclubs; however, corruption and a lack of political will undermined any anti-trafficking efforts. 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. The hotline led to the identification of 11 female nightclub employees, who were later repatriated. A total of 32 women were repatriated during the reporting period. Experts reported trafficking victims were afraid to call the hotline because they believed it was linked to the authorities. Between April and December 2015, the "TRNC" issued 724 work permits to domestic workers.

## RECOMMENDATIONS FOR TURKISH CYPRIOT AUTHORITIES:

Enact "legislation" prohibiting all forms of human trafficking; screen for human trafficking victims within 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; and acknowledge and take steps to address conditions of forced labor, including among domestic workers.

## CZECH REPUBLIC: Tier 1

The Czech Republic is a source, transit, and destination country for women and children subjected to sex trafficking and a source, transit, and destination country for men and women subjected to forced labor. Women, girls, and boys from Czech Republic, Slovakia, Ukraine, Romania, Bulgaria, Nigeria, the Philippines, and Vietnam are subjected to sex trafficking in Czech Republic and also transit through Czech Republic to other European countries where they are subjected to sex trafficking. Men and women from Czech Republic, Ukraine, Romania, Bulgaria, Moldova, Mongolia, the Philippines, Russia, and Vietnam are subjected to forced labor in Czech Republic, typically through debt bondage, in the construction, agricultural, forestry, manufacturing, and service sectors, including in domestic work, and may also transit through Czech Republic to other countries in Europe where they are exploited. The majority of identified victims in the country are Czech. Romani women from Czech Republic are subjected to forced prostitution and forced labor internally and in destination countries, including the UK.

The Government of the Czech Republic fully meets the minimum standards for the elimination of trafficking. The government slightly increased funding for NGOs providing victim services, but identified fewer potential victims and enrolled significantly fewer victims into its program to protect individuals assisting law enforcement. Law enforcement efforts increased as authorities achieved significantly more convictions in 2015 than in 2014, although the government initiated fewer prosecutions; not all sentences were commensurate with the severity of the crime. Victims continued to have minimal opportunities to access court-ordered or state-funded compensation.



**RECOMMENDATIONS FOR CZECH REPUBLIC:**  
Vigorously investigate and prosecute suspected offenders

of both sex and labor trafficking using the anti-trafficking statute; increase training for prosecutors and judges on applying the anti-trafficking statute; sensitize judges to the severity of this crime to ensure convictions result in proportionate and dissuasive sentences; improve victims' ability to access the government-funded witness-support program and court-ordered restitution; train first responders, including labor inspectors, police, and state contracting officers, on labor trafficking victim identification criteria and evolving trends in labor trafficking; enhance collaboration between the labor inspectorate and police on investigating potential labor trafficking cases; conduct large-scale public awareness-raising campaigns, particularly on labor trafficking; and disaggregate data on the type of trafficking involved in law enforcement and victim protection efforts.

## PROSECUTION

The government demonstrated strengthened law enforcement efforts. The government prohibits all forms of trafficking under section 168 of its criminal code, which prescribes punishments of up to 16 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government did not disaggregate sex and labor trafficking data. In 2015, police initiated 18 investigations into suspected trafficking cases, nine of which proved to involve trafficking crimes. Authorities prosecuted 12 defendants for trafficking crimes in 2015, a decline from 16 in 2014 and 30 in 2013. During 2015, Czech courts convicted 19 traffickers, an increase from six in 2014. Five of the 19 convicted traffickers received one to five years' imprisonment and seven received five to 15 years' imprisonment; seven convicted traffickers received suspended prison sentences. The government froze assets equaling approximately 36,673,000 koruna (\$1,515,000) from suspected traffickers. Czech authorities collaborated with foreign governments on four transnational investigations.

The organized crime branch of the Czech police maintained a specialized anti-trafficking unit that trained 253 police officers, labor inspectors, and other officials in 2015. Authorities reported the need for better collaboration between the police and labor inspectors, as well as enhanced training for inspectors on labor trafficking indicators. Observers reported prosecutors and judges pursued trafficking cases unevenly due to lack of familiarity with the law or a preference to prosecute traffickers for non-trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government sustained progress in victim protection efforts. Police reported identifying 92 victims in 2015, all of whom were referred to services, compared with 67 in 2014. Government-funded NGOs provided services to 171 newly identified potential victims in 2015, 79 of whom were directly identified by NGOs. Authorities provided victims with a 60-day reflection period, in which victims received care and determined whether to cooperate with law enforcement. The Ministry of Interior (MOI) continued to fund its witness-support program, which provided funding to NGOs providing services for adult victims willing to cooperate with law enforcement. In 2015, four victims entered the program, a decrease from 43 in 2014. Consistent with the last two years, the MOI made available 2 million koruna (\$82,600) to support NGOs assisting victims enrolled in the witness support program, as well as NGOs' trafficking prevention projects. Authorities reported the MOI's program



did not provide adequate resources for victims with children. Identified child victims received care outside of the MOI's program through publicly funded NGOs that provided shelter, food, clothing, and medical and psychological counseling. Police also employed child psychologists to assist in cases involving children. The Ministry of Labor and Social Affairs provided 6,072,000 koruna (\$250,880) in 2015 to NGOs providing care for trafficking victims, a 14 percent increase from 2014.

