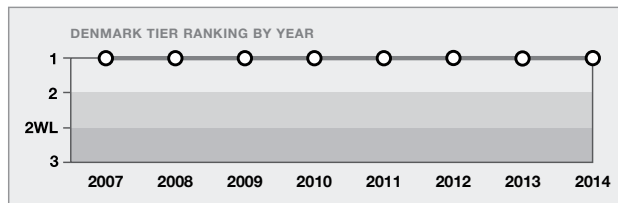


567 labor recruitment agencies, though the MLSA did not report how many violations were discovered. The interior minister chaired an inter-ministerial body that coordinated national efforts and worked to implement the 2012-2015 national action plan. A unit in the MOI served as the national rapporteur and prepared a comprehensive annual report on anti-trafficking patterns and programs, which it released publicly. The government continued to fund an NGO-run hotline to identify victims of trafficking; in 2013, the hotline received calls from 482 separate individuals. The government demonstrated efforts to reduce the demand for commercial sex acts during the year. The Czech Republic is not a party to the 2000 UN TIP Protocol.

## DENMARK (Tier 1)

Denmark is primarily a destination country for men, women, and children subjected to forced labor and sex trafficking from Africa, Southeast Asia, Eastern Europe, and Latin America. Migrants working in agriculture, domestic service, restaurants, hotels, and factories are subjected to labor trafficking through debt bondage, withheld wages, abuse, and threats of deportation. During the year, experts reported increased awareness of forced labor crimes and victims in labor sectors, including Vietnamese migrants subjected to forced labor on illegal cannabis farms in the country. Unaccompanied migrant children are vulnerable to sex trafficking and forced labor, including theft and other forced criminality. There was at least one case of a foreign diplomat posted in Denmark who subjected a household worker to domestic servitude in 2013. Copenhagen's relatively small red-light district represents only a portion of the country's larger commercial sex trade, which includes forced prostitution in brothels, bars, strip clubs, and private apartments.

The Government of Denmark fully complies with the minimum standards for the elimination of trafficking. During the year, the government launched its first prosecutions of forced labor offenders and identified an increased number of trafficking victims. While the government increased support for victims who agreed to participate in its prepared return program, the government's primary emphasis on the repatriation of victims resulted in few convictions of trafficking offenders, and few other viable options or alternatives to removal for victims who may face retribution in their countries of origin. The government's lack of incentives for victims to participate in the prosecution of their traffickers remained a significant obstacle to the government's ability to bring traffickers to justice in Denmark. The government provided trafficking victims who lacked legal status with an extended time period for departure from the country if they agreed to cooperate in their repatriation; however, it did not demonstrate that it provided temporary residency permits or other forms of immigration relief to trafficking victims to specifically encourage their participation in the prosecution of their perpetrators in 2013. Finally, the government prosecuted identified trafficking victims during the year, punishing them for crimes they committed as a direct result of being trafficked.



## RECOMMENDATIONS FOR DENMARK:

Pursue a more victim-centered approach to trafficking by increasing incentives for trafficking victims to cooperate in the prosecution of their trafficking offenders; ensure trafficking victims are provided with legal alternatives to their removal to countries where they face retribution or hardship; vigorously prosecute trafficking offenses, and convict and sentence sex and labor trafficking offenders; ensure trafficking offenders serve sentences commensurate with the serious nature of the offense; investigate why so few trafficking cases are prosecuted compared with the number of victims identified; proactively implement the 2013 amendment to the Aliens Act that provides foreign victims of crime temporary residency while they assist in a prosecution by granting it for trafficking victims; create trafficking-specific provisions or expand use of existing provisions as alternatives to deportation for trafficking victims who face harm and retribution in their countries of origin; ensure that potential victims are not re-victimized, treated as offenders, or detained; consider amending Danish law to ensure trafficking victims can be considered a specific legal category exempting them from punishment for all crimes committed as a direct result of their trafficking; urge prosecutors and court officials to withdraw charges against known trafficking victims; expand law enforcement efforts to proactively identify and expeditiously transfer potential trafficking victims from police or immigration custody to crisis centers; build on efforts to refer potential trafficking victims with illegal status to crisis centers instead of first remanding them to police custody or detention, to facilitate trust and increase identification among this vulnerable group; and continue efforts to increase detection of forced labor and identification of children who are subjected to trafficking.

## PROSECUTION

The Government of Denmark sustained anti-trafficking law enforcement efforts, but held few trafficking offenders accountable in 2013. Denmark prohibits all forms of both sex trafficking and forced labor 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 government increased the number of trafficking investigations in 2013, and investigated 20 trafficking suspects in 2013, charging 16 of these suspects under 262(a), compared with nine trafficking suspects investigated in 2012. The government initiated prosecutions of 16 trafficking offenders in 2013, an increase from 11 in 2012. It convicted three sex trafficking offenders in 2013, the same number it convicted in 2012. Sentences for the convicted trafficking offenders were 10 months', three years', and four years' imprisonment. The government launched its first prosecutions under 262(a) for forced labor during the reporting period. In March 2014, a court acquitted one suspect in a forced labor case in which two alleged victims were forced to work in the cleaning sector; the prosecutor is appealing the case. Three other forced labor cases involving seven trafficking suspects and one sex trafficking case involving six suspects remained in the prosecution phase at the end of the reporting period. Although the government can request that trafficking victims without legal status in Denmark be provided with temporary residence explicitly to assist law enforcement and testify in a trial, the government did not implement the residence permit during the reporting period. Country experts reported that few trafficking cases are brought to trial in Denmark because of the lack of incentives for victims to participate in the investigation of their trafficking offenders.

The Government of Denmark did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses.

## PROTECTION

The government demonstrated some progress in the protection of trafficking victims. In 2013, it identified 76 trafficking victims, an increase from 66 identified trafficking victims the previous year. These victims included 11 victims of forced labor and two children. Its primary emphasis, however, on the repatriation and return of foreign trafficking victims and lack of implementation of provisions for alternatives to their removal resulted in few protections for victims who face harm and retribution in their countries of origin. Denmark continued to be the only county in the EU that lacks a trafficking-specific residence permit. Further, the government did not demonstrate that it granted non-trafficking-specific temporary residency permits to trafficking victims to encourage their assistance in the investigation and prosecution of their trafficking offenders during the year. In June 2013, the government amended its Aliens Act to allow foreign victims of crime to temporarily remain in Denmark to assist in the prosecution of their offenders. The government did not demonstrate that it implemented this provision for trafficking victims during the reporting period.

The government continued to employ innovative methods to uncover forced labor crimes; its outreach and training to tax authorities led to the identification of six forced labor victims by referral of tax authorities in 2013. Further, the government continued to increase coordination between law enforcement and social workers in an effort to improve victim identification and to employ confidence-building techniques to identify potential trafficking victims arrested and detained on immigration violations. For example, government protection officials reported increased visits to foreign women in prostitution held in jail during the reporting period to encourage potential victims to come forward. NGOs reported that the government's increased resources to aid the Danish Center Against Human Trafficking (CMM)'s efforts in jails and asylum centers led to improved victim identification. During the reporting period, 48 trafficking victims were identified while in detention, 14 were identified by social organizations, four identified in CMM's drop-in shelters, three by trade unions, and seven by other means. Despite these efforts, NGOs report that Denmark's lack of specific incentives for victims rendered it nearly impossible to get victims to speak out against their traffickers. NGOs noted the onus of victim identification remained unrealistically on trafficking victims, particularly if the identification efforts occurred in detention settings during Denmark's 72-hour limitation for charging an individual with a crime. The government continued to support three crisis centers and a mobile outreach health unit that served victims of trafficking, which accommodated 72 victims of trafficking. Victims were free to come and go from these centers.

While the government reported asylum or humanitarian residency permits can be used as alternatives to removal for victims who lack legal status in Denmark, trafficking victims cannot qualify for these provisions or be officially granted these protections solely on the basis of being subjected to trafficking crimes in Denmark; they must otherwise prove that they were persecuted in their home countries on the basis of Refugee Convention grounds. NGOs and government protection officials report that asylum is rarely granted to trafficking victims in Denmark. The government granted asylum to two trafficking victims during the year, including one incarcerated sex trafficking

victim and a victim subjected to domestic servitude by a foreign diplomat posted in Denmark; this represents an increase from no victims granted asylum the previous year. However, the government denied an asylum claim to a Nigerian trafficking victim and initiated deportation proceedings against her and her young child after her testimony helped secure conviction against her traffickers. According to the victim's attorney and an official who helped investigate the case, the victim received death threats from members of her trafficking network during the trial and faced immediate harm upon possible return to Nigeria. The government issued a stay of deportation in 2013 after a case was filed with the United Nations Human Rights Committee. Amnesty International raised serious concerns about the threatened deportation with the government during the year and urged the government to increase overall protections for foreign trafficking victims in Denmark who faced serious harm upon their return to countries of origin.

The government continued to offer trafficking victims an "extended time limit for departure" as part of its prepared return program for trafficking victims who have been ordered to leave Denmark; the prepared return gives victims a specified period of time to receive services in Denmark before their eventual deportation. During the year, the government prolonged this period of time from 100 to 120 days to "improve the planning of the victims return to the country of origin." As noted by regional anti-trafficking experts, including the Council of Europe, the "reflection" aspect of this prolonged period does not refer to a period of rest and recovery necessary to determine whether or not a victim will cooperate in the investigation of their case; rather it is a period of time the victims have to cooperate in their repatriation. In 2013, 11 trafficking victims participated in the prepared return program, compared to 13 in 2012. During the reporting period, the government increased the level of after-care support it provided to victims in this program from three to six months and provided increased funding for housing, medical assistance, and income generating activities to help victims achieve a sustainable reintegration in their country of origin. Despite this increased support, few trafficking victims agreed to participate in the program, reportedly based on a perception that it is merely a preparation for deportation. NGOs reported that victims' debt bondage to their trafficking offenders serves as a significant deterrent from accepting the prepared return.

During the year, the government prosecuted trafficking victims for crimes committed as a direct result of their trafficking. In one case, the government prosecuted three Vietnamese nationals who were identified as trafficking victims for cannabis cultivation. The government reported it continued to provide guidelines instructing police commissioners, chief prosecutors, and regional public prosecutors to withdraw charges against formally identified victims of trafficking if the alleged offence relates to the trafficking and cannot be characterized as a serious crime. The government reported it dropped charges in a different case for at least five other Vietnamese nationals arrested for cannabis cultivation in 2013.

## PREVENTION

The Government of Denmark sustained efforts to prevent trafficking during the reporting period. Its center against human trafficking continued a public information campaign aimed at increasing public awareness of sex trafficking and reducing demand for prostitution. The center also conducted outreach to 15 municipalities in Denmark on identification and assistance for child trafficking victims, including development

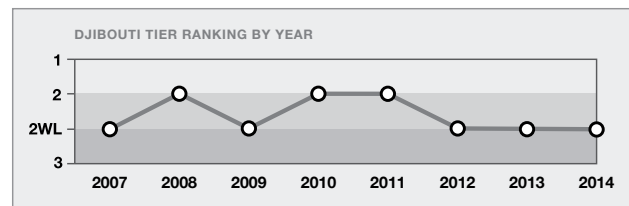
and dissemination of a booklet that included indicators and information on where to refer children who may be potential trafficking victims. In 2013, the Danish tax authority continued its innovative efforts to train tax inspectors and employees of trade unions on labor trafficking identification, training over 1,000 tax officials. The government also continued to train social workers, police officers, judges, prosecutors, immigration officers, health professionals, and NGOs on human trafficking during the year. The government designated the equivalent of approximately \$680,000 to fund victim identification, prepared return, and public awareness activities in 2013 and 2014 as part of its 2011-2014 national action plan, and allocated the equivalent of approximately \$1.9 million to fund activities in 2015. The government initiated a program to reduce the demand for prostitution and forced labor during the reporting period, but has yet to implement this campaign. The Danish Ministry of Defense provided human rights training to Danish soldiers prior to their deployment abroad on international peacekeeping missions, which included instruction on its zero-tolerance policy on human trafficking.

## DJIBOUTI (Tier 2 Watch List)

Djibouti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Some of Djibouti's older street children reportedly act as pimps of younger children in the sex trade. Members of foreign militaries stationed in Djibouti contribute to the demand for women and girls in prostitution, including possible trafficking victims. Street children—including those from Djibouti, Ethiopia, and Somalia—are sometimes forced by their parents or other adult relatives to beg as an additional source of family income; children may also be recruited from foreign countries for begging in Djibouti. Children are vulnerable to forced labor as domestic servants and coerced to commit petty crimes, such as theft. Over 80,000 men, women, and children from Ethiopia, Somalia, and Eritrea are estimated to have transited through Djibouti as voluntary and undocumented economic migrants *en route* to Yemen and other locations in the Middle East. An unknown number of these migrants are subjected to conditions of forced labor and sex trafficking upon arrival in these destinations. During their time in Djibouti, which may last for extended periods, this large migrant population, including foreign street children, is vulnerable to various forms of exploitation, including human trafficking. Some Djiboutian and migrant women and girls fall victim to domestic servitude or sex trafficking in Djibouti City; the Ethiopia-Djibouti trucking corridor; or Obock, the preferred departure point for Yemen via the Red Sea or Gulf of Aden. Some migrants intending to be smuggled may be moved or detained against their will and endure beatings and abuse within Djibouti. Smuggling networks, including Djiboutians and Djiboutian residents, may charge exorbitantly high rents or kidnap and hold migrants, including children, for ransom—increasing their vulnerability to trafficking and debt bondage; reports indicate some migrant women were subjected to domestic servitude and forced prostitution in Djibouti to pay these ransoms. In addition, ransoms are, at times, paid by traffickers based in Yemen or Saudi Arabia, who reportedly intend to exploit migrants upon their arrival there.

The Government of Djibouti does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has not shown evidence of increasing efforts to address human

trafficking compared to the previous year; therefore, Djibouti is placed on Tier 2 Watch List for a third consecutive year. Djibouti was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking, and it has committed to devoting sufficient resources to implement that plan. During the year, officials, including the prime minister, acknowledged the existence of trafficking in Djibouti and demonstrated a renewed interest in combating the crime—most evident in the government's completion of a national action plan in March 2014. The Ministry of Justice (MOJ) took steps to coordinate and focus its efforts on trafficking—and to attract donor support for anti-trafficking projects—by creating a senior taskforce that met regularly and included the Attorney General, the Inspector General of the Judiciary, and the MOJ's Foreign Affairs Advisor. The government expanded its partnership with IOM, which included joint trainings of officials and the publication of awareness-raising materials in 2013. The government continued to provide basic healthcare to undocumented migrants, but generally failed to recognize their vulnerabilities to trafficking or identify and protect those migrants who were victims of human trafficking in Djibouti. The government did not collect statistics on trafficking victims and did not provide information on any victims identified in 2013. Although officials convicted one trafficker, he was released from jail when his appeal resulted in a suspended sentence—an inadequate deterrent to the commission of trafficking crimes. The government failed to investigate or initiate the prosecution of any forced labor or child prostitution crimes during the year.



### RECOMMENDATIONS FOR DJIBOUTI:

Finalize and implement the national action plan; when implementing anti-trafficking laws, identifying victims, and combating trafficking generally, use a broad definition of trafficking in persons consistent with the 2000 UN TIP Protocol that does not rely on evidence of movement, but rather on exploitation of the victim; work with judges, prosecutors, and police to clarify the difference between cases of human trafficking and alien smuggling; enforce the anti-trafficking laws through investigation and prosecution of trafficking offenders, especially those responsible for child prostitution, domestic servitude, or other forced labor offenses, and provide data on convictions and sentences of trafficking offenders; institute a module on human trafficking as a standard part of the mandatory training program for new police and border guards; establish policies and procedures for government officials—including law enforcement, health, and social welfare officers—to identify proactively and interview potential trafficking victims and transfer them to care; expand mechanisms for providing protective services to victims, possibly through the forging of partnerships with NGOs or international organizations; form partnerships with local religious leaders, encouraging them to educate their congregations about trafficking; and launch a nationwide anti-trafficking awareness campaign.

## PROSECUTION

The government made minimal law enforcement efforts to address human trafficking crimes. Djibouti's Law 210, "Regarding the Fight Against Human Trafficking," enacted in December 2007, prohibits both forced labor and sex trafficking, but does not adequately distinguish between human trafficking and alien smuggling. It provides for the protection of victims regardless of ethnicity, gender, or nationality, and prescribes penalties of two to five years' imprisonment, penalties which are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. Law 111, "Regarding the Fight Against Terrorism and Other Serious Crimes" of 2011, increased penalties to 10 years' imprisonment for human trafficking crimes and adequately defines the crime in line with international law.

The government reported law enforcement efforts to address potential trafficking crimes, including one trafficking conviction in 2013. In this case, the courts convicted a sex trafficker—under delinquency, pimping, and abuse of power provisions—for forcing his employees into prostitution with threats of firing; he also made his staff recruit children into prostitution and rewarded the staff if they did so. Although initially sentenced to two years' imprisonment in February 2013, upon appeal of his conviction in May 2013, the defendant received a two year suspended sentence and was released from prison; the limited term of imprisonment imposed served as an ineffective deterrent to the commission of trafficking crimes. The government did not investigate or initiate prosecutions of forced labor or child prostitution offenses during the reporting period.

A deputy prosecutor had responsibility for overseeing all human trafficking prosecutions. At three training sessions funded by IOM and held in a government facility in 2013, the deputy prosecutor trained 75 *gendarme*, police, and security officials on Law 210 and the difference between trafficking and smuggling. Local stakeholders believed the government must increase its efforts to train front-line responders—including police, immigration, and coast guard officials—on the nature of trafficking and procedures for identifying victims. In 2013, the Djiboutian police partnered with Ethiopian officials to share information and apprehend an undisclosed number of Ethiopian smugglers and potential traffickers involved in the movement of Ethiopian nationals through Djibouti. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

## PROTECTION

Government efforts to protect victims of trafficking remained inadequate; it did not report identification of any victims of human trafficking in 2013. It lacked a formal system to proactively identify victims of trafficking among high-risk populations, such as undocumented immigrants and persons found in prostitution. Official round-ups, detentions, and deportations of non-Djiboutian residents, including children, remained routine. Among undocumented foreigners, the government focused on identifying their country of origin and deporting them; it did not consistently screen this population for trafficking victimization. Djiboutian authorities provided a basic level of care to African migrants in crisis, including food and emergency outpatient care for dehydration, pregnancy, or injuries received while traveling. Because of the government's lack of screening procedures, it is unclear whether trafficking victims among this migrant population received these services. The government detained children in prostitution and street children, including potential trafficking victims, following

sweeps to clear the streets in advance of holidays or national events; after detention, if identified as Ethiopian or Somali, immigration officials transported the children to Ali Sabieh, near the Ethiopian border, and abandoned them there, leaving them vulnerable to potential re-trafficking.

The government did not have a policy in place to encourage victims' participation in investigations. Although the government implemented a program to grant residency status to undocumented Ethiopian migrants, a population vulnerable to trafficking in Djibouti, it did not formally offer foreign trafficking victims legal alternatives to removal to countries where they may face hardship or retribution. The Ministry of the Interior, the agency responsible for protection of refugees, and the Ethiopian embassy collaborated on the voluntary return of 417 Ethiopians from Djibouti in 2013; IOM estimated this group included 50 trafficking victims, although details on whether this group included victims of labor or sex trafficking were not available.

## PREVENTION

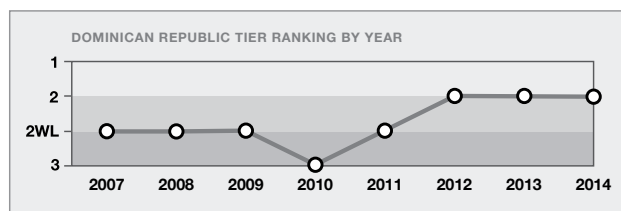
Although the government finalized its national action plan, tangible efforts to prevent trafficking were minimal overall. The previous anti-trafficking working group led by the Ministry of Justice was disbanded and replaced by a more senior team; however, the lack of ministerial coordination across the government to combat this crime continued to be a concern. In addition, government officials reviewed and contributed to IOM's development of awareness-raising materials—targeting prospective migrants and those in transit—which covered the differences between trafficking and smuggling, the dangers of irregular migration, and phone numbers for emergency services in Djibouti. At the end of the reporting period, these materials had been printed, but not distributed. The government did not coordinate any awareness raising events during the reporting period. The government reportedly arrested clients of women in prostitution, but did not take any other known measures to reduce the demand for commercial sex acts or make efforts to minimize the demand for forced labor. It provided Djiboutian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though such training was conducted by a foreign donor.

## DOMINICAN REPUBLIC (Tier 2)

The Dominican Republic is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Large numbers of Dominican women and children are subjected to sex trafficking throughout the Dominican Republic, the Caribbean, Europe, South and Central America, the Middle East, Asia, and the United States. Additionally, the commercial sexual exploitation of local children by foreign tourists is a problem, particularly in coastal resort areas of the Dominican Republic. Dominican and foreign women in exotic dancing and in prostitution are highly vulnerable to sex trafficking within the country. Dominican officials and NGOs have documented cases of children forced into domestic service, street vending, begging, agricultural work, construction, and moving of illicit narcotics. The large populations of working children and street children are highly vulnerable to forced labor and sex trafficking. There are reports of forced labor of adults in construction, agricultural, and service sectors. The large population of undocumented or stateless persons

of Haitian descent in the country is particularly vulnerable to trafficking. A 2013 Constitutional Tribunal ruling denies Dominican citizenship to a broad group of people (mostly of Haitian descent) born in the Dominican Republic; tens of thousands of workers who fall into this category may be more susceptible to abuse, with some unwilling to report instances of human trafficking due to heightened fear of deportation.

The Government of the Dominican Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government prosecuted an increased number of labor and sex trafficking defendants, including a police officer, and punished offenders with imprisonment. While victim protection remained inadequate, the government implemented a policy to provide temporary residence permits to foreign victims. The government lacked a nationwide anti-trafficking awareness campaign, but established an entity to improve coordination of anti-trafficking efforts.



### RECOMMENDATIONS FOR THE DOMINICAN REPUBLIC:

Vigorously prosecute trafficking offenses and convict and punish offenders involved in adult and child forced labor and sex trafficking, especially government employees complicit in forced prostitution or forced labor; continue robust victim identification efforts by working with NGOs to guide labor ministry officials in how to identify trafficking victims (especially adult and child victims in the sex trade and in the agriculture and construction sectors) and refer them to available services; identify and assist adult and child forced labor victims and those impacted by the 2013 Constitutional Tribunal ruling on citizenship; work with NGOs to provide adequate shelter and services to adult and child victims; fund specialized services for adult and child trafficking victims; and implement a forced labor and forced prostitution awareness campaign in Spanish and Creole that targets trafficking victims and the demand for commercial sex acts and forced labor, and provides instruction for reporting human trafficking cases.

### PROSECUTION

The government demonstrated significant progress in law enforcement efforts by increasing the number of prosecutions and convictions related to human trafficking compared with the previous year; however, official complicity remained a serious concern. Law 137-03 of 2003 prohibits all forms of human trafficking and prescribes penalties of up to 20 years' imprisonment with fines—penalties sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The government investigated at least 58 potential trafficking cases in 2013. Authorities initiated 13 forced labor prosecutions, up from two forced labor prosecutions in the previous period, and 24 sex trafficking prosecutions, an increase from two during the previous reporting period. The government convicted three

traffickers on forced begging charges and sentenced the offenders to two years' imprisonment. The government convicted six sex traffickers with sentences ranging from two years to 15 years' imprisonment. This was an increase from two forced begging convictions and one sex trafficking conviction the previous year.

Official complicity in human trafficking remained a serious concern. The government reported one prosecution of a police officer for participating in a sex trafficking ring that included children; the officer was placed in pre-trial detention. The government cooperated with governments in Europe and the Western Hemisphere on investigations of transnational human trafficking cases. The National Judicial College offered an anti-trafficking class, and the attorney general's office reported offering training for 20 prosecutors on fundamentals of human trafficking.

### PROTECTION

The government sustained limited victim protection efforts. The special prosecutor's office reported identifying a total of 60 sex trafficking victims and one forced labor victim compared to 77 victims identified the previous year; 27 victims were women, one was a man, and 33 were children. NGOs identified 44 victims. The government reported that it referred 12 victims to care facilities for assistance during the reporting period. Although the government provided some assistance to victims, it did so in an *ad hoc* manner and funding for victim assistance appeared inadequate. The government did not provide an exact figure of funds spent on trafficking victim protection and assistance. The government, with significant assistance from donor-funded international organizations, faith-based groups, and NGOs, provided psychological assistance, legal assistance, reintegration, medical services, education, and temporary accommodation in general shelters for crime victims. The government's national council for children operated eight shelters for abused children that accommodated trafficking victims and provided education, health care, and psychological care. There were reports of inadequate security and staffing for these shelters. The labor ministry did not report identifying any labor trafficking victims, even in the high risk sectors such as agriculture and construction. The government established a new government-wide protocol aimed at helping officials identify trafficking victims and refer them to government trafficking specialists.

The government's anti-trafficking law contains victim protection provisions, including restitution; there were no reports that victims received compensation. The government encouraged victims' participation in the investigation and prosecution of trafficking. The anti-trafficking law authorized the attorney general to grant victims immunity from criminal prosecution for crimes committed as a result of being subjected to human trafficking, if they cooperate with authorities. There were no reports of victims being punished for unlawful acts committed as a direct result of being subjected to human trafficking. The attorney general's office signed and implemented an agreement with the directorate general of migration to provide temporary residence permission for foreign trafficking victims; for the first time, authorities granted a one-year visa to a foreign labor trafficking victim.

### PREVENTION

The government made moderate prevention efforts. While the government did not have a nationwide anti-trafficking awareness campaign directed at residents and visitors, the

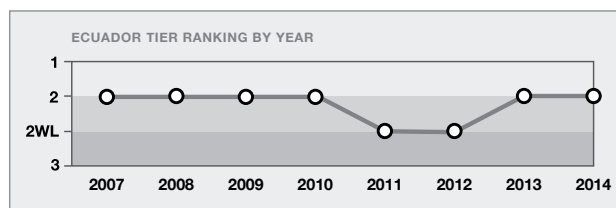
Ministry of Foreign Affairs continued its campaign to educate Dominican nationals living abroad about trafficking, and an international organization reported an increase in the number of complaints received as a result of this campaign. The attorney general created a specialized office on human trafficking in 2013 with a mandate that included the coordination of government anti-trafficking efforts and provision of technical assistance to prosecutors in the effective protection of victims and witnesses. The government operated a national hotline to receive reports of human trafficking cases and gender-based violence.

The Dominican government, with assistance from a foreign government, maintained a specialized police unit empowered to vigorously investigate and prosecute child sex tourism cases in the Dominican Republic; the government reported at least one investigation of alleged child sex tourists during the reporting period. The government took some efforts to reduce the demand by foreigners for commercial sex acts in the Dominican Republic. For example, in October 2013, the government implemented a program to train immigration officials to deny entry to visitors with child sex tourism and other sex crime convictions. The government reported denying entry to 39 visitors with such convictions.

## ECUADOR (Tier 2)

Ecuador is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. The majority of Ecuadorian victims identified are women and children exploited in sex trafficking within the country, as well as in domestic servitude, forced begging, and forced labor, primarily in agriculture. In some parts of the country, local gangs are involved in sex trafficking. Indigenous and Afro-Ecuadorians are particularly vulnerable to human trafficking. Traffickers recruit children from impoverished indigenous families under false promises of employment; these children are forced to work as domestic servants, in sweatshops, as street and commercial vendors, or in begging in Ecuador or neighboring countries. Media reports identified cases of Ecuadorian children subjected to forced labor in criminal activity, such as drug trafficking and robbery. In 2013, one report documented an illegal armed group attempting to recruit an Ecuadorian child along the northern border with Colombia. Ecuadorian women and children have been identified in forced labor and sex trafficking in other South American countries, including Colombia, Brazil, Peru, Venezuela, and Chile, as well as other countries. Ecuador is a destination for Colombian, Peruvian, and Paraguayan women and girls exploited in sex trafficking and domestic servitude. Government officials characterize over 75 percent of identified trafficking victims as having been recruited with false promises of employment. Colombian refugees and migrants are subjected to forced labor on palm oil plantations.

The Government of Ecuador does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities increased the number of trafficking prosecutions and convictions and reported identifying a large number of trafficking victims compared with the previous reporting period. While authorities continued to provide funding to NGOs to provide victim assistance, specialized services were inadequate in most of the country, and one of only two dedicated shelters for child sex trafficking victims closed during the year. Complicity of government officials in trafficking remained a serious concern.



### RECOMMENDATIONS FOR ECUADOR:

Ensure the provision of specialized care services for trafficking victims—including for adults—in partnership with civil society organizations through increased funding; continue to increase efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, particularly for cases involving adult trafficking victims; hold criminally accountable public officials complicit in trafficking; develop and implement procedures for identifying trafficking victims among vulnerable populations, such as children and adults in prostitution or among child and migrant workers; implement procedures to ensure identified victims are referred to care services; increase anti-trafficking training for police officers, judges, labor inspectors, immigration officials, social workers, and other government officials, particularly to enhance victim identification; and enhance data collection and interagency coordination.

### PROSECUTION

The Government of Ecuador significantly increased prosecution and conviction efforts during the year, though prosecution efforts were weaker in cases involving adult trafficking victims and official complicity remained a serious problem. Ecuador's penal code prohibits all forms of trafficking and prescribes punishments of six to nine years' imprisonment for those convicted of labor trafficking offenses and eight to 12 years' imprisonment for convicted sex trafficking offenders. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Prosecutors also use other statutes, including those prohibiting pimping, to prosecute human trafficking crimes as prosecutors are more familiar with these statutes, and can use the statutes to obtain convictions with less investigative resources. Some of these statutes prescribe lower sentences than human trafficking statutes. In January 2014, the government approved a new criminal code which allows for enhanced law enforcement investigation techniques for human trafficking—such as undercover investigations and wire-tapping—and more than doubles minimum sentences for human trafficking crimes. The new criminal code will come into effect in August 2014.

The government maintained an anti-trafficking unit in Quito, and across the country police units for crimes against children also investigated cases of child labor and sex trafficking. The frequent rotation of specialized police hampered the effectiveness of these units. The national organized crime prosecutorial unit in Quito handled trafficking cases in partnership with 32 local prosecutors working on sex crimes, organized crime, and other related issues across the country. Police and prosecutors were generally limited by lack of funding and personnel, and law enforcement coordination continued to be uneven. The majority of investigations focused on child sex trafficking or forced labor of children. Authorities reported launching a pilot program for a national law enforcement trafficking database that was not yet fully functional at the end of the reporting period. Data collection on anti-trafficking law enforcement efforts was weak.

Police reported referring 145 trafficking investigations to prosecutors in 2013, but did not report how many cases involved forced labor and how many involved sex trafficking. Authorities reported prosecuting at least 95 trafficking offenders and convicting 19 trafficking offenders in 2013; 14 convictions were for sex trafficking and five were for labor trafficking. Six of these convictions were achieved under trafficking-specific statutes. Authorities did not report how many cases, if any, involved adult victims. Sentences ranged from two-and-a-half months to 20 years' imprisonment. The number of prosecutions and convictions reported in 2013 was a significant increase over reported prosecution efforts in 2012, when authorities achieved at least 23 prosecutions and 10 convictions, including two convictions for forced labor.

Some officials, particularly judges, demonstrated a lack of knowledge about trafficking, confusing it with prostitution or labor infractions during legal procedures. Other judges reduced charges of trafficking to lesser crimes, such as pimping, resulting in shorter sentences. Civil society organizations and some officials noted that corruption impeded investigation and prosecution efforts. Corrupt officials allegedly alerted traffickers prior to law enforcement operations and ignored sex trafficking in commercial sex sites, and some local authorities issued falsified business licenses to brothels. During the reporting period, the government initiated the prosecution of two active police officers and two former police officers for their involvement in sex trafficking. There was no information provided on the investigation of a judge for complicity initiated in 2012. Authorities provided training on human trafficking to police, immigration officers, and other officials during the year, often in partnership with civil society organizations and foreign governments. The government cooperated with other South American governments to investigate an unspecified number of transnational trafficking cases.

## PROTECTION

The Government of Ecuador increased efforts to identify trafficking victims during the reporting period and continued to provide funding to NGOs to assist victims, though officials and NGOs identified a critical need for more specialized services for trafficking victims, which were lacking in much of the country. Police reported identifying 450 potential trafficking victims in 2013; 76 percent were exploited in sex trafficking and 24 percent in labor trafficking. As government agencies did not record victim identification data in a uniform fashion, it is possible some child laborers were also included in this total. The majority of identified victims were female children. Authorities continued efforts to remove children from sites of commercial sexual exploitation, but did not systematically apply procedures to identify adult victims among vulnerable populations, such as women in prostitution. Police reported referring victims to services by consulting written referral mechanisms, though victim referrals from other officials were *ad hoc*.

The Ecuadorian government did not report how much funding it provided to four NGOs providing specialized services to victims of sex and labor trafficking in 2013; in 2012, authorities reported giving these NGOs approximately \$662,000. While it was unclear how many trafficking victims NGOs assisted in 2013, two NGOs reported averaging a total of 140 potential sex and labor trafficking child victims assisted per year. In 2013, an NGO operating a shelter offering innovative and comprehensive reintegration services to child sex trafficking victims closed the shelter after seven years of operation, citing a fundamental

disagreement with authorities on how comprehensive services should be. The Ministry of Economic and Social Inclusion (MIES) operated one specialized shelter for girls in commercial sexual exploitation, but did not report how many victims were assisted at this shelter in 2013. MIES also maintained a special protection unit to assist child victims of crime and abuse, but did not report how many child trafficking victims it assisted during the year. Authorities reported that victims could receive general care services through a network of government-run protection centers, as well as at domestic violence shelters. Authorities did not report how many victims were assisted at these centers in 2013, nor were all of these centers able to provide adequate services or protection for trafficking victims. In some parts of the country, police had no facilities to house rescued victims. There were few specialized services available to adult trafficking victims. NGOs reported that adult trafficking victims could be housed temporarily in hotels and receive specialized outpatient services from government and NGO-run centers, but did not report how many adult victims received this shelter and assistance in 2013. In addition to short-term services, Ecuadorian authorities reported providing some victims with counseling, job training, and education, but did not indicate how many victims received these services in 2013. Reintegration services were generally lacking.

The government encouraged victims to assist with the investigation and prosecution of trafficking offenders, and some victims did so during the year. The government maintained and funded a victim and witness protection program that reported assisting five trafficking victims in 2013. Many victims chose not to participate in investigations due to fear of threats and inadequate protection, lack of faith in the justice system, or costs associated with participating in lengthy judicial processes. Authorities did not penalize identified trafficking victims for unlawful acts committed as a direct result of their being trafficked. The new criminal code provides specific legal alternatives to the removal of foreign victims to countries where they faced hardship or retribution. Authorities reported that foreign trafficking victims encountered in anti-trafficking raids are given the option to remain temporarily in Ecuador, but did not report how many foreign victims total were permitted to do so in 2013. The government provided victim services to repatriated Ecuadorian trafficking victims.

## PREVENTION

The Government of Ecuador maintained prevention efforts during the year. The Ministry of the Interior anti-trafficking sub-directorate coordinated government anti-trafficking efforts, although civil society organizations noted a lack of coordination between government actors during the year. Authorities continued awareness campaigns, many of which focused on the commercial sexual exploitation of children. The government did not report any efforts to reduce demand for forced labor. There were no reports of investigations, prosecutions, or convictions of child sex tourists in 2013.

## EGYPT (Tier 2)

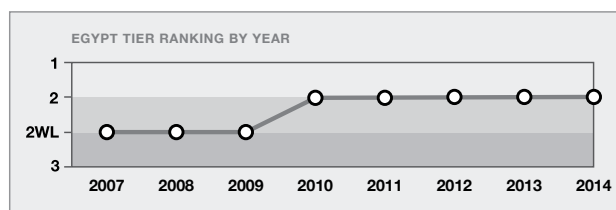
Egypt is a source, transit, and destination country for women and children who are subjected to forced labor and sex trafficking. Some of Egypt's estimated 200,000 to one million street children—both boys and girls—are subjected to sex trafficking and forced begging; informal criminal groups are

sometimes involved in this exploitation. An international organization noted that the poor economic situation in Egypt led to an increase of street children in 2013, and that they are at risk of forced labor and sex trafficking. Egyptian children are also recruited for domestic service and agricultural labor; some of these children face forced labor through restrictions on movement, nonpayment of wages, threats, and physical or sexual abuse. In addition, wealthy individuals from the Gulf, including Saudi Arabia, the United Arab Emirates, and Kuwait, continue to travel to Egypt to purchase Egyptian women and girls for “temporary” or “summer marriages” for the purpose of sexual exploitation, prostitution, or forced labor; these arrangements are often facilitated by the parents of women and girls and by marriage brokers who profit from the transaction. Child sex tourism—the commercial sexual exploitation of children by foreign tourists—occurs in Egypt, particularly in Cairo, Alexandria, and Luxor. Egyptian men are subjected to forced labor in construction, agriculture, and low-paying service jobs in neighboring countries, such as Jordan; NGO and media reports indicate that some workers experience withholding of passports, forced overtime, nonpayment of wages, and restrictions on their movements. An international organization reported in 2013 that a small number of Egyptian women may be subjected to sex trafficking in Sri Lanka.

Men and women from Egypt, South and Southeast Asia, and Africa are subjected to forced labor in Egypt in domestic service, construction, cleaning, begging, and other sectors. Some domestic workers, primarily women from Indonesia, the Philippines, Sudan, Eritrea, Ethiopia, and Sri Lanka are held in forced labor, experiencing sexual, physical, and emotional abuse, withholding of wages and documents, restrictions on movement, and no time off. Employers use some domestic workers’ lack of legal status and employment contracts as coercive tools to threaten arrest and abuse if they escape or complain of poor conditions. Indonesians make up the largest number of foreign domestic workers in Egypt, though an international organization reported an observed increase in Sri Lankan domestic workers at risk of forced labor and a decrease in Sudanese domestic workers in 2013. Women and girls, including refugees and migrants, from Asia, sub-Saharan Africa, and to a lesser extent the Middle East, are forced into prostitution in Egypt. Instances of human trafficking, smuggling, abduction, and extortion of migrants—primarily from Eritrea and, to a lesser extent, Sudan, Ethiopia, and Cote d’Ivoire—continue to occur in the Sinai Peninsula at the hands of criminal groups. According to documented victim testimonies, many of these migrants are held for ransom, and forced into sexual servitude or forced labor—such as forcing migrants to work as cleaners or on construction sites—during their captivity in the Sinai. In mid-2013, international organizations observed a temporary decrease in the flow of these migrants into the Sinai, likely in part due to an aggressive Egyptian military campaign in the Sinai in August 2013, as well as to Israel’s construction of a fence along the Israel-Egypt border. Nonetheless, international organizations reported that new groups of African migrants—some of whom may be trafficking victims—entered the Sinai and were held by criminal groups in November 2013. There continue to be infrequent reports that Egyptian border patrols shoot and sometimes kill migrants, including potential trafficking victims, in the Sinai; many are also arrested and detained in Egyptian prisons in the Sinai, while some were transferred to Qanatar prison in the greater Cairo area in 2013.

The Government of Egypt does not fully comply with the minimum standards for the elimination of trafficking; however,

it is making significant efforts to do so. The government reported investigating and prosecuting an increased number of suspected traffickers. It continued to partner with NGOs and international organizations to identify and refer trafficking victims to protective services through its national referral mechanism, as well as to implement public awareness campaigns. Although the government prosecuted other serious crimes, it achieved no trafficking convictions, a decrease from the five convictions in the previous reporting period. The government also did not investigate or punish government officials complicit in trafficking crimes despite reports of such corruption. The government identified a significantly smaller number of victims in 2013 compared to 2012. There continued to be reports that many government officials failed to systematically to employ the referral mechanism to identify victims among vulnerable groups, including foreign migrants, people in prostitution, street children, and women in domestic servitude; as a result, victims continued to be treated as criminals and punished for crimes committed as a direct result of being subjected to human trafficking. Law enforcement officials continued to ignore potential trafficking-related crimes in the Sinai and failed to identify trafficking victims among the vulnerable groups of migrants, refugees, and asylum seekers abused in the Sinai.



#### RECOMMENDATIONS FOR EGYPT:

Significantly increase investigations and prosecutions against all forms of trafficking, and punish government officials complicit in trafficking offenses; investigate, prosecute, and punish perpetrators responsible for the human trafficking, smuggling, abduction, and extortion of migrants, refugees, and asylum seekers in the Sinai; proactively identify and provide appropriate assistance to victims of trafficking in the Sinai and cease shooting foreign migrants, including possible trafficking victims, in the Sinai; continue to use the national victim referral mechanism systematically to identify and assist victims of trafficking among vulnerable groups, including those arrested for prostitution, street children, and undocumented migrants, and continue to adequately train law enforcement officials and prosecutors on the referral mechanism; ensure identified trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; expand the scope of protection services, including adequate shelter, and make these services available to all victims of trafficking; encourage victims of trafficking to assist in investigations against their traffickers; continue to provide anti-trafficking training to government officials and implement awareness campaigns; and provide adequate legal protections for domestic workers.

#### PROSECUTION

The Egyptian government made minimal progress in law enforcement efforts against trafficking offenders. Egypt prohibits all forms of human trafficking through its 2010 anti-trafficking law (Law No. 64), which prescribes penalties from three to 15 years’ imprisonment along with fines ranging from the equivalent of approximately \$8,300 to \$33,300. These penalties are sufficiently stringent and commensurate with penalties



prescribed for other serious crimes, such as rape. The Child Law (No. 126 of 2008) includes provisions prohibiting sex trafficking and forced labor of children and prescribes sentences of at least five years' imprisonment, which also are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Articles 80 and 89 of Egypt's new constitution, which was approved in a public referendum in January 2014, includes provisions that explicitly prohibit and criminalize sex trafficking, compulsory exploitation, and forced labor. The government reported having investigated and initiated prosecutions of five cases of sex trafficking and three cases of forced labor in 2013, under the anti-trafficking law, the Child Law, and other penal code provisions; these trials were ongoing at the close of the reporting period. This represents a slight increase from the five prosecutions initiated in 2012. One of the ongoing cases involved an Egyptian celebrity who allegedly held a Filipina woman in domestic servitude. The government, however, did not convict any trafficking offenders in 2013, in comparison to five convictions it achieved in the previous reporting period. Though the government did not report investigating or prosecuting any trafficking cases involving victims in the Sinai, an NGO reported that the government prosecuted two Cairo-based Eritreans in 2013 under the anti-trafficking law for their role in facilitating Sinai-based criminal networks; the details of this case were unclear. Government officials reported that investigations of some trafficking allegations were temporarily suspended as a result of the ongoing violence and mass protests that began in July 2013. The National Coordinating Committee (NCC) on Preventing and Combating Trafficking in Persons—which plays the lead role in coordinating Egypt's anti-trafficking efforts—continued to develop a database to track trafficking-related cases that has been under development since the previous reporting period.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking, despite reports of such corruption. For the third consecutive year, the government failed to investigate accusations that multiple government officials—including judges, Ministry of Interior officials, and other high level government leaders—forcibly held Indonesian domestic workers inside their homes and, in some cases, physically and sexually abused them. International organizations confirmed reports that in the previous reporting period, police failed to investigate vehicles used by criminals to transport migrants—some of whom may be trafficking victims—across Ministry of Interior-controlled bridges into the Sinai, and police also accepted bribes from criminals transporting the migrants and trafficking victims into the Sinai. There were also reports of instances in which Egyptian border security personnel in the Sinai shot some undocumented migrants attempting to enter Israel; some of these individuals may have been trafficking victims. The government continued to provide anti-trafficking training—in coordination with and funding from international organizations and NGOs—to prosecutors and judges. The National Council for Childhood and Motherhood (NCCM), in collaboration with an international organization, also produced a 180-page guidebook in 2013, which NCCM used to conduct anti-trafficking training sessions for judges and prosecutors.

## PROTECTION

The government made uneven progress in its efforts to identify and protect victims of trafficking. The government did not adopt written procedures to guide officials in the proactive identification of victims of trafficking among vulnerable

populations, including domestic workers, street children, African migrants abused in the Sinai, and women in prostitution. However, the government continued to implement the national referral mechanism, which was initiated in 2012; the NCCM coordinated with NGOs, the Public Prosecutor's office, and the NCC to identify and refer victims to protection services, including adequate shelter. The government identified and assisted 173 trafficking victims, a significant decrease from 277 in the previous reporting period. Five of these victims were Egyptian, while the majority were Eritrean, and were victims of slavery, domestic servitude, and sex trafficking. The NCCM tracked identified victims' demographic data, type of exploitation, and assistance received and used this information to analyze trafficking trends. The NCCM's staffing shortfalls, however, slowed the process of referring victims to protection services. In addition, many government officials failed to employ the referral mechanism to proactively and systematically identify victims among vulnerable groups, including migrants and women in domestic servitude. Government officials reported that the lack of trafficking awareness among police and Ministry of Justice officials in rural areas of Egypt limited the number of victim referrals and limited the government's ability to provide services to potential trafficking victims in these areas. While officials acknowledged that some of those abused in the Sinai were trafficking victims, officials largely considered those abused in the Sinai as irregular migrants or criminals, and made little attempt to proactively identify trafficking victims among this group or provide them with protective services. For example, an NGO reported that five Eritrean men were arrested by police after having escaped Egyptian criminal groups in the Sinai. The men—who may be trafficking victims—remained incarcerated in Cairo for more than 10 months presumably based on their lack of legal status; there was no indication that officials attempted to screen them for indicators of trafficking. Domestic workers were not covered by existing labor laws, making them highly vulnerable to abuse and forced labor.

The government continued to rely on international organizations and civil society to provide funding for victim assistance programs, including the provision of adequate shelter and legal assistance to victims. A joint IOM-NCCM operated shelter designated for female trafficking victims assisted 17 victims of forced labor, sexual exploitation, forced marriage, and forced begging, a decrease from the 24 victims the shelter assisted in the previous reporting period. These victims were Ethiopian, Eritrean, Sri Lankan, and Egyptian, ranging in ages from eight to 57 years old. This shelter provided victims with medical, psychological, legal, vocational, and repatriation assistance. The Ministry of Health, with international assistance, continued to operate a Medical Recovery Unit for victims of trafficking at a Cairo hospital. Though the unit was not intended as an overnight or long-term facility, it provided medical services to 68 victims in 2013, most of whom were from Eritrea, as well as from Indonesia, the Philippines, and Egypt. This was a significant decrease from the 177 victims the unit assisted in the previous reporting period. NGOs continued to report that government-run facilities for women and children were in disrepair, overcrowded, unsanitary, lacked funds, and did not provide specialized services to trafficking victims.

Unidentified trafficking victims were often treated as criminals, as some were prosecuted on charges of prostitution, robbery, or immigration violations. For example, research conducted in 2011 by the government's National Center for Social and Criminological Research found that 40 percent of women in jail charged with crimes of prostitution had been forced or

coerced into prostitution. There were reports that some law enforcement officers may have further mistreated trafficking victims, including minor girls, through verbal, physical, and sexual abuse. Some possible child trafficking victims were sent to juvenile detention centers that were in poor condition, while others were subject to incarceration with adults despite the Child Law prohibiting this practice. The government made no efforts to identify potential trafficking victims among women imprisoned on prostitution charges; however, the NCCM partnered with a unit within the Ministry of Interior's Human Rights Department in 2013 to provide services for the children of some of these women; NCCM reported that these children were at high risk of trafficking. Some foreign trafficking victims were not offered legal alternatives to removal to countries in which they faced hardship or retribution. The government encouraged some victims to assist in investigations against trafficking offenders, although the exact number of victims who assisted in cases was unknown. Government officials reported that trafficking victims were responsible for requesting temporary residency during the investigation and prosecution of their traffickers, though the process for doing so was unclear and victims were rarely, if ever, granted this benefit.

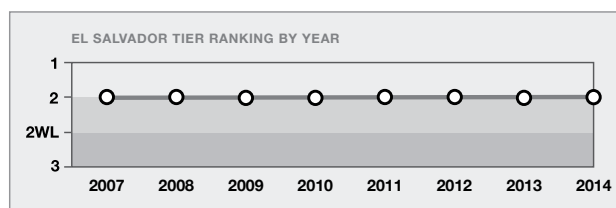
## PREVENTION

The government made sustained efforts to prevent trafficking in persons. While international organizations and local NGOs funded and conducted most specialized anti-trafficking prevention programs in collaboration with the inter-ministerial anti-trafficking committee, the government conducted 154 anti-trafficking education sessions throughout Egypt for government officials, NGOs, and populations at risk of child marriage—a practice that puts children at risk of domestic servitude or sex trafficking. The NCCM produced trafficking awareness pamphlets and advertisements and relied on social media to raise awareness of human trafficking. The government continued to implement its 2012 national action plan to combat trafficking in persons, which prioritized combating trafficking among vulnerable populations. While NCC officials reported successes under the plan, including implementing the national referral mechanism and training law enforcement officers, they also reported the need to improve the statistical data management system and combating trafficking among street children and domestic workers. Identification of trafficking victims among the persons abused in the Sinai continued to be a secondary priority for the NCC. The NCCM continued to operate a free telephone hotline to report trafficking abuses, which reportedly did not receive a high volume of calls in this reporting period; however, calls to the hotline frequently went unanswered and it lacked staffing. The government did not report efforts to regulate, monitor, and inspect employment and recruitment agencies responsible for employing workers in Egypt and abroad. The government reported efforts to investigate and verify cases of illegal child labor, and NCCM provided technical and financial support to the Ministry of Manpower and Migration (MOMM) to train inspectors on child labor issues; however, inspectors did not differentiate between child labor and trafficking. MOMM reported that it referred 66 cases of child labor law violations to the public prosecutor during the reporting period, but it did not specify whether these violations amounted to human trafficking. The government did not make efforts to reduce the demand for commercial sex acts or forced labor, and did not raise awareness of the problem of sex tourism. The government did not report providing anti-trafficking training for Egyptian troops before deploying them to international peacekeeping missions.

## EL SALVADOR (Tier 2)

El Salvador is a source, transit, and destination country for women, men, and children subjected to sex trafficking and forced labor. Women, men, and children are exploited in sex trafficking within the country. Officials and NGOs report that LGBT Salvadorans are also vulnerable to sex trafficking. Salvadoran adults and children are subjected to forced begging and forced labor in agriculture and domestic service. Some men, women, and children from neighboring countries—particularly Nicaragua, Guatemala, and Honduras—migrate to El Salvador seeking employment, but are subsequently forced into prostitution, domestic service, construction, or work in the informal sector. Gangs use children for illicit activities, including drug trafficking, and some of these children are trafficking victims. Salvadoran men, women, and children have been subjected to sex trafficking and forced labor in Guatemala, Mexico, Belize, and the United States. Media and government officials report that organized criminal groups, including transnational criminal organizations, are involved in trafficking crimes in El Salvador. Latin American migrants transit El Salvador *en route* to Guatemala and North America; some of these migrants are subsequently exploited in sex or labor trafficking.

The Government of El Salvador does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities continued to investigate and prosecute child sex trafficking cases and to provide services in the capital to some girls exploited in child sex trafficking. Victim services for male and adult female victims were inadequate, and authorities did not report how many identified victims received specialized care. Efforts to identify and investigate forced labor cases remained weak, and authorities have never prosecuted or convicted any labor trafficking offenders. Training for government officials decreased compared with the previous year. Official complicity remained a largely-unaddressed problem.



## RECOMMENDATIONS FOR EL SALVADOR:

Provide comprehensive protection services for all trafficking victims, including adults, and increase funding for specialized services; strengthen efforts to investigate and prosecute trafficking offenses, and to convict and sentence trafficking offenders, especially for forced labor; hold government officials who are complicit in trafficking offenses criminally accountable through criminal investigations and prosecutions; proactively investigate possible cases of forced labor, including domestic servitude, in partnership with NGOs working with vulnerable populations; increase training on victim identification and assistance for social workers and for immigration, labor, law enforcement, and judicial officials; increase resources for specialized anti-trafficking units; strengthen anti-trafficking coordination between different government entities and with civil society organizations, particularly outside of the capital; ensure foreign victims are consistently offered legal alternatives

to their deportation; and improve data collection capacity regarding victim identification and care.

## PROSECUTION

The government continued law enforcement efforts to combat child sex trafficking, but made inadequate efforts to address forced labor; authorities have never prosecuted or convicted a labor trafficking offender. Penal code Article 367B prohibits all forms of human trafficking and prescribes penalties of four to eight years' imprisonment. Such penalties are sufficiently stringent, though not commensurate with penalties prescribed for other serious offenses, such as rape, which carries a punishment of six to 10 years' imprisonment. Article 367B conflates fraudulent adoption with human trafficking. Officials used other statutes to investigate certain forms of trafficking, including Article 205, which prohibits exploiting minors in begging but only carries penalties of two to four weeks of community service. Congress failed to pass draft anti-trafficking legislation introduced in 2012. This draft law would increase penalties for human trafficking, but in contrast to international law, would treat force, fraud, or coercion as aggravating factors only, rather than as essential elements of the crime. Authorities did not consider cases involving children forced by gangs to engage in illicit activities to be human trafficking, despite the use of force or coercion for the purposes of exploitation.

Data collection remained a challenge. The government almost exclusively investigated and prosecuted cases of child sex trafficking. Officials opened 51 investigations in 2013, but did not report how many, if any, involved labor trafficking; in comparison, authorities investigated 60 trafficking cases in 2012. The government also investigated three cases of forced begging. Authorities prosecuted cases involving at least 14 sex trafficking offenders, and obtained 12 convictions for sex trafficking of children, imposing sentences ranging from eight to 26 years' imprisonment. There were no reported convictions for forced prostitution of adults or forced labor. In comparison, 11 sex trafficking offenders were prosecuted and convicted in 2012.

The government's dedicated anti-trafficking prosecutorial unit in the capital consisted of 14 prosecutors who also investigated other crimes, including human smuggling. Prosecutors worked with a unit within the homicide police division that investigated trafficking and human smuggling. Some officials, particularly judges, demonstrated a limited understanding of human trafficking, which impeded efforts to hold trafficking offenders accountable. The government trained 23 police officers in the specialized unit and anti-trafficking prosecutors conducted two training sessions on victim assistance; this represented a decrease from more than 700 police officers and 420 immigration officials trained by the government in 2012. Authorities cooperated on trafficking investigations with officials from Guatemala, Honduras, Mexico, and the United States.

Corruption, particularly among the judiciary, remained a significant obstacle to law enforcement efforts. The government provided no information on a 2012 case involving three prison guards arrested for allowing an incarcerated gang member to bring a girl into a prison and forcing her to engage in prostitution; the guards claimed they were following the orders of their supervisors. There was also no information available regarding the investigation initiated in 2009 of the former head of the dedicated prosecutorial anti-trafficking unit for trafficking-related complicity. The government did not report any new investigations, prosecutions, or convictions of government

employees complicit in human trafficking.

## PROTECTION

The government maintained efforts to assist some underage girls exploited in sex trafficking, but services for most trafficking victims remained inadequate. Immigration officials continued efforts to identify possible trafficking victims in border regions. In general, the Salvadoran government did not proactively identify trafficking victims among vulnerable populations, such as adults in prostitution or migrant workers. Labor officials had a limited capacity to identify labor trafficking as they only inspected the formal sector. Prosecutors reported identifying 84 trafficking victims; it was unclear how many were labor trafficking victims. Of these victims, 32 were girls, three were boys, 37 were adult women, and three were adult men. In nine cases, the victim's age was not documented, and authorities reported that the gender of six victims was unknown; it is possible that these victims were transgender. The government agency responsible for children's issues identified 21 victims of forced child begging and 28 children in commercial sexual exploitation in 2013.

Victim referral to services remained uneven, and it was unclear how many of the identified victims received specialized services. The government shelter for female child sex trafficking victims could accommodate up to 15 girls at a time and offered psychological and medical care as well as education and vocational training. Victims were referred to this closed shelter by a judge. The shelter housed 11 victims as of early 2014, but it was unclear how many total victims were assisted throughout 2013. Victims staying at the shelter were required to recount their trafficking experience multiple times to multiple government entities, highlighting a lack of interagency coordination and leading to re-victimization. The government offered no specialized services or shelter to adult victims or boys, and NGOs and officials reported a need for shelter as well as rehabilitation and mental health services for these victims. Authorities assisted seven foreign victims during the year, all from other countries in the region.

Authorities encouraged identified victims to assist with law enforcement investigations and prosecutions, but provided limited psychological and medical assistance to those who did; 14 victims participated in investigations or prosecutions of trafficking offenders during the reporting period. Other victims chose not to assist law enforcement efforts due to social stigma, fear of reprisals from their trafficking offenders, or lack of protection for victims of crimes. Identified trafficking victims generally were not charged, jailed, or penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Civil society organizations, however, reported that children forced to engage in criminal activity by criminal groups were treated as criminals instead of trafficking victims. Authorities reported that foreign trafficking victims were eligible for either temporary or permanent residency on a case-by-case basis, but did not report granting any foreign victims residency in 2013.

## PREVENTION

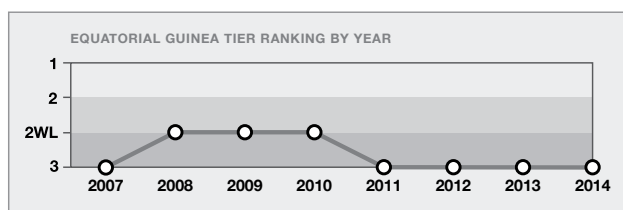
The Salvadoran government maintained weak prevention efforts. The government anti-trafficking council coordinated interagency efforts and conducted several awareness events during an anti-trafficking day. The council lobbied for the draft anti-trafficking legislation introduced in 2012 to be passed and continued to implement the national trafficking policy, though government

entities lacked funding to fulfill their responsibilities under this policy. With private sector funding, authorities participated in a joint awareness campaign at high-volume border crossings with other Central American countries. The government did not report identifying, investigating, or prosecuting any cases of child sex tourism during the year. Authorities did not report efforts to reduce the demand for commercial sex acts or forced labor.

## EQUATORIAL GUINEA (Tier 3)

Equatorial Guinea is a source and destination country for women and children subjected to forced labor and sex trafficking. The majority of trafficking victims are exploited in Malabo and Bata, where burgeoning construction and economic activity funded by oil wealth have contributed to increases in the demand for cheap labor and prostitution. Equatoguinean girls are exploited in the sex trade in these cities, and some parents may encourage their daughters to engage in prostitution, especially with foreigners, to receive groceries, gifts, housing, and money. Children are transported from nearby countries—primarily Nigeria, Benin, Cameroon, Togo, and Gabon—and may be forced to work as domestic servants, market laborers, ambulant vendors, and launderers. Women from Cameroon, Benin, and other neighboring countries are recruited for work in Equatorial Guinea, but may be subsequently subjected to forced labor or forced prostitution. Some Chinese women migrate to Equatorial Guinea for work or to engage in prostitution and may be subject to passport confiscation. Sub-contractor staff in the oil services and construction sectors, including migrants from other parts of Africa, Asia, and the Americas, may be vulnerable to forced labor, as they reportedly endure sub-standard working conditions and, in some instances, may be subject to passport confiscation.

The Government of Equatorial Guinea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. During the reporting period, the government demonstrated no efforts to identify victims of human trafficking, to provide victims with necessary services, or to prosecute traffickers, despite having a 2004 anti-trafficking law that prohibits all forms of trafficking. The government continued to deport undocumented migrants without screening them to determine whether they were victims of trafficking or referring them to assistance services; it rarely notified foreign embassies that their nationals had been detained. The government failed to provide any training for government officials or civil society members, or undertake any public awareness campaigns related to human trafficking. Its Inter-Ministerial Commission to Combat Trafficking in Persons remained inactive. Given its substantial financial resources, the government's response to human trafficking has been negligible.



### RECOMMENDATIONS FOR EQUATORIAL GUINEA:

Use the 2004 anti-trafficking law to prosecute and convict trafficking offenders and complicit officials; develop formal

procedures to identify trafficking victims among child laborers, illegal immigrants, and women and girls in prostitution; dedicate funding for the sheltering and protection of trafficking victims and develop a formal system to refer victims to such care; train law enforcement officials, immigration officials, and social workers in the use of trafficking victim identification and referral procedures; cease summary deportation of foreign men, women, and children from Equatoguinean territory without first screening them to determine if they are trafficking victims and, if appropriate, providing them with care and safe, voluntary repatriation; notify embassies when their nationals have been detained; revive the Inter-Ministerial Commission to Combat Trafficking in Persons and dedicate sufficient resources to the commission so it can effectively implement a national action plan to combat trafficking in persons and research the extent and nature of the problem of human trafficking within the country; and launch a nationwide anti-trafficking public awareness campaign.

### PROSECUTION

The Government of Equatorial Guinea demonstrated negligible anti-trafficking law enforcement efforts during the reporting period. The 2004 Law on the Smuggling of Migrants and Trafficking in Persons prohibits all forms of trafficking and prescribes penalties of 10 to 15 years' imprisonment, punishments which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Despite having enacted an anti-trafficking law and receiving reports of child trafficking, the government initiated no investigations or prosecutions of suspected trafficking offenses during the year. The government did not provide any anti-trafficking training to law enforcement officials. The government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

### PROTECTION

The Government of Equatorial Guinea made negligible efforts to protect trafficking victims during the reporting period. It did not identify or refer any victims to protective services in 2013. Although the 2004 anti-trafficking law mandates that the government provide legal assistance, psychological and medical care, counseling, lodging, food, access to education, training, and employment opportunities to trafficking victims, the government provided no such services. Church-run orphanages, with scholarships provided by the Equatoguinean government, provided care for possible Equatoguinean child trafficking victims; foreign children continued to be deported summarily.

Law enforcement authorities did not employ procedures to proactively identify victims of trafficking and did not make efforts—in either a systematic or an *ad hoc* way—to refer victims to organizations that provide short- or long-term care. Although the Ministry of National Security claimed it had procedures to screen illegal immigrants detained at the border, these procedures proved ineffective in identifying trafficking victims. The absence of a proactive victim identification process, including procedures for screening deportees, impaired the government's ability to provide care or assistance to foreign trafficking victims. The government did not report that any victims of human trafficking were detained, fined, or jailed for unlawful acts committed as a result of being trafficked; however, the government detained foreign nationals, including potential trafficking victims, at police stations for periods of several days

to several months, and seldom notified their embassies of their detention or deportation. The overwhelming majority of those detained were young men, though children and women were also sometimes detained and deported. The government did not provide foreign trafficking victims with temporary or permanent resident status, or any other legal alternatives to their removal to countries where they might face retribution or hardship.

## PREVENTION

The Government of Equatorial Guinea demonstrated a decrease in its efforts to prevent trafficking during the reporting period. It did not launch any anti-trafficking informational or educational campaigns for the general public, and the Inter-Ministerial Commission to Combat Trafficking in Persons remained inactive. The government did not participate in or implement any programs to address forced child labor and did not identify a single child labor victim despite having approximately 100 labor inspectors dedicated to documenting labor infractions. It did not undertake any discernible measures to reduce the demand for commercial sex acts or forced labor during the year. The government did not provide anti-trafficking training to Equatoguinean troops prior to their deployment abroad on international peacekeeping missions.

## ERITREA (Tier 3)

Eritrea is a source country for men, women, and children subjected to forced labor domestically, and to a lesser extent, forced prostitution and labor abroad. Tens of thousands of persons continue to flee the country, many escaping the government's mandatory national service program. Under the Proclamation of National Service (No. 82/1995), persons aged 18 to 50 years must perform national service. For persons aged 18 to 40 years, this consists of six months of military training and 12 months of service in a government-run work unit, including the Eritrean Defense Forces, for a total of 18 months; persons over 40 are considered to be on reserve status if they have performed active duty service. The emergency situation declared in 1998 as a result of a border war with Ethiopia remained in effect during the year. Despite the 18-month limit on active duty national service under the 1995 proclamation, many persons are not demobilized from government work units as scheduled after their mandatory periods of service ended, and some are forced to serve indefinitely in the military under threats of detention, torture, or punishment of their families. Persons performing national service are prohibited from resigning from their jobs or taking new employment, generally receive no promotions or salary increases, and often cannot leave the country legally because they are denied passports or exit visas. Those performing national service in the Eritrean military carry out standard patrols and border-monitoring, in addition to public works projects such as agricultural terracing, road maintenance, and laying power lines. Working conditions are often harsh and sometimes involve physical abuse. In the past, there were reports that some Eritrean conscripts were forced to build private homes for army officers, perform agricultural labor on farms owned by the ruling party, or work in privately-owned mines, functions that fall outside the scope of the proclamation.

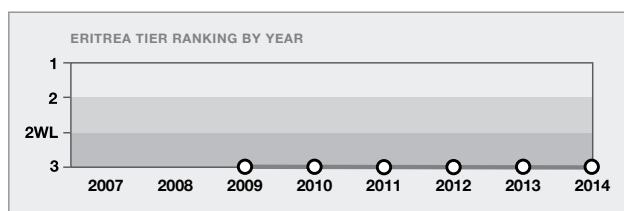
All 12th-grade students, including some younger than 18, are required to complete their final year of education at the Sawa military and educational camp; those who refuse to attend cannot receive high school graduation certificates, go on to

higher education, or be offered some types of jobs. The first six months consist of military training prior to military service. Though the government made an effort to ensure that no persons under 18 engaged in military training at Sawa, it was difficult to determine whether all those performing the military training component had reached 18 years of age. The media reported that male and female recruits at the Sawa military training camp were beaten, and female recruits reported being sexually abused and raped; however, the number of claims of abuse reportedly declined in the last year as parents put pressure on school administrators to correct abusive practices. In 2012, the government instituted a compulsory citizen militia, requiring adults not already in the military or being trained at Sawa, including many who had been demobilized or exempted from military service in the past, to carry firearms and attend military training. During the reporting period, the Ministry of Education continued Mahtot, a national service program in which secondary-school children are assigned to work in public works projects including anti-litter campaigns and building school furniture. Eritrean children work in various economic sectors, including domestic service, street vending, small-scale manufacturing, garages, bicycle repair shops, tea and coffee shops, metal workshops, and agriculture; some of these children may be subjected to forced labor, including forced begging. Eritrean women and girls are subjected to sex trafficking within the country.

Eritreans fleeing national service, persecution, or seeking economic opportunities abroad primarily migrate to Ethiopia, Sudan, Djibouti, and Yemen; in 2013, new migration routes extended from Sudan to Libya and from Libya to Europe. The government's strict exit control procedures and limited issuance of passports and exit visas effectively oblige those who wished to travel abroad to do so clandestinely, increasing their vulnerability to trafficking. As of December 2013, Sudan hosted an estimated 114,900 Eritrean refugees and asylum-seekers, with 400-600 Eritreans arriving to Sudan per month. Eritreans accounted for 78,974 of Ethiopia's registered asylum-seeker population; from October to December 2013, 3,496 new Eritrean asylum-seekers registered in Ethiopia. Smaller numbers of Eritrean refugees and asylum-seekers were registered in Uganda, Yemen, and Djibouti in the reporting period. Some fleeing Eritreans face being shot and killed by Eritrean or Egyptian authorities or are forcibly repatriated to Eritrea, where they are sometimes detained without charge by the Eritrean government, or recalled into national service. Adolescent children who attempt to leave Eritrea are sometimes detained or forced to undergo military training despite being younger than the minimum service age of 18. Some Eritreans become victims of forced labor, primarily domestic servitude, in Sudan, Egypt, Israel, Yemen, Djibouti, Saudi Arabia, or other Gulf countries. Eritrean women and girls are sometimes recruited to travel to Saudi Arabia or other Gulf states for domestic work with employment contracts that provide them with visas and work permits but are forced to engage in prostitution after they arrive. Smaller numbers of Eritrean women and girls are subjected to sex trafficking in South Sudan, Sudan, Israel, and Gulf countries; some Eritrean men are reportedly vulnerable to sex trafficking in Israel. International criminal groups seek out and—more frequently over the last couple of years—kidnap vulnerable Eritreans inside and outside of refugee camps, particularly in Sudan, and transport them to Egypt's Sinai Peninsula. In the Sinai, migrants and refugees are subjected to severe abuses, including human trafficking, at the hands of criminal groups. Abuse often consists of being forced to call family and friends abroad to pay ransom for release; some migrants and refugees report being forced to work as cleaners

or on construction sites during their captivity. Victims of these criminal groups also report being chained together, whipped and beaten regularly, deprived of food, and repeatedly raped.

The Government of Eritrea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not report data regarding efforts to combat human trafficking, as distinct from human smuggling. The government continued to subject its citizens to forced labor of a non-military nature in its compulsory national service, often for periods of indefinite duration, and in its citizen militia, whose members were also sometimes obliged to carry out public works such as tree-planting and dam-building. The government failed to identify and adequately protect victims of forced labor and sex trafficking, and it continued to arrest and detain unidentified victims for acts committed as a direct result of being subjected to human trafficking, such as immigration and prostitution violations. Although the government continued to warn its citizens of the dangers of trafficking, authorities largely lacked understanding of the crime, conflating it with all forms of transnational migration. The government took no effective measures to stem the exodus of thousands of Eritreans fleeing the country every month to seek economic opportunities abroad via clandestine migration that increased their vulnerability to forced labor and sex trafficking abroad.



### RECOMMENDATIONS FOR ERITREA:

Develop and enforce an anti-trafficking statute that prohibits all forms of trafficking, including sex trafficking and forced labor, differentiating between illegal migration and human trafficking; investigate allegations of conscripts being forced to perform duties beyond the scope of the national service program and prosecute and punish, as appropriate, those who subjected recruits to exploitative labor; enforce existing limits on the length of national service to 18 months and cease the use of threats and physical punishment for non-compliance; extend existing labor protections to persons performing national service and other mandatory citizen duties; ensure that children under 18 sent to Sawa, the military school, do not participate in activities that amount to military service and that children under 18 are not forced to perform work of a non-military nature; ensure that victims are not punished for crimes committed as a result of being subjected to human trafficking, such as prostitution violations and fleeing government-sponsored forced labor; cooperate with UN agencies to combat trafficking and allow international NGOs to operate in the country, including those helping to combat trafficking and identifying and protecting victims; institute trafficking awareness training for diplomats posted overseas; with assistance from international organizations, provide training to all levels of government, particularly law enforcement officials, on identifying and responding to trafficking crimes; in partnership with NGOs or religious entities, ensure the provision of short-term protective services to child trafficking victims; conduct campaigns to increase the general public's awareness of human trafficking at the local, regional, and national levels; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government did not make transparent efforts to investigate or prosecute trafficking offenders, which it did not identify as distinct from human smuggling offenders. Article 605 of the Eritrean Transitional Criminal Code prohibits trafficking in women and young persons for sexual exploitation, which is punishable by up to five years' imprisonment or from three to 10 years' imprisonment if aggravating circumstances are present. These penalties are sufficiently stringent, but not commensurate with punishments prescribed for other serious crimes, such as rape. Article 565 prohibits enslavement and prescribes punishment of five to 20 years' imprisonment, penalties which are sufficiently stringent. Forced labor and slavery are prohibited except where authorized by law under Article 16 of the ratified, but suspended, Eritrean Constitution. Article 3 (sub-paragraph 17) of the 2001 Labor Proclamation specifically excludes activities performed under national service or other civic obligations from the definition of forced labor. Existing labor protections limiting hours of work and prohibiting harsh conditions did not apply to persons engaged in national service. The Proclamation of National Service 11/199 prohibits the recruitment of children younger than 18 years of age into the armed forces. The penalties are sufficiently stringent.

The government did not report efforts to investigate, prosecute, and convict trafficking offenders in 2013. Though the government issued public statements on the arrests of an unknown number of traffickers, the details of these arrests are unclear and the government does not distinguish between human smuggling and human trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. Some reports indicated that Eritrean diplomats abroad, particularly those in Khartoum, Sudan, allegedly facilitated the provision of travel documents and legal services for Eritrean nationals abroad—some of whom may be trafficking victims—in exchange for gifts or inflated fees. In early 2013, the government established a branch of the National Security Agency to investigate economic crimes of national security importance, including human trafficking, but it was unclear whether this branch initiated any trafficking investigations—distinct from smuggling investigations—during the reporting period. The government did not report providing training to officials on responding to trafficking crimes, nor did it report whether it provided training that addressed any child soldier issues to the Eritrean Defense Forces.

### PROTECTION

The government made few apparent efforts to identify or provide protection to trafficking victims. The government did not have procedures in place to identify trafficking victims among deported Eritreans or persons forcibly removed by Eritrean security forces from neighboring countries. The government did not ensure that potential trafficking victims were not arrested or detained; Eritrean nationals who were deported back to the country and those fleeing Eritrea—some of whom may be trafficking victims—were highly vulnerable to being arrested, detained, tortured, forced to pay fines, and even shot on sight by military forces. The government did not demonstrate efforts to identify potential victims among this vulnerable group. The government was not transparent about its efforts to ensure that children under the age of 18 did not participate in activities that amounted to military service and were not forced to perform work of a non-military nature. The local Eritrean media continued to report government efforts to repatriate women and girls exploited abroad in domestic servitude or

sex trafficking, but it did not provide information on the type of assistance provided to these victims. The government did not provide victims with legal alternatives for their removal to countries where they faced retribution or hardship.

## PREVENTION

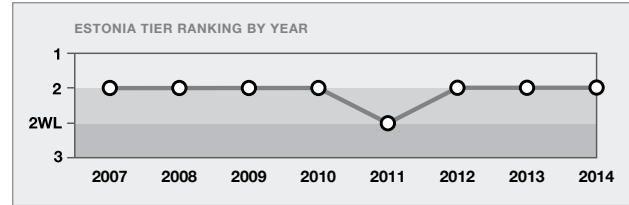
The government made weak efforts to prevent trafficking. Its efforts to prevent this crime were difficult to evaluate as it tended to regard all transnational migration as human trafficking. Warnings issued by government-sponsored organizations such as the Youth Association, Women's Association, and Workers' Federation incorporated information about the dangers of trafficking into their regular programming, as well as through mass convocations, television programs, and poster campaigns. Though the Ministry of Labor was responsible for investigating labor abuses, the government did not report information on its efforts to punish labor brokers or recruiters. In January 2014, the MFA accepted a longstanding request from an international organization to visit Eritrea for consultations on issues including forced military conscription and human trafficking, among other issues. In December 2013, the Foreign Ministry invited international organizations to visit Eritrea to discuss humanitarian and development cooperation, including anti-trafficking issues. The government did not report efforts to reduce the demand for commercial sex acts or forced labor, and it did not take measures to address child sex tourism of Eritrean nationals both domestically and abroad. Eritrea is not a party to the 2000 UN TIP Protocol.

## ESTONIA (Tier 2)

Estonia is a source, transit, and destination country for women and girls subjected to forced prostitution, and for men and women subjected to conditions of forced labor. Estonian women and girls are subjected to sex trafficking within Estonia and in other European countries, such as Denmark, Finland, Germany, Luxembourg, Norway, Spain, and the United Kingdom. Young Estonian women who engage in false marriages in exchange for employment abroad may also be vulnerable to trafficking. Men and women from Estonia are subjected to conditions of forced labor in Australia, Finland, Norway, Spain, Sweden, and the United Kingdom, particularly in the construction, cleaning, and social welfare sectors, as well as in seasonal jobs. Russian-speaking men of undetermined citizenship were especially vulnerable to labor trafficking. Men from Ukraine and Poland are subjected to labor exploitation within Estonia, particularly in the construction sector. Vietnamese nationals who were subjected to forced labor are transported into Estonia *en route* to other EU countries.

The Government of Estonia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Estonian authorities secured the first convictions under the country's 2012 anti-trafficking law, though the sentences for the convicted traffickers did not reflect the severity of the crime. The government offered more specialized training for a range of law enforcement officials, including the first trafficking-specific training for labor inspectors. Authorities implemented a new victim assistance mechanism, which requires trafficking victims to meet with the police in order to be eligible to receive state-funded assistance. Additionally, no foreign migrant has ever received a residency permit from the Estonian government, and during the reporting

period, authorities detained foreign migrants it identified as trafficking victims in closed deportation centers.



## RECOMMENDATIONS FOR ESTONIA:

Increase efforts to investigate, prosecute, and convict trafficking offenders; punish trafficking offenders with jail sentences that adequately reflect the seriousness of the offense; ensure victims can access state-funded assistance without initially requiring them to meet with law enforcement; increase efforts to investigate labor recruiters engaging in fraudulent practices; increase government efforts to identify victims proactively; ensure identified victims are not detained in closed government facilities; ensure potential victims are fully informed of their rights upon identification, including the right to apply for a residency permit; encourage more victims to assist in the prosecution of trafficking offenders by ensuring easy access to legal counsel for victims; continue to provide specialized training to police, inspectors, prosecutors, judges, and labor inspectors; increase the number of victims pursuing court-ordered compensation from their traffickers; and encourage the labor inspectorate to investigate labor trafficking and refer victims to care.