Foreign victims who cooperated with investigators could receive temporary residence and work visas for the duration of the relevant legal proceedings; however, no foreign victims received temporary residency or other relief from deportation during the reporting period. Upon conclusion of court proceedings, victims could apply for permanent residency; no victims received permanent residency in 2015, compared with one in 2014. Victims were eligible to seek court-ordered compensation from their traffickers, although such restitution was rare, as victims often feared retribution from their traffickers during criminal cases and could not afford attorney fees for a civil suit. In one 2015 case, a court ordered a convicted trafficker to pay 360,000 koruna (\$14,870) to a victim. The government does not maintain a compensation fund for victims subjected to trafficking within the country. There were no reports the government penalized identified victims for unlawful acts committed as a direct result of being subjected to trafficking.

## PREVENTION

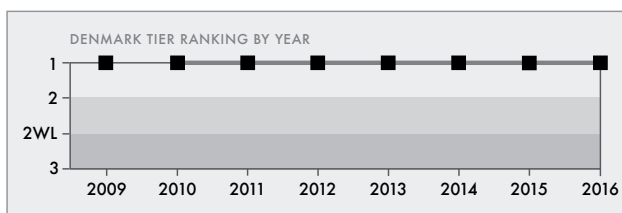
The government maintained modest prevention efforts. The interior minister chaired an inter-ministerial body that coordinated national efforts and worked to implement the 2012-2015 national action plan; the draft 2016-2019 strategy remained pending approval at the close of the reporting period. A unit in the MOI served as the national rapporteur and prepared a comprehensive annual report on patterns and programs, which it released publicly. The government continued to fund an NGO-run hotline to identify victims of trafficking and domestic violence, which received over 700 calls in 2015. The hotline offered translation for foreign victims, but was only operational during business hours. Czech law did not criminalize confiscation of workers' passports. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

## DENMARK: Tier 1

Denmark is primarily a destination and transit country for men, women, and children subjected to forced labor and sex trafficking from Eastern Europe, Africa, Southeast Asia, and Latin America. Migrants are subjected to labor trafficking in agriculture, domestic service, restaurants, hotels, and factories through debt bondage, withheld wages, abuse, and threats of deportation. Unaccompanied migrant children are vulnerable to sex trafficking and forced labor, including theft and other forced criminality. Since 2009, 25 children have been identified as victims of trafficking in Denmark, nine forced into pickpocketing, three into cleaning restaurants, five into forced criminal activity, and eight into selling sex. Copenhagen's relatively small red-light district represents only a portion of the country's larger commercial sex trade, which includes sex trafficking in brothels, bars, strip clubs, and private apartments. The rise in migrants, asylum seekers, and refugees entering

and transiting Denmark increases the size of the population vulnerable to human trafficking.

The Government of Denmark fully meets the minimum standards for the elimination of trafficking. In May 2015, the government approved its 2015-2018 national action plan against human trafficking, which expanded the funding and scope of the government's efforts to combat trafficking, focusing on prevention, outreach, victim support, and partnerships with NGOs. The government identified an increased number of victims of trafficking and trafficking-related crimes and continued to fund victim service providers. The government used its human trafficking law to convict three individuals of crimes related to labor trafficking. However, the government's default approach to trafficking cases involving victims without EU residency was to repatriate victims to their countries of origin. The effective lack of alternatives to removal impeded the ability of law enforcement to pursue traffickers and left victims vulnerable. In the last four years, only four victims have been granted asylum, despite the government officially identifying almost 300 victims. The temporary residence permit that exists for trafficking victims, authorized through a 2013 amendment to the Aliens Act, gave authorities the ability to stay deportation in order for victims to assist in an investigation; this legal tool has never been used for trafficking victims.



## RECOMMENDATIONS FOR DENMARK:

Pursue a more victim-centered approach to trafficking by increasing incentives for victims to cooperate in the prosecution of traffickers, including by permitting temporary residency for victims while they assist law enforcement; more vigorously prosecute trafficking offenses and convict sex and labor traffickers; sentence traffickers in accordance with the gravity of the offense; avoid penalizing victims for crimes committed as a direct result of being subjected to trafficking, including through assessing whether new guidelines concerning withdrawal of charges against victims of trafficking prevent their penalization and detention; expand 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 and increase identification among this vulnerable group.

## PROSECUTION

The government made progress in law enforcement efforts, although inadequate efforts to incentivize victims to assist in investigations and prosecutions impeded these efforts. Denmark prohibits all forms of trafficking through section 262(a) of its criminal code, which prescribes punishments of up to 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

The national police investigated three cases of trafficking in 2015, a decrease from 12 in 2014. However, in 2015, the government initiated prosecutions of 58 trafficking suspects, an