## PROSECUTION

The Government of Estonia improved its law enforcement efforts by investigating and convicting more traffickers. Estonia prohibits all forms of both sex and labor trafficking through Articles 133 and 175 of the penal code, which prescribe a maximum penalty of up to 15 years' imprisonment, which is sufficiently stringent and commensurate with punishments prescribed for other serious offenses, such as rape. Estonian authorities conducted 26 new investigations and initiated prosecutions of six trafficking cases under Articles 133 and 175 in 2013; in 2012, there were 12 investigations and 12 prosecutions. Estonian courts convicted two traffickers under Article 133 in 2013, the first convictions under this statute. The traffickers' sentences, however, did not reflect the severity of the crime; one trafficker received a suspended sentence and the second was released on probation after serving only six months of a four and a half year prison term. The government significantly increased the trafficking-specific training offered to law enforcement officials in 2013 through training sessions for police, investigators, prosecutors, judges, and labor inspectors; in total, approximately 100 officials attended these sessions. Estonian law enforcement authorities collaborated on two transnational trafficking investigations during the reporting period. The Government of Estonia did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

## PROTECTION

The Government of Estonia demonstrated weakened protection efforts. In 2013, the government modified its funding mechanism for victim support. In the new system, presumed victims of trafficking must file a police report to be eligible to receive services. The police thereafter have 10 days to meet with the

prosecutor's office; if authorities decide not to pursue a criminal case, the government ceases funding for victims' assistance. Sex trafficking victims could receive non-specialized services for individuals in prostitution without going to the police. Government-funded NGOs assisted 22 victims of trafficking in 2013, compared with 21 in 2012 and 56 in 2011. Of the 22 victims assisted in 2013, 12 were women and 10 were men; eight were victims of sex trafficking and 14 of labor trafficking. During 2013, the Ministry of Social Affairs (MSA) revised the government's victim identification guidelines in collaboration with NGOs; however, as in the previous reporting period, the police did not refer any victims to NGOs for assistance.

In 2013, the MSA provided the equivalent of approximately \$125,800 to two shelters for trafficking victims, compared to the equivalent of approximately \$153,200 in 2012. In addition, the Social Security Board was allotted the equivalent of approximately \$92,600 to pay for medical expenses and substitute homes; however, it disbursed only the equivalent of approximately \$6,100. Starting in 2014, the Social Security Board administered all funding for victim services, including shelter and counseling. There were no specialized shelters for male victims of trafficking, although male victims had access to other services, including psychological assistance, legal counseling, aid in contacting the police, and assistance in submitting various applications for assistance. There were no specialized shelters for children, though child victims could reportedly stay at women's domestic violence shelters. Victims could leave the shelters unchaperoned. For the fourth straight year, no victims assisted in the investigation or prosecution of trafficking offenders. Although foreign victims were eligible to apply for temporary residency for the duration of criminal investigations and legal proceedings in which they participate, no victims applied for such residency in 2013; one NGO reported that no trafficking victim has ever applied for a trafficking temporary residence permit since the introduction of such permits in 2007. During the reporting period, Estonian authorities detained foreign migrants they identified as victims of forced labor in a closed deportation center. Estonia's witness protection law allowed trafficking victims to provide their testimony anonymously, but this has never been applied in a trafficking case. Victims had the right to seek compensation from their traffickers, but no victim has ever sought restitution. Observers noted that obtaining legal counsel for victims was overly bureaucratic and that the lawyers were not sensitive to the needs of trafficking victims.

## PREVENTION

The government demonstrated modest prevention activities. The government provided an NGO with the equivalent of approximately \$89,500 to operate an anti-trafficking hotline; the hotline received 558 calls from individuals vulnerable to trafficking. In October 2013, the government published an insert about human trafficking that was included in the major Estonian newspaper. A government-funded NGO offered free consultations with Estonians seeking to work abroad to verify foreign companies and educate workers on indicators of exploitation. While there were no investigations into labor recruitment companies, the government provided the first-ever training to labor inspectors in 2013. The anti-trafficking working group, which was comprised of 35 government agencies and NGOs, continued to meet regularly to discuss anti-trafficking policy and published an annual public report of its activities. The government had a national action plan on reducing violence, which included preventing and combating human trafficking as one of its four objectives. The government did not report

any specific measures to reduce the demand for commercial sex acts or forced labor.

## ETHIOPIA (Tier 2)

Ethiopia is a source and, to a lesser extent, destination and transit country for men, women, and children who are subjected to forced labor and sex trafficking. Girls from Ethiopia's rural areas are exploited in domestic servitude and, less frequently, prostitution within the country, while boys are subjected to forced labor in traditional weaving, herding, guarding, and street vending. The central market in Addis Ababa is home to the largest collection of brothels in Africa, with girls as young as 8-years-old in prostitution in these establishments. Ethiopian girls are forced into domestic servitude and prostitution outside of Ethiopia, primarily in Djibouti, South Sudan, and in the Middle East. Ethiopian boys are subjected to forced labor in Djibouti as shop assistants, errand boys, domestic workers, thieves, and street beggars. Young people from Ethiopia's vast rural areas are aggressively recruited with promises of a better life and are likely targeted because of the demand for cheap domestic labor in the Middle East.

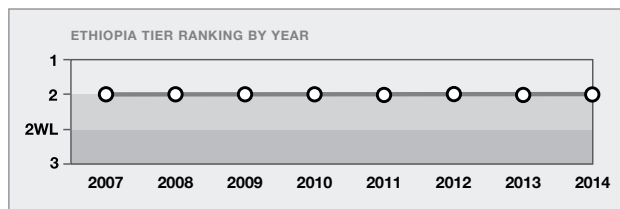
Many young Ethiopians transit through Djibouti, Egypt, Somalia, Sudan, or Yemen as they emigrate seeking work in the Middle East; some become stranded and exploited in these transit countries, and are subjected to detention, extortion, and severe abuses—some of which include forced labor and sex trafficking—while *en route* to their final destinations. Young women are subjected to domestic servitude throughout the Middle East, as well as in Sudan and South Sudan. Many Ethiopian women working in domestic service in the Middle East face severe abuses, including physical and sexual assault, denial of salary, sleep deprivation, withholding of passports, confinement, and even murder. Ethiopian women are sometimes exploited in the sex trade after migrating for labor purposes—particularly in brothels, mining camps, and near oil fields in Sudan and South Sudan—or after fleeing abusive employers in the Middle East. Low-skilled Ethiopian men and boys migrate to Saudi Arabia, the Gulf States, and other African nations, where some are subjected to forced labor. In October 2013, the Ethiopian government banned overseas labor recruitment. Preceding the ban, Ministry of Labor and Social Affairs (MOLSA) officials reported that up to 1,500 Ethiopians departed daily as part of the legal migration process. Officials estimated this likely represented only 30 to 40 percent of those migrating for work; the remaining 60 to 70 percent were smuggled with the facilitation of illegal brokers. Brokers serve as the primary recruiters in rural areas. Over 400 employment agencies were licensed to recruit Ethiopians for work abroad; however, government officials acknowledged many to be involved in both legal and illegal recruitment, leading to the government's ban on labor export. Following the ban, irregular labor migration through Sudan is believed to have increased. Eritreans residing in Ethiopia-based refugee camps, some of whom voluntarily migrate out of the camps, and others who are lured or abducted from the camps, face situations of human trafficking in Sudan and Egypt's Sinai Peninsula.

Since November 2013, the Saudi Arabian government has deported over 163,000 Ethiopians, including over 94,000 men working mostly in the construction sector and over 8,000 children working in cattle herding and domestic service; international organizations and Ethiopian officials believe thousands were likely trafficking victims. Many migrants reported not having



repaid debts to those who smuggled them to Saudi Arabia, rendering some of them at risk for re-trafficking.

The Government of Ethiopia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Federal High Court convicted 106 traffickers and worked with international partners to shelter and provide emergency care to trafficking victims. In 2013, following an influx of trafficking victims returning to Ethiopia, the government recognized problems with its oversight of Ethiopian-based employment agencies, which were failing to protect workers sent overseas. In response, the government temporarily banned labor recruitment and began to revise the relevant employment proclamation to ensure improved oversight of these agencies and better protection of its citizens while working abroad. The government facilitated the return of thousands of Ethiopians, including many likely trafficking victims, deported from Saudi Arabia and elsewhere during the reporting period, and coordinated with NGOs and international organizations to provide services to the returning migrants. The government relied on NGOs to provide direct assistance to both internal and transnational trafficking victims and did not provide financial or in-kind support to such organizations. The government did not deploy labor attachés or improve the availability of protective services offered by its overseas diplomatic missions. The absence of government-organized trainings in 2013 was a concern. The government also did not effectively address child prostitution and other forms of internal trafficking through law enforcement, protection, or prevention efforts. It did not report on the number of victims it identified in 2013.



### RECOMMENDATIONS FOR ETHIOPIA:

Complete amendments to the employment exchange proclamation to ensure penalization of illegal recruitment and improved oversight of overseas recruitment agencies; strengthen criminal code penalties for sex trafficking and amend criminal code Articles 597 and 635 to include a clear definition of human trafficking that includes the trafficking of male victims and enhanced penalties that are commensurate with other serious crimes; enhance judicial understanding of trafficking and improve the investigative capacity of police throughout the country to allow for more prosecutions of internal child trafficking offenses; increase the use of Articles 596, 597, and 635 to prosecute cases of labor and sex trafficking; improve screening procedures in the distribution of national identification cards and passports to ensure children are not fraudulently acquiring these; allocate appropriate funding for the deployment of labor attachés to overseas diplomatic missions; institute regular trafficking awareness training for diplomats posted abroad, as well as labor officials who validate employment contracts or regulate employment agencies, to ensure the protection of Ethiopians seeking work or employed overseas; incorporate information on human trafficking and labor rights in Middle Eastern and other countries into pre-departure training provided to migrant workers; engage Middle Eastern governments on improving protections for Ethiopian workers; partner with local

NGOs to increase the level of services available to trafficking victims returning from overseas, including allocating funding to enable the continuous operation of either a government or NGO-run shelter; improve the productivity of the national anti-trafficking taskforce; and launch a national anti-trafficking awareness campaign at the local and regional levels.

### PROSECUTION

The Government of Ethiopia maintained its anti-trafficking law enforcement efforts during the reporting period, but its efforts continued to focus wholly on transnational trafficking, with little evidence that the government investigated or prosecuted sex trafficking or internal labor trafficking cases. Ethiopia prohibits sex and labor trafficking through criminal code Articles 596 (Enslavement), 597 (Trafficking in Women and Children), 635 (Traffic in Women and Minors), and 636 (Aggravation to the Crime). Article 635, which prohibits sex trafficking, prescribes punishments not exceeding five years' imprisonment, penalties which are sufficiently stringent, though not commensurate with penalties prescribed for other serious crimes, such as rape. Articles 596 and 597 outlaw slavery and labor trafficking and prescribe punishments of five to 20 years' imprisonment, penalties which are sufficiently stringent. Articles 597 and 635, however, lack a clear definition of human trafficking, do not include coverage for crimes committed against adult male victims, and have rarely been used to prosecute trafficking offenses. Instead, Articles 598 (Unlawful Sending of Ethiopians to Work Abroad) and 571 (Endangering the Life of Another) are regularly used to prosecute cases of transnational labor trafficking. The absence of a clear legal definition of human trafficking in law impeded the Ethiopian Federal Police's (EFP) and Ministry of Justice's ability to investigate and prosecute trafficking cases effectively. Officials began drafting amendments to the Employment Exchange Services Proclamation No. 632/2009, which governs the work of approximately 400 licensed labor recruitment agencies; planned amendments will prohibit illegal recruitment and improve oversight of recruitment agencies.

During the reporting period, the EFP's Human Trafficking and Narcotics Section, located within the Organized Crime Investigation Unit, investigated 135 suspected trafficking cases—compared to 133 cases in the previous reporting period. The federal government reported prosecuting 137 cases involving an unknown number of defendants relating to transnational labor trafficking under Article 598; of these cases, the Federal High Court convicted 106 labor traffickers—compared to 100 labor traffickers convicted in the previous reporting period. Officials indicated that these prosecutions included cases against private employment agencies and brokers, but did not provide details on these cases or the average length of applied sentences. Between June and July 2013, courts in the Southern Nations, Nationalities, and Peoples Region (SNNPR) reportedly heard 267 cases involving illegal smugglers and brokers. In addition, in Gamo Gofa, a zone within SNNPR, the zonal court convicted six traffickers in 2013—the first convictions in that area's history. The EFP investigated allegations of complicity in trafficking-related crimes involving staff at several foreign diplomatic missions in Addis Ababa; the EFP arrested several staff at these missions.

In 2013, the government did not initiate any sex trafficking prosecutions, including for child prostitution. It also did not demonstrate adequate efforts to investigate and prosecute internal trafficking crimes or support and empower regional authorities to effectively do so. Regional law enforcement entities throughout the country continued to exhibit an inability

to distinguish human trafficking from human smuggling and lacked capacity to properly investigate and document cases, as well as to collect and organize relevant data. In addition, the government remained limited in its ability to conduct international investigations. The government did not provide or fund trafficking-specific trainings for law enforcement officials, though police and other officials received training from international organizations with governmental support during the year. Seventy-seven judges also received training on both child labor and human trafficking. The government did not report any investigations, prosecutions, or convictions of public officials allegedly complicit in human trafficking or trafficking-related offenses. For example, reports suggest local *kabele* or district level officials accepted bribes to change the ages on district-issued identification cards, enabling children to receive passports without parental consent; passport issuance authorities did not question the validity of such identification documents or the ages of applicants.

## PROTECTION

The government did not provide adequate assistance to trafficking victims—both those exploited internally or after migrating overseas—relying almost exclusively on international organizations and NGOs to provide services to victims without providing funding to these organizations. However, following the Saudi Arabian government’s closure of its border and massive deportation of migrant workers, officials worked quickly and collaboratively with international organizations and NGOs to repatriate and accommodate over 163,000 Ethiopian returnees from Saudi Arabia and several hundred from Yemen. The government did not report the number of victims it identified and assisted during the year. It remained without standard procedures for front-line responders to guide their identification of trafficking victims and their referral to care. During the reporting period, following the return of Ethiopians exploited overseas, the Bole International Airport Authority and immigration officials in Addis Ababa referred an unknown number of female victims to eleven local NGOs that provided care specific to trafficking victims. Typically such referrals were made only at the behest of self-identified victims of trafficking. One organization assisted 70 trafficking victims during the year—often from Saudi Arabia, Kuwait, Qatar, Yemen, and Lebanon—providing shelter, food, clothing, medical and psychological treatment without government support. The government’s reliance on NGOs to provide direct assistance to most trafficking victims, while not providing financial or in-kind support to such NGOs, resulted in unpredictable availability of adequate care; many facilities lacked sustainability as they depended on project-based funding for continued operation. Despite its reliance on NGOs to provide victims care, the government at times created challenges for these organizations as a result of its 2009 Charities and Societies Proclamation. This proclamation prohibits organizations that receive more than 10 percent of their funding from foreign sources from engaging in activities that promote—among other things—human rights, the rights of children and persons with disabilities, and justice. These restrictions had a negative impact on the ability of some NGOs to adequately provide a full range of protective services, including assistance to victims in filing cases against their traffickers with authorities and conducting family tracing.

The government operated child protection units in the 10 sub-cities of Addis Ababa and six major cities, including Dire Dawa, Adama, Sodo, Arba Minch, Debre Zeit, and Jimma; staff at the units were trained in assisting the needs of vulnerable children,

including potential trafficking victims. Healthcare and other social services were generally provided to victims of trafficking by government-operated hospitals in the same manner as they were provided to other victims of abuse. The government continued to jointly operate an emergency response center in the Afar Region jointly with the IOM, at which police and local health professionals provided medical and nutritional care, temporary shelter, transport to home areas, and counseling to migrants in distress, including trafficking victims. While officials reportedly encouraged victims to assist in the investigation and prosecution of their traffickers, there were no protective mechanisms in place to support their active role in these processes. For example, Ethiopian law does not prevent the deportation of foreign victims to countries where they might face hardship or retribution. There were no reports of trafficking victims being detained, jailed, or prosecuted in 2013. The limited nature of consular services provided to Ethiopian workers abroad continued to be a weakness in government efforts. Although Employment Exchange Services Proclamation No. 632/2009 requires licensed employment agencies to place funds in escrow to provide assistance in the event a worker’s contract is broken, the Ministry of Foreign Affairs (MFA) has never used these deposits to pay for victims’ transportation back to Ethiopia. Nonetheless, in one case, a young woman in domestic servitude was pushed off the fifth story of a building by her employer in Beirut; once the victim was out of the hospital, the Ethiopian Embassy assisted in her repatriation, and upon her arrival, officials referred her to an NGO for assistance.

While officials worked to facilitate the return of stranded migrants and detainees, many of whom are believed to be trafficking victims, its focus was solely emergency assistance, with minimal direct provision of or support for longer-term protective services necessary for adequate care of trafficking victims. In April 2013, through a bilateral agreement with Yemeni officials, the Ethiopian government facilitated the return of 618 Ethiopian migrants stranded in Yemen after having failed to cross the Saudi Arabian border or been deported from Saudi Arabia. The government did not coordinate humanitarian assistance for these returnees upon their arrival in Addis Ababa. IOM coordinated subsequent returns, providing shelter at the IOM transit center in Addis Ababa, where returnees received medical care and psycho-social support while UNICEF conducted family tracing. The government did not provide financial or in-kind support to these IOM-led operations.

Beginning in November 2013, the Saudi Arabian government began massive deportation of foreign workers, who lacked proper visas or employment papers. The Ethiopian government led the repatriation and closely collaborated with IOM as part of an emergency response to the deportation of 163,000 Ethiopians from Saudi Arabia—many of whom were likely trafficking victims. Ethiopian diplomats worked to identify Ethiopian detainees stuck in 64 Saudi detention camps and various ministries met twice a week in an effort to return the migrants as rapidly as possible because of inhumane conditions within Saudi deportation camps. With a peak of 7,000 returning each day, the government partnered with IOM to provide food, emergency shelter, and medical care, and facilitate the deportees’ return to their home areas. Those requiring overnight stays in Addis Ababa were accommodated in IOM’s transit center and three transit facilities set up by the government; two of these were on government training campuses and one was rented at the government’s expense. The Disaster Risk Management and Food Security Section of the Ministry of Agriculture set up incident command centers at transit centers where representatives from

all ministries addressed issues among returnees. The Ministry of Health and the Ministry of Women, Children, and Youth Affairs provided blankets, food, and the approximate equivalent of \$12,000 to a local NGO that assisted 87 severely traumatized trafficking victims identified among this population—believed to be only a mere fraction of the total number of victims needing comprehensive counseling and reintegration support among these deportees. Regional governments established committees to provide returnees basic assistance and planned to support their reintegration via the establishment of cooperatives and small businesses. For example, in Addis Ababa, 3,000 returnees received psychological support and 1,743 graduated from technical skills training. While the government contributed the equivalent of approximately \$2.5 million towards repatriation costs, it requested reimbursement from IOM via donors for the equivalent of approximately \$27,000 worth of food.

## PREVENTION

The government made moderate efforts to prevent human trafficking. It coordinated both regional and national awareness raising campaigns. In 2013, nationally-owned media companies aired a drama series which portrayed the dangers of being trafficked. The Women's Development Army, a government run program, raised awareness of the dangers of sending children to urban areas alone and of the potential for abuse when illegal brokers facilitate migration. Working-level officials from federal ministries and agencies met weekly as part of the technical working group on trafficking, led by MOLSA. The inter-ministerial taskforce on trafficking met quarterly and was extensively involved in responding to the deportation of Ethiopians from Saudi Arabia.

Officials acknowledged that licensed employment agencies were involved in facilitating both legal and illegal labor migration and, as a result, enacted a temporary ban on the legal emigration of low-skilled laborers in October 2013. The ban is set to remain in place until draft amendments to the employment exchange proclamation are enacted to allow for greater oversight of private employment agencies, to mandate the placement of labor attachés in Ethiopian embassies, and to establish an independent agency to identify and train migrant workers. The government monitored the activities of labor recruitment agencies and closed an unknown number of agencies that were identified as having sent workers into dangerous conditions. Officials acknowledged that the ban may encourage illegal migration; as a result, the EFP mobilized additional resources to monitor Ethiopia's borders. In February 2014, the EFP intercepted 101 Ethiopians led by an illegal broker at the border with Sudan. In early November 2013, the government sent a delegation of officials to Saudi Arabia to visit various camps where Ethiopians were being held. Due to the poor conditions in the camps and numerous reports of abuse, the Ethiopian government acted to remove all of their citizens swiftly. During the year, a planned government-funded, six-week, pre-departure training for migrant workers was suspended due to lack of funding. Labor migration agreements negotiated in the previous reporting period with Jordan, Kuwait, and Qatar remained in place; the government negotiated new agreements in 2013 with the Governments of Djibouti, Sudan, the UAE, and Kenya. However, these agreements did not explicitly contain provisions to protect workers—such as by outlining mandatory rest periods, including grounds for filing grievances, and prohibiting recruitment fees.

In 2013, the government established the Office of Vital Records to implement a June 2012 law requiring registration of all

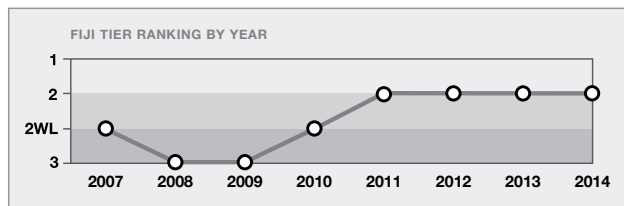
births nationwide; however, the lack of a uniform national identification card continued to impede implementation of the law and allowed for the continued issuance of district-level identification cards that were subject to fraud. MOLSA's inspection unit decreased in size during the reporting period from 380 to 291 inspectors as a result of high turnover rates and limited resources. In 2013, the government's list of Activities Prohibited for Young Workers became law. MOLSA inspectors were not trained to use punitive measures upon identifying labor violations, and expressed concern that such efforts would deter foreign investment. The government provided Ethiopian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though such training was conducted by a foreign donor.

## FJI (Tier 2)

Fiji is a source country for women and children subjected to sex trafficking and forced labor, and a transit and destination country for Asian men and women subjected to forced labor and forced prostitution. Fijian women and children are trafficked abroad or in between cities for sexual exploitation and as domestic workers. Fiji's liberal visa requirements—which allow nationals of 132 nations to enter the country without acquiring a visa—coupled with Fiji's role as a regional transportation hub, may contribute to Fiji being a transit area for human trafficking. Women from China, Thailand, Malaysia, and other East Asian countries are recruited deceptively in their home countries or while visiting Fiji, sometimes by Chinese criminal organizations. These women reportedly are exploited in illegal brothels (massage parlors and spas), local hotels, private homes, small and informal farms and factories, and other rural and urban locations. Workers from Cambodia, the Philippines, Burma, Indonesia, North Korea, China, Singapore, and other Asian countries are deceptively recruited in their home countries and transit through or board fishing vessels from Fiji ports and waters. They live in poor living conditions, accrue debt larger than promised wages, and work for little or no compensation on foreign fishing vessels, mainly Chinese and Taiwanese, in Pacific waters.

Family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels have been alleged to participate in the prostitution of Fijian children. Some Fijian children are at risk of human trafficking as families follow a traditional practice of sending them to live with relatives or families in larger cities; these children may be subjected to domestic servitude or coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees. Fijian children may also be subjected to forced labor in agriculture, begging, and industrial sectors.

The Government of Fiji does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the Fijian government investigated seven trafficking cases, prosecuted one trafficking offense, and convicted one trafficker. Authorities did not widely implement formal procedures to proactively identify victims of trafficking among vulnerable populations during the year and victim identification declined.



### RECOMMENDATIONS FOR FIJI:

Continue efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders; institute additional training for law enforcement and immigration officers on victim identification and protection; develop and strengthen formal procedures to proactively identify victims of trafficking, especially among vulnerable groups, such as foreign migrant workers on fishing vessels, those allegedly involved in prostitution, and children exploited by local citizens; enhance efforts to provide access to legal, medical, and psychological assistance to victims of trafficking; make efforts to allow identified trafficking victims to work and earn income while assisting with investigations; disseminate more anti-trafficking awareness campaigns directed at clients of child and adult prostitution; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The Government of Fiji sustained anti-trafficking law enforcement efforts. The 2009 Crimes Decree includes provisions that prohibit all forms of trafficking. The prescribed penalties of up to 25 years' imprisonment, and possible fines of up to the equivalent of approximately \$400,000, are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

In 2013, the anti-trafficking unit investigated seven cases, a decrease from nine investigations during the previous year. The government prosecuted and convicted one trafficker during the reporting period in a case involving three Malaysian nationals subjected to forced prostitution by a Fijian male of Chinese descent. The trafficker was sentenced to 11 years and 9 months' imprisonment. Prosecution of Fiji's first internal child sex trafficking case from 2012, which involved two adults accused of child sex trafficking, remained ongoing at the end of this reporting period.

The government continued to fund the police human trafficking unit's training workshops to detect and investigate trafficking cases. In addition, two-day anti-trafficking workshops were held in the four police divisional districts for isolated police posts and stations. Fijian government officials did not report any investigations or prosecutions of public officials complicit in human trafficking-related offenses during the year.

### PROTECTION

The Government of Fiji sustained efforts to identify and protect trafficking victims. During the year, the police human trafficking unit identified three victims of trafficking, compared to six victims identified in the previous reporting period. The Immigration Department and the police human trafficking unit continued to use guidelines to identify potential trafficking victims, including at the border. However, the Immigration Department did not proactively identify victims of trafficking among vulnerable populations, such as women and girls in

prostitution, foreign workers in spas, women who were deported for breaching visa conditions, and crew members who transit through or board vessels in Fiji ports.

The government continued to rely on NGOs and international organizations to supply long-term care facilities and specialized services for trafficking victims; the government did not allocate or provide funding to shelters for trafficking victims in 2013. The Ministry of Women, Social Welfare, and Poverty Alleviation, however, provided the equivalent of approximately \$10,000 to a local NGO shelter to provide food for victims of child trafficking. Trafficking victims are eligible to apply for government legal aid and receive basic medical care, but no victims applied for these provisions during the reporting period. The government provided accommodation, medical care, interpreters, allowances for basic necessities, 24-hour police security, and temporary visas to foreign victims of trafficking. The government deported foreign women in prostitution without screening them for vulnerability to trafficking. The government did not offer permanent residency status for foreign victims, including those who participated in criminal trials.

### PREVENTION

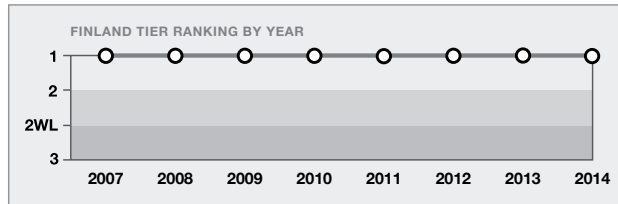
The Government of Fiji increased efforts to raise public awareness about human trafficking. The Ministry of Women, Social Welfare, and Poverty Alleviation provided the equivalent of approximately \$10,000 for an NGO to host a national conference in November 2013 to raise awareness on trafficking. The police human trafficking unit partnered with the Office of the Director of Public Prosecutions in a poster campaign to raise public awareness of trafficking issues. Unit staff also participated in several radio talk shows and major public events on human trafficking. The government published press releases and advertisements in Mandarin, Hindi, and Thai to publicize available government assistance for potential trafficking victims. The government did not make efforts to reduce the demand for commercial sex acts or child sex tourism during the reporting period. The government provided anti-trafficking training as a component of human rights training given to Fijian military personnel prior to their deployment abroad on international peacekeeping missions. Fiji is not a party to the 2000 UN TIP Protocol.

## FINLAND (Tier 1)

Finland is a transit, destination, and limited source country for women and girls subjected to sex trafficking, and for men and women subjected to conditions of forced labor. Forced labor victims come from a variety of countries including Belarus, China, Estonia, India, Kyrgyzstan, Latvia, Lithuania, Sri Lanka, Thailand, Turkey, Ukraine, and Vietnam, and are exploited in the construction, restaurant, agriculture, metal, and transport industries, and as cleaners, gardeners, and domestic servants. Female sex trafficking victims originate in the Czech Republic, Estonia, Latvia, Lithuania, Nigeria, Poland, Romania, Russia, Southeast Asia, and other parts of West Africa. Finnish teenagers are reportedly vulnerable to sex trafficking.

The Government of Finland fully complies with the minimum standards for the elimination of trafficking. Law enforcement officials investigated more cases of trafficking and referred more victims to care in 2013; however, the government prosecuted and convicted a very low number of suspected trafficking offenders relative to the substantial number of potential victims

identified. During the reporting period, authorities continued to provide comprehensive assistance to potential trafficking victims, though the government cared for victims in shelters with a mixed population, which put trafficking victims at risk for being re-victimized. The government established a national coordinator position to improve cooperation between Finnish authorities and NGOs, though the position remained vacant at the close of the reporting period. The Finnish independent anti-trafficking national rapporteur continued exemplary self-critical reporting on trafficking in Finland, and the government performed outreach campaigns to individuals in prostitution.



### RECOMMENDATIONS FOR FINLAND:

Increase law enforcement efforts against trafficking; make greater use of the trafficking statute to investigate and prosecute cases; encourage officials to proactively identify potential sex and labor trafficking victims and refer them to services to which they are entitled under Finnish law; ensure victims of trafficking are offered appropriate housing and specialized care, taking into consideration the risks of secondary trauma inherent in mixed-use shelters; continue training investigators, police, border officials, prosecutors, labor inspectors, and judges on human trafficking and the rights of trafficking victims; provide training on victim identification and referral for health care and social services employees; continue to encourage victim participation in the criminal process; and fill the position of the national trafficking coordinator and provide sufficient resources to fulfill the position's duties.

### PROSECUTION

The Government of Finland sustained its anti-trafficking law enforcement efforts through increased police training and investigations, although authorities convicted very few traffickers, especially in light of the substantial number of identified victims. Law 1889-39 of the Finnish penal code prohibits all forms of both sex and labor trafficking and prescribes sentences of up to 10 years' imprisonment for convicted offenders—penalties that are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The Government of Finland reported initiating 12 sex trafficking investigations and 15 labor trafficking investigations in 2013, compared to 23 trafficking investigations in 2012. Authorities prosecuted 19 alleged trafficking offenders in 2013, compared to eight in 2012. Finnish courts convicted two labor trafficking offenders in 2013 with sentences of 30 months' imprisonment; this marked a decrease from the eight convictions in 2012. In four additional cases, five persons were charged with, and found not guilty of, trafficking, but were convicted on lesser charges. In addition, two appellate courts upheld prior convictions of three persons for human trafficking offenses. The government did not convict any offenders for sex trafficking in 2013. The Finnish government continued to integrate trafficking awareness into its formal classroom training for the police and border official, and the rapporteur provided training to police, the border official, prosecutors, and judges. In early 2014, the government designated a trafficking expert in each of Finland's 24 regional

police districts; the designated officers served as local resources and trainers for the other police officers and planned to meet twice annually to share best practices among the network of experts. The government also designated five prosecutors from different regions in the country to handle trafficking cases. Law enforcement authorities collaborated with other governments on trafficking investigations. The government did not report the investigation or prosecution of any public officials for trafficking-related complicity.

### PROTECTION

The government sustained its protection efforts during the reporting period, showing improvement in the number of victims identified by authorities; however, it struggled to identify sex trafficking victims. The government provided both direct care and funding for third-party care through an asylum reception center that offered shelter, psychological assistance, medical care, legal consultation, and other services to identified victims of trafficking. The staff of the reception center was also empowered to identify and authorize care for trafficking victims, even when law enforcement authorities did not identify a person as a trafficking victim. However, the available shelter housed a mixed population, which posed risks for the re-victimization of some trafficking victims, particularly victims of sex trafficking. The reception center maintained a hotline and a website in multiple languages exclusively for trafficking victims. In 2013, although the reception center reported spending the equivalent of approximately \$1,201,500 on the care of trafficking victims and operating expenses, a decrease from \$1,933,400 in 2012, the government fully funded victim protection efforts for trafficking victims. Officials identified 56 victims in 2013, an increase from 46 victims identified in 2012. In total, 128 potential trafficking victims asked for assistance in 2013, an increase from 60 in 2012, which was largely due to one group referral of 50 persons. Victims of labor trafficking continued to constitute the bulk of the referrals to Finland's victim assistance program, and experts reported that Finnish authorities' efforts to identify sex trafficking victims were insufficient. Observers reported victims of sex trafficking are often categorized as witnesses to procuring offenses; witnesses to procuring offenses rarely receive the same assistance as victims of trafficking. Finnish courts required two offenders convicted of labor trafficking to pay compensation to victims.

The government encouraged victims to assist in the investigation and prosecution of trafficking offenders. In 2013, 12 victims assisted law enforcement in pre-trial investigations, 10 of whom participated in the prosecutions of alleged traffickers. Finnish law allowed identified trafficking victims a six-month reflection period, during which they could receive immediate care and assistance while considering whether to assist law enforcement. Authorities provided 12 victims with a reflection period in 2013, an increase from no victims in 2012. The government offered an extended residence permit to 12 victims wishing to stay longer than six months, compared to 32 permits issued in 2012. There were no reports that the government penalized identified victims for unlawful acts they may have committed as a direct result of being trafficked.

### PREVENTION

The government improved its anti-trafficking prevention activities in 2013 through establishing a national coordinator position and performing outreach to individuals in prostitution. The rapporteur continued her analysis of the government's anti-

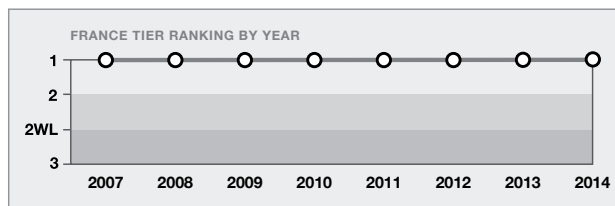
trafficking efforts and advocated for specific changes through its public report. In June 2013, the government created the position of a national trafficking coordinator to improve cooperation between Finnish authorities and NGO care providers, an area the rapporteur had identified as a weakness in Finland's fight against trafficking. The national coordinator position was not filled by the end of the reporting period. The government interviewed and distributed pamphlets in multiple languages to individuals in prostitution to inform them of their rights and what constituted sex trafficking. The government continued to provide assistance to other governments for counter-trafficking programs and to a regional expert group on trafficking. To prevent child sex tourism by Finnish citizens traveling abroad, the government distributed brochures at a travel show to thousands of potential travelers, highlighting the harm child sex tourism causes to children. The government also demonstrated efforts to reduce demand for commercial sex acts. The Finnish government provided anti-trafficking training to Finnish forces prior to their deployment abroad on international peacekeeping missions.

## FRANCE (Tier 1)

France is a destination, transit, and a limited source country for men, women, and children subjected to trafficking in persons, specifically forced labor and sex trafficking. Foreign victims from Eastern Europe, West Africa, and Asia, as well as North Africa and South America, are subjected to sex trafficking and forced labor. Sex trafficking networks controlled by Bulgarians, Nigerians, Romanians, Chinese, and French citizens force women into prostitution through debt bondage, physical force, and psychological coercion, including the invocation of voodoo. Students and isolated foreign minors are also increasingly exploited for sexual purposes. The Government of France estimates the majority of the 20,000 people in France's commercial sex trade, about 90 percent of whom are foreigners, are likely trafficking victims. Source countries include Romania, Nigeria, China, Brazil, and Bulgaria. There is a noticeable increase in online-advertised prostitution organized by Russians and Bulgarians and classified ads posted by organized networks, both involving trafficking victims, mainly controlled by Romanians, Bulgarians, Nigerians, and Brazilians. Reports indicate that significant number of children—one NGO estimates approximately 5,000—primarily from Romania, West Africa, and North Africa, are victims of forced prostitution in France. Women and children from Suriname are victims of sex trafficking in French Guyana. Roma and other unaccompanied minors in France continue to be vulnerable to forced begging and forced theft. Women and children continue to be subjected to domestic servitude mostly in cases where families exploit relatives brought from Africa to work in their households.

The Government of France fully complies with the minimum standards for the elimination of trafficking. The government revised its anti-trafficking law and continued to protect a large number of victims; however, the government's efforts to combat labor trafficking were much weaker than those undertaken for sex trafficking. Robust cooperation with external law enforcement organizations continued as demonstrated by the breakup of numerous sex trafficking and forced begging networks. The government also increased cooperation with destination countries for child sex tourism by French nationals. Despite these efforts, the government continued to lack a national action plan and a national rapporteur position responsible for all trafficking-related statistics and in charge of evaluating data

from other government agencies. The implementation of victim protection policies remained inconsistent between regions and municipalities and the fee victims must pay to receive temporary resident permits more than doubled in 2014. Law enforcement efforts under the anti-trafficking statute were extremely low compared with the number of victims identified.



### RECOMMENDATIONS FOR FRANCE:

Greatly increase investigations, prosecutions, and convictions under the trafficking statute, ensuring convicted offenders are sentenced to jail terms; amplify training on and enforcement of labor trafficking laws; increase anti-trafficking training for prosecutors and judges, ensuring that emphasis is placed on increasing the use of the trafficking statute; formalize a referral mechanism adequately addressing the needs of both sex and labor trafficking victims, including children forced to beg and steal; strengthen victim protection for child victims of forced begging and theft; improve victims' access to restitution; standardize residence permit issuance policies and consider waiving fees for trafficking victims; ensure women and children arrested for soliciting or theft are screened for trafficking indicators; offer trafficking victims a 30-day reflection period; ensure victims of trafficking receive care regardless of cooperation with law enforcement; enhance the collection of law enforcement and victim assistance data; adopt the 2014-2016 National Action Plan; and create a national rapporteur responsible for all statistics related to human trafficking and in charge of evaluating data.

### PROSECUTION

The government sustained anti-trafficking law enforcement efforts and improved its definition of trafficking under new legislation; nevertheless, the French prosecution and conviction efforts under the trafficking law remain very low compared with the identification of the crime in France. France prohibits all forms of trafficking in persons through Article 225-4 of its penal code, which prescribes maximum penalties of between seven years' and life imprisonment for trafficking offenses. In August 2013, the government amended Article 225-4 to comply with EU Directive 2011/36/EU. The law better aligned the French definition of trafficking with international law by ensuring that coercion was included as an element of the base offense of trafficking for adults, rather than an aggravating factor. The law includes penalties from seven to 30 years' imprisonment; the law also created the offenses of servitude, with a punishment of up to 10 years' imprisonment, and forced labor, with a punishment of up to seven years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The government continued to have difficulty collecting and reporting current data on its anti-trafficking law enforcement efforts, inhibiting its ability to assess the country's trafficking situation and its own anti-trafficking efforts. Law enforcement reportedly dismantled 45 sex trafficking networks in 2013, mostly from Eastern Europe. In 2013, French authorities formally questioned 824 individuals suspected of trafficking or pimping offenses, but did not specifically report the number of trafficking investigations within that figure. In 2012,

the most recent year for which data is available for convictions, French authorities prosecuted and convicted 17 offenders under Article 225-4-2, the same amount as in 2011. The government also convicted 19 offenders for the prostitution of children in 2012, compared with 22 in 2011. In addition, in 2012, the government obtained convictions against 19 offenders for the exploitation of begging, compared with 15 in 2011.

Some trafficking cases may be reflected in the 590 convictions under the aggravated anti-pimping statute in 2012; an estimated 15 percent of the original arrests in those cases were for trafficking-specific offenses. In March 2013, a man was sentenced in Avignon to 18 months' imprisonment for buying a 15-year-old girl from Cote d'Ivoire for domestic servitude and subjecting her to physical abuse. In May 2013, the leader of a forced theft network involving Roma children was sentenced by a Paris court to seven years' imprisonment; 20 accomplices were sentenced to between one and five years' imprisonment. In September 2013, Paris police arrested eight people who subjected approximately 90 transgender individuals from Argentina to sex trafficking. In October 2013, a court in Nancy sentenced 26 people to between two and eight years' imprisonment for forcing Roma children as young as 10-years-old to commit robberies. In November 2013, police announced the dismantling of one of the largest trafficking networks involving Eastern European children ever identified in France. Police arrested six individuals accused of forcing their children to commit burglaries in Paris and surrounding areas following a six-month joint investigation with Romania. In April 2013, a Paris court sentenced 22 people responsible for two sex trafficking networks to between one and 10 years' imprisonment. In December 2013, Limoges police arrested 10 people from a Bulgarian sex trafficking network for victimizing approximately 60 women and girls. In December 2013, a court in Alpes-Maritimes sentenced a man to 20 years' imprisonment for the purchase of a four-year-old Moroccan boy for sexual exploitation. In January 2014, two people were arrested in Paris for subjecting a dozen women and girls from China to sex trafficking.

The Ministry of Justice continued to offer an annual training session for prosecutors and magistrates on France's anti-trafficking laws, which have historically been underused due to prosecutors' lack of familiarity with anti-pimping statutes. The government's current anti-trafficking strategy continues to call for prosecutors to prosecute traffickers under as many statutes as possible. Because it is frequently more difficult to obtain a conviction for trafficking than for other offenses, by using as many charges as possible, the intent is to obtain a conviction on at least one count. The government sponsored training for police and distributed pocket-sized cards to border police and NGOs on how to identify trafficking victims. France cooperated with international and intergovernmental law enforcement agencies in 208 cases in 2013, as well as several cases with Bulgaria, China, Romania, and Spain to investigate human trafficking cases. There were no reports of cases of human trafficking among foreign diplomats posted in France. In May 2013, the Lyon Appeals Court increased the sentence of the wife of Muammar Qadhafi's former chief of staff for holding four Tanzanian women against their will in the family's house in France to two years' imprisonment, with a one-year suspended prison sentence, a fine the equivalent of approximately \$207,000, and compensation the equivalent of approximately \$69,000 to four female forced labor victims from Tanzania. In October 2013, a retired police officer and his domestic partner were put under formal investigation for forcing two women from Cameroon into prostitution.

## PROTECTION

The government improved protection efforts by identifying an increased number of victims and providing funding to sex trafficking victims, but efforts to protect victims were inconsistent within different regions of France. The government has a formal procedure for identifying victims who were French citizens or legal residents. The government by law provides shelter and assistance to all victims of exploitation, regardless of their nationality or type of exploitation suffered. The government sponsored trainings for social workers and other government employees, including labor inspectors, on trafficking victim identification, as well as training for managers and employees of major hotel groups on suspicious activity they should report to police. The government identified 912 victims of pimping and sex trafficking in 2013—892 females (26 minors) and 20 males (two minors)—including victims from Romania (210), France (206), Nigeria (133), China (108), Brazil (37), Bulgaria (32), and 42 other countries. In 2012, the government identified 751 victims of trafficking and pimping. An NGO receiving partial government funding received 257 reports of trafficking victims and assisted a total of 147 victims in 2013, including 33 new victims (25 women and eight men) who were subjected to forced labor.

The Ministry of Justice and the Ministry of Women's Rights provided funding for the Ac-Se system, which is an NGO-managed network of 56 NGO-run shelters assisting vulnerable adult victims of sex and labor trafficking. Ac-Se assisted 68 victims of trafficking in 2013 (eight fewer than in 2012), providing them with shelter, legal, medical, and psychological services. Shelters located throughout France allowed NGOs to place victims far away from where they were exploited. Ac-Se received the equivalent of approximately \$275,000 from central government funding sources in 2013; regional and local governments provided additional funding. Local governments provided French language classes to victims. Some victims could qualify for subsidized housing and job training programs. Victims received the equivalent of approximately \$480 as an initial stipend from the government, and the equivalent of approximately \$137 per month thereafter. Victims had to wait an average of seven days for access to a shelter, a decrease from the average 14-day wait in 2012. The central and municipal governments also partially funded the operation of a shelter in Paris and a small number of emergency apartments. Child protective services placed child victims of trafficking into children's shelters. The government continued to operate a hotline for children in abusive situations, including human trafficking. While French authorities did not report overall funding allocations to NGOs for victims of trafficking, the central government, municipal governments, and the city of Paris provided at least the equivalent of approximately \$3.2 million to NGOs for victim assistance in 2013.

French law provided for a 30-day reflection period for suspected trafficking victims; however, some authorities were reportedly not familiar with the reflection period and did not offer it. Victims of trafficking were eligible for temporary residency permits, provided they cooperated with police investigations. The permits were typically valid for one year and were renewable every six months. The government issued first-time residency documents to 39 victims and renewals to 113 victims, with waiting periods for permits ranging from 15 days to 18 months; in January 2014 the cost for this permit increased from the equivalent of approximately \$390 to \$840. Victims of trafficking who obtained residency were able to work or leave the country during trial proceedings. These permits were available during the duration of

the criminal process and automatically became permanent upon an offender's conviction. In cases in which offenders were not convicted, local prefects had the discretion to grant permanent residency cards to victims. NGOs noted highly inconsistent practices among prefects in the issuance of residence permits, particularly if the victims had past convictions for prostitution. Some trafficking victims found it easier to apply for and obtain asylum, as the process involved no cost and no requirement to participate in a prosecution. Trafficking victims were eligible to receive restitution through the Crime Victims Compensation Program; the equivalent of approximately \$310,411 was allocated to trafficking victims in 2013 from this fund. There were no specific reports of identified trafficking victims being penalized for crimes committed as a direct result of their being trafficked. However, NGO contacts reported police punished victims, including child victims, for soliciting and theft, and when the police encountered the victims on multiple occasions, the police imprisoned them. The issue was exacerbated by the majority of victims escaping from juvenile housing centers and returning to their prior activities.

The government has an NGO-run referral program to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provide short-term care. The government also provided witness protection services for victims of trafficking who work with police to prosecute traffickers. Case-specific protection in France must be authorized by a judge and can take the form of complete 24-hour-a-day protection for victims who will testify or a mixed protection program in which police work with NGOs to ensure the protection of victims. To qualify for the more robust protection program, victims must fulfill certain criteria that involve being the primary witness or essential to the outcome of a trial. NGOs assessed when victims are willing to cooperate with law enforcement authorities, the referral process worked well. However, because victim assistance was based on cooperation with law enforcement, those victims unwilling to cooperate did not receive assistance.

## PREVENTION

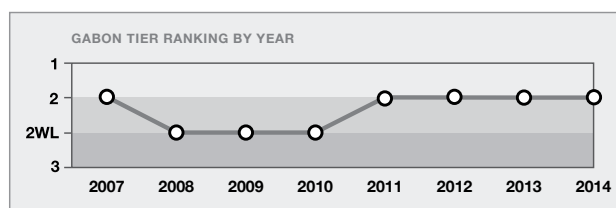
The government sustained anti-trafficking prevention efforts, but efforts to raise awareness within France did not adequately address the enormity of the issue. The government continued to operate without an approved national action plan, although the 2014-2016 plan is expected to be adopted in June 2014. The government did not run a national anti-trafficking awareness campaign, but NGOs receiving government funds ran campaigns. The government increased efforts to address child sex tourism committed by French citizens. NGO contacts estimated 15 French nationals are sentenced every year for involvement in child sex tourism, mainly in Asia. The government implemented a reporting mechanism with Senegal, Gambia, Madagascar, Kenya, and South Africa for French nationals who engage in child sex tourism. French police traveled to child sex tourism destination countries to investigate reports of child sexual exploitation abroad and to investigate French nationals suspected of this criminal activity. The French government funded programs through airlines and tourism operators describing the penalties for child sex tourism. All tourism students in France were obligated to take coursework on preventing child sex tourism. The government also took steps to reduce demand for prostitution among troops stationed abroad, although the government did not initiate any campaigns to reduce demand for commercial sex acts within France. The French government provided anti-trafficking training to all peacekeeping troops

prior to their deployment abroad on international peacekeeping missions.

## GABON (Tier 2)

Gabon is primarily a destination and transit country for women, men, and children from Benin, Nigeria, Togo, Mali, Guinea, Cameroon, and other West African countries who are subjected to forced labor and sex trafficking. Some victims transit Gabon *en route* to Equatorial Guinea. The majority of victims are boys forced to work as street vendors or mechanics. Girls are subjected to domestic servitude and forced labor in markets or roadside restaurants. West African women are forced into domestic service or prostitution in Gabon. Some foreign adults seek the help of smugglers for voluntary labor migration, but are subsequently subjected to forced labor or prostitution after arriving in Gabon without the proper documents for legal entry. During the reporting period, reports indicated adult men were subjected to forced labor on cattle farms in Gabon. Traffickers appear to operate in loose, ethnic-based crime networks, with female traffickers, some of whom may have been trafficking victims in the past, recruiting and facilitating the transportation of victims in countries of origin. In some cases, child victims report their families turned them over to intermediaries promising employment opportunities in Gabon. There is evidence some traffickers operate in other areas of the country to avoid detection in Libreville. Reports indicate the involvement of Nigerian syndicates in bringing trafficking victims to Gabon.

The Government of Gabon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increased protection efforts by identifying more trafficking victims, referring them to care, and working with several governments in the region to repatriate 30 foreign victims following their stay in shelters operated by the government or in government-supported NGO facilities. It also re-activated the Inter-Ministerial Committee to Monitor Child Trafficking, which organized various trainings for law enforcement, magistrates, labor inspectors, and social workers; conducted a national awareness campaign on child trafficking; and assisted in the drafting of amendments to extend the 2004 trafficking law to adults. The government did not report any convictions during the reporting period and failed to identify or provide protective services to any adult victims during the reporting period.



## RECOMMENDATIONS FOR GABON:

Increase efforts to prosecute, convict, and punish trafficking offenders, including those involved in adult trafficking; enact provisions criminalizing all forms of adult trafficking; expand training for social workers, law enforcement, labor inspectors and judicial staff to include adult trafficking; develop a system to track trafficking cases and provide relevant law enforcement and victim protection statistics; increase financial or in-kind support to government-run shelters and government-supported NGO



shelters; develop an inter-ministerial committee to address adult trafficking or expand the existing inter-ministerial committee's mandate to include adult trafficking; and expand national awareness-raising campaigns to include information on adult trafficking.

### PROSECUTION

The Government of Gabon maintained modest law enforcement efforts during the reporting period. Existing laws do not prohibit all forms of human trafficking; for example, they do not criminalize bonded labor. Law 09/04, "Concerning the Prevention and the Fight Against the Trafficking of Children in the Gabonese Republic," enacted in September 2004, prohibits child trafficking for both labor and sexual exploitation and prescribes penalties of up to a maximum of 40 years' imprisonment, along with a possibility of a fine of up to the equivalent of approximately \$20,000-\$40,000; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Penal code Article 261 prohibits the procuring of a child for the purpose of prostitution and prescribes a sufficiently stringent penalty of two to five years' imprisonment. Law 21/63-94 prohibits forced prostitution of adults and prescribes sufficiently stringent penalties of two to 10 years' imprisonment, which are commensurate with penalties prescribed for other serious crimes, such as rape. Penal code Article 48 prohibits the use of children in illegal activities, prescribing penalties of five to 10 years' imprisonment. Title 1, Article 4 of the Gabonese labor code (Law 3/94) criminalizes all forms of forced labor, prescribing penalties of one to six months' imprisonment, which are not sufficiently stringent and do not reflect the serious nature of the offense. During the reporting period, the government drafted an amendment to Law 09/04 to extend its provisions to the trafficking of adults—which is now covered by separate forced prostitution and forced labor provisions—and includes more severe penalties. However, the government did not pass the proposed amendment by the close of the reporting period.

The government reported 50 investigations, at least nine prosecutions, and zero convictions during the reporting period, compared to 30 investigations, 10 prosecutions, and 9 convictions from the previous reporting period. The government, in partnership with an international organization, provided training to 80 magistrates, 120 law enforcement officers, 10 labor inspectors, and 60 social workers throughout the country; the trainings focused on how to investigate and prosecute child trafficking cases, identify victims, and provide victims with protective services. The government did not provide training related to adult trafficking during the reporting period. The government investigated a local chief and a prosecutor for alleged complicity in a child labor trafficking case; the investigation was ongoing at the close of the reporting period, and the government did not report any additional investigations, prosecutions, or convictions of public officials for complicity in human trafficking offenses.

### PROTECTION

The Government of Gabon sustained modest efforts to ensure victims of trafficking received access to necessary protective services during the reporting period. Government personnel employed procedures to identify victims of trafficking among vulnerable groups, such as migrant children, and systematically referred them to government or NGO shelters. Government officials identified 50 child trafficking victims during the year,

all of whom were referred to care facilities for assistance; this demonstrates an increase from the previous reporting period, when the government identified 19 victims. The Ministry of Family and Social Affairs assisted in the repatriation of 30 of these victims; 20 of the children were repatriated to Benin, and the remaining 10 were repatriated to Togo, Mali, and Nigeria.

The government provided an unknown amount of funding to support four centers that offered shelter, medical care, education, and psycho-social services to orphans and vulnerable children, including child trafficking victims, in Libreville and Port Gentil, as well as a short-term center in Mouila. Two centers were government-funded, while the other three were NGO centers supported partly by the government through in-kind donations, as well as the provision of service support, including social workers. Neither the government nor NGO-run transit centers were specifically designated for adult victims, but in practice, they could provide shelter and services to adults; however, no adults were identified during the reporting period.

If victim repatriation was not an option, the Ministry of Social Affairs could provide a victim with immigration relief and resettle them in Gabon; an unknown number of victims availed themselves of this legal alternative during the reporting period. Victims were encouraged to testify during the prosecution of their traffickers. Testimony is routinely taken by prosecutors, police, and magistrates at the time of arrest of the suspected traffickers or rescue of the victim. The Ministry of Justice worked with other ministries and agencies to provide victims with protective services in Gabon until prosecutors and investigators could present their cases in court. In cases where financial restitution for support and repatriation, where appropriate, could not be obtained from the trafficker or the country of origin, the Government of Gabon absorbed the costs or sought the assistance of NGOs. There were no reports of the government detaining, fining, or jailing victims due to acts committed as a result of their being trafficked.

### PREVENTION

The Gabonese government demonstrated increased efforts to prevent trafficking. The government's Inter-Ministerial Committee to Monitor Child Trafficking—the focal point for coordinating government anti-trafficking activities—held its first meeting in early 2013 after 12 months of inactivity. The committee met regularly during the reporting period and drafted a national action plan to combat trafficking for 2014; however, the plan was not finalized at the close of the reporting period. In addition to coordinating aforementioned trainings and protection efforts, the committee organized a national awareness campaign on child trafficking. The campaign not only alerted potential child trafficking victims to trafficking risks and how to seek assistance, but also informed employers of the legal penalties for trafficking crimes. The government did not make any other discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period.

## THE GAMBIA (Tier 3)

The Gambia is a source and destination country for women and children subjected to forced labor and sex trafficking. Within The Gambia, women, girls, and, to a lesser extent, boys are subjected to sex trafficking and domestic servitude. Women, girls, and boys from West African countries—mainly Senegal,

Sierra Leone, Liberia, Ghana, Nigeria, Guinea, Guinea-Bissau, and Benin—are recruited for commercial sexual exploitation in The Gambia. The majority of these victims are subjected to sexual exploitation by European child sex tourists. Observers believe organized sex trafficking networks use both European and Gambian travel agencies to promote child sex tourism. Many Gambian boys attend Koranic schools led by religious teachers, known as *marabouts*; some corrupt or unscrupulous *marabouts* force such boys into begging and street vending. Gambian children have been identified as victims of forced labor in neighboring West African countries, including Ghana and Senegal.

The Government of The Gambia does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not provide comprehensive law enforcement data relating to trafficking offenses; it did not report initiating any prosecutions or securing any convictions of trafficking offenders during the reporting period. It also did not formally identify any trafficking victims nor indicate whether any victims were afforded shelter or care by government-supported services. The government continued to sustain modest prevention efforts over the reporting period.



### RECOMMENDATIONS FOR THE GAMBIA:

Vigorously investigate and prosecute trafficking offenses and ensure adequate sentencing for convicted trafficking offenders; train law enforcement personnel to identify trafficking victims proactively among vulnerable populations, such as boys in street vending, unattended children in tourist resorts known to be sex tourism destinations, and women in prostitution, and refer them to protective services; improve data collection relating to victim identification and law enforcement statistics; develop standardized procedures for referring trafficking victims to NGO care services and make government officials and the NGO community aware of these procedures; engage with anti-trafficking counterparts in the region to enable the safe repatriation of victims to and from The Gambia; and provide adequate funding and resources to the National Agency Against Trafficking in Persons so it can effectively implement the anti-trafficking national action plan.

### PROSECUTION

The government demonstrated a decrease in anti-trafficking law enforcement efforts during the reporting period. The Gambia's 2007 Trafficking in Persons Act prohibits all forms of trafficking, and an October 2010 amendment increased the prescribed penalties to 50 years' to life imprisonment for all forms of trafficking. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Gambia's 2005 Children's Act also prohibits child trafficking—though it does not include forced labor in its definition of trafficking—prescribing a penalty of life imprisonment. The 2003 Tourism Offenses Act explicitly

prohibits child sex trafficking, prescribing a penalty of 10 years' imprisonment.

The government reported investigating one suspected trafficker during the year, and did not report any prosecutions or convictions; however, the government did not provide comprehensive law enforcement data related to trafficking cases during the reporting period. The government, in partnership with NGOs and international organizations, provided sensitization seminars to over 1,000 law enforcement officers and social workers on trafficking in persons. Additionally, in October 2013, the Gambian Police Force adopted a new police training manual, funded in part by UNICEF. The manual, which includes a module on human trafficking, will be included in trainings for all new police recruits; during the reporting period, the manual was used to train 60 new police recruits. The government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses.

### PROTECTION

The government demonstrated negligible efforts to protect victims of human trafficking during the reporting period, as it did not formally identify any trafficking victims. The Department of Social Welfare (DSW) allocated the equivalent of approximately \$11,500 to operating a shelter for trafficking victims, abandoned children, and victims of domestic violence, as well as a drop-in center for street children; no trafficking victims were cared for in these facilities during the reporting period. The shelter offers 24-hour services to children and adults; however, no victims in the shelter were allowed to leave the premises without a chaperone. The government operated a 24-hour multi-purpose hotline, which could be used to report trafficking offenses. The government continued to maintain an electronic child protection database, which includes information on trafficking cases, although no cases were identified in 2013. The Trafficking in Persons Act allows foreign victims to obtain temporary residence visas for the duration of legal proceedings; the government offers no other legal alternatives to the removal of foreign trafficking victims to countries where they may face retribution or hardship. There were no reports of victims being penalized for unlawful acts committed as a result of being trafficked; however, the lack of formal identification procedures likely resulted in some victims remaining unidentified in the law enforcement system.

### PREVENTION

The government demonstrated sustained modest prevention efforts during the reporting period. The National Agency Against Trafficking in Persons (NAAPTIP)—the coordinating body for governmental anti-trafficking efforts—met monthly and continued to receive modest funding of the equivalent of approximately \$33,000 from the government. NAAPTIP relied on NGOs and international organizations for additional support. Its officials traveled to key border posts to sensitize immigration, police, and customs officers, as well as local community leaders, on trafficking in persons and the need to report any suspected cases directly to NAAPTIP. NAAPTIP officials also updated the government's four-year national action plan on trafficking, which covers 2012-2016. The DSW operated 66 Community Child Protection Committees during the reporting period, which held monthly meetings and sensitization activities, some of which related to trafficking. The DSW and the Department of Education continued to operate a program providing financial support and resources to 12 Koranic schools on the condition

that their students are not forced to beg; over 1,000 children benefitted from the program during the reporting period; the government contributed the equivalent of approximately \$2,600 each month during the reporting period to fund the program.

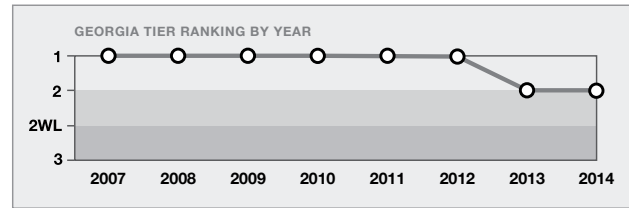
The Gambia Tourism Board, with support from a local NGO, co-funded the installation of an electronic billboard at Banjul International Airport to warn visitors of the severe penalties for engaging in child sex tourism. It also held five seminars on child sex tourism for approximately 190 law enforcement officers, tourism industry operators, and members of the public. Authorities continued to enforce the 2005 ban on unattended children in resort areas, but this effort did not lead to the referral of any child trafficking victims to protective services or the apprehension of any suspected traffickers or child sex tourists. Additionally, the DSW continued to operate five Neighborhood Watch Groups to monitor urban areas near tourist resorts for possible cases of child abuse or child sexual exploitation. The government did not make any discernible efforts to decrease the demand for forced labor during the reporting period. The government provided anti-trafficking training to Gambian troops before their deployment abroad on international peacekeeping missions.

## GEORGIA (Tier 2)

Georgia is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically the forced prostitution of women and the forced labor of men, women, and children. Women and girls from Georgia are subjected to sex trafficking within the country, as well as in Turkey, and, to a lesser extent, the United Arab Emirates and Russia. Women from Azerbaijan, Uzbekistan, Kyrgyzstan, and other countries are subjected to forced prostitution in Georgia's commercial sex trade in the tourist areas of Batumi and Gonio in Adjara province. In May 2013, an Uzbek sex trafficking victim was murdered in western Georgia by a man believed to be acting on behalf of her trafficker. Experts report that women are subjected to sex trafficking in saunas, strip clubs, casinos, and hotels. Georgian men and women are subjected to forced labor within Georgia, and in Turkey, Russia, Azerbaijan, Cyprus, Italy, Qatar, Sweden, and other countries. Georgian migrants pursuing employment in agriculture and other low-skilled jobs contact employers or agents directly, only later becoming victims in their destination country. In recent years, foreign nationals have been exploited in agriculture, construction, and domestic service within Georgia. Some street children may be subjected to forced begging or coerced into criminality. Georgia is a transit country for trafficking victims from Central Asia to Turkey. No information was available about the presence of human trafficking in the separatist regions of Abkhazia and South Ossetia.

The Government of Georgia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Georgia's anti-trafficking law enforcement efforts remained low, but improved compared with the previous reporting period: the five convictions under Article 143 are an improvement compared with none in 2012 and one conviction in 2010, but still are lower than previous years. Some experts cited a decline of political will since 2010, although serious efforts have been made to update trafficking statutes to address changes in trafficking techniques. Arrests of brothel owners seldom led to prosecutions, with brothels

continuing to operate. The absence of a functioning Labor Inspectorate for the identification of cases of labor trafficking continued to be an issue of concern.



### RECOMMENDATIONS FOR GEORGIA:

Assign police with specialized training in trafficking to participate in raids of suspected brothels, and allow victim assistance service providers to participate in Adjara province; investigate and, when sufficient evidence exists, prosecute suspected traffickers, including brothel owners; create a functioning Labor Inspectorate for the identification of cases of labor trafficking; given the absence of labor inspectors in Georgia, ensure proactive outreach to workers, including both documented and undocumented foreign migrants, who are vulnerable to trafficking; employ more effective, proactive methods to detect and identify potential trafficking victims among vulnerable populations; ensure children in prostitution are properly identified as trafficking victims; ensure that children who are subjected to forced begging and vulnerable to commercial sexual exploitation are not inadvertently criminalized or punished for crimes committed as a direct result of their being trafficked; increase efforts to investigate and prosecute suspected trafficking cases, including by assessing non-physical forms of coercion, and convict labor and sex trafficking offenders; ensure that NGOs are funded and remain active partners in providing public awareness and outreach campaigns; consider appointing a victim-witness advocate to help ensure the rights of Georgian and foreign victims are respected during legal proceedings; continue to raise awareness among government officials and the general public about all forms of human trafficking; and continue awareness-raising campaigns about the existence of human trafficking, legal recourse, and available protection services, targeted at vulnerable groups.

### PROSECUTION

The Government of Georgia increased its law enforcement efforts over the previous reporting period, but efforts remained low. Georgia prohibits all forms of trafficking in persons through the Law on Combating Trafficking in Persons and Article 143 of its criminal code, which prescribes penalties ranging from seven to 20 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. Investigations were approximately the equivalent to the previous reporting period, with 11 investigations—seven for sex trafficking, three for labor trafficking, and one still to be determined; seven were conducted in the prior reporting period. Three defendants were prosecuted for sex trafficking of an adult under Article 143(1), and there were three convictions, more than the two sex trafficking offenders prosecuted and none convicted in the previous reporting period. In July 2013, one offender was sentenced to six years and eight months' imprisonment for subjecting two Georgian women to sex trafficking. In November 2013, another offender was sentenced to nine years' imprisonment for subjecting an Uzbek woman to sex trafficking. In March 2014, one woman was convicted in absentia for sex trafficking and sentenced to life

imprisonment for trafficking and ordering the murder of her trafficking victim. The government prosecuted and convicted two defendants under Article 143(2) for sex trafficking of a minor during the reporting period. In January 2014, one offender in that case was sentenced to 14 years' imprisonment and the other offender was sentenced in absentia to 11 years and six months' imprisonment. An official expressed concern about a lack of political will to combat trafficking, as evidenced by the reduction in staffing in the prosecutor's trafficking unit from 2009-2012. Brothel owners who may have subjected women to sex trafficking were not properly investigated. The government continued its training programs for law enforcement as well as additional specialized training for prosecutors, judges, immigration officials, border police, and other front-line responders during the year. Experts noted police lacked enhanced interview techniques for questioning victim-witnesses, who can experience further trauma during this process. Police arrested large numbers of women in prostitution, many of whom who were not screened for human trafficking, and potential victims may have been compelled to testify against pimps and brothel owners. The Government of Georgia did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

## PROTECTION

The Government of Georgia sustained efforts to identify and protect trafficking victims, but there were deficiencies in the protection of children subjected to forced begging, and women and girls subjected to sex trafficking. The government identified 42 sex trafficking victims during the reporting period; this was an increase from 18 victims identified the previous reporting period. No victims of forced labor were identified within Georgia. The low level of victim identification of children in exploitative situations on the street, foreign women in the commercial sex trade, and Georgian and foreign workers in vulnerable labor sectors concerned experts. The government continued to lack a Labor Inspectorate to monitor suspected cases of forced labor. Without the participation of victim assistance service providers, some of the police raids on brothels involved police lacking human trafficking training and without proper screening of victims. Experts observed some gaps during part of the reporting period in the government's interagency efforts to coordinate counter trafficking actions. During the reporting period, the government funded and operated two shelters, but adult victims were not permitted to leave the shelters unchaperoned. Two other shelters were run by NGOs; these were used infrequently, largely as a short-term, interim solution when a victim could not immediately be housed in a state-run shelter. The government's shelters provided extensive medical aid, psychological counseling, and legal assistance to 15 trafficking victims in the reporting period. Twenty-nine trafficking victims received financial assistance from the government during the reporting period, consisting of a one-time payment in an amount equivalent of approximately \$650 each, an increase from five victims who received such support in the previous reporting period. The government reported that foreign trafficking victims were eligible for temporary residence permits, but no foreign victims requested them during the reporting period. In May 2013, the government signed a cooperation agreement with an international organization on providing employment and other assistance to foreign victims, including repatriation. The government reported that victims were encouraged to assist law enforcement with trafficking investigations and prosecutions, although their assistance is not required in order to receive government protection or shelter services; five of the 42 identified

victims assisted law enforcement in the reporting period, an increase compared to the assistance of three victims' participation during the previous reporting period. The government provided psychological services to 35 victims; 41 received legal assistance; 29 received financial compensation; six received shelter; and 11 received medical assistance. Victims of all ages, genders, and nationalities had access to services on an equal basis. Deportation of trafficking victims was not permitted by law. Georgian embassies abroad identified and provided support to labor trafficking victims in Italy and Qatar. The government referred all identified victims to care facilities.

## PREVENTION

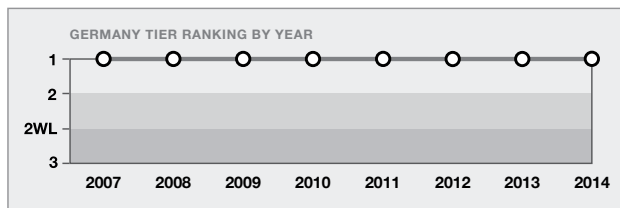
The Georgian government continued its anti-trafficking prevention activities, implementing a broad public information campaign. Government officials participated in several television shows to discuss the dangers of trafficking. The government, in cooperation with an international organization, produced and distributed brochures at border crossings and consular sections abroad in Georgian, Russian, and English with information on consular assistance available and about the risks of human trafficking. The government, in cooperation with an international organization, distributed flyers about sex trafficking to truck drivers and casino visitors to reduce the demand for commercial sex acts, but did not report efforts to reduce the demand for forced labor. The government also held a series of information seminars in cooperation with a local NGO for potential migrants in Georgia's three largest cities—Tbilisi, Rustavi, and Kutaisi—in April 2013. The government disseminated anti-trafficking materials to orphanages, at-risk youth groups, and adolescent organizations. The government continued to fund an anti-trafficking hotline. The government provided trafficking awareness training to 1,400 nationals prior to deployment on peacekeeping missions.

## GERMANY (Tier 1)

Germany is a source, transit, and destination country for women, children, and men subjected to sex trafficking and forced labor. Approximately 89 percent of identified victims of sex trafficking in Germany originate from European countries, including 25 percent from Bulgaria, 26 percent from Romania, and 20 percent from within Germany. Non-European victims originate in Nigeria, other parts of Africa, Asia, and the Western Hemisphere. The majority of sex trafficking victims have been exploited in bars, brothels, and apartments; approximately 30 percent of identified sex trafficking victims report that they initially agreed to engage in prostitution. Approximately 17 percent of the identified trafficking victims are children. In some regions of Germany, sex trafficking victims are generally between 17 and 35 years old and sold between traffickers to maximize profit. Young German women are frequently recruited into sex trafficking through the "lover boy" method, in which recruiters pose as romantic partners and then force girls into prostitution. Nigerian victims of trafficking are often coerced into prostitution through spiritual rituals. There was an increase in organized motorcycle gangs' participation in sex trafficking in Germany; motorcycle gangs recruit young women through social media, treat them as girlfriends, and then force them into prostitution. Victims of forced labor have been identified or suspected in the agriculture sector, hotels, construction sites, meat processing plants, seasonal industries, restaurants, and diplomatic households. Subcontracting practices in Germany—including a practice in

which companies hire contractors that pay workers not by the hour, but by having completed a certain amount of work in a small amount of time—furthered exploitation, including in the hospitality industry. Labor trafficking victims and suspected labor trafficking victims originate in Indonesia, Africa, Latin America, and Europe, including Latvia, Bulgaria, Poland, and Romania. Cross-border workers from Poland were vulnerable to labor trafficking in low-wage sectors. Members of ethnic minorities, such as Roma, as well as foreign unaccompanied minors who arrived in Germany, were particularly vulnerable to human trafficking, including forced begging and coerced criminal behavior. Various governments reported German citizen participation in sex tourism abroad.

The Government of Germany fully complies with the minimum standards for the elimination of trafficking. Successes in victim identification and prosecution were undercut, however, by sentencing practices inconsistent with the severity of this crime. The German government continued to identify a large number of sex trafficking victims, fund NGOs for their protection, and prosecute and convict a large number of sex trafficking cases. It also improved efforts to ensure residency permits are provided to at-risk trafficking victims by issuing directives at the state level. The government continued to intensify its activities to prevent and address domestic servitude in diplomatic households through new protocol directives, in-person briefings, and a settlement in a labor court in a case brought against a Saudi Arabian diplomat. Despite these efforts, addressing labor trafficking continued to be a significant weakness in the government's response to human trafficking. The construction of the labor trafficking statute, Section 233, impaired victim identification and prosecution efforts by imposing a high burden of proof.



#### RECOMMENDATIONS FOR GERMANY:

Increase efforts to fight labor trafficking; revise Section 233 of the criminal code to ensure that the proof required under the law is not unduly restricting investigations and prosecutions of labor trafficking offenses; increase proactive identification of labor trafficking victims; ensure that labor trafficking is fully integrated into cooperation agreements at the state level; explore ways to increase the number of convicted trafficking offenders who receive sentences commensurate with the severity of the crime committed; vigorously investigate and prosecute labor trafficking offenses; and convict and punish the offenders; consider expanding longer-term residence permit eligibility for trafficking victims that is not reliant on the victim's willingness to testify at trial; continue efforts to educate officials on the full range of residency permits available to trafficking victims on humanitarian grounds; encourage prosecutors' offices to assign specialized prosecutors to trafficking cases; establish an independent national anti-trafficking rapporteur to produce critical assessments of the Government of Germany's anti-trafficking efforts; explore reasons why many trafficking victims are not provided care through counseling centers; standardize victim assistance measures and government-civil society cooperation across the 16 federal states, taking into account

Germany's federal structure; explore ways to increase asset seizure in trafficking cases; strengthen awareness campaigns targeting beneficiaries of forced labor and clients of the sex trade, particularly in the most frequented red light districts; ensure the prosecution of German offenders of child sex tourism; provide more consistent and stable funding of victim assistance at the state level; consider ways in which mandatory reporting of migrants' illegal status might discourage reporting of labor trafficking offenses; and ensure that reported conviction data include all convictions for trafficking in persons.

#### PROSECUTION

The Government of Germany maintained law enforcement efforts in investigating and prosecuting sex trafficking offenses during the reporting period, but labor trafficking offenses were not prioritized, in part due to the cumbersome labor trafficking statute. In 2012, the German authorities again reported that the overwhelming majority of convicted labor and sex trafficking offenders were given suspended sentences. This practice, in part, derived from a provision in the criminal code that allows for the suspension of assigned prison terms of less than two years, particularly for first-time offenders. Tracking of the phenomenon is hampered by a record-keeping system that does not record a conviction as having involved trafficking when an accompanying criminal charge has a higher statutory sentence than the trafficking statute. Nevertheless, the reported statistics reveal that convicted trafficking offenders frequently avoided imprisonment, creating potential safety problems for victims of trafficking, weakening deterrence, and undercutting the efforts of police and prosecutors.

Germany prohibits all forms of both sex and labor trafficking; sex trafficking is criminalized under Section 232 of the penal code, and forced labor is criminalized under Section 233, though the scope of that statute is limited. Punishments prescribed in these statutes range from six months' to 10 years' imprisonment, and are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In 2012, the last year for which statistics were available, the German state and federal authorities completed 491 sex trafficking investigations, compared with 482 in 2011. Many of these investigations were conducted in tandem with investigations for rape, violence, smuggling, narcotics violations, or other crimes. The government investigated 11 labor trafficking cases in 2012, compared with 13 in 2011. German authorities prosecuted 142 defendants for sex trafficking in 2012, compared with 139 in 2011. Courts convicted 115 sex trafficking offenders in 2012, compared with 117 convicted in 2011. Courts continued to suspend sentences in the majority of cases recorded as trafficking; of the 115 offenders convicted, only 32 were actually imprisoned, receiving sentences between two and 10 years in prison. Compared with sex trafficking, authorities pursued significantly fewer labor trafficking investigations and prosecutions. German authorities prosecuted 16 alleged labor trafficking offenders in 2012, an increase from the nine prosecuted in 2011. Ten of these offenders were convicted, compared with four convicted in the previous year. Three of these labor traffickers were adults and the remainder youths, but none received non-suspended prison sentences. The labor trafficking statute, Section 233, posed significant challenges for practitioners, due to its complex wording and the scope of its application, which was narrowed by restrictive case law that makes coercion in labor trafficking cases difficult to prove. Therefore, law enforcement officials and prosecutors may have an incentive to pursue prosecutions for other offenses that are easier to prove. Whereas sex trafficking

cases are frequently led by prosecutors with experience in leading victims through a difficult trial process, many labor trafficking cases were assigned to financial or economic crime sections with less experience with trafficking concepts or victim-centered prosecutions. NGOs and officials also reported mixed experiences with the judiciary: while some understood victims' trauma, others subjected victims to repeated testimonies or prejudice; there was limited scope to improve judges' sensitivity, as judges are not subject to mandatory training.

Both the Federal Criminal Police and state-level police collaborated with EUROPOL and several foreign governments, including Switzerland, Bulgaria, Poland, and Nigeria to investigate trafficking cases. The German Judicial Academy offered anti-trafficking training to prosecutors and judges. The Federal Criminal Police organized several specialized seminars to educate investigating officers and prosecutors on trafficking topics. The Government of Germany did not investigate or prosecute government officials suspected of trafficking-related complicity during the year.

## PROTECTION

The German government improved its victim protection efforts during the reporting period, by maintaining a high rate of victim identification and distributing circulars to ensure application of the residency permit to trafficking victims. The Federal Family Ministry funded an umbrella organization representing 39 NGOs and counseling centers in approximately 45 German cities and all of the states that provided or facilitated shelter, medical and psychological care, legal assistance, vocational support, and other services largely for adult female victims. The umbrella organization and certain state-level agencies took efforts to improve labor trafficking victims' access to services. Nevertheless, housing remained a problem for male victims, who were usually accommodated on an *ad hoc* basis in hotels or apartments. Trade union-affiliated and migrant counseling centers, in coordination with the in part federally-funded labor alliance, also offered support to labor trafficking victims. Many state governments provided significant supplemental funding for the support of trafficking victims, but long-term financial funding was scarce, leaving some NGOs insecure. Authorities registered 612 sex trafficking victims in 2012, compared with 640 sex trafficking victims in 2011 and German counseling centers cared for approximately one-third of the victims. Thirteen out of 16 of the German states had formal cooperation agreements with trafficking counseling centers, but not all of these agreements addressed labor trafficking. The government identified 14 labor trafficking victims, a significant decrease from the previous year when German authorities identified 32 labor trafficking victims. Requirements for officials to inform immigration authorities of any undocumented migrants impaired labor trafficking victim identification and chilled reporting.

In approximately half of identified trafficking cases, the first contact between police and victims resulted from police measures, indicating proactive victim identification. The German government offered trafficking victims a reflection period of three months and NGOs confirmed that it was applied in practice. The government offered trafficking victims a specific residence title for the duration of a criminal trial conditional on cooperation with law enforcement; victims were permitted to work during the trial. Most victims of trafficking who faced personal injury or threats to life or freedom in their countries of origin were granted long-term residence permits during the reporting period. The Federal Interior Ministry circulated guidelines explaining

the application of humanitarian residence permits for trafficking victims. German law permits prosecutors to decline to prosecute victims of trafficking who have committed minor crimes during the course of their trafficking experience; NGOs reported that this is applied in practice. However, prosecutors in some cases issued penal orders against victims with small or "suspended" fines, in order to close an investigation permanently, without permitting the traffickers to claim that the prosecution is favoring witnesses. While there is no specific provision allowing trafficking victims' records to be expunged, most of these fines are not visible to third parties other than law enforcement in police records as they stay below the reporting threshold.

German authorities encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders by enabling victims to join criminal cases as joint plaintiffs, and by providing them access to civil remedies; this is used in practice, but victims often have difficulty actually obtaining funds. Victims are also entitled to interpreters and for a third-party from a counseling center to accompany them to all interviews.

## PREVENTION

The German government improved efforts to prevent human trafficking, but continued to lack an independent national rapporteur to measure progress. While, overall, labor trafficking has not been as highly prioritized in Germany as sex trafficking, the government took increased steps to assess labor trafficking in the country and improve policy, with a partly federal-funded labor alliance conducting research, awareness raising, and victim identification training. In the summer of 2013, the alliance published three substantial regional assessments on labor trafficking. The government continued to take new measures to strengthen efforts to prevent the abuse of domestic workers in diplomatic households. The Ministry of Foreign Affairs published a chapter in new Protocol Directives on domestic servants, continued to use its guidelines providing a minimum wage and model contracts for domestic workers, and conducted in-person interviews for domestic workers employed by embassies in Berlin annually, outside of the presence of their employers. The German representative for international organizations in Bonn and a Berlin NGO organized for the first time a briefing for domestic workers of diplomats working for international organizations in Bonn. The government sustained funding for public awareness campaigns in Germany and abroad. The new federal government (fall 2013) set forth new priorities for fighting trafficking, including increasing focus on labor trafficking, improving residency rights for trafficking victims, better regulating prostitution, and punishing trafficking offenders more severely. The German government sponsored a variety of coordination initiatives, including the Berlin anti-trafficking commission, which work to improve state-level efforts to fight trafficking and protect victims; this initiative partnered several anti-trafficking NGOs and trade union-affiliated counseling centers with diverse government agencies to develop and implement anti-trafficking policy.

The Federal-State Interagency Working Group on Trafficking in Persons, led by the family ministry, reviewed counter-trafficking issues, disseminated best practices, and provided input to new laws and directives. The working group collaborated with a variety of coordination bodies at the state government and local levels. Government and state agencies undertook a variety of efforts to promote transparency. For example, the German Federal Criminal Police continued to promote transparent self-reporting by publishing an annual report on trafficking

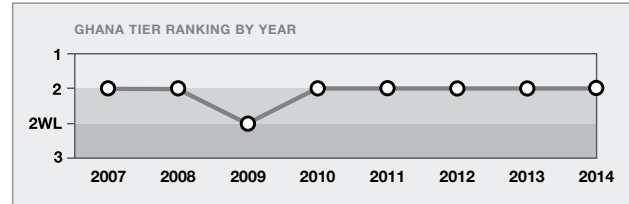
in persons in Germany, describing law enforcement efforts, victims, trends, and challenges. Germany, however, does not have a national rapporteur to provide independent, self-critical analysis of the government's efforts to fight trafficking. The government took efforts to reduce the demand for commercial sex and forced labor. A federally-funded telephone hotline for women affected by violence, including female trafficking victims, launched in March 2013; for the period March 2013 through December 2013, the hotline had provided qualified counseling for at least 65 trafficking calls. A government-funded NGO held training sessions on preventing child sex tourism. Although German law enforcement collaborated with foreign officials to investigate German citizens' participation in child sex tourism, there were no reported prosecutions of German offenders in Germany. The German government trained military personnel to recognize and prevent trafficking in persons prior to their deployment abroad on international peacekeeping missions.

## GHANA (Tier 2)

Ghana is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The trafficking of Ghanaians, particularly children, within the country is more prevalent than the transnational trafficking of foreign migrants. Ghanaian boys and girls are subjected to forced labor within the country in fishing, domestic service, street hawking, begging, portering, artisanal gold mining, and agriculture. Ghanaian girls, and to a lesser extent boys, are subjected to prostitution within Ghana. Child prostitution is prevalent in the Volta Region and is growing in the oil-producing Western regions. Ghanaian women and children are recruited and transported primarily to Nigeria, Cote d'Ivoire, Burkina Faso, The Gambia, South Africa, Israel, Syria, Lebanon, the United Arab Emirates, Saudi Arabia, Kuwait, Russia, France, the United Kingdom, Germany, and the United States for forced labor and forced prostitution. Women and girls voluntarily migrating from primarily Vietnam, China, Nigeria, Cote d'Ivoire, Burkina Faso, and Benin are subjected to commercial sexual exploitation after arriving in Ghana. Citizens from other West African countries are subjected to forced labor in Ghana in agriculture or domestic service. During the reporting period, there was an emergence of fraudulent recruitment agencies that advertised locally for jobs abroad, generally in the domestic service and retail sectors; as a result, an increased number of Ghanaian women began migrating to the Middle East, with some subjected to forced labor or forced prostitution upon their arrival. Ghanaian men were recruited under similar pretenses to the same region and subjected to forced labor in the domestic worker sector and forced prostitution. Ghana is increasingly used as a transit point for West Africans who are subjected to sex trafficking in Europe, especially Italy and Germany.

The Government of Ghana does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, in spite of not receiving an operating budget, the highly motivated Anti-Human Trafficking Unit (AHTU) of the Ghana Police Service (GPS) achieved more investigations, prosecutions, and convictions related to trafficking offenses compared to the previous year and conducted anti-trafficking training for 30 police officers. However, the government did not allocate any funding to the AHTU, forcing the unit to rely on foreign donors and NGOs to undertake its law enforcement efforts. Additionally, for a third year in a row, the government did not

provide anti-trafficking training to prosecutors, despite repeated acknowledgments that such training was desperately needed. The government did not provide any funding to its two shelters, which remained in serious and dangerous conditions and unable to provide even basic services and security to residents. It also failed to provide any funding to carry out any anti-trafficking prevention activities, resulting in the dissolution of the Human Trafficking Management Board (HTMB).



### RECOMMENDATIONS FOR GHANA:

Continue to investigate and prosecute trafficking offenses, including cases involving labor trafficking, and convict and punish trafficking offenders; provide the police's AHTU adequate resources to conduct law enforcement efforts; train law enforcement personnel to proactively identify trafficking victims among vulnerable populations—such as women in prostitution and children working in agriculture—and refer them to protective services; provide trafficking-specific training to prosecutors and other judicial personnel; adopt the legislative instrument to effectively implement the 2005 Human Trafficking Act; provide sufficient government funding for protective services to victims, including to the Human Trafficking Fund; ensure the maintenance of government-operated shelters; improve data collection and reporting on victims identified and assisted; take appropriate measures to regulate the activity of licensed and unlicensed recruitment agencies; and reinstate the Human Trafficking Management Board and provide adequate resources to the board to implement the national plan of action against trafficking.

### PROSECUTION

The government demonstrated increased anti-trafficking law enforcement efforts. The 2005 Human Trafficking Act—amended in 2009 to align its definition of human trafficking with that of the 2000 UN TIP Protocol—prohibits all forms of trafficking and prescribes penalties of five to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government reported conducting 140 trafficking investigations, initiating 20 prosecutions, and securing six convictions; an increase from the previous reporting period, when it reported 75 investigations, seven prosecutions, and three convictions. All 20 prosecutions involved sex trafficking crimes; there were no prosecutions of suspected labor trafficking offenses during the reporting period. The convicted traffickers received sentences ranging from 18 months to 15 years' imprisonment. However, the AHTU of the GPS, a unit made up of police officers and prosecutors, was responsible for the vast majority of these investigations, prosecutions, and convictions but did not receive an operating budget during the reporting period and relied on funding and significant support from international and local donors to conduct investigations. Officials from the unit were unable to act on many suspected trafficking reports because they lacked basic resources, including vehicles and fuel, to conduct investigations outside the Greater Accra Region.

Although officials acknowledged that prosecutors lacked training and resources to prosecute trafficking cases fully, no prosecutors have received specific anti-trafficking training since 2011. In October 2013, the AHTU conducted specific anti-trafficking training for 30 police officers; this training was funded by an international donor, while the facilities and trainers were provided by the AHTU. The government did not support any other specialized anti-trafficking training for government officials during the reporting period, although new recruits in the Ghana Immigration Service and the GPS received training on trafficking-related topics as part of their basic introductory training. For more than two years, government officials have cited the need for the passage of a “legislative instrument” to apply the 2005 Human Trafficking Act more effectively; however, the draft document was again neither finalized nor adopted. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, reports of general corruption and bribery in the judicial system continued during the reporting period.

## PROTECTION

The government continued to demonstrate minimal efforts to protect victims. The AHTU identified 182 victims in 2013, a decrease from 262 victims identified in 2012. Although the government referred 157 of these victims to government and NGO-run facilities offering protective care, it is unclear how many victims received direct support from the government. The Human Trafficking Fund, which was established by the 2005 Human Trafficking Act to finance protection efforts, was devoid of funds for the second consecutive year; as a result, shelters operated in serious and dangerous conditions without the resources to make basic repairs and government officials used their own personal funds to assist victims. The Department of Social Welfare (DSW) was responsible for operating the two government supported shelters in Ghana—the Shelter for Abused Children in Osu (Osu Shelter), a multi-purpose shelter, and the Madina Shelter for Rescued Trafficked Children in Madina (Madina Shelter), the only shelter specifically for trafficking victims; however, the DSW did not provide any funding to either of these shelters during the reporting period. Both shelters were in disrepair and lacked any form of functioning security. For example, Madina Shelter staff reported that during the reporting period, the shelter did not have running water and that many of the door locks were broken. Additionally, the Osu Shelter did not have functioning doors on the perimeter wall and no funds to hire a security guard; this created a particularly hazardous situation for the child victims residing at the shelter, as the shelter is located on the same compound as a juvenile correctional facility and there is no structural barrier protecting the victims from criminal offenders. Shelter officials struggled to feed, clothe, and provide general care for trafficking victims. The Osu Shelter had a maximum capacity of 30 child victims and the Madina Shelter only provided shelter to seven trafficking victims during the reporting period; the government therefore relied heavily on international organizations and NGOs to provide services to victims. Both shelters only provided short-term care, generally limiting victims’ stays to three months, although extensions were granted on a case-by-case basis. There were no government-run shelters for adult victims, and although both children’s shelters could accept adult victims if space permitted, adult victims were often placed in hotels and hostels; during the reporting period, an international organization funded the placement of six Vietnamese adult victims in a hotel, because the government was unable to provide the funding for their stay.

The government did not employ formal procedures to identify victims among vulnerable groups, such as women in prostitution or children at work sites. The government encouraged an unspecified number of victims to assist in the investigation and prosecution of trafficking offenders, and provided them with protective escorts and legal counsel during trial proceedings; however, law enforcement officials stated that they did not have the means to provide shelter to witnesses throughout lengthy trials. The government continued to offer foreign victims temporary residency during the investigation and prosecution of their cases and, with the interior minister’s approval, permanent residency if deemed to be in the victim’s best interest; no victims sought temporary or permanent residency during the year. There were no reports that victims were penalized for unlawful acts committed as a direct result of being trafficked.

## PREVENTION

The government decreased anti-trafficking prevention efforts. The Ministry of Gender, Children, and Social Protection (MGCSP), which was responsible for overseeing the government’s anti-trafficking efforts, did not receive any government funding to carry out anti-trafficking activities during the reporting period. As a result, the MGCSP was unable to fulfill its mandate to conduct monitoring and evaluation, data collection, and research relating to trafficking. It was also unable to convene the HTMB—the government’s inter-ministerial committee responsible for advising the MGCSP on anti-trafficking policy, promoting prevention efforts, and facilitating the rehabilitation and reintegration of trafficking victims. The HTMB was dissolved due to the lack of funding, and as a result, the government did not have the means to coordinate and oversee national anti-trafficking efforts or finalize and implement a national action plan to combat trafficking. The government participated and assisted in the organization of anti-trafficking information and education campaigns, including sensitization programs in the Volta Region and cocoa-producing communities; however, these efforts were fully funded by foreign donors. State-owned radio and television programs aired anti-trafficking programming. In an effort to reduce the demand for commercial sex acts, AHTU continued to conduct a joint operation with Nigeria’s National Agency for the Prohibition of Traffic in Persons and Other Related Matters, which focused on arresting suspected sex traffickers and potential clients. The government took no discernible measures to decrease the demand for forced labor, despite acknowledging the growing number of unlicensed employment agencies that are increasingly facilitating the trafficking of Ghanaian men and women to the Middle East. The government did not provide anti-trafficking training to Ghanaian troops prior to their deployment abroad on peacekeeping missions, though such training was provided to Ghanaian troops by foreign donors.

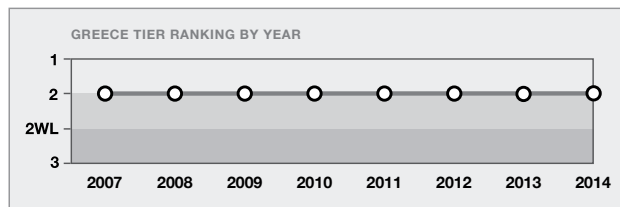
## GREECE (Tier 2)

Greece is a transit, destination, and a very limited source country for women and children subjected to sex trafficking and forced labor, and men subjected to forced labor. Some women from Eastern Europe (including Latvia, Lithuania, and Georgia), Nigeria, Dominican Republic, China, and some countries in Africa are subjected to sex trafficking in Greece. Victims of forced labor identified in Greece, are primarily children and men, from Afghanistan, Albania, Bangladesh, Bulgaria, India, Moldova, Pakistan, Romania, and Poland. Migrant workers



from Bangladesh, Pakistan, and Afghanistan, are susceptible to debt bondage, reportedly in agriculture. According to police and NGOs, there has been an increase in the number of Roma children from Albania, Bulgaria, and Romania who are subjected to forced labor in Greece by family members to sell goods on the street, beg, or commit petty theft. Women reportedly are transported through the Aegean islands and through the Greek-Turkish border in Evros and instructed to file for asylum. They subsequently are subjected to sex trafficking in Athens and other major cities, in addition to being transported through Greece for forced labor and sex trafficking in Italy and other EU countries. Authorities identified two Greek citizens as victims of sex trafficking within the country. Asylum seekers from Bangladesh, India, and Pakistan were vulnerable to debt bondage imposed by smugglers and trafficking offenders. Restaurants, nightclubs, yacht rental companies, and other small businesses serve as money laundering fronts for small cells of criminal trafficking networks.

The Government of Greece does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government convicted more trafficking offenders compared to the previous reporting period and improved trafficking victim identification procedures for police responsible for screening women in prostitution. The government passed new legislation establishing a national coordinator for human trafficking. However, the government failed to make all victim services authorized by the law readily accessible to trafficking victims. There was no shelter for male victims and no emergency shelter easily accessible for victims of trafficking. In-kind support, but no state funding, was given to NGOs providing services and shelter for victims of trafficking. The provision of temporary residence permits was similar to the previous year.



### RECOMMENDATIONS FOR GREECE:

Effectively train law enforcement officers to improve screening for trafficking among asylum seekers, women in prostitution, and other vulnerable populations; ensure all services available by law for victims are provided to victims, including shelter for male victims of trafficking, labor trafficking victims, and emergency shelter for all victims; ensure victims of trafficking are transferred out of detention to appropriate shelter and protection; provide training to law enforcement, prosecutors, and judges on recent legislative amendments and in victim-centered training; prosecute and convict trafficking offenders, including officials alleged to be complicit in trafficking; utilize witness protection for victims and encourage their participation in investigations and prosecutions; provide victim-centered training on trafficking and victim support services to health care workers and social service providers; provide funding for anti-trafficking NGOs for victim shelter and victim support services; and continue to issue temporary residence permits to third-country national trafficking victims.

### PROSECUTION

The Government of Greece sustained law enforcement efforts in 2013; while the government convicted more trafficking offenders during the reporting period, there continued to be wide variation between judges' individual knowledge of trafficking and sensitivity in court to victims of trafficking. Greek Law 3064/2002 and Presidential Decree 233/2003 prohibit both sex trafficking and forced labor and prescribe punishments of up to 10 years' imprisonment with fines the equivalent of approximately \$14,000 to \$70,000. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In October 2013, the government enacted Law 4198/2013 to bring its law into alignment with EU Directive 2011/36 and amended the Greek penal code, prescribing penalties for forced labor offenders of up to ten years' imprisonment and fines and ten years' imprisonment and fines for crimes against children or persons with disabilities. Police investigated 37 human trafficking cases in 2013, compared with 46 cases in 2012; 11 investigations were for forced begging or labor. In 2013, the government prosecuted 142 defendants on suspicion of committing trafficking-related crimes, a decrease from 177 in 2012 and 220 in 2011. Of these, 26 defendants were prosecuted for labor trafficking and 23 defendants for labor and sexual exploitation. Only partial data on convictions from approximately half of the courts in Greece was available. The government convicted 46 traffickers and acquitted 16, compared with 27 convictions and 16 acquittals in 2012. NGOs reported in four cases, sentences ranged from 15 to 22 years' imprisonment and fines. Lawyers for trafficking suspects frequently portrayed their clients as pimps in an effort to obtain more lenient penalties of up to five years' imprisonment and to avoid jail time through payment of fines. During the reporting period, police arrested three Greek foremen accused of shooting into a crowd of some 200 migrant workers at a farm. The Greek government granted trafficking status to 35 Bangladeshi migrants who were injured, and charged the three foremen with numerous offenses, including human trafficking. The authorities did not take law enforcement action in cases of other migrants working in similar conditions at the same farm and in other farms in the same region. Labor inspectorate checks in the region have failed to find similar cases of trafficking, despite reports of their existence from NGOs and journalists.

In collaboration with an NGO, police provided training on implementing a victim-centered approach to other police and 142 high ranking police officers. Although informed about relevant trafficking law, judges and prosecutors were not trained in trafficking cases or in using a victim-centered approach to cases. The police collaborated on transnational anti-trafficking investigations with Romania, Albania, Spain, the United States, and Bulgaria. In one such case, Greek authorities rescued 18 victims of sex trafficking and forced labor from a large-scale international trafficking ring in Greece with the help of law enforcement counterparts from Spain, the United States, EUROPOL, and INTERPOL. However, there were reports that Greek law enforcement authorities refused to cooperate on trafficking cases in Moldova. There were allegations that police patronized establishments implicated in human trafficking. The Hellenic Police Internal Affairs Unit investigated cases of corruption among police, including police acceptance of bribes from traffickers. Police dismantled a sex trafficking ring involving two police officers who were arrested, suspended from duty, and charged as accomplices to trafficking and other crimes. An NGO reported encountering bureaucratic opposition while attempting to advance the court case of a victim who testified

that high ranking officials were involved in her trafficking. There was an additional report of organized crime police's alleged involvement in the trafficking of two victims. Media reported a judicial officer was involved in the trafficking of women from Bulgaria who were exploited as domestic servants. Separately, two police officers were arrested and charged with allegedly providing internal police information to traffickers.

## PROTECTION

The Government of Greece sustained efforts to protect victims of trafficking during the year. More labor trafficking victims were identified and more victims received official victim status. The government granted a similar number of residency permits to foreign trafficking victims as the previous year. NGOs did not receive any government funding to assist victims of trafficking. The government had provisions for victims of trafficking to access psychological support, medical care, and legal aid. Reportedly, victims had difficulty obtaining medical care and legal aid, as some health workers were unaware of these victim service provisions. During the reporting period, the government funded a state-run short-term shelter and processing center for victims of trafficking and other forms of abuse, and 17 state-run long-term shelters for victims of violence including trafficking. Other shelters serving victims of trafficking were run by NGOs with support from international donors. The government did not provide funding for NGOs, although it did provide in-kind donations in the form of rent-free buildings for NGO shelters. Victims were allowed to leave the shelters unchaperoned and at will. There were no shelters available for men or options for emergency shelter. The government's short-term shelter required beneficiaries to complete medical exams prior to shelter being offered. Child victims were served in the government short-term shelter, NGO shelters, facilities for unaccompanied minors, orphanages, or in separate units of adult detention centers. The government identified 99 victims in 2013, compared with 94 in 2012. The government identified a significantly higher proportion of labor trafficking victims. Of the 99 victims, 30 were victims of sexual exploitation, eight were subjected to both forced labor and trafficking for sexual exploitation, and 61 victims were subjected to forced labor or begging, compared with 25 victims identified in 2012. Of the 99 victims identified, 43 received official victim status allowing them access to government-provided care, compared with eight in 2012. The government-run shelter provided assistance to 22 victims, including one male victim of trafficking. The state sheltered 15 victims, two of whom were able to remain with their infants, and NGOs sheltered 20 victims of trafficking. The government signed contracts with two NGOs for the protection and assistance of underage victims and female victims of trafficking. Formal agreements between NGOs and law enforcement enabled the government to transfer victims from law enforcement custody to government- and NGO-operated shelters. Reportedly, victims seeking assistance at some police stations not familiar with trafficking cases were instructed to contact other stations. The government provided training on identifying victims of trafficking to law enforcement, immigration officers, social service workers, labor inspectors, and health workers. Trafficking victims were reportedly far more likely to be first encountered by border police or coast guard officers, who may not have extensive training in identifying trafficking victims, during operations to detain illegal migrants, missing opportunities to identify victims of trafficking. NGOs reported there was little formal training given to detention center staff in identifying victims of trafficking. NGOs reported positive cooperation with police and anti-trafficking units, and noted improvement in victim identification procedures.

Greek law provides victims witness protection in trial; however, often no protection was offered prior to the beginning of the court case. A new law allows for mental health professionals to be assigned and present when victims are testifying. The law allows the use of audio visual technology for remote testimony, while in practice most courts lack the capabilities to deploy these resources. There were reports the government did not effectively grant victims a reflection period provided for in Greek law and some foreign victims were deported. The government issued new temporary residency permits to 12 foreign victims of trafficking and renewed residency permits for 42 victims in 2013, compared with 12 new temporary residency permits, 51 renewals, and four reissuances in 2012, affording them the right to obtain employment in Greece. Greek authorities reportedly arrested and detained trafficking victims for prostitution offenses without screening for signs of trafficking.

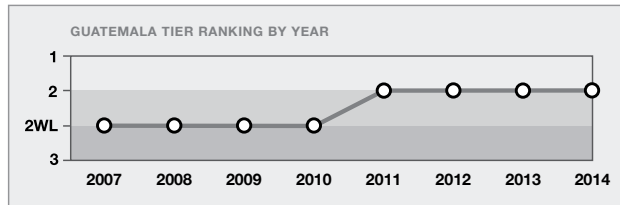
## PREVENTION

The Government of Greece increased prevention efforts by establishing a national coordinator. The government continued to run an anti-trafficking public awareness campaign on national television, radio stations, and social media, targeting female victims of violence including human trafficking. The campaign distributed publications and encouraged victims to seek help and report suspected cases to the government hotline for female victims of violence. The government co-organized a seminar for teachers on trafficking of children. The government translated and published victim identification procedures for professionals. There is no national action plan exclusively for anti-trafficking efforts; however, trafficking is included in the national action plan for human rights. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor.

## GUATEMALA (Tier 2)

Guatemala is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Guatemalan women, girls, and boys are exploited in sex trafficking within the country, as well as in Mexico, the United States, Belize, and, to a lesser extent, other foreign countries. Foreign child sex tourists, predominantly from Canada, the United States, and Western Europe, as well as Guatemalan men, exploit children in prostitution. Women and children from other Latin American countries, principally from other Central American countries and Colombia, are exploited in sex trafficking in Guatemala. Guatemalan men, women, and children are subjected to forced labor within the country, often in agriculture or domestic service. Indigenous Guatemalans are particularly vulnerable to labor trafficking. Guatemalan children are exploited in forced labor in begging and street vending, particularly within Guatemala City and along the border area with Mexico. Guatemalan men, women, and children are also found in conditions of forced labor in agriculture, the garment industry, small businesses, and in domestic service in Mexico, the United States, and other countries. Transnational criminal organizations are reportedly involved in some cases of human trafficking, and gangs reportedly recruit children to commit illicit acts; some of these children may be trafficking victims. Latin American migrants transit Guatemala *en route* to Mexico and the United States. Some of these migrants are subsequently exploited in sex trafficking and forced labor in the destination countries of Mexico and the United States, and to a lesser extent, in Guatemala.

The Government of Guatemala does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Secretariat against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) greatly enhanced government coordination on anti-trafficking initiatives. The government increased funding for the anti-trafficking secretariat and for an NGO providing comprehensive services to girl victims of trafficking. Authorities significantly increased their capacity to identify labor trafficking cases during the year and vigorously pursued the conviction of child sex trafficking offenders, though authorities did not convict any labor traffickers or sex traffickers who exploited adult victims during the reporting period. Officials identified a large number of potential victims and referred all victims to shelters. All minor victims received shelter, though few adults used government-offered services. The government took steps to establish three new shelters for trafficking victims. The attorney general's office continued to investigate cases involving official complicity in human trafficking. Authorities throughout the Guatemalan government greatly increased awareness efforts.



### RECOMMENDATIONS FOR GUATEMALA:

Continue to improve access to specialized services for all victims, including for adult and male victims, and provide victim services in areas outside the capital; take steps to ensure that minor trafficking victims are housed in specialized care facilities; continue to strengthen oversight of government victim protection efforts nationwide; continue efforts to vigorously investigate and prosecute trafficking offenses, especially suspected cases of forced labor and domestic servitude, with the goal of convicting and punishing trafficking offenders; enhance reintegration, and as appropriate, security strategies for victims after they leave shelters; increase anti-trafficking training for judges; continue to strengthen efforts to proactively investigate and prosecute public officials complicit in trafficking; sustain efforts to identify trafficking victims among vulnerable populations, such as people in prostitution and detained migrants; as appropriate, include trafficking victims in vocational training programs; continue to increase data collection; and continue to train officials on how to identify and assist trafficking victims.

### PROSECUTION

The government strengthened efforts to convict sex trafficking offenders and significantly increased law enforcement efforts against labor traffickers, but convicted no labor traffickers during the reporting period. The anti-trafficking law of 2009 prohibits all forms of trafficking, and prescribes penalties from eight to 18 years' imprisonment. Such penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The penal code conflates irregular adoption with human trafficking.

Authorities reported 271 new trafficking investigations in 2013, 128 of which remained open at the end of the reporting period. The government did not specify how many involved labor trafficking and how many involved sex trafficking; however,

supporting law enforcement data indicated that while the vast majority of investigations involved sex trafficking, there was an increase in labor trafficking investigations compared to previous years. In comparison, authorities did not report how many cases of trafficking as defined by international law were investigated in 2012. Officials investigated numerous labor trafficking cases, including one case that involved 42 women and girls working in tortilla production in the capital. Authorities reported prosecuting 67 individuals for sex or labor trafficking in 2013 and convicting 10 child sex trafficking offenders; sentences ranged from eight to 42 years' imprisonment. This is a significant increase from 27 trafficking prosecutions and seven convictions in 2012—all for sex trafficking.

There were five ongoing prosecutions involving forced labor offenses during the year, but there were no reported convictions of labor traffickers during the reporting period. In 11 cases during the year, judges issued acquittals, including in a high-profile case involving Guatemalan women exploited in domestic servitude in Jordan. All acquitted cases were appealed by prosecutors.

The government maintained a specialized police unit to handle human trafficking and other crimes, with one sub-unit for sex trafficking and another for forced labor. The anti-trafficking prosecutor's directorate also operated specialized units to handle sex trafficking and forced labor. This directorate addressed approximately 40 percent of trafficking complaints and was involved in 40 percent of the convictions nationwide. The rest of convictions were investigated and prosecuted by local prosecutors who did not receive the same specialized training on trafficking offenses. There were reports that in two cases in Huehuetenango sex trafficking was registered as sexual violence. Authorities operated eight specialized trial courts, six specialized sentencing courts, and a specialized court of appeals for crimes against women, sexual violence, and human trafficking. Anti-trafficking police and prosecutors' ability to conduct investigations outside of the capital, while improved, continued to be limited by a lack of funding and logistical assets. There were reports that some individual police and judges lacked sensitivity when dealing with victims. The human rights ombudsman reported concerns about the lack of timely cooperation between police and prosecutors in some cases. The human rights ombudsman also reported that in one case a judge acquitted three alleged traffickers because the victims agreed to travel to another country to work and the judge did not take into account the victims' subsequent exploitation. Guatemalan authorities held training sessions for the members of the dedicated anti-trafficking police unit, as well as for consular officers and other officials. With international organization support and foreign donor funding, the government trained 271 labor inspectors as well as migration and police officials on forced labor and sex trafficking. Prosecutors cooperated with their counterparts in El Salvador, Nicaragua, and Colombia on possible sex trafficking investigations.

The attorney general's office continued to investigate reports of officials involved in human trafficking, but authorities did not prosecute or convict any public officials for alleged complicity in human trafficking. Four criminal investigations into government officials complicit in trafficking in persons remained ongoing during the year. NGOs specifically praised judicial independence in one high-profile case involving the son of a late Supreme Court justice who was implicated as a client of a child sex trafficking ring.

## PROTECTION

During the year, authorities identified a significantly increased number of victims than during the previous year and strengthened funding for victim services, though most adult victims did not use specialized services offered. Authorities maintained standard operating procedures on how to identify sex trafficking victims and, during the year, officials issued and implemented a protocol to identify potential sex and labor trafficking victims during labor inspections. While authorities reported identifying 570 potential trafficking victims, they did not report how many were exploited in sex or labor trafficking or how many were victims of illegal adoption. Of these victims, 401 were female, 125 were male, and 44 were either transgender or their gender was not recorded, while 411 were adults and 159 were children. The government identified 273 adult women, 128 girls, and 105 adult men, 20 boys, and 44 individuals whose age or gender was not recorded.

Judges referred all child victims to NGO and government-run shelters and demand remained high for specialized services for child victims, particularly at NGO-run shelters. The human rights ombudsman reported that 69 percent of the potential victims identified did not receive shelter or specialized assistance, though authorities reported offering services to all victims. Out of 378 adult victims identified by authorities, only nine elected to and received services offered. The human rights ombudsman cited staffing shortages in the solicitor general's office as a potential cause of delays of five to eight days in the provision of assistance to victims in areas outside of the capital. Authorities employed a rapid response model for cases of trafficking in persons which defines steps for government agencies to identify, protect, and provide integrated assistance to victims.

One NGO shelter provided specialized services to 66 child sex trafficking victims. The government provided this NGO with total funding equivalent of approximately \$452,000 during the year, which represents a significant increase in funding from the previous year. Other NGOs also provided victims with assistance, including one NGO that received government funding and assisted two labor trafficking victims and three sex trafficking victims, and another which assisted eight sex trafficking victims. The government shelter complex for vulnerable children housed 64 victims of commercial sexual exploitation and 16 labor trafficking victims in 2013. This shelter lacked the specialized services provided by NGO-run shelters, and limited screening mechanisms meant that some child victims of trafficking were not identified as such. During the year, only nine adult victims—including two foreign victims—stayed in the government-operated dedicated trafficking shelter for adults, which had the capacity to care for 20 victims at a time. Authorities also housed 28 indigenous girl victims of labor trafficking at this shelter in 2013 when it was vacant. The human rights ombudsman reported that the shelter staff's lack of translators for nearly two dozen indigenous languages, including these victims' indigenous language, made communication difficult. NGO shelter operators expressed concern for safety of victims upon being discharged from shelters. They also cited insufficient ongoing case management and reintegration services in government shelters, and the human rights ombudsman reported that victims leaving government shelters were vulnerable to being exploited again by their traffickers. The SVET acquired three buildings to be used as new dedicated shelters for trafficking victims, and authorities seek to make these shelters operational in 2014. Victim assistance guidelines designed to allow child trafficking victims to be transferred into these forthcoming facilities were drafted during the year, but were not promulgated.

Guatemalan authorities encouraged victims to assist with the investigation and prosecution of trafficking offenders, and an unspecified number did so during the year, in large part due to legal and psychological support from NGOs. Other victims did not file complaints due to a variety of factors. There were no reports that identified victims were detained, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Guatemalan law provided legal alternatives to removal of foreign victims who may face hardship or retribution upon repatriation, but all known foreign victims opted for repatriation. The Guatemalan government collaborated with the Government of Mexico to facilitate the return of five female Guatemalan trafficking victims.

## PREVENTION

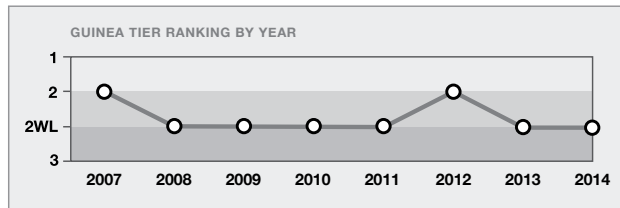
The Government of Guatemala significantly increased prevention efforts. SVET, which reports directly to the vice president, was responsible for coordinating government efforts against human trafficking as well as gender-based violence. SVET received the equivalent of approximately \$1 million in funding in 2013, a significant increase from 2012 when it received the equivalent of approximately \$640,000. SVET oversaw the interagency anti-trafficking commission, which met on a monthly basis and included civil society organizations. The commission drafted a new anti-trafficking action plan and public policy in 2013, although these remained unpublished pending final approvals. Authorities reported operating local-level interagency commissions against human trafficking and sexual violence in 10 of the country's 22 departments in 2013, and SVET worked with these commissions to develop local plans of action. SVET conducted a variety of public awareness activities, some in partnership with civil society organizations and other governments in the region, including hosting a regional anti-trafficking conference in February 2014. The Ministry of Education and SVET conducted an awareness campaign about trafficking, sexual violence, and related crimes in public schools, reportedly reaching almost 60,000 individuals. The government partnered with civil society organizations and the tourism sector to launch a code of conduct against child sexual exploitation within the tourism industry, encouraging signatories to report potential child sex tourism to authorities. In an effort to reduce the demand for commercial sex, authorities continued to prosecute and convict individuals for paying children for commercial sex. Despite a known child sex tourism problem, as in previous years, there were no reported prosecutions or convictions of child sex tourists. In partnership with an international organization and with some foreign government funding, the government strengthened training and guidelines for labor inspectors to increase their ability to identify victims of commercial sexual exploitation and forced labor, though inspectors continued to face challenges in inspecting certain agricultural plantations, including those producing palm oil. Authorities provided training on human trafficking to Guatemalan troops prior to their deployment abroad on international peacekeeping missions.

## GUINEA (Tier 2 Watch List)

Guinea is a source, transit, and, to a lesser extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. The majority of Guinea's identified trafficking victims are children, and incidents of trafficking are more prevalent among Guinean citizens than foreign migrants residing in Guinea. In Guinea, girls are sometimes sent to third

parties where they are subjected to domestic servitude and commercial sexual exploitation, while boys are forced to beg on the streets, work as street vendors or shoe shiners, or labor in gold and diamond mines. Some Guinean women, men, and children are subjected to forced labor in agriculture. For example, reports indicate that children are sent to the coastal region of Boke for forced labor on farms or to Senegal for education in Koranic schools, some of which exploit students through forced begging. Some Guinean boys and girls are subjected to forced labor in gold mining in Senegal, Mali, and possibly other West African countries. Guinea was used as a transit point for West African children subjected to forced labor in gold mining throughout the region. Guinean women and girls have been subjected to domestic servitude and sex trafficking in Nigeria, Cote d'Ivoire, Benin, Senegal, Greece, Spain, Belgium, France, Denmark, the Netherlands, the United States, and countries in the Middle East. Guinean boys have also been subjected to forced prostitution in Holland. During the reporting period, there were increased reports of Guinean girls and women discovered in Europe for the purposes of forced prostitution. Thai, Chinese, and Vietnamese women are subjected to forced prostitution in Guinea. Children from Mauritania, Costa Rica, Cabo Verde, Mali, Gabon, Senegal, and Ghana have been identified as child trafficking victims within Guinea. A small number of girls from Mali, Sierra Leone, Nigeria, Ghana, Liberia, Senegal, Burkina Faso, and Guinea-Bissau migrate to Guinea, where they are subjected to domestic servitude and to possible commercial sexual exploitation.

The Government of Guinea does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate evidence of overall increasing anti-trafficking efforts compared to the previous reporting period; therefore Guinea is placed on Tier 2 Watch List for the second consecutive year. The government conducted six investigations of possible trafficking offenses, and prosecuted and convicted one trafficking offender during the reporting period. The government, however, did not provide adequate resources or training to law enforcement and judiciary personnel, failed to provide basic protections to trafficking victims, did not provide any funding to support activities of the National Committee to Fight Against Trafficking in Persons, and did not take any tangible action to prevent trafficking during the reporting period.



**RECOMMENDATIONS FOR GUINEA:**

Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; vigorously investigate, prosecute, and, where appropriate, convict government officials complicit in human trafficking; train law enforcement officials and magistrates on anti-trafficking statutes in the child code and the penal code; increase prescribed penalties for the sex trafficking of adults; provide specialized training to border officials to recognize both adult and child trafficking victims and to refer them to protective services; regularly convene the National Committee to Fight Against

Trafficking in Persons and provide adequate resources and training to committee members to support their efforts; develop and implement a national action plan to combat trafficking in persons; develop stronger partnerships with NGOs and international organizations to care for victims and develop systemic referral practices for victim care; enhance partnership and information-sharing mechanisms among government agencies involved in combating trafficking; and increase efforts to raise public awareness about trafficking, including the trafficking of adults.

**PROSECUTION**

The Government of Guinea demonstrated slightly increased anti-trafficking law enforcement efforts. Guinean law does not prohibit all forms of trafficking; for example, debt bondage is not criminalized. Article 330 of the 2012 penal code prohibits forced prostitution and prescribe penalties of two to five years' imprisonment; these penalties are sufficiently stringent but not commensurate with penalties prescribed for other serious crimes, such as rape. Article 337 of the 2012 penal code prohibits individuals from entering into agreements that deprive third parties of their liberty, prescribing penalties of five to 10 years' imprisonment and confiscation of any proceeds from the crime. Articles 385-396 of the 2009 child code prohibit all forms of child trafficking and prescribe penalties of five to 10 years' imprisonment and the confiscation of any proceeds from the crime. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

The government initiated six investigations of possible trafficking offenses, and prosecuted and convicted one trafficking offender during the reporting period; this represented a slight increase from the previous year, in which the government initiated five trafficking investigations, but failed to prosecute or convict any trafficking offenders. The case that achieved a conviction involved a woman sentenced to three years' imprisonment for child abuse and child labor trafficking. The additional five investigations involved alleged child labor trafficking. In one investigation, the government collaborated with Senegalese authorities to intercept a truck transporting 20 Guinean boys to Senegal allegedly for forced labor in gold mines; four alleged traffickers were in police custody in Guinea and the investigation was ongoing at the end of the reporting period. The government did not provide any specific anti-trafficking law enforcement training during the reporting period.

The Office for the Protection of Gender, Children, and Morals within the Guinea police, which is responsible for investigating trafficking and child labor cases, remained severely underfunded. The Government of Guinea did not report any investigations or prosecutions of officials for alleged complicity in trafficking-related offenses during the reporting period; however, NGOs, international organizations, and government officials reported that corruption and direct complicity by law enforcement officials played a major role in preventing trafficking cases from being investigated and prosecuted.

**PROTECTION**

The government's protection of trafficking victims remained limited and difficult to assess. The government failed to proactively identify victims of trafficking; it identified an unknown number of child victims and no adult victims. The government failed to provide trafficking victims with direct access

to legal, medical, or psychological services, and did not provide direct or in-kind support to international or local NGOs that assisted victims. The government continued, however, to refer child victims to NGOs on an *ad hoc* basis and worked with NGOs to reunite victims with their families. The government referred at least 20 potential child victims to one NGO for assistance. The government opened a shelter for vulnerable street children in June 2013 in Conakry; although child trafficking victims could potentially seek shelter at the facility, it did not offer specialized services to victims of trafficking, and it is unclear whether any victims were provided services during the reporting period.

Although it is legally available, the government did not provide temporary or permanent residence status to any victims from countries where they would face retribution or hardship. The child code contains provisions allowing NGOs to bring cases to court on behalf of victims, and the government reported that a victim could file a civil suit against a trafficking offender provided the victim is older than 12 years of age; however, this did not happen during the reporting period. There was no evidence the government encouraged trafficking victims to participate in the investigation or prosecution of their traffickers during the year; reports indicated victims were reluctant to testify or file claims against trafficking offenders due to limited access to justice, a lack of confidence in the justice system, corruption, and potential threats of reprisal. The government did not report that any victims of human trafficking were detained, fined, or jailed for unlawful acts committed as a result of being trafficked; however, due to a lack of formal victim identification procedures, some unidentified victims may have been penalized for such crimes.

## PREVENTION

The Government of Guinea demonstrated minimal efforts to prevent trafficking. Although the National Committee to Fight Against Trafficking in Persons met twice during the reporting period, it had no budget to support its activities. The government did not launch any education or awareness campaigns relating to trafficking. It did not take any tangible steps to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training to peacekeeping troops deployed abroad during the reporting period.

## GUINEA-BISSAU (Tier 3)

Guinea-Bissau is a source country for children subjected to forced labor and sex trafficking. The extent to which adults are subjected to forced labor or forced prostitution is unclear. Some religious teachers, known as *marabouts*, or their intermediaries, recruit boys under the pretense of offering them a Koranic education, but subsequently transport them to Senegal or, to a lesser extent, Mali or Guinea, where they are forced to beg for money. Young boys are increasingly sent to cities within Guinea-Bissau for the same purpose. The principal traffickers are men from the regions of Bafata and Gab—often former students of the *marabouts*, known as *talibes*—who are generally well-known within the communities in which they operate. Bissau-Guinean boys are subjected to forced labor in street vending in Guinea-Bissau and in manual labor, agriculture, and mining in Senegal. Bissau-Guinean girls are subjected to forced labor in street vending and domestic servitude in Guinea and Senegal; a smaller number may be subjected to child prostitution in these countries, including for exploitation by international sex tourists.

The transitional Government of Guinea-Bissau does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. In April 2012, the country underwent an unconstitutional change in government. As a result, the government's anti-trafficking efforts have stalled, and the new government has not indicated whether it will maintain the previous administration's commitments to combating trafficking. Despite enacting an anti-trafficking law and finalizing and adopting a national action plan in 2011, the transitional government failed to demonstrate any notable anti-trafficking efforts for a second year in a row. It did not take law enforcement action against suspected trafficking crimes, provide adequate protection to identified trafficking victims, conduct any tangible prevention activities in 2013, or make progress on the implementation of its national action plan.



## RECOMMENDATIONS FOR GUINEA-BISSAU:

Vigorously investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including unscrupulous *marabouts* who use *talibes* for forced begging; provide anti-trafficking training to law enforcement, labor, and social welfare officials on how to adequately identify victims, investigate cases, and refer victims to appropriate services; adequately inform and train judicial personnel about the 2011 anti-trafficking law; establish a formal victim referral mechanism between the government, NGOs, and international organizations providing care to trafficking victims; improve data collection efforts, including to ascertain the number of victims identified and referred to protective services; reconvene the Inter-Ministerial Steering Committee on Trafficking and allocate specific funds to the committee for the implementation of the national action plan; and make effort to raise public awareness on human trafficking.

## PROSECUTION

The transitional government failed to demonstrate any notable law enforcement efforts. Public Law 12/2011 prohibits all forms of human trafficking and prescribes penalties of three to 15 years' imprisonment and the confiscation of any proceeds from the crime. The 2009 child code prohibits all forms of child trafficking and prescribes penalties of three to 10 years' imprisonment and the confiscation of any proceeds from the crime. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government, however, did not use these laws or other existing laws to prosecute trafficking cases during the reporting period. The authorities did not conduct any investigations or prosecutions of trafficking offenses during the reporting period. Guinea-Bissau's judicial system lacks sufficient human and physical capital to function properly and corruption remains pervasive. The transitional government did not provide any specialized training to law enforcement officials on investigating or prosecuting trafficking crimes. It did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period; however, observers report that some

police and border guards might accept bribes from trafficking offenders, and politicians refrain from addressing the issue of trafficking among religious leaders in order to avoid losing influential political support from the Muslim community.

## PROTECTION

The transitional government made inadequate efforts to identify and protect victims during the year, although it provided modest financial assistance to one NGO that cared for trafficking victims. It did not make systematic efforts to identify victims proactively and refer them to NGOs or international organizations for assistance. Although the transitional government did not provide any statistics on the number of victims identified during the reporting period, at least 49 child victims of forced labor were repatriated to Guinea Bissau. Of these victims, 45 were repatriated from Senegal; the transitional government did not provide any assistance to the victims after they arrived in the country. During the last year, the transitional government contributed the equivalent of approximately \$10,000 to an NGO that operated two multi-purpose shelters that provided care for an unknown number of victims; these facilities were severely underfunded and understaffed. While no prosecutions were undertaken during the reporting period, the transitional government reported that it encouraged adult family members and neighbors to participate in legal proceedings against suspected child traffickers. There was no evidence that the transitional government detained, fined, or jailed trafficking victims for unlawful acts committed as a result of their being trafficked.

## PREVENTION

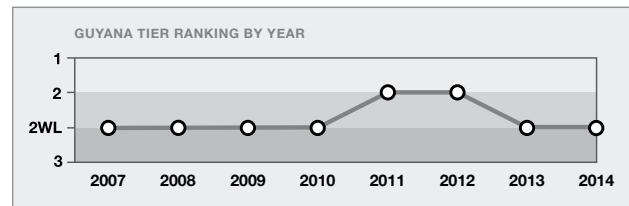
The transitional government did not make any tangible efforts to prevent trafficking in persons. There is no evidence that the Inter-Ministerial Steering Committee on Trafficking, which was established to coordinate the government's anti-trafficking efforts, continued to exist or that the government had taken any steps to implement the national action plan adopted by the previous government in 2011. This plan also obligates the government to contribute to anti-trafficking efforts from its general funds each year; however, with the exception of the equivalent of approximately \$10,000 allocated to the aforementioned NGO, no additional funds were dedicated to anti-trafficking efforts in 2013. The transitional government took no discernible measures to reduce the demand for commercial sex acts or forced labor during the year.

## GUYANA (Tier 2 Watch List)

Guyana is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Guyanese and foreign women and girls—including from Venezuela, Suriname, and Brazil—are subjected to prostitution in Guyana. While the full extent of forced labor is unknown, there have been reports of forced labor in the mining, agriculture, and forestry sectors, as well as in domestic service and shops. Traffickers are attracted to Guyana's interior mining communities where there is limited government control, but Guyanese and foreign nationals are also vulnerable to trafficking in urban centers and elsewhere in the country. Children are particularly vulnerable to forced labor. Guyanese nationals are subjected to human trafficking in other countries in the Caribbean region.

The Government of Guyana does not fully comply with the minimum standards for the elimination of trafficking; however,

it is making significant efforts to do so. The government's Ministry of Labour, Human Services, and Social Security (human services ministry) demonstrated concrete efforts to assist trafficking victims. Despite these efforts, the government did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous reporting period; therefore, Guyana is placed on Tier 2 Watch List. Guyana has an adequate trafficking law and achieved three trafficking convictions during the reporting period; however, all three convicted traffickers were released on bail pending the appeal of their convictions. The Government of Guyana did not provide information regarding the basis on which the defendants sought to appeal their convictions or on which the court determined to grant them bail. The inability to hold traffickers accountable creates an enabling environment for human trafficking. Trafficking victims have accused police officers and other government employees of cooperating with traffickers.



## RECOMMENDATIONS FOR GUYANA:

Boost efforts to hold trafficking offenders accountable by vigorously investigating and prosecuting forced prostitution and forced labor cases, including those involving complicit officials; provide funding for NGOs to identify and assist victims; develop child-sensitive investigation procedures to reduce additional harm to victims, and develop court procedures that protect the privacy of children and minimize the emotional trauma of providing testimony; in partnership with NGOs, develop and publicize written standard operating procedures to guide and encourage front-line officials—including police, health, immigration, labor, mining, and forestry personnel—to identify and protect victims of forced labor and forced prostitution; implement procedures to ensure that victims are not punished for crimes committed as a result of being subjected to human trafficking; and offer increased protection and assistance for victims near mining communities.

## PROSECUTION

The government made limited progress in holding traffickers accountable. The Combating Trafficking of Persons Act of 2005 prohibits all forms of trafficking and prescribes sufficiently stringent penalties, ranging from three years' to life imprisonment. These penalties are commensurate with penalties prescribed under Guyanese law for other serious crimes, such as rape. Law enforcement officials did not provide data on the number of trafficking investigations they undertook during the reporting period, compared with two labor trafficking investigations and 16 sex trafficking investigations the previous year. According to a statement by an official from the human services ministry before parliament, authorities "brought before the courts" six trafficking cases, one of which was dismissed, compared with seven prosecutions during the previous period. The government reported that three traffickers were convicted in 2013; two of the convicted traffickers were sentenced to five years' imprisonment and one was sentenced to four years' imprisonment. However, none of the three convicted traffickers were serving their sentences at the end of the reporting period;

all three were out on bail pending the appeal of their cases. The government confirmed that a police officer was accused of trafficking, and the Guyana Police Force and Office of Public Prosecution were reviewing the allegation. For many years, the majority of Guyana's trafficking prosecutions have ultimately been dismissed. A high-profile prosecution of child trafficking covered in the media was dismissed late in the reporting period, with the magistrate citing a lack of evidence. In that case, NGOs claimed that trafficking victims willing to testify were not notified of court dates and were not allowed to present evidence. The government did not report any additional action involving prosecution of a high-profile child trafficking case investigated in 2012, and there were reports that police did not investigate all alleged incidents of human trafficking. The government did not report that it provided any specialized anti-trafficking training for law enforcement in 2013.

## PROTECTION

The government made efforts to protect victims of trafficking, but the continued lack of accountability for perpetrators further endangered victims. The human services ministry reported identifying 23 victims in 2013, including 10 children, five male labor trafficking victims, and 18 sex trafficking victims, compared with 19 girls, two boys, three women, and two adult men identified the previous year. One NGO reported rescuing 29 victims, mostly children, in 2013 and additional victims in 2014. The human services ministry reported that 16 victims consented to be referred to care facilities during the reporting period. Government-provided services reportedly consisted of psycho-social support, basic medical care, transportation, and some assistance for victims' reintegration, but sources claimed that government resources devoted to victim protection were inadequate. There were reports that authorities failed to provide assistance specific to the needs of trafficking survivors, and that victims who had been rescued were re-trafficked or became homeless after they did not receive adequate protection services from the government. An NGO operated a shelter for victims of domestic violence, as well as a "safe home" for children in the capital that reportedly provided assistance to trafficking victims during the reporting period. The shelter received a government subsidy of the equivalent of approximately \$14,800. The government also paid the equivalent of approximately \$1,452 for alternative accommodation for three victims. The government reportedly provided specialized care for adult male victims. Donor-funded organizations provided much of the support for victims. In areas outside of the capital, NGOs provided shelter and assistance to trafficking victims, often in dangerous conditions, without any funding from the government. Longer-term shelter and protection was not available in Guyana, putting victims at risk of traffickers' reprisals, as the government also failed to punish most traffickers with incarceration. Stakeholders reported that there were still no clear, written, government-wide operating procedures to guide officials in handling human trafficking cases in coordination with NGO partners.

While Guyana's law contains incentives to encourage victims to participate in the prosecution of traffickers, including protection from punishment for crimes committed as a result of being subjected to human trafficking, in practice victims often did not testify in court. Media reports indicate that many trafficking prosecutions were dismissed because victims, many of whom were children, did not appear in court; the government did not take steps to ameliorate this problem. Guyana has not adopted methods of allowing children to testify that ensure their safety,

and officials reportedly did not inform victims of court dates nor take them to testify. Intimidation from traffickers increased the likelihood that victims were generally disinclined to cooperate as witnesses in trafficking prosecutions. Guyana's law provides relief from deportation for foreign victims; the government did not report extending such relief to foreign victims over the past year.

## PREVENTION

The government made minimal efforts to prevent trafficking. The government's ministerial taskforce was designated to monitor and assess the government's anti-trafficking efforts, but it did not report any results. A leading NGO that has played a significant role in rescuing trafficking victims requested to be one of the NGO partners on the ministerial anti-trafficking taskforce; however the taskforce has yet to grant this request despite this organization's critical role in the protection of victims. The government reportedly provided in-kind support to a UNDP-funded program to raise awareness about human trafficking and provide communities with a government-operated trafficking hotline number. The government did not report how many calls the hotline received. Officials did not report any measures to reduce the demand for commercial sex acts or forced labor during the reporting period.

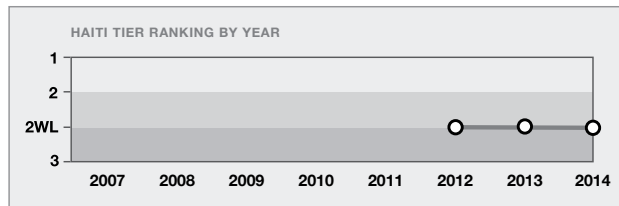
## HAITI (Tier 2 Watch List)

Haiti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most of Haiti's trafficking cases consist of children in domestic servitude. In addition to experiencing forced labor, these children are vulnerable to beatings, sexual assaults, and other abuses by family members in the homes in which they are residing. Dismissed and runaway children from domestic servitude make up a significant proportion of the large population of children who end up in prostitution or are forced into begging or street crime. Children working in construction, agriculture, fisheries, and street vending are vulnerable to forced labor. Women and children living in Internally Displaced Persons (IDP) camps set up as a result of the 2010 earthquake were at an increased risk of sex trafficking and forced labor. Children in some unscrupulous private and NGO-sponsored residential care centers are at a high risk of being placed in a situation of forced labor. Haitians without documentation and those from the lowest income backgrounds, especially women and children, are particularly vulnerable. There have also been documented cases of Dominican women in forced prostitution in Haiti. Haitian children are found in prostitution, domestic servitude, and forced begging primarily in the Dominican Republic. Haitians are also exploited in forced labor primarily in the Dominican Republic, elsewhere in the Caribbean, in South America, and in the United States.

The Government of Haiti does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Haiti enacted legislation criminalizing human trafficking in 2014. Despite these efforts, the government did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous reporting period; therefore, Haiti is placed on Tier 2 Watch List for a third consecutive year. Haiti was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making



significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. Haiti has not convicted any perpetrators of human trafficking despite large numbers of identified victims each year. While the government had negligible capacity to provide direct or specialized services to trafficking victims, the government continued to refer victims and at-risk youth to service care centers registered with the government's social welfare ministry (IBESR) and operated by local NGOs.



### RECOMMENDATIONS FOR HAITI:

Enforce the new law prohibiting sex trafficking and all forms of forced labor, including domestic servitude; investigate, prosecute, convict, and sentence trafficking offenders under the new law, including persons abusing domestic servants and prostituting children under 18; enact provisions to guarantee victims are not punished for crimes committed as a direct result of being subjected to human trafficking; in partnership with NGOs, adopt and employ formal procedures to guide officials in proactive victim identification and referral of child and adult victims to appropriate shelters and services; work with the donor community to develop long-term, sustainable funding mechanisms for providers of services for trafficking victims; and increase funding for Haitian authorities to assist victims, especially social workers and police officers who rescue trafficking victims.

### PROSECUTION

The government made no discernible progress in prosecuting trafficking offenders during the reporting period, but enacted Law No. CL/2014-0010, which criminalizes human trafficking, in 2014. This law prohibits all forms of trafficking and prescribes penalties up to 15 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. As in the previous three reporting periods, the government did not report any prosecutions or convictions of any trafficking offenders.

The government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. Widespread corruption remained a concern in combating human trafficking. Longstanding institutional and procedural weaknesses in the judiciary impaired Haiti's ability to bring trafficking offenders to justice. Despite significant financial constraints, some committed Haitian law enforcement and social workers participated in victim rescue operations. However, shortly after government officials and foreign government partners successfully rescued 10 sex trafficking victims and arrested the alleged perpetrators, the main suspect disappeared. The judiciary's systemic weaknesses were a primary cause of the release of the arrested alleged perpetrator. The government made efforts to train Haitian National Police on human rights issues, including some formal instruction on topics related to human trafficking.

### PROTECTION

The government made some efforts to identify and assist trafficking victims during the reporting period, but these efforts were overshadowed by the continued lack of accountability for trafficking offenders. The government did not systematically track data regarding trafficking victim identification, but reported working with NGOs to reunify child domestic workers in exploitive situations with their families. Haitian authorities worked with the International Organization for Migration (IOM) to facilitate the voluntary return of nine foreign adult sex trafficking victims and one child victim that Haitian police rescued with foreign law enforcement partners. During the reporting period, Haitian officials removed some children from vulnerable situations and placed them in appropriate care; however, the Haitian government did not adopt stand-alone, government-wide procedures to guide all front-line responders in the identification and referral of potential trafficking victims in Haiti.

NGOs provided the majority of victim care services. Services for trafficking victims were often linked with services for other types of victims. NGOs and international partners increased coordination of such services with Haitian government institutions, improving the government's capacity to register and respond to allegations of trafficking abuse. The government did not provide direct or specialized services to trafficking victims. The budget for IBESR was insufficient to cover the basic protection needs of children throughout Haiti, and labor and social welfare inspectors often lacked basic materials and reliable transport. Two state institutions provided care for vulnerable children who may be at risk for becoming trafficking victims, including one for street children established in November 2013. Under Article 8 of the new law, the government established formal trafficking victim protection policies to encourage victims to assist in the investigation and prosecution of trafficking offenders. The law provides legal protections to preclude the prosecution of trafficking victims for crimes committed as a direct result of being subjected to human trafficking. The law provides immigration relief for foreign victims of human trafficking and thus provides legal alternatives to removal to countries in which victims would face retribution or hardship.

### PREVENTION

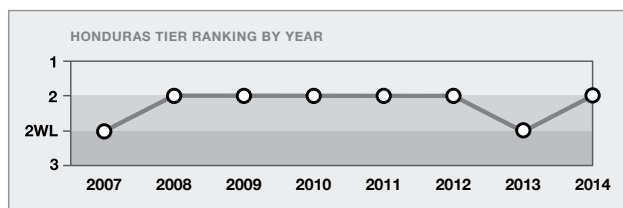
The government made limited efforts to prevent human trafficking during the reporting period. The government adopted an action plan to combat trafficking in April 2014. The inter-ministerial working group to coordinate all anti-trafficking executive branch initiatives did not report any activities during the reporting period. With support from UNICEF, IBESR launched an awareness campaign in June 2013 designed to draw attention to Haiti's efforts to eliminate exploitive forms of child labor. Since 2012, the Government of Haiti, through IBESR, has managed a hotline for trafficking victims; the government reported 11 potential cases of child domestic servitude from calls to this hotline. The government also conducted a campaign to raise public awareness about child labor and child trafficking, among other child protection concerns. Through its child protection hotline, investigations of residential care centers, and other activities, IBESR closed 40 residential care centers that were operating in violation of international standards throughout 2012 and 2013. In 2013, IBESR removed 754 children from exploitive situations where they were exposed to a high risk of human trafficking. The government's partnership with community representatives to monitor night clubs led to the

successful closure of several businesses where young boys and girls had been sexually exploited.

## HONDURAS (Tier 2)

Honduras is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor; to a much lesser extent, Honduras is a destination for women and girls from neighboring countries subjected to sex trafficking. Honduran women and children are exploited in sex trafficking within the country and in other countries in the region, particularly Mexico, Guatemala, El Salvador, and the United States. NGOs report that LGBT Hondurans continue to be vulnerable to sex trafficking. Honduran men, women, and children working in agriculture, street vending, and domestic service within the country are vulnerable to forced labor. Honduran men, women, and children are also subjected to forced labor in other countries, particularly in Guatemala, Mexico, and the United States. Indigenous Miskito boys from Honduras have been identified as potential trafficking victims on a fishing vessel in Jamaican waters. NGOs report that gangs and criminal organizations exploit girls in sex trafficking, and coerce and threaten young males in urban areas to transport drugs, engage in extortion, or to be hit men. Honduras is a destination for child sex tourists from Canada and the United States. Latin American migrants transit Honduras *en route* to northern Central America and North America; some of these migrants are subsequently exploited in sex trafficking and forced labor.

The Government of Honduras does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government significantly increased the number of law enforcement officers focused on human trafficking and dedicated the equivalent of approximately \$200,000 to the interagency anti-trafficking commission, reflecting increased political will. Authorities achieved the first convictions for trafficking involving adult victims. Law enforcement efforts, however, continued to be inadequate and primarily focused on child sex trafficking. The government relied on civil society organizations to provide the vast majority of services to victims and lacked guidelines to identify trafficking victims among vulnerable populations, including children engaged in the worst forms of child labor. Data collection on law enforcement and victim identification efforts continued to be weak.



### RECOMMENDATIONS FOR HONDURAS:

Increase efforts to prosecute all forms of trafficking, including forced labor crimes and forced prostitution of adults, and increase, as appropriate, the number of trafficking offenders convicted and sentenced to time in prison; increase efforts to improve referral mechanisms and provide specialized services and shelter to all victims of trafficking through dedicated funding to either government entities or civil society organizations; develop and implement formal procedures to identify victims among

vulnerable populations, including child workers identified by labor inspections, and refer them to service providers; increase the number of adult victims identified and assisted, including repatriated Honduran victims; continue to increase resources for the dedicated anti-trafficking police and prosecutorial units; increase the use of the anti-trafficking law in trafficking prosecutions; improve data collection on anti-trafficking efforts; ensure that trafficking victims forced to engage in criminal activities are treated as victims by referring them to care services; and enhance government planning and coordination mechanisms, in part by continuing to fund the interagency commission.

### PROSECUTION

The Government of Honduras increased law enforcement efforts, but efforts against labor trafficking remained weak and authorities convicted few traffickers. The Honduran anti-trafficking law, enacted in April 2012, prohibits all forms of trafficking, prescribing penalties ranging from 10 to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. This law, however, also conflates human trafficking with other crimes, such as illegal adoption, and establishes the use of force, deceit, or intimidation as aggravating factors only as opposed to essential elements of the crime per international norms. Many trafficking offenders were prosecuted under non-trafficking statutes that prescribe lower penalties, such as those prohibiting pimping. There were no reports that law enforcement officials investigated cases of children who may have been forced by gangs to engage in illicit activities as human trafficking.

Data collection on trafficking efforts was uneven. Authorities reported opening approximately 38 trafficking investigations in 2013; most of these investigations involved child sex trafficking. The government reported prosecuting 17 sex trafficking cases, 10 of which were prosecuted using pimping statutes. It did not convict any trafficking offenders in 2013; however, in March 2014, authorities convicted two sex traffickers, sentencing both to five years' imprisonment and a fine. This case notably involved both adult and child sex trafficking victims. In comparison, authorities reported opening 47 investigations and prosecuting and convicting three child sex trafficking offenders in 2012. There were no reported labor trafficking prosecutions or convictions during the reporting period.

The offices of the special prosecutor for children in the capital and in San Pedro Sula prosecuted all trafficking cases in those cities, as well as all crimes against children. Under-resourced local prosecutors were responsible for all other cases outside those metropolitan areas. NGOs and prosecutors reported that the lack of specialized law enforcement units hampered investigations and prosecutions. In early 2014, the government assigned 13 police officers from various units in Tegucigalpa to focus on human trafficking either full or part time, including four assigned to work with the office of the special prosecutor for children in Tegucigalpa. Law enforcement had a limited ability to investigate trafficking cases outside of the capital. Civil society reported that corruption hampered labor inspections, impeding detection of possible forced labor cases. Prosecutors reported that some local police provided protection to brothel owners or tipped them off about impending raids. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. NGOs receiving international donor funding continued to deliver most of the anti-trafficking training available to government officials.

## PROTECTION

Overall government efforts to identify, refer, and assist trafficking victims remained inadequate and authorities remained almost entirely dependent on NGOs to provide services. While immigration officials had a manual on victim identification, Honduran authorities continued to lack systematic procedures to identify trafficking victims among vulnerable populations, such as people in prostitution or working children. For example, labor inspectors did not screen for trafficking victimization the approximately 800 children removed from hazardous labor situations in 2013. The government did not report how many total trafficking victims it identified in 2013. Honduran consular officials identified 15 Honduran victims in Mexico, as well as three victims in Belize. NGOs identified and assisted approximately 50 Honduran victims of sex and labor trafficking within the country.

The government did not provide specialized services for trafficking victims, and services for adult victims were particularly lacking. The 2012 anti-trafficking law required the government to establish an “immediate response team” to address trafficking cases and assist victims, but authorities did not do so in 2013. In some parts of the country, authorities could offer child victims limited medical and psychological assistance, but did not record the number of victims who received such services in 2013. Services remained limited outside of main cities. Specialized services, however, were provided by NGOs and authorities referred some victims to these organizations. Some government officials used their own money to assist victims. The government gave the equivalent of approximately \$38,000 to an NGO that provides services to vulnerable children and that operated the country’s only specialized shelter for girl victims of sexual abuse and sex trafficking. Consular officers assisted with, but did not fund repatriations of, Honduran victims identified abroad.

The government encouraged victims to assist in the investigation and prosecution of trafficking offenders, although it did not report how many did so in 2013. Some trafficking victims declined to cooperate or chose not to report their exploitation due to distrust of the police and the judicial system, fear of traffickers, inadequate government protection from possible reprisals from traffickers, and frustration with the slow pace of prosecutions. There were no reports of identified victims being penalized for unlawful acts committed as a result of their being subjected to human trafficking. NGOs and some officials, however, reported that child trafficking victims used by gangs to commit crimes were sometimes treated as criminals. NGOs noted that the criminal justice system often re-victimized child victims due to the lack of sensitivity on the part of some officials and the lack of protective services. The government could provide foreign victims with a temporary residency status, but did not report doing so in 2013.

## PREVENTION

While the government maintained limited prevention efforts in 2013, it assigned significant funding in early 2014 to increase its ability to coordinate anti-trafficking efforts. The overburdened special prosecutor’s office for children led the interagency commission on child trafficking and commercial sexual exploitation in 2013; this commission was comprised of government agencies, NGOs, and international organizations. The commission began drafting implementing guidelines for the 2012 law, but met sporadically and was plagued by frequent turnover of government staff. In March 2014, the government assigned the equivalent of approximately \$200,000 to the interagency commission, fulfilling its legal responsibility to fund the commission. Government officials participated in

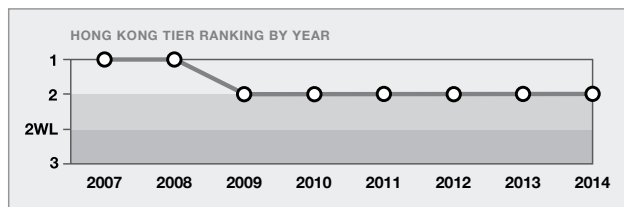
anti-trafficking awareness campaigns funded by NGOs through organizing and participating in events. In March 2014, authorities arrested a U.S. citizen for sexually exploiting Honduran girls, but the government did not report any prosecutions or convictions of child sex tourists. The government did not report efforts to reduce the demand for forced labor or commercial sex acts.

## HONG KONG (Tier 2)

The Hong Kong Special Administrative Region of the People’s Republic of China is a destination, transit, and source territory for men, women, and children subjected to sex trafficking and forced labor. Victims include citizens from mainland China, the Philippines, Indonesia, Thailand, Vietnam, Nepal, Cambodia, other Southeast Asian countries, Colombia, Chad, and Uganda. 320,000 foreign domestic workers from Indonesia, the Philippines, Burma, and Bangladesh work in Hong Kong; some become victims of forced labor in the private homes in which they are employed. Workers from the Philippines and Indonesia are generally charged the equivalent of between \$1,900 and \$2,800, respectively, in their home countries for job placement; these debts lead to situations of debt bondage in Hong Kong. Several of Hong Kong’s domestic worker employment agencies have charged fees in excess of the maximum job placement fee allowed under Hong Kong law. The accumulated debts amount to more than 80 percent of workers’ salaries for the first seven to eight months of employment. During that period, some workers are unwilling to report abusive employers for fear of losing their jobs; some employers or employment agencies also illegally withhold passports, employment contracts, and workers’ bank debit cards until their debt has been paid. In addition, domestic workers have reported working 17-hour days, receiving less than minimum wage, being physically or verbally assaulted, experiencing confinement in the employer’s home, and not receiving a weekly day off. Many such workers do not have their own bedroom and are forced to sleep in bathrooms, kitchens, storage rooms, and other inappropriate locations. Some women are lured to Hong Kong by criminal syndicates or acquaintances with promises of financial rewards and are deceived about the nature of the prospective work. Upon arrival in Hong Kong, they are forced into prostitution to repay money owed for their passage to Hong Kong. Traffickers psychologically coerce some victims of sex trafficking by threatening to reveal photos or recordings of the victims’ sexual encounters to their families. Hong Kong is a transit point for Southeast Asian fishermen subjected to forced labor on fishing ships bound for Fiji and other ports in the Pacific. “Compensated dating” continues to facilitate the prostitution of Hong Kong children and their vulnerability to trafficking.

Hong Kong authorities do not fully comply with the minimum standards for the elimination of trafficking; however, they are making significant efforts to do so. In 2013, authorities amended the Prosecution Code to include the 2000 UN TIP Protocol’s definition of human trafficking. Authorities’ anti-trafficking efforts remained limited, however, because of insufficient laws that do not prohibit all forms of trafficking. Authorities failed to screen women who were arrested for prostitution or immigration violations to determine if they were trafficking victims. Authorities identified and assisted only seven sex trafficking victims and made limited efforts to bring traffickers to justice, while thousands of potential victims were arrested, fined, and deported. The government did not identify or assist any labor trafficking victims and made no law enforcement

efforts to address labor trafficking crimes, despite increased reports of forced labor involving foreign domestic workers, including a highly publicized case involving an Indonesian domestic worker severely abused and exploited by her employer for eight months.



### RECOMMENDATIONS FOR HONG KONG:

Enact a comprehensive anti-trafficking law that prohibits all forms of trafficking and defines terms according to established international standards set forth in the 2000 UN TIP Protocol; proactively identify forced labor and sex trafficking victims among vulnerable populations, such as mainland Chinese and foreign migrant workers, and Hong Kong children in prostitution, and refer them to available services; vigorously prosecute suspected labor traffickers, especially those who abuse and exploit foreign domestic workers; grant victims permission to work and study while participating in trafficking investigations and prosecutions; develop an action plan to commit resources and develop a clear, overarching strategy to combat trafficking; continue to publicize the availability of protective services among vulnerable populations, such as foreign domestic workers and foreign women in prostitution; provide permanent residency visas as a legal alternative to those who may face hardship or retribution in their home countries; and educate law enforcement, judges, authority officials, and the public on trafficking definitions in line with established international standards.

### PROSECUTION

Hong Kong authorities made modest progress in anti-trafficking law enforcement efforts. Authorities continue to define trafficking as the movement of people for prostitution, and Hong Kong laws lack specific criminal prohibition of forced labor; this definition is inconsistent with the 2000 UN TIP Protocol's definition of human trafficking. Section 129 of the Crimes Ordinance, which prohibits "trafficking in persons to or from Hong Kong," requires an element of transnationality in the offense and focuses on movement of persons into or out of Hong Kong for prostitution and does not require that force, fraud, or coercion be used. Section 129's prescribed penalty of 10 years' imprisonment is sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. Other sections of Hong Kong's Immigration, Crimes, Offenses Against the Person, and Employment Ordinances are also used to prosecute trafficking offenses. In September 2013, the Department of Justice amended the Prosecution Code—an administrative handbook providing instruction to guide prosecutors in conducting prosecutions—to include Section 18.1, which contains the 2000 UN TIP Protocol's definition of trafficking. This section was added to improve prosecutors' understanding of human trafficking and better equip them to identify and prosecute such cases.

Authorities have never prosecuted or convicted traffickers for subjecting victims to forced labor, despite numerous reports of forced labor abuses perpetrated against migrant domestic

workers. In 2013, Hong Kong authorities initiated five sex trafficking prosecutions under Article 129, compared to three prosecutions in 2012. Four sex trafficking offenders were convicted; three traffickers received sentences of four to six months' imprisonment, and one received a sentence of 30 months. Six sex traffickers were convicted under the Crimes Ordinance Section 130 (forced or organized prostitution), a decrease from 10 convictions achieved in 2012; convicted traffickers received sentences ranging from three weeks' to 32 months' imprisonment. Authorities initiated one prosecution under the Offenses Against the Person Ordinance's Section 41, which prohibits forcible taking or detention of a person, with intent to sell. In January 2014, media reported a high-profile case involving an Indonesian maid subjected to labor exploitation by her Hong Kong employer for eight months. The maid's employer deprived her of food, restricted her movement, physically abused her, overworked her, and did not pay her. Hong Kong Police sent an investigative team to Indonesia to further assess the case, which was under investigation as an assault case. The maid's Hong Kong employer attempted to flee Hong Kong but was apprehended at the airport and held on high bail.

During the year, Hong Kong authorities trained more than 540 police officers and newly recruited immigration officers on trafficking. The Department of Justice also discussed trafficking during the annual prosecutors' conference in May 2013. Hong Kong authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

### PROTECTION

Hong Kong authorities maintained minimal efforts to protect victims of trafficking. In 2013, authorities identified seven sex trafficking victims, the same number as in 2012. The government referred all seven victims to care facilities where they were provided temporary accommodation, counseling, and access to hospital services. Authorities did not identify or assist any labor trafficking victims despite multiple NGO and media reports of labor trafficking cases, government reports of 3,078 foreign domestic workers that had experienced abuse, and the government providing 21 foreign domestic workers permission to change their employers due to documented abuse and exploitation. Law enforcement officials reported following systematic procedures to identify potential trafficking victims, particularly among high-risk populations, such as foreigners arrested for prostitution or immigration violations. The Hong Kong Police's screening procedures did not identify trafficking victims among the 3,022 mainland Chinese and two foreign women in prostitution who were arrested; these women were instead arrested for immigration violations. The Police and Immigration Departments' joint operations, reportedly for the purpose of detecting human trafficking, did not result in identifying victims of trafficking. Instead, 121 foreign women were arrested for their involvement in prostitution, as were 33 persons (including 11 children) involved in "compensated dating." The Immigration and Labor Departments investigated 121 premises and arrested 16 foreign domestic workers and 39 employers on charges of illegal employment, but did not identify any forced labor violations. In 2013, the Immigration Department issued 3,571 visa extensions to former foreign domestic workers during legal proceedings in Hong Kong, but it was unclear if these cases involved labor exploitation or if these legal proceedings addressed cases of alleged labor exploitation.

Authorities continued to partially fund six NGO-run shelters and three government-owned and operated shelters that serve victims of abuse, violence, exploitation, and trafficking; however, the level of financial resources dedicated to trafficking-specific assistance or protection in 2013 was unclear. Authorities reported to have encouraged trafficking victims to participate in the investigation and prosecution of trafficking offenders, but they did not allow victims to work while participating in trials. As a result, many victims opted to repatriate immediately or were deported. Hong Kong does not specifically allow for permanent residency status for cases in which repatriation may constitute a risk of hardship or retribution in the victim's home country.

## PREVENTION

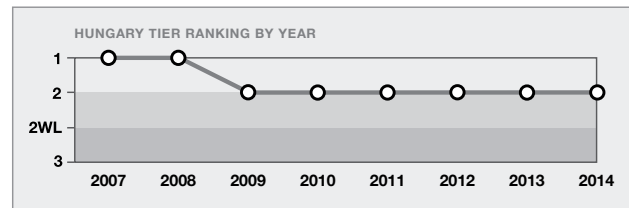
Hong Kong authorities sustained efforts to prevent trafficking. Authorities continued to distribute anti-trafficking pamphlets in six languages and information packets for foreign domestic workers in eight languages at parks and airports. The Labor Department conducted inspections of more than 1,200 employment agencies, but revoked the licenses of only four, despite overwhelming NGO and media reports that employment agencies breached regulations by charging high recruitment fees, requiring domestic workers to make deposits as a guarantee to work the contracted period, and confiscating employees' personal documents. The Anti-TIP working group did not draft or publish a written plan of action to combat trafficking. Authorities made efforts to reduce demand for commercial sex through school sex education programs. Hong Kong authorities reported no efforts to prevent or combat child sex tourism of Hong Kong nationals in foreign countries.

## HUNGARY (Tier 2)

Hungary is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically forced prostitution of women and girls and forced labor of men, women, and children. Women and children, particularly Roma from eastern Hungary, are subjected to sex trafficking within the country and abroad, including in the Netherlands, Switzerland, the United Kingdom (UK), Germany, Austria, Belgium, Italy, Greece, Spain, Sweden, and the United States. Media and NGOs report significant numbers of Hungarian women forced to engage in prostitution in the Netherlands and Switzerland. Experts also report Hungarian women lured into sham marriages to third-country nationals in the UK and Austria, with the women subjected to physical abuse and forced prostitution. Men and women from Hungary are subjected to forced labor domestically and abroad, including in the UK, the Netherlands, Spain, Canada, and the United States. The exploitation of Hungarian men in Western Europe intensified during the reporting period, particularly in the agricultural sector of the northern part of the Netherlands and the construction industry in the UK. According to an EU report, 18 percent of the victims in trafficking investigations by EUROPOL between 2009 and 2013 were Hungarian. Trafficking victims from Bulgaria and Romania transit Hungary *en route* to destinations in Western Europe. In addition to the impoverished, a large number of victimized women and girls, especially Roma, come from state-provided housing and correctional facilities; many of them are recruited by sex traffickers while living in such facilities. Traffickers also recruit unaccompanied minor asylum seekers while the minors are housed in shelters. Families in rural areas reportedly force homeless men to perform domestic or

agricultural labor. Labor recruiters reportedly transport men either domestically or internationally to work in construction and keep the workers' salaries. Sex trafficking victims in Hungary continue to be subjected to exploitation in street prostitution and in brothels disguised as bars or massage parlors, as well as in private apartments or homes.

The Government of Hungary does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite the large number of Hungarian trafficking victims internally and throughout the EU, victim assistance remained low. The shortage of beds in shelters remained a problem. Nevertheless, the government actively engaged the public throughout the reporting period in awareness campaigns to prevent trafficking. A new criminal code came into effect in July 2013, but the new law fails to fully comport with the definition of human trafficking in the EU Directive 2011/36/EU. Minimal training of police on trafficking resulted in a lack of awareness and sensitivity towards trafficking victims.



## RECOMMENDATIONS FOR HUNGARY:

Increase victim assistance by continuing to expand shelter capacity in Hungary and ensure consistent funding for NGOs providing victim care; ensure all repatriated victims are offered assistance; bolster protection for trafficking victims who face serious harm and retribution from their traffickers, including by developing longer-term care options to improve their reintegration in Hungary; enhance the collection and reporting of reliable trafficking law enforcement data and the number of trafficking victims identified; take steps to increase incentives for victims' voluntary cooperation with law enforcement; ensure the Hungarian anti-trafficking law is fully harmonized with the definition of trafficking under the EU Directive 2011/36/EU by more precisely defining exploitation (including child prostitution, forced prostitution, forced labor, begging, and the exploitation of criminal activities), and by ensuring that means of fraud, force, or coercion are required elements of the core offense of adult trafficking; and increase training of law enforcement and prosecutors.

## PROSECUTION

The Government of Hungary sustained anti-trafficking law enforcement efforts. A new criminal code with trafficking provisions came into effect in July 2013. Under the new criminal code, Article 192 criminalizes many forms of human trafficking, but is overbroad because it does not require the use of force, the threat of force, or fraud to prove the basic offense of trafficking in persons, instead making force, the threat of force, or fraud aggravated elements resulting in enhanced penalties, under Article 192(3). Furthermore, the law's new definition of exploitation was not specifically tied to forced labor, forced prostitution, or child prostitution; instead, it defines exploitation as the abuse of power for the purpose of taking advantage of a victim, rendering the trafficking definition potentially much more expansive than the purposes of exploitation set forth

under international law. Experts expressed concern that the 2012 criminal code does not adequately define sex trafficking and forced labor. The narrow judicial interpretation of the previous law had created overly strict evidentiary requirements, for example, by requiring proof of a transaction and evidence of direct or recently committed violence. The new law remedies this problem by making “exploitation” the key component of the definition of trafficking in persons. The criminal code also made forced labor an explicit offense under Article 193 and raised the maximum sentences for aggravated trafficking acts. The new law fails, however, to fully comport with the definition of human trafficking in the EU Directive 2011/36/EU by including the necessary purposes of exploitation, such as forced prostitution, child prostitution, or begging. Prescribed penalties still range from one to 20 years’ imprisonment, or life imprisonment under aggravating circumstances, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

Experts continued to identify the lack of reliable data as one of the main obstacles to effectively combating trafficking in Hungary. In 2013, the government reportedly initiated four new investigations, a decrease from 18 the previous year. The number of prosecutions increased slightly to 13 cases against 37 individuals in 2013 from 12 cases in 2012. Hungarian courts convicted 88 trafficking offenders in 33 sex trafficking cases in 2013, a significant increase from 18 convicted offenders in 2012. In January 2014, media reported the conviction of a police officer for pandering. After being sentenced to four years and eight months’ imprisonment, with three years suspended, the officer was dismissed from the police service. In 2013, Hungarian authorities conducted limited training for police officers on victim protection and identification. In June 2013, the government held a seminar for 32 victim assistance officers; in September and October 2013, the Hungarian Prosecution Service organized a five-day training session for 35 deputy chief prosecutors.

## PROTECTION

The Government of Hungary increased efforts to protect trafficking victims, although budget limitations hindered the provision of victim assistance and assistance remained far below the needs of trafficking victims in Hungary. An amendment to the 2005 Act on Crime Victim Support and State Compensation—in effect since January 1, 2013—mandates that the government issue detailed regulations for the identification of trafficking victims and provide safe shelter for victims exploited in Hungary or abroad. Victims are eligible to receive support under this act regardless of whether they assist law enforcement. In implementation of this amendment, the government adopted a decree (No. 354)—in effect since January 1, 2013—on the trafficking victim identification mechanism, which lists the institutions responsible for identifying trafficking victims, the questionnaire to be completed with suspected trafficking victims, and procedural protocols for trafficking victim identification. The protocol includes provisions on the role of the National Crisis Intervention and Information Telephone Service in the referral of and provision of safe shelter for potential trafficking victims. The National Police Headquarters issued a directive (No. 2/2013), in effect since January 31, 2013, which requires that there be victim protection officers at each police station who are responsible for attending to trafficking victims, as well as victims who are children, elderly, disabled, foreigners, or in a vulnerable situation.

Although the government identified more than a hundred victims, the provision of victim assistance was low. In 2013, the government identified a total of 133 trafficking victims through its national referral mechanism (NRM), 59 of whom were identified abroad by Hungarian Consular Services. Of the 133 victims identified in 2013, the government’s victim support service reported assisting three foreign trafficking victims; an increase from one foreign victim in 2012. Experts expressed concern about Hungarian police patrols’ lack of awareness of trafficking and insensitivity towards trafficking victims, adding that victim identification is highly problematic.

The Hungarian government had 20 victim support and legal assistance offices around the country where trafficking victims could receive short-term psychological, social, and legal assistance. The government reportedly provided legal support to four victims, accommodation to one victim, psychological support to five victims, financial support to 12 victims, and other forms of support to seven victims. General victim support services included providing information, securing psychological assistance, providing help for assertion of interest, legal aid, and a maximum of the equivalent of approximately \$380 in immediate financial assistance. The government provided the equivalent of approximately \$26,400 to an NGO-run shelter in 2013, the same amount provided in 2012. This shelter had limited space capacity for a maximum of six victims for a renewable, six-week period. Twenty-seven Hungarian trafficking victims were referred to this shelter in 2013 for care, compared to 30 Hungarian victims referred in 2012. The government provided the equivalent of approximately \$25,300 to another NGO-run shelter to accommodate six female trafficking victims for up to a year. Six women and four children were accommodated in this NGO run shelter in 2013; two of the women and all four children stayed at the shelter for more than a year. Victims are only permitted to leave the shelter if accompanied by a chaperone. The safety of trafficking victims who choose to testify against traffickers remains a concern, and the government had yet to use its witness protection program to protect any victims required to testify. The law provided foreign victims with a 30-day reflection period and temporary residency permit if they decided to assist law enforcement; however, no foreign victims applied for or received this temporary immigration relief in 2013.

## PREVENTION

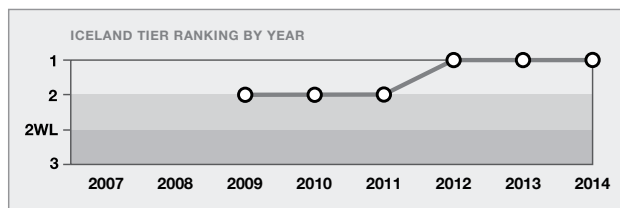
The Government of Hungary sustained prevention efforts by utilizing multiple platforms to prevent human trafficking. In August 2013, the government organized a week-long awareness raising campaign as part of an annual youth music festival to educate Hungarians about trafficking and reduce the demand for commercial sex acts, reaching over a thousand people. The government continued a pilot project from the previous reporting period to reach 551 secondary school students. In partnership with the EU, the government undertook a public relations campaign to educate Hungarians seeking jobs abroad about their right to challenge poor working conditions in destination countries. The government participated in the “Integrated Approach for Prevention of Labor Exploitation in Origin and Destination Countries” project with the Government of Romania in an effort to decrease labor exploitation. The government failed, however, to take efforts to reduce the demand for commercial sex acts during the reporting period. It did not demonstrate transparency in systematically assessing its anti-trafficking efforts and providing reliable trafficking-related statistics in 2013, but maintained a website listing information

on its anti-trafficking efforts, indicators of trafficking, and checklists for Hungarians planning on working abroad.

## ICELAND (Tier 1)

Iceland is a destination and transit country for women subjected to sex trafficking from Eastern Europe, the Baltics, Nigeria, and China. Some men and women are subjected to forced labor in massage parlors, restaurants, and as au pairs in private houses through threats and withholding of documents. Women are subjected to sex trafficking in nightclubs, bars, and “champagne” clubs. Women from Nigeria, who were coerced into prostitution in other European countries through threats of voodoo curses, sought asylum in Iceland. Authorities suspect the involvement of foreign organized crime groups in sex trafficking. Women are subjected to domestic servitude and sex trafficking through forced marriage in which the trafficker withholds earnings and maintains control over their wives’ food and health care. Traffickers often threaten victims with deportation. Traffickers reportedly exploit the visa-free regime in the Schengen Zone to bring victims to Iceland for up to three months and then move them out of the country before the point at which they would need to register with local authorities.

The Government of Iceland fully complies with the minimum standards for the elimination of trafficking. The government created and filled a dedicated position to coordinate national anti-trafficking efforts among various agencies. Investigations increased, although the government did not prosecute or convict any trafficking offenders. The government identified more victims than in the previous reporting period. It did not launch any awareness activities to educate the public on how to identify and report possible cases of trafficking.



### RECOMMENDATIONS FOR ICELAND:

Investigate, prosecute, and convict trafficking offenders; conduct public awareness activities focused on increasing identification of sex and labor trafficking victims among vulnerable populations; formalize procedures for social service workers, health officials, labor inspectors, and NGOs to identify and refer victims to care; continue to build trust with victims of trafficking to provide protective services and encourage their participation in the investigation and prosecution of traffickers; ensure all victims are provided shelter in appropriate facilities that provide privacy, non-stigmatization on the basis of trafficking, and specialized services; train immigration officials and law enforcement on proactive victim identification and the broader definition of human trafficking to include forced labor; continue to screen transit passengers for signs of trafficking; provide funding exclusively for anti-trafficking efforts, including the screening of transit passengers at the international airport.

### PROSECUTION

The Government of Iceland sustained low anti-trafficking law

enforcement efforts. Rather than investigating cases involving force, fraud, or coercion, law enforcement efforts were focused almost exclusively on long and in-depth prostitution investigations. Iceland prohibits both sex trafficking and forced labor under Article 227a of its criminal code, which prescribes penalties up to 12 years’ imprisonment. This penalty is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Law enforcement initiated 12 investigations in cases with potential sex trafficking elements during the reporting period, an increase from six investigations in 2012. Victims were hesitant to tell their stories, presumably out of fear the suspected traffickers would retaliate against their families. The government did not initiate any trafficking prosecutions or achieve any convictions in 2013. Observers praised the anti-trafficking efforts by the regional police which, despite having limited resources, have strategically deployed personnel to identify possible victims and enhanced efforts to screen for trafficking at the airport. The government is funding one position at the airport to focus on organized crime and trafficking, but there has not been an increase in funding for screening to match the increasing numbers of transit passengers. In 2014, the government allocated the equivalent of approximately \$600,000 to an organized crime taskforce, not specifically dedicated to trafficking, to continue investigating possible links between organized crime groups and human trafficking and prostitution, compared with the equivalent of approximately \$200,000 in 2013. The government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period. Icelandic authorities provided law enforcement officers and immigration officials in-house and external training on victim identification. The police college curriculum included instruction on victim identification and investigating trafficking cases.

### PROTECTION

The Government of Iceland made some efforts to provide support and protection for victims of trafficking by identifying more victims, although the government and NGO partners closed its only trafficking shelter and accommodated victims in alternative housing. The government identified 17 potential sex trafficking victims during the reporting period, compared with six in 2012. Of the 17 victims identified, one was a male victim. The government identified no child victims of trafficking. Government-funded NGOs reported they provided services to an estimated seven female victims. All victims received assistance of food, shelter, legal advice, and health care. Foreign victims had the same access to assistance as domestic victims. During the reporting period, the Icelandic authorities informally adopted the EU-issued “Guidelines for the Identification of Victims of Trafficking” as their formal standards for identifying victims. The government continued to implement its 2010 system to refer victims from protective custody to institutions that provide short- or long-term care. During the reporting period, the government developed a pocket checklist for immigration and law enforcement officials to be used in identifying potential trafficking victims and ensuring they are informed of available services. NGOs stated this system worked effectively in practice. NGOs expressed concern that law enforcement officials use too narrow a definition and had a limited understanding of human trafficking, leading to missed opportunities to identify victims. In particular, police did not explore a person’s position of vulnerability and inappropriately weighed initial consent of victims when determining whether person was a trafficking victim. The government did not fully formalize procedures for

social service workers, health officials, and labor inspectors to identify and refer victims to care.

In December 2013, the government closed a long-term shelter for sex trafficking victims and women exiting prostitution, which was operated as a two-year research project. Victims were provided with alternative housing. All victims received assistance from the country's NGO operated domestic violence shelter, and other government programs and social service entities such as those dedicated to assisting asylum seekers. Victims could leave the shelter unchaperoned and at will. The government allocated the equivalent of approximately \$479,500 in the 2014 state budget to the domestic violence shelter, compared with \$345,700 in 2013. The government allocated the equivalent of approximately \$610,300 to the NGO offering psychological and other services at the shelter, compared with the equivalent of approximately \$536,000 in 2013. There was no specialized care available for male victims, although they were referred to NGOs providing food, shelter, legal advice, health care, and psychological services. In cases involving unaccompanied children, municipal and state child protection services are responsible for assistance. Victims were entitled to free medical care. The victims' protection law mandates free legal services for victims to guide them through the legal process, inform them of their rights, and act as the victim's attorney should they require legal representation in court. No victims pursued legal action, although one victim received legal assistance during questioning by law enforcement. Potential victims of trafficking without legal status could obtain a six-month residency permit for a reflection period—time in which to recover and decide whether to cooperate with law enforcement. An additional one-year renewable residency permit is available to victims who cooperate with law enforcement or who may face retribution or hardship in their home countries; victims with temporary residency are able to work legally in the country. Such permits are to be granted regardless of the outcome of a prosecution. The government did not issue any temporary residence permits to potential victims during the reporting period; some potential victims received residence permits on other grounds or applied for asylum in Iceland. Victims were reportedly punished for acts committed as a result of being trafficked.

## PREVENTION

The Government of Iceland displayed mixed efforts to prevent trafficking. The government approved its 2013-2016 national action plan and created and filled a dedicated position to coordinate national anti-trafficking efforts among various agencies, but it did not educate the public, including potential victims, about human trafficking. The national action plan—approved in April 2013—established a coordination group of representatives from law enforcement, government agencies, and NGOs to provide a twice-yearly forum for discussion of anti-trafficking efforts and best practices. The coordination group met once during the reporting period. The government did not conduct any anti-trafficking awareness activities in 2013. A July 2013 risk assessment report conducted by national security unit on organized crime and terrorism publicly acknowledged that there were indications of possible trafficking activity in Iceland, especially in Metropolitan Reykjavik and the Sudurnes area. The government demonstrated efforts to reduce the demand for commercial sex acts by enforcing legislation banning the purchase of sex and the operation of strip clubs, but it did not demonstrate efforts to reduce the demand for forced labor.

## INDIA (Tier 2)

India is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. The forced labor of an estimated 20 to 65 million citizens constitutes India's largest trafficking problem; men, women, and children in debt bondage—sometimes inherited from previous generations—are forced to work in industries such as brick kilns, rice mills, agriculture, and embroidery factories. A common characteristic of bonded labor is the use of physical and sexual violence as coercive means. Ninety percent of India's trafficking problem is internal, and those from the most disadvantaged social strata—lowest caste Dalits, members of tribal communities, religious minorities, and women from excluded groups—are most vulnerable. Trafficking victims in India at times are injured or killed by their traffickers; for example, a labor contractor in the State of Odisha chopped off the hands of two bonded labor victims in 2013. Media reported instances of severe mistreatment of domestic servants in New Delhi, many of whom were victims of forced labor, including cases of rape, torture, and murder. NGOs observed that the majority of trafficking victims are recruited by agents known to them in their home villages with promises of work in urban or other rural areas. Trafficking between Indian states continues to rise due to increased mobility and growth in industries that use forced labor, such as construction, textiles, wire manufacturing for underground cables, biscuit factories, and floriculture. Thousands of unregulated work placement agencies reportedly engage in sex and labor trafficking but escape prosecution; some of these agents participate in the sexual abuse that approximately 20 percent of domestic workers reportedly experience. Placement agencies also provide child labor for domestic service, meeting a demand for cheap and docile workers and creating a group vulnerable to trafficking.

Children are subjected to forced labor as factory workers, beggars, agricultural workers, and, in some rural areas of Northern India, as carpet weavers. A 2013 study of India's hand-made carpet sector revealed 2,612 cases of forced labor and 2,010 cases of bonded labor of adults and children in nine Northern Indian states, including entire villages subjected to debt bondage in Uttar Pradesh and Madhya Pradesh. Begging ringmasters sometimes maim children as a means to earn more money. Boys from Nepal and Bangladesh continue to be subjected to forced labor in coal mines in the state of Meghalaya. Boys from the region of Kashmir are forced by insurgent separatists and terrorist groups to fight against the Indian government. Burmese Rohingya and Sri Lankan Tamil refugees continue to be vulnerable to forced labor in India. Boys from Bihar are subjected to forced labor in embroidery factories in Nepal.

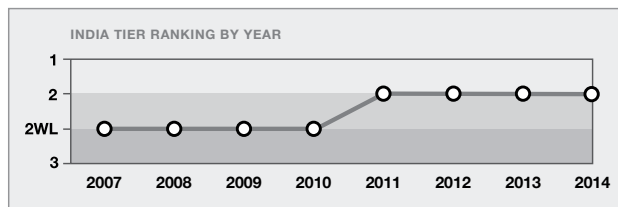
Experts estimate that millions of women and children are victims of sex trafficking in India. Children continue to be subjected to sex trafficking in religious pilgrimage centers and tourist destinations. Girls from Assam state are kidnapped for domestic servitude. Around 90 percent of the girls who were from Jharkhand and were victimized work as domestic servants. A large number of Nepali, Afghan, and Bangladeshi females—the majority of whom are children aged nine to 14 years old—and women and girls from China, Russia, Uzbekistan, Azerbaijan, the Philippines, and Uganda are also subjected to sex trafficking in India. Female trafficking victims are frequently exploited in Kolkata, Mumbai, Delhi, Gujarat, and along the India-Nepal border. Newspapers contain advertisements promising full body massages, often by Afghan women, who are then forced



to offer sexual services. Traffickers also pose as matchmakers, arranging sham marriages within India or to Gulf states, and then subject women and girls to sex trafficking. West Bengal continues to be a source for trafficking victims, with girls more frequently subjected to sex trafficking in small hotels, vehicles, huts, and private residences than traditional red light districts. Experts also reported increasing demand for women from smaller towns in North and Western India for sex and labor trafficking; until recently, victims have typically originated from Eastern India and Bangladesh.

Some Indian migrants who willingly seek work as construction workers, domestic servants, and other low-skilled laborers in the Middle East and, to a lesser extent, Afghanistan, Southeast Asia, Bhutan, the United States, Europe, Southern Africa, South America, the Caribbean, and other regions, subsequently face forced labor conditions initiated by recruitment fraud and usurious recruitment fees charged by Indian labor brokers. Some Bangladeshi migrants are subjected to forced labor in India through recruitment fraud and debt bondage. Trafficking victims—primarily girls—continue to be recruited from Bangladesh and Nepal and brought to Mumbai. An increasing number of foreign women, mostly from Central Asia and Bangladesh, were rescued from debt bondage within Hyderabad; labor trafficking, including bonded labor, reportedly continues in Odisha.

The Government of India does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Experts reported increased acknowledgement of India's trafficking problem by government officials and increased efforts to combat it. Despite these efforts, the protection of trafficking victims and the prosecution of their suspected exploiters were uneven among states and municipalities. While some courts in some states have secured serious penalties for convicted traffickers, continued complicity of government officials enabled traffickers to exploit additional men, women, and children. Officials facilitated trafficking by taking bribes, warning traffickers about raids, helping traffickers destroy evidence, handing victims back to traffickers, and physically and sexually assaulting victims. Lack of political will and sensitivity to victims' trauma continued, with one senior official stating that victims choose "that lifestyle;" another politician stated that victims were better off exploited than they would be otherwise.



#### RECOMMENDATIONS FOR INDIA:

Prosecute officials allegedly complicit in trafficking, and convict and punish those found guilty; continue to sensitize law enforcement officials to human trafficking issues and educate them about changes to the law; cease the penalization of victims of human trafficking; integrate anti-trafficking procedures into natural disaster planning and training; establish additional Anti-Human Trafficking Units (AHTUs) in source areas; encourage AHTUs to address all forms of trafficking, including forced labor of adults and children; hire additional female police officers to work with trafficking victims; coordinate standard operating

procedures (SOPs) among police and child welfare departments for the rescue, repatriation, and rehabilitation of trafficked children; prosecute suspected traffickers and punish those found guilty with sentences commensurate with those of other serious crimes; increase funding for shelters, regular training of staff working with victims, and the creation of a quality control board; through continued coordination with stakeholders, increase prevention efforts and services provided to victims of forced and bonded labor; increase prosecutions of all forms of trafficking, including bonded labor, respecting due process, and report on these law enforcement efforts; improve protections for trafficking victims who testify against their suspected traffickers; develop and implement SOPs to harmonize victim identification and repatriation, and prosecution of suspected traffickers when trafficking crimes cross state lines; provide funding for additional states to establish fast-track courts that respect due process and deal with all forms of human trafficking; promptly disburse government funding for anti-trafficking shelter homes and develop monitoring mechanisms to ensure quality of care; require state governments to comply with the October 2012 Supreme Court judgment to accurately report on the number of bonded labor victims; and fund more public awareness campaigns in informal settlements, schools, and colleges.

#### PROSECUTION

The Government of India did not provide adequate anti-trafficking law enforcement data; observers noted a lack of progress based on low rates of convictions, with most offenders receiving fines in lieu of imprisonment. Section 370 of the Indian Penal Code (IPC) criminalizes government officials' involvement in human trafficking, prescribing sentences up to life imprisonment. It also prohibits most forms of sex trafficking and prescribes sufficiently stringent penalties ranging from seven years' to life imprisonment. These penalties are commensurate with those prescribed for other serious crimes, such as rape. Section 370 does not, however, provide that the prostitution of a child under the age of 18 is an act of human trafficking in the absence of coercive means, the standard of the 2000 UN TIP Protocol, though the prostitution of minors is criminalized under other statutes. An April 2013 change in the criminal law, Section 166A of the IPC, holds police responsible for delays in registering a First Information Report (FIR) after a victim makes a complaint. Punishment for inaction ranges from six months to two years' imprisonment. India also prohibits many forms of forced labor through the Bonded Labor System Abolition Act (BLSA), the Child Labor (Prohibition and Regulation) Act, the Juvenile Justice Act, and other provisions of the IPC; however, these provisions were unevenly enforced, and their prescribed penalties are not sufficiently stringent. India prohibits most forms of sex trafficking under the Immoral Traffic Prevention Act (ITPA) and various provisions of the IPC. However, the ITPA also criminalizes other offenses, including prostitution, and is often used to prosecute sex trafficking victims.

The Government of India did not report comprehensive law enforcement data on human trafficking. Reported incidents of inaction by law enforcement and prosecutors reflected inconsistent application of the law across jurisdictions, corruption among officials, and a lack of awareness or capacity in some parts of the country. Information publicly released as human trafficking data by the National Crimes Record Bureau contained aggregated data under the ITPA (which included statistics on the government's penalization of trafficking victims), and a limited number of IPC provisions which only addressed sex trafficking of girls, rather than a broader range of human

trafficking crimes; in addition, the data provided did not specify the number of investigations, prosecutions, or convictions carried out by the government. Some of the 28 states in India reported law enforcement data on human trafficking, but such information covers only a small portion of the country. Observers noted the need for more specialized courts in other states. Experts expressed concern about a lack of political will to combat trafficking and protect victims in West Bengal, which has no AHTUs, trafficking-specific law enforcement units that liaise with other agencies and refer victims to shelters, no rehabilitation services for victims, and no cases investigated or prosecuted in 2013 under the ITPA or the new trafficking laws, despite the area being a major source for trafficking.

Government officials' complicity in human trafficking remained prevalent and the Indian government made few efforts to bring them to justice; victims were sometimes arrested or targeted for investigation for reporting abuse. In May 2013, Hyderabad police arrested a government official for allegedly operating a brothel. In June 2013, 17 police officers, including two superintendents, were suspended in Kerala for their involvement in a sex trafficking ring run through two airports; several of the officers were arrested and their cases remained pending at the close of the reporting period. Despite cooperating with police, the victim who reported this case was arrested and charged with passport fraud. In June 2013, authorities arrested two police officers for running a brothel. In July 2013, disciplinary action was taken against three Kerala police officers for facilitating the transport of trafficking victims to Dubai. In August 2013, two New Delhi police officers were arrested for running an alleged prostitution and extortion racket. In November 2013, a Member of Parliament and his wife were arrested for the alleged torture and murder of their domestic servant. An Indian consular officer at the New York consulate was indicted in December 2013 for visa fraud related to her alleged exploitation of an Indian domestic worker. NGOs reported other cases of corrupt officials returning rescued and escaped bonded laborers back to their exploiters; government officials attempting to dissuade bonded labor victims from pressing charges, stating that there would be negative repercussions from superiors if reported; and the involvement in bonded labor of regional politicians who used influence to block prosecutions. Police also reportedly accepted bribes in the form of money and sexual services in exchange for ignoring or failing to pursue trafficking charges, sexually abused trafficking victims, tipped suspected traffickers off to raids, released suspected traffickers after their arrests, and helped suspected traffickers destroy evidence.

The Government of India collaborated with international organizations, NGOs, and state governments in its efforts to train police, judges, and lawyers on the handling of trafficking cases. The Ministry of Home Affairs (MHA) reported that every district across India conducted training for prosecutors and judges on trafficking. The MHA continued to offer a human trafficking certificate course through a public university, continued a two-year project for training law enforcement officers in four states in association with an international organization, and supported the Bureau of Police Research and Development Initiatives by conducting government training programs with state police academies. State and local governments also conducted extensive training. The government encountered difficulties in conducting cooperative investigations with the Governments of Nepal and Bangladesh due to multiple layers of bureaucracy and lack of SOPs.

## PROTECTION

The Government of India made some improvements in the areas of victim care, rehabilitation, and compensation; however, the implementation of these services was inconsistent and their quality was frequently substandard. Experts observed that much of the focus of the government's victim protection activities was limited to sex trafficking victims, with inadequate care and services provided to victims of forced and bonded labor. Experts also reported that officials in many small towns and villages made minimal efforts to protect trafficking victims. NGOs cited the 2013 creation of child protection cells at major railway stations as a significant development in victim protection, even though they were not trafficking specific—child protection cells paired police and NGOs to identify exploited children and refer them to protective services. A 2009 MHA non-binding directive advises state government officials to use SOPs to identify trafficking victims proactively and refer them to protection services; however, there is no information that such SOPs were used during the year, and the government did not provide information on the number of trafficking victims it identified. Experts noted that funding for NGOs was insufficient to meet trafficking victims' needs and law enforcement officers were not appropriately trained to identify victims. NGOs relied primarily on donor contributions to provide victims services, though some received government funds. Both government- and NGO-run shelters faced shortages of financial resources and trained personnel, particularly the lack of counselors and medical staff. Disbursal of funding to NGOs that provided services to victims was delayed and corruption reportedly drained valuable resources that were intended for victim care. An NGO reported very poor conditions at one government-run shelter, with no running water and only one meal provided per day; desperate victims ran off or returned to prostitution rather than accept such conditions. The government referred victims it removed from exploitation to government-funded NGO care and rehabilitation shelters throughout India; services such as psychological counseling and medical treatment were scarce or of poor quality in some of these facilities. The government provided shelter to an unknown number of Indian and foreign victims; both had access to government hospitals for emergency medical services, although long waiting lists made it difficult to obtain surgery and other procedures and, at times, NGOs had to pay for victims' medical treatment. Funding for government programs is jointly shared between the central and state governments. Child victims were placed in private shelters or in government aftercare shelters known as juvenile justice homes and largely received the same government services as adults.

The government policy on foreign victims of trafficking was to repatriate them to their country of origin at the earliest possible time. Foreign sex trafficking victims were detained in government aftercare homes until transfer to their country of origin was possible. Due to a number of constraints, this process resulted in victims, especially those from Bangladesh, spending upwards of two to four years in these homes before being repatriated. Foreign trafficking victims are not permitted to work in the local economy. In a previous reporting period the MHA provided guidelines to all state governments on procedures to deal with foreign nationals detained in cases of human trafficking; the guidelines note that women and children who are declared victims should not be prosecuted under the Foreigners Act. It further advised states and union territories to refer the victims to government-run shelters until they are repatriated and encouraged use of video conferencing facilities for victims' testimony. It appears that in some states, MHA guidelines are systematically used;

in others, services remained *ad hoc* at best. Officials from the National Commission for Protection of Child Rights noted a lack of SOPs among police and child welfare departments in source states to coordinate the rescue, repatriation, and rehabilitation of trafficked children. Victims had the right to file civil suits against traffickers for damages. Prosecutors may request special protections for victims during trial, including closing proceedings to the media and public, testifying behind screens, and the blocking of irrelevant and potentially harmful questions. Rescued bonded laborers are entitled to “release certificates” that entitle them to compensation, but victims in Odisha and other states experienced delays in excess of two years in receiving the certificates.

Some government-run shelters did not permit adult victims to leave the premises, purportedly for security reasons, contrary to international principles on the protection of victims. In some cases, traffickers continued to re-recruit victims by pretending to be family members and convincing shelter managers to release victims to them. During investigations, police sometimes treated victims as suspected criminals and subjected them to aggressive questioning. The Ministry of Overseas Indian Affairs (MOIA) claimed to provide discretionary funds to Indian embassies to help rehabilitate or repatriate Indian citizens who are victims of trafficking or domestic violence abroad, but officials noted very few embassies made use of the funds. There were many reports of trafficking victims being penalized for acts committed as a result of being trafficked: foreign victims were often detained under the Foreigners’ Act for their undocumented status or for document fraud, and Section 8 of the ITPA (solicitation) and Section 294 of the IPC (obscenity in public places) were used to prosecute and convict sex trafficking victims.

## PREVENTION

The Government of India conducted numerous efforts to prevent human trafficking. NGOs noted a lack of awareness about trafficking in some informal settlements, schools, and colleges. Many government officials continued to conflate trafficking with smuggling and denied that bonded labor was a problem in India. There were significant improvements in coordination among concerned government offices, including police, Labor Ministry officials, state Women and Child Departments, and Child Welfare Committees in combating trafficking. An export council including the Indian Ministry of Textiles launched an initiative to help manufacturers in the textile industry follow proper labor practices and prevent forced labor. Despite India being a source and destination for sex tourism, the government did not take measures to reduce the participation of its nationals in child sex tourism. Indian military personnel must undergo a training program on trafficking conducted by the Indian military and certified by the UN before deploying to peacekeeping or similar missions. The government did not report any efforts to reduce the demand for commercial sex acts or forced labor.

## INDONESIA (Tier 2)

Indonesia is a major source country and, to a much lesser extent, a destination and transit country for women, children, and men subjected to sex trafficking and forced labor. Each of Indonesia’s 34 provinces is a source and destination of trafficking, with the most significant source areas being the provinces of West Java, Central Java, East Java, West Nusa Tenggara, East Nusa Tenggara, and Banten. A significant number of Indonesian migrant workers

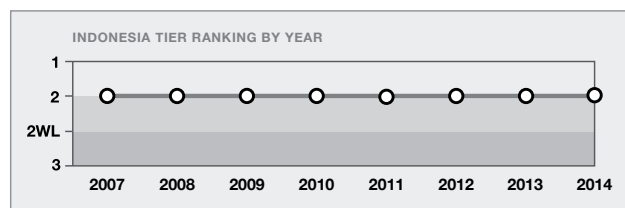
face conditions of forced labor and debt bondage in Asia and the Middle East, particularly Saudi Arabia, the United Arab Emirates, Qatar, Oman, Taiwan, Singapore, Malaysia, and Hong Kong. Indonesian women are subjected to forced prostitution primarily in Malaysia, Taiwan, and the Middle East. Indonesian trafficking victims have also been identified in Brunei, Chile, New Zealand, the Philippines, Egypt, and the United States. The government estimates that there are six and a half million Indonesians working abroad—approximately 70 percent of whom are female—with the majority working in domestic service, on plantations, operating machinery, or in construction. Malaysia remained the leading destination for newly departing migrant workers registered with the Indonesian government, and large numbers continued to migrate to Saudi Arabia despite the Indonesian government’s moratorium on sending domestic workers to Saudi Arabia. The government also maintained a moratorium on permits for Indonesians to work in the domestic service sector in Kuwait, Syria, and Jordan.

Government and non-governmental sources report a continued increase in the number of undocumented Indonesian workers travelling abroad. Undocumented workers are at a higher risk of becoming trafficking victims than documented workers. As the government continues to expand its use of biometric travel documents, false documents are becoming more difficult and expensive to obtain. As a result, more undocumented workers are traveling by sea, primarily from Batam and the Riau Islands, and by land, from Kalimantan to Malaysia, where they remain or transit to a third country. According to NGOs, labor recruiters are responsible for more than 50 percent of the Indonesian female workers who experience trafficking conditions in destination countries. Some recruiters work independently, while others work for Indonesia-based international labor recruitment companies called PJTKIs. Some PJTKIs operate similarly to trafficking rings, leading male and female workers into debt bondage and other trafficking situations. Migrants often accumulate debts with labor recruiters that make them vulnerable to debt bondage. Licensed and unlicensed companies used debt bondage, withholding of documents, and threats of violence to keep Indonesian migrants in situations of forced labor. Endemic corruption among law enforcement officers created an environment where some traffickers could operate with impunity and escape punishment.

Internal trafficking is significant in Indonesia, with women and girls exploited in domestic servitude and sex trafficking, while women, men, and children are exploited in forced labor in rural agriculture, mining, and fishing. Children are exploited internally and abroad primarily for domestic servitude and sex trafficking. Many victims were originally recruited with offers of jobs in restaurants, factories, or as domestic workers before they were coerced into prostitution. Child victims work up to 14 to 16 hours a day at very low wages, often under perpetual debt due to pay advances given to their families by Indonesian brokers. Debt bondage is particularly prevalent among sex trafficking victims, with an initial debt the equivalent of approximately \$600 to \$1,200. Traffickers employ a variety of means to attract and control victims, including promises of well-paying jobs, debt bondage, community and family influence, threats of violence, rape, false marriages, and confiscation of passports. Country experts reported that Indonesian migrant workers in Malaysia were recruited for Umrah, a religious pilgrimage to Mecca, Saudi Arabia, and subsequently transported to other places in the Middle East for forced labor or sex trafficking. The government and NGOs reported an increase in university and high school

students using social media to recruit and offer other students, including those under the age of 18, for commercial sex within the country. Women and girls are subjected to sex trafficking near mining operations in Maluku, Papua, and Jambi provinces. Children were exploited in prostitution in the Batam district of the Riau Islands province and children from North Sulawesi province were exploited in prostitution in West Papua province. Some women from Colombia are forced into prostitution in Indonesia. Child sex tourism is prevalent in the Riau Islands bordering Singapore, and Bali is reported to be a destination for Indonesian child sex tourists.

The Government of Indonesia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government continued to prosecute and convict trafficking offenders, but it made only limited progress in collecting comprehensive, accurate data on these efforts. The Minister for Women's Empowerment and Child Protection (MWECP) continued to act as the lead in inter-ministerial programs and activities. The government increased the number of taskforces at the local level, but a decentralized government structure and a lack of coordination across agencies and among various levels of the government impaired effective implementation of a national anti-trafficking strategy and decreased the effectiveness of government anti-trafficking efforts. The government provided some protective services to more than 1,000 identified victims in 2013, and it issued two additional regulations to strengthen the implementation of Law No. 39 of 2004 on the Placement and Protection of Overseas Workers.



### RECOMMENDATIONS FOR INDONESIA:

Undertake greater efforts to criminally prosecute and punish labor recruitment agencies and brokers involved in trafficking; increase efforts to prosecute and convict public officials who are involved in trafficking; significantly increase efforts to proactively identify potential victims of trafficking among vulnerable groups, particularly returning migrant workers who report problems during their overseas employment, and refer their cases to law enforcement officials and social service providers; reconcile data collection methods to improve the collection, analysis, and public reporting of comprehensive data on legal proceedings against traffickers taken under the anti-trafficking law; undertake efforts to prosecute and punish those who obtain commercial sexual services from children; create a national protocol that clarifies roles and responsibilities for prosecuting trafficking cases when the crime occurs outside a victim's province of residence, particularly with regard to responsibilities for funding the involvement of victims as witnesses in proceedings; increase government funding to support trafficking victims' participation in legal proceedings; and increase efforts to combat trafficking through awareness-raising campaigns targeted at the public and law enforcement personnel at all levels of government in primary trafficking source regions.

### PROSECUTION

The Indonesian government continued moderate anti-trafficking law enforcement efforts. A comprehensive anti-trafficking law, passed in 2007 and implemented in 2009, prohibits all forms of human trafficking, prescribing penalties of three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Police and other law enforcement officials reported that ineffective coordination among police, prosecutors, and judges interfered with the government's ability to obtain successful convictions, particularly as cases often involved numerous jurisdictions, including other countries. The common practice of extrajudicial mediation hampered successful prosecutions, as victims whose families received out-of-court settlements from traffickers were usually unwilling to participate in official law enforcement proceedings.

The Indonesian government continued to lack a system for comprehensive nationwide data collection on anti-trafficking law enforcement, resulting in inaccuracies and inconsistencies across systems. The Indonesian National Police (INP), which collected statistics on prosecutions at the district and provincial levels, reported 109 new investigations of trafficking cases in 2013 (47 for sex trafficking and 62 for labor trafficking) and the referral to local prosecutors of 58 cases in 2013, a slight decrease from the 138 investigations and 86 referrals in 2012. The number of new referrals accepted for prosecution is unknown, but a lack of familiarity with the provisions of the anti-trafficking law at times led prosecutors and judges to decline cases or use other, more familiar laws to prosecute traffickers. The Attorney General's office continued to operate a database to collect data on trafficking convictions throughout Indonesia, but its figures did not reconcile with the police data. The Attorney General's office reported initiating prosecutions in 2013 against 126 defendants under the anti-trafficking law, with 118 offenders convicted; cases against 58 defendants remained pending prosecution at the end of 2013. In January 2014, the government began a prosecution of two defendants charged with subjecting 56 men to forced labor and debt bondage on a fishing vessel operating in international waters; the trial was ongoing at the close of the reporting period. The government, with support from an international organization, trained 130 judges, prosecutors, and police investigators in three regions of the country on case management and victim protection. In September 2013, a court ordered three convicted offenders to pay restitution to three sex trafficking victims—only the third time an Indonesian court has awarded restitution to a trafficking victim. Moroccan officials reported cooperation with the Indonesian government to investigate trafficking of women to Morocco for domestic service, but the status of this investigation is unknown.

NGOs and government officials reported that endemic corruption among members of Indonesian security forces and other government officials remained an impediment to the effectiveness of anti-trafficking law enforcement efforts. Corrupt officials facilitated the issuance of false documents, accepted bribes to allow brokers to transport undocumented migrants across borders without regard to their vulnerability to trafficking, protected venues where sex trafficking occurred, and thwarted law enforcement and judicial processes to hold traffickers accountable. The government did not report investigating, prosecuting, or convicting any public officials for trafficking or trafficking-related complicity.

## PROTECTION

The Indonesian government continued its provision and coordination of efforts to protect victims of trafficking, though the level of available support for victims varied greatly across regions. The government did not employ standardized, nationwide guidelines for the proactive identification of victims among vulnerable groups, such as returning migrant workers who report problems during their overseas employment. Although the government did not collect or report comprehensive data on victims identified throughout the country, the information it provided indicated more than 1,000 identified victims received some form of government assistance in 2013; many more unidentified victims may have benefited from government support to returning migrant workers. Included in this total are 24 victims the government rescued from a factory in Jakarta and seven victims rescued with the assistance of police in North Sulawesi, Papua, Palembang, and West Nusa Tenggara provinces.

The government continued to rely significantly on international organizations and NGOs for the provision of services to victims, particularly for repatriated Indonesian victims of trafficking abroad. The government's Integrated Service Centers for the Empowerment of Women and Children, supported through government and private funds, provided shelter and trauma clinics to victims of a range of abuses, including trafficking. The government opened eight new centers during the year, bringing the total to 195 at the provincial and district level. The central government largely funds provincial governments through block grants, and provinces have significant discretion in the use of these funds, including decisions on trafficking-related programs. As a result, provincial governments' funding of victim protection services, and the level of care available through government centers, varied greatly across the country. Some provinces have not established anti-trafficking taskforces and provide only minimal funding for the protection of trafficking victims. The national police operated approximately 456 women and child service units in police stations around the country, which provided emergency protection and medical services to victims of violence, including victims of trafficking. The Ministry of Health is responsible for covering the costs of health care for trafficking victims, and all Indonesian National Police hospitals across the country are obligated to provide medical care at no cost to victims, though NGOs and government officials reported that some hospital staff remained unaware of this duty or were unwilling to provide care without compensation.

The Indonesian Embassy in Pretoria provided consular services to 75 victims identified by a civil society organization on a commercial fishing vessel operating in international waters off the coast of South Africa, but it did not provide additional advocacy or support for the men, who were sent to detention centers due to the South African government's failure to properly identify them as trafficking victims. The government did not provide additional information about victims identified or services provided through its diplomatic missions abroad. The Ministry of Social Affairs provided financial assistance in the equivalent of approximately \$250 each to 3,650 victims of abuse overseas, an unknown number of whom were victims of trafficking, and a local agency in West Nusa Tenggara provided similar support to 120 victims. The government continued to operate a toll-free hotline for overseas workers; although it received nearly 4,000 calls, including many cases involving unpaid wages, work not corresponding to a contract, or acts of violence, it did not report referring any cases to police for investigation of potential trafficking. The government had policies in place to provide legal assistance to victims, thus

encouraging them to participate in cases against their traffickers, but it is unknown how many victims received this assistance. There were no reports that identified victims were punished for crimes committed as a result of being trafficked, but inadequate efforts to proactively screen vulnerable groups for trafficking indicators may well have resulted in some victims being punished for crimes committed as a direct result of their being trafficked. The government did not provide alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

## PREVENTION

The Indonesian government made some progress in preventing human trafficking, particularly through issuing additional guidelines for the oversight of labor migrants and the registered recruiters and licensed recruiting agencies sending them abroad. Most prevention work was conducted at the district and province levels through 25 provincial level anti-trafficking taskforces and 97 district or municipal anti-trafficking taskforces; funding for and activities undertaken by taskforces varied greatly across regions. The Coordinating Minister for Social Welfare nominally chaired the government's national anti-trafficking taskforce, and the Ministry of Women's Empowerment and Child Protection provided active direction. The national taskforce met quarterly in 2013 with 24 ministries, departments, and agencies represented; the national anti-trafficking taskforce does not have a budget and is funded by the participating ministries and departments. A number of provinces signed inter-provincial agreements that included guidelines for cooperating in the provision of care to trafficking victims located outside their home provinces.

The government continued to support the Agency for the Placement and Protection of Overseas Workers (BNP2TKI), which strengthened its efforts to monitor outbound Indonesian workers and protect them from fraudulent recruitment and human trafficking through improving its data collection and systems. The agency developed an online system to integrate information about overseas workers and share this information among numerous public and private stakeholders, and in August 2013 it signed an agreement with the Ministry of Justice and Human Rights that launched a new information management system to integrate information about migrant workers between the central government and local jurisdictions. The government issued two additional regulations on the implementation of Law No. 39 of 2004 on the Placement and Protection of Overseas Workers, to regulate the placement of workers overseas and include in-country Indonesian officials in this process. The government began implementation of initiatives that could improve their ability to monitor and protect workers in the commercial fishing sector by including them in the same registration process that applied to other workers going abroad and requiring them to apply for a permit to work abroad; companies employing fisherman who will work in international waters will be required to register with BNP2TKI.

Although a moratorium on the legal emigration of Indonesian women to Saudi Arabia for domestic work remained in place, the two governments in February 2014 signed a memorandum of understanding (MOU) on the placement and protection of Indonesian workers in this sector; the MOU included, inter alia, a prohibition on passport withholding and provisions requiring that workers are granted one rest day per week and access to cell phones.

The government created a biometric database to register recruiters, improving its ability to regulate recruiters; however,

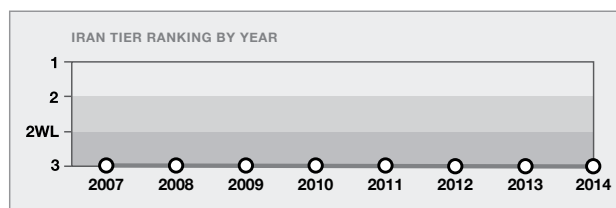
the government failed to hold some recruitment companies accountable for fraudulent recruitment practices indicative of trafficking. For example, authorities rescued two migrants seeking work on a Korean fishing vessel who reported having their documents confiscated, but did not investigate or punish the company. Indonesian authorities reported conducting raids on recruiting companies to combat illegal practices, but did not report how many agencies, if any, were subsequently punished.

The government did not report efforts to prosecute or convict child sex tourists during the year. The government provided Indonesian military personnel with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government did not report efforts to reduce the demand for forced labor or commercial sex acts during the year.

## IRAN (Tier 3)

Iran is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Iranian women, boys, and girls are purportedly subjected to sex trafficking in Iran, as well as in Pakistan, Afghanistan, the Persian Gulf—particularly the United Arab Emirates—and Europe; Iranian women and girls are reportedly forced into prostitution in the Iraqi Kurdistan Region. In previous years, there were reports that Afghan boys and girls residing in Iran were allegedly forced into prostitution within the country. In Tehran, the number of teenage girls in prostitution reportedly continues to increase, with similar reports in Tabriz and Astara. Azerbaijani nationals are reportedly subjected to sex trafficking and forced labor in Iran. Uzbek women and children are reportedly forced into prostitution in Iran, with traffickers sometimes recruiting them to the country through fraudulent offers of employment. According to estimates, there are 35,000-50,000 children—some as young as four or five years old—forced by their parents or well-organized criminal networks to beg in the streets of Tehran; some of these children are reportedly forced to sell drugs. Some children are also reportedly forced to work in sweatshops, while some are reportedly forced into prostitution in Iran and abroad. Traffickers reportedly subject Afghan migrants to forced labor in Iran, and reportedly force Afghan boys and young men under 18-years-old to work in construction and agricultural sectors. Pakistani men and women migrate voluntarily to Iran for low-skilled employment, such as domestic work and construction, and some are reportedly subjected to forced labor, including debt bondage, and experience restriction of movement, nonpayment of wages, and physical or sexual abuse. NGO reports indicate criminal organizations play a significant role in human trafficking in Iran.

The Government of Iran does not comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not share information on its anti-trafficking efforts during the reporting period. Publicly available information from NGOs, the media, international organizations, and other governments indicates that the Iranian government is not taking sufficient steps to address its extensive trafficking challenges, particularly with regard to the protection of trafficking victims. The government, however, hosted a regional anti-trafficking workshop in December 2013 for representatives from numerous countries and international organizations, and it held a separate anti-trafficking workshop in early 2014.



### RECOMMENDATIONS FOR IRAN:

Investigate, prosecute, and convict offenders of sex trafficking and forced labor; share anti-trafficking data and develop partnerships with international organizations to combat trafficking; institute victim identification procedures to proactively identify victims of trafficking, particularly among vulnerable populations such as persons in prostitution, children in begging rings, and undocumented migrants; offer specialized protection services to victims of trafficking, including shelter and medical, psychological, and legal assistance; ensure that sex and labor trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking; increase transparency in government anti-trafficking policies and activities through public reporting; and become a party to the 2000 UN TIP Protocol.

### PROSECUTION

The Government of Iran made few discernible law enforcement efforts against human trafficking. Iranian law does not prohibit all forms of trafficking. A 2004 law prohibits trafficking in persons by means of threat or use of force, coercion, abuse of power, or of a position of vulnerability of the victim for purposes of prostitution, slavery, or forced marriage. The prescribed penalty under this law reportedly is up to 10 years' imprisonment for the trafficking of adults and capital punishment for offenses against children. Both penalties are sufficiently stringent; however, the penalty for the trafficking of adults is not commensurate with penalties prescribed under Iranian law for rape. The Constitution and labor code both prohibit forced labor and debt bondage; the prescribed penalty of a fine and up to one year's imprisonment is not sufficiently stringent to deter these serious crimes. The government reportedly remained unable or unwilling to consistently implement and enforce existing anti-trafficking laws due to a lack of political will and widespread corruption, including corruption within the security services and judiciary. The government did not report official statistics on investigations or prosecutions of trafficking cases or convictions of trafficking offenders. In May 2013, the Iranian ambassador to the UN stated Iranian police dismantled 46 human trafficking gangs, while in July 2013 state-affiliated media reported the arrests of 48 foreign nationals suspected of involvement in human trafficking in the northwestern Iranian province of West Azerbaijan. However, no details were available to determine whether these reports actually involved human trafficking, or were of smuggling or other types of crimes. It was reportedly extremely difficult for female trafficking victims to obtain justice, as Iranian courts accorded legal testimony by women only half the weight accorded to the testimony by men. Moreover, women who were victims of sexual abuse, as well as sex trafficking victims, presumably were liable to be prosecuted for adultery, which is defined as sexual relations outside of marriage and is punishable by death. The government did not report efforts to investigate or punish government employees complicit in trafficking-related offenses. In previous years, there were reports that government officials were involved in the sex trafficking of

women and girls and that some officials who operated shelters for runaway girls reportedly forced them into prostitution rings. In October 2013, President Rouhani submitted a bill to parliament that would increase Iran's security cooperation with China to fight international organized crime, including human trafficking. The government hosted a regional anti-trafficking workshop in December 2013 with representatives from 16 countries and international organizations to discuss international police cooperation to combat human trafficking and sharing databases to fight transnational trafficking networks. According to government-affiliated media, the government also held a one-day workshop on human trafficking at the national police academy in February 2014, though the details of the workshop and its participants were not disclosed.

## PROTECTION

The Government of Iran made no discernible efforts to protect victims of trafficking during the reporting period. Security authorities did not appear to differentiate between illegal foreign workers and victims of trafficking. The government also reportedly punished victims of sex trafficking for unlawful acts committed as a direct result of being subjected to human trafficking, such as adultery and prostitution. Foreign trafficking victims were held in detention centers and jails until the court ordered their deportation. There were reports in recent years that government officials raped prisoners, some of whom may have been unidentified trafficking victims. The government did not report if it identified and referred trafficking victims among vulnerable populations to protective services, such as organizations unrelated to the government that assist vulnerable and socially marginalized groups. There were no apparent legal protection services or rehabilitation programs for victims of trafficking. The government reportedly operated several shelters for street children in Tehran, though it is unclear what type of services were available to children in these shelters or whether the shelters served any child victims of trafficking. There is no information to indicate the government provided assistance to repatriated Iranian victims of trafficking. The Iranian government did not appear to provide foreign victims of trafficking with a legal alternative to removal to countries in which they may face hardship or retribution.

## PREVENTION

There were no reports of efforts by the Government of Iran to prevent trafficking, such as campaigns to raise public awareness of trafficking, to reduce demand for commercial sex acts, or to reduce demand for child sex tourism by Iranian citizens traveling abroad. There were no apparent improvements in the transparency of the government's reporting on its anti-trafficking policies or activities, nor were there discernible efforts to forge partnerships with NGOs in addressing human trafficking problems in this reporting period. The cabinet endorsed the UN Convention against Transnational Organized Crime and its three protocols in December 2013, though parliament did not ratify it at the end of the reporting period. Iran is not a party to the 2000 UN TIP Protocol.

## IRAQ (Tier 2)

Iraq is a source and destination country for women and children subjected to sex trafficking, and men, women, and children subjected to forced labor. Iraqi women and girls are subjected

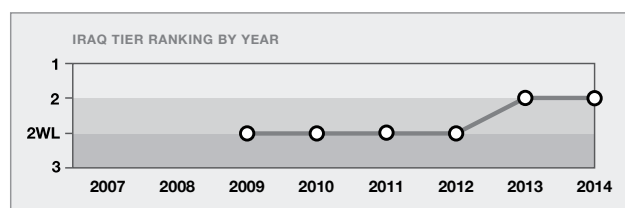
to sex and labor trafficking within the country and in Lebanon, Jordan, Kuwait, the United Arab Emirates, Turkey, Iran, Yemen, and Saudi Arabia. An international organization reported cases of forced prostitution in the city of Tikrit; sex traffickers sell girls and women from Baghdad, Kirkuk, and Syria for the equivalent of approximately \$1,000-5,000. Criminal gangs reportedly force girls from outside of the Iraqi Kurdistan Region (IKR) into prostitution in the provinces of Erbil, Dahuk, and Sulaymaniyah. An international organization alleged that police officers and other members of the security forces kidnapped women and girls and forced them into prostitution in Kirkuk and Salah ad-Din Provinces. An NGO reported in previous years that sex traffickers rape women and girls on film and blackmail them into prostitution or recruit them in prisons by posting bail and then forcing them into prostitution through debt bondage. Some women and children are pressured into prostitution by family members to escape desperate economic circumstances. NGOs report that women are forced into prostitution in private residences, brothels, restaurants, and places of entertainment. Some women and girls are sold into "temporary marriages" within Iraq—primarily for the purpose of sexual exploitation, prostitution, or domestic servitude—by which the family of the victim receives money in the form of a dowry in exchange for permission for the woman or girl to be married for a limited period of time. Women who flee such marriages or whose husbands divorce them are often vulnerable to further forced labor or sexual servitude. Criminal gangs reportedly subject children to forced begging and other types of forced labor in Iraq. On at least one occasion, a terrorist group recruited teenagers to take part in violent activities, to include serving as suicide bombers.

The large population of internally displaced persons and refugees in Iraq are particularly at risk of being subjected to forced labor and sex trafficking. Iraqi refugees who involuntarily return to Iraq from Syria are highly vulnerable to exploitation and trafficking in Iraq, due in part to the fact that female and child returnees typically do not have a support network or community to which they return. The growing population of Syrian refugee men, women, and children are highly vulnerable to trafficking, as the Iraqi government restricts their access to work permits; thus, some women enter into marriages with Iraqi men for lower dowries, men enter into employment without legal work contracts, and children are increasingly pressured to engage in begging. In 2013, NGOs and local media reported several alleged sex trafficking cases involving young Syrian refugee girls in the IKR and central provinces of Iraq. Taxicab drivers in the IKR reportedly play a role in forcing young female Syrian refugees into prostitution. In addition, there are some Syrian refugee girls from refugee camps in the IKR who are forced into early or "temporary marriages" with Iraqi men.

Iraq is a destination country for men and women who migrate primarily from Bangladesh, India, Indonesia, Nepal, the Philippines, Sri Lanka, Thailand, Pakistan, Georgia, Jordan, Ethiopia, and Uganda; these men and women are subsequently forced to work as construction workers, security guards, cleaners, handymen, and domestic workers. Some foreign migrants are recruited for work in other countries such as Jordan or the Gulf States, but are forced, coerced, or deceived into traveling to Iraq, where their passports are confiscated and their wages withheld, ostensibly to repay labor brokers for the costs of recruitment, transport, food, and lodging. Other foreign migrants are aware they are destined for Iraq, but once in the country, find the terms of employment are not what they expected or the jobs they were promised do not exist, and they are forced to live in work camps

in substandard conditions. Anecdotal reporting suggests that the economic growth in the IKR attracts an increased number of foreign migrants into the region, many of whom are vulnerable to forced labor. Some workers migrate to Iraq through Iran under false offers of employment, but upon arrival in the IKR, they have no such job offer or are paid little to no wages. Some migrant workers, particularly from Bangladesh, are recruited to work in the IKR through companies located in the UAE; some reported that their employers confiscated their passports and paid them low wages. Women primarily from Iran, China, and the Philippines reportedly are forced into prostitution in Iraq.

The Government of Iraq does not fully comply with the minimum standards for the elimination of trafficking, but it is making significant efforts to do so. The inter-ministerial Central Committee to Combat Trafficking in Persons continued to meet and it included participation from Kurdistan Regional Government (KRG) officials and an international organization. The government also opened a temporary trafficking shelter in this reporting period. The government made limited efforts to investigate trafficking offenders—including government officials who may have been complicit in trafficking-related offenses—but did not prosecute any offenders in 2013 under the 2012 anti-trafficking law or other relevant laws, compared with at least one prosecution in 2012. The government initiated investigations of at least 11 suspects of sex trafficking. The government continued to arrest, detain, prosecute, convict, and deport victims of forced prostitution and forced labor, with no discernible efforts to identify victims of trafficking. Likewise, the government did not report identifying any trafficking victims in 2013, a decrease from 2012. Government inaction resulted in a failure to protect victims. The government also did not refer any victims to protection services, including the government shelter, which consequently remained vacant throughout the year. The government's law enforcement efforts and capability to monitor trafficking cases in this reporting period was hindered by a dramatic increase in terrorist attacks by al-Qa'ida and the Islamic State of Iraq and the Levant (ISIL), which led to the deaths of over 10,000 civilians in 2013, and the influx of approximately 200,000 Syrian refugees.



### RECOMMENDATIONS FOR IRAQ:

Significantly increase investigations of human trafficking crimes, and continue to use the anti-trafficking law to prosecute trafficking offenses and convict trafficking offenders, including government employees complicit in trafficking-related offenses; implement a policy to ensure that victims of sex trafficking and forced labor are not punished for crimes committed as a direct result of being subjected to human trafficking, including prostitution and immigration violations; institute guidelines for police, labor inspectors, social workers, and other officials to proactively identify and refer victims to protection services, including non-governmental services; provide adequate protection services, such as shelter and legal aid, to all victims of trafficking, including men, women, and children; ensure that trafficking victims are referred to the government shelter and receive adequate protection services at the facility, and train shelter staff on victim identification and protection; establish a legal framework for

NGOs to operate shelters that provide assistance to victims of all forms of trafficking; regulate recruitment practices of foreign labor brokers to prevent practices facilitating forced labor; take steps to end the practice of forced and "temporary" marriages that entrap girls in sexual and domestic servitude; encourage victims to assist in prosecuting offenders and offer legal alternatives to removal of foreign victims of trafficking; and undertake a public awareness campaign to raise awareness of sex trafficking and forced labor.

### PROSECUTION

The government demonstrated decreased law enforcement efforts against trafficking in persons and failed to investigate and punish government officials complicit in trafficking-related crimes. Iraq's 2012 anti-trafficking law appears to prohibit some, but not all, forms of human trafficking. Inconsistent with international law, the law does not make facilitating child prostitution an act of human trafficking, and appears to require a transaction (buying and selling) for human trafficking to occur. The law prescribes punishments that appear to be sufficiently stringent and commensurate with those prescribed for other serious crimes such as rape. Additionally, an article in the penal code addresses the forced prostitution of a child; the penalty is up to 10 years' imprisonment, which is sufficiently stringent to deter this activity, though not commensurate with the penalties prescribed for rape. The government did not report efforts to investigate, prosecute, or convict human trafficking offenses in this reporting period. The government reported that the decrease in law enforcement efforts was due, in part, to an increase in violence committed by al-Qaida and ISIL terrorists in this reporting period. In January 2014, the Ministry of Interior (MOI) arrested 11 members of a sex trafficking gang in Baghdad. The MOI reported that the Higher Judicial Council issued an arrest warrant and, at the end of the reporting period, the MOI was awaiting action by the judiciary to further investigate the case and collect evidence before sentencing the suspects under the anti-trafficking law. Although an international organization reported in October 2013 that police arrested an employer for withholding four foreign workers' passports and travel documents, officials did not pursue an investigation of the employer or refer the case to prosecution for forced labor offenses. In 2013, a MOI office in Basrah established a committee to investigate allegations of companies abusing foreign workers in domestic servitude and in the construction industry—some of whom may be trafficking victims; however, the government arrested and deported the abused workers for immigration violations, and it was unclear if the companies were punished. The absence of prosecution efforts in 2013 is a significant change from the previous reporting period in which authorities reported 13 trafficking investigations and seven trafficking prosecutions; five of the prosecutions from 2012 remained pending at the end of this reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking, despite multiple allegations of complicity. There was an anecdotal report that some law enforcement officials allegedly patronized brothels in Baghdad where they were aware that women were forced into prostitution, or officials ignored signs of sex trafficking occurring in locations that openly facilitated prostitution. Additionally, in the IKR, officials reported that some KRG officials accepted bribes or ignored labor violations, some of which may include trafficking offenses. MOI continued to operate an anti-trafficking department, established in 2012; the department did not share statistics on the government's trafficking cases in 2013. The government conducted anti-trafficking trainings and



also provided facilities and in-kind assistance for international organizations and NGOs to conduct multiple trainings for officials on the anti-trafficking law and victim identification.

## PROTECTION

The government's efforts to identify victims of trafficking decreased, and punishment of victims remained a serious problem. The government did not proactively identify trafficking victims or have formal written procedures to guide officials in the identification of victims among high-risk persons with whom they came in contact, including undocumented foreign migrants and women arrested on prostitution charges. The government did not report identifying any trafficking victims in 2013 or provide a specific number of victims identified as it did in 2012; however, the government shared anecdotal information and press reports on the identification of victims of forced labor. Victims of both sex trafficking and forced labor were arrested, incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking, such as prostitution and immigration violations. While some government officials acknowledged the problem of sex trafficking in Iraq, many government officials—including judicial investigators—still viewed women and children in forced prostitution as criminals, rather than victims of trafficking. An international organization reported that many KRG judges refused to accept that coercion was a defense for a victim in cases involving sexual exploitation. An international organization reported that sentences for prostitution violations were excessively harsh, ranging from 15 years' to life imprisonment. A government official reported that police commonly mistreated or abused detainees during interrogation, including both perpetrators and unidentified victims of trafficking. Upon release from prison, female victims of forced prostitution had difficulty finding assistance, especially in cases where the victim's family had sold her into prostitution. In addition, Iraqi authorities reportedly detained or convicted foreign workers for immigration violations, with no effort to identify potential trafficking victims among them; offenders were routinely given sentences of at least three to five years' imprisonment. For example, in the first six months of 2013, authorities arrested and deported 247 foreign workers for immigration violations, even though the workers reported they were abused by their employers; authorities made no effort to identify potential forced labor victims among them. Similarly, in this reporting period, authorities arrested a Ugandan woman who ran away from her employer and alleged that she had been brought to work in Iraq under false pretenses and was subjected to domestic servitude; because her employer had confiscated her passport, leaving her without legal documentation, police detained her for immigration violations.

The government did not provide adequate protection services during the reporting period, nor did it provide funding or in-kind assistance to NGOs providing victim protection services. NGO shelters remained vulnerable to prosecution and unprotected from threats of violence by extremist groups. Although the government's first temporary shelter for trafficking victims was officially opened in 2013, officials reported that no victims were assisted at the shelter. The construction of a permanent trafficking shelter, whose location was identified in 2012, did not begin in 2013. In Kirkuk, local police forces reportedly ran temporary shelters for foreign workers awaiting repatriation, though these facilities did not provide specialized protection services for potential victims of trafficking among this group of workers. The Ministry of Labor and Social Affairs (MOLSA)

also operated temporary shelters for vulnerable populations, including trafficking victims, in Basrah, Baghdad, Ninewa, and Kirkuk provinces, though it is unclear how many trafficking victims were provided services at these shelters in 2013. The KRG continued to operate women's shelters in the IKR that provided some protection and assistance for victims of gender-based violence, including female victims of trafficking, though space was limited, service delivery was poor, and they were not available for Syrian trafficking victims. It was unclear how many trafficking victims, if any, the shelters assisted in this reporting period. Two Ministry of Health-operated trafficking victim support units—established in March 2013 to oversee the provision of medical and psychological assistance to victims—did not report efforts to identify and assist victims in this reporting period. Sixteen family protection units continued to operate in police stations around the country to assist women and children who were victims of abuse and trafficking, yet the units did not have an identification and referral system to provide trafficking victims with adequate protective services; the number of trafficking victims assisted by these units was unclear. Though the government drafted a national trafficking victim referral mechanism in 2012, it was not finalized or implemented during the year that elapsed since its drafting. Nonetheless, some government officials and police, including KRG officials, reportedly cooperated with NGOs on a limited basis, including *ad hoc* referral of sex and labor trafficking victims for protection services; however, it was unclear how many victims were referred in 2013. In addition, the MOI cooperated with an international organization to facilitate the repatriation of one Ugandan trafficking victim, including by waiving exit visa requirements. The government did not report if it encouraged victims to assist in investigations and prosecutions. The government did not provide foreign victims relief from deportation or offer foreign victims legal alternatives to their removal to countries in which they may face hardship or retribution.

## PREVENTION

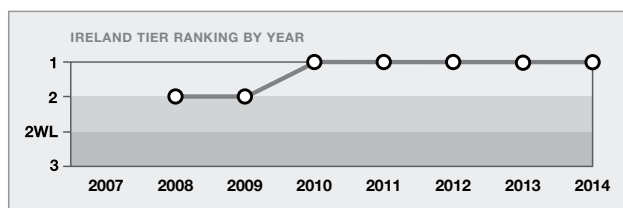
The government made some efforts to prevent human trafficking. The government's inter-ministerial anti-trafficking committee, the Central Committee to Combat Trafficking in Persons (CCCT), which served as the national coordinating body on trafficking and oversaw implementation of the anti-trafficking law, met six times in the reporting period; a KRG representative attended three of these meetings, while an international organization was invited to be a permanent observer on the committee. The CCCT introduced training courses on anti-trafficking to CCCT members and subcommittees, as well as MOI officials. It developed an anti-trafficking public awareness campaign by working with Shia and Sunni religious endowments to introduce trafficking issues during Friday religious sermons; however, the government did not conduct the campaign by the end of the reporting period. Despite these efforts, the government did not allocate funding for the CCCT in 2013. The Ministry of Human Rights issued a public statement in 2013 expressing serious concern about the conditions and treatment of foreign workers in Iraq, and it advised the Shura Council that the rights of foreign workers should be incorporated in Iraq's new draft labor law, which remained pending at the end of the reporting period. The government continued to operate an anti-trafficking hotline, established in the previous reporting period, which was routed to the MOI anti-trafficking department; the hotline was advertised on state television and various ministries' websites, but it received no phone calls during the reporting period. In 2013, the KRG also established a hotline for workers to report

labor violations and abuse, but it did not report if any potential trafficking victims were identified through this hotline. The government did not report efforts to punish labor recruiters or brokers involved in the recruitment of workers through fraudulent or exploitative means. The government made efforts to reduce the demand for commercial sex acts, but it did not take measures to reduce the demand for forced labor or to address the participation of Iraqi nationals in child sex tourism in Iraq or abroad.

## IRELAND (Tier 1)

Ireland is a destination, source, and transit country for women, men, and children subjected to sex trafficking and forced labor. Foreign trafficking victims identified in Ireland are from Nigeria, Cameroon, the Philippines, Poland, Brazil, Pakistan, South Africa, Lithuania, the Democratic Republic of the Congo, Zimbabwe, Kuwait, and other countries in Asia, and Eastern Europe. There has been an increase in identified Irish children subjected to sex trafficking within the country. Victims of forced labor in domestic service and restaurant work are subjected to excessively long hours by employers who withhold personal documents. Some domestic workers, primarily women, employed by foreign diplomats on assignment in Ireland work under poor conditions and are at risk of labor trafficking.

The Government of Ireland fully complies with the minimum standards for the elimination of trafficking. During the reporting period, it provided additional support services to victims of trafficking and amended its legislation to increase protections for such victims. Law enforcement officials increased investigations of alleged trafficking offenders, including foreign diplomats, sustained victim identification efforts, and published a self-critical study of the implementation of its anti-trafficking action plan. The government, however, decreased its funding for NGOs providing service to victims, and continued to prosecute a high number of non-trafficking crimes, including child molestation cases, as trafficking cases. Potential victims of forced labor in cannabis production were prosecuted and imprisoned for crimes that may have resulted from the victims being trafficked.



### RECOMMENDATIONS FOR IRELAND:

Implement the 2008 anti-trafficking law to ensure sex trafficking and forced labor offenders are held accountable through convictions and dissuasive sentences; ensure trafficking investigations efficiently move forward to prosecution; increase efforts to prevent victimization in forced labor and protect potential victims; enhance training of labor inspectors and other officials on identification of victims of forced labor; implement a government-wide victim services database and case management system to improve the tracking of delivery of services across multiple government agencies; continue to enhance and formalize the role of NGOs in identifying potential victims in cooperation with law enforcement; improve training of and communication with NGOs to improve the referral of

potential victims to law enforcement; involve NGOs and other civil society members in the development of anti-trafficking efforts; ensure that all trafficking victims are, in practice, able to access available legal services; consider policy or legal changes to ensure all potential trafficking victims are afforded a reflection period, regardless of immigration status, to recover before making an informed decision about whether to assist law enforcement; ensure labor inspectors refer identified forced labor cases for criminal investigation and potential victims to services; consider amending the law to authorize asylum seekers who are also identified trafficking victims to obtain work authorization; increase funding for victim services; enhance training for social workers responsible for trafficked children, including training on meeting the needs of unaccompanied migrant or asylum seeking children who are victims of trafficking; and consider establishing a national rapporteur to enhance anti-trafficking efforts and to better assess needed improvements in victim identification.

### PROSECUTION

The Government of Ireland sustained efforts to prosecute trafficking offenders. The government prohibits all forms of trafficking through its 2008 Criminal Law (Human Trafficking) Act, which prescribes penalties up to life imprisonment; these penalties are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. The law broadly defines sexual exploitation, including the sexual abuse of children, and conflates possession or creation of child pornography with trafficking in persons, making law enforcement statistics unreliable. During the reporting period, the 2008 Criminal Law (Human Trafficking) Act was amended to come into compliance with certain provisions of EU Directive 2011/36/EU. Authorities initiated 56 new trafficking investigations in 2013, an increase from 37 in 2012, and prosecuted and convicted at least two defendants for human trafficking under Section 3 of the Criminal Law (Human Trafficking) Act 2008. The government did not report any investigations, prosecutions, convictions, or sentencing of government officials for alleged complicity in trafficking-related offenses during the reporting period. In 2013, the government reported authorities initiated two investigations of alleged domestic servitude in diplomatic households. The government trained national police on human trafficking awareness, victim identification, and victim-centered assistance in coordination with NGOs and international organizations. The government also trained social workers, juvenile liaison officers, and vehicular traffic officers in the identification of, and the provision of appropriate assistance to, victims of human trafficking. In 2013, law enforcement cooperated with Poland, Romania, the Netherlands, and the Philippines to investigate trafficking-related offenses.

### PROTECTION

The government maintained protection efforts for trafficking victims, but failed to take into account more subtle forms of coercion compelling victims to remain in a situation of forced labor, resulting in low numbers of identified labor trafficking victims. Forty-four potential trafficking victims were identified in 2013, compared with 48 in 2012. Of these 44 victims, eight were subjected to forced labor and 16 were children, including 11 Irish national children who were trafficked for sexual exploitation. All foreign adult victims were offered accommodation in the government-operated asylum reception center; child victims were supported through child protection services. NGOs reported

lacking formal and defined roles in the victim identification process. The government encouraged victims to assist in the investigation and prosecution of traffickers through the provision of residency permits, shelter, individual care plans, and legal aid. Under immigration arrangements for trafficking in persons, the government granted two victims a six-month temporary residence permission; seven victims were issued long-term permission to remain in the country for cooperating with law enforcement. Residency benefits were not linked to the successful outcome of a human trafficking prosecution. The government provided identified non-EU national trafficking victims with a 60-day reflection period—time in which the victim may recover before deciding whether to assist law enforcement. Victims are prohibited from working during the reflection period. During the reporting period, two victims were granted reflection periods. Victim witnesses are permitted to leave the country pending the trial of their alleged abusers. In 2013, the government made available use of out-of-court video recordings for child victim-witness testimony. The government allocated the equivalent of approximately \$1 million in combined funding for government-provided programs and services and increased care facilities and victim support. It provided the equivalent of approximately \$240,000 to NGOs for victim protection and assistance, a decrease from previous years.

The government offered free legal aid to all potential trafficking victims, but only a small number of eligible potential victims availed themselves of such services; only eight persons accepted such legal aid and the remaining declined the service. Reportedly, the legal support provided to victims was inadequate; as early legal representation is not available, the legal advice did not suffice to permit victims to navigate the immigration system, and victims lacked representation throughout the criminal investigation and prosecution process. Under the national referral mechanism, potential victims must be referred to law enforcement before shelter, health, and legal services can be provided. Long-term shelter is provided to adult foreign trafficking victims through asylum reception centers. The reception centers worked with the Irish refugee council and NGOs on the needs of potential victims of human trafficking. The anti-trafficking team of the health service executive completed an individual and comprehensive care plan for each potential victim of human trafficking, covering medical care, psychological care, accommodation, material requirements, legal assistance, and education and training. Victims were free to leave the reception centers without a chaperone. The reception centers provide access to general health services, psychological care, and vocational training. Experts reported problems in the reception centers' housing for potential and suspected victims of trafficking, including a lack of privacy. Although victims of trafficking are permitted to seek legal employment while in temporary residency status, there is a statutory prohibition preventing asylum seekers from working. In 2013, a total of eight out of the 44 persons identified as potential victims of human trafficking in 2013 had previously asserted a claim for asylum in Ireland. NGOs reported asylum-seeking victims of trafficking who were in the asylum centers had less access to privacy, safe accommodations, education, training, work, and travel than other victims of trafficking.

The government's failure to effectively track referrals prevented social workers from verifying whether the full range of services and supports for which victims were eligible were actually provided. NGOs reported difficulty dealing with law enforcement regarding victim status. In a number of cases referred to law enforcement, NGOs were told there was insufficient evidence

to make a determination of trafficking and noted a lack of transparency regarding the process. NGOs reported a productive working relationship with the anti-trafficking unit, but requested a more defined and formalized role in the victim identification process. In 2013, the government maintained its protocol between the national police and child protection services on unaccompanied migrant children to reduce the number of children who go missing from care, and reported a decline in missing children.

## PREVENTION

The Government of Ireland improved anti-trafficking prevention efforts. It published a handbook for practitioners and victims of trafficking explaining their rights and support services available, and gave presentations to social science and law students to inform them of the issues surrounding human trafficking and to encourage research on the topic. The government provided information to secondary school students, designed to raise awareness of modern slavery and educate students on the issue of human trafficking. The government, in coordination with NGOs, launched an awareness-raising project focused on zero tolerance of human trafficking as a form of violence against women and girls, including training to frontline service providers. The government and NGOs trained asylum center staff on victims support; immigration officials on victim identification, and Irish diplomats on general awareness. A one-day forum was held with counterparts from the Northern Ireland in which representatives from state agencies, law enforcement, non-governmental, and international organizations examined victim identification issues and demand reduction. The government continued an online awareness campaign for citizens to report potential cases of trafficking. In an effort to enhance transparency, the Irish government published a review of its 2006-2012 national action plan. The second national action plan is being finalized. The government did not have an independent national rapporteur to monitor its efforts to fight trafficking. The government demonstrated efforts to reduce the demand for commercial sex acts and forced labor. The government provided anti-trafficking training to Irish defense forces prior to their deployment abroad on international peacekeeping missions.

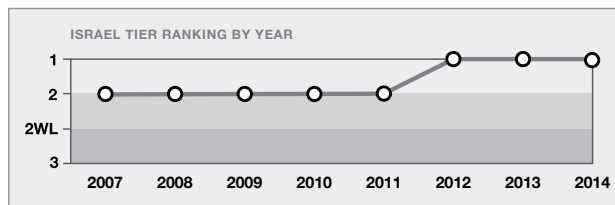
## ISRAEL (Tier 1)

Israel is a destination country for men and women subjected to forced labor and sex trafficking and, to a much lesser extent, a source country for women subjected to sex trafficking. Low-skilled workers primarily from Thailand, China, Nepal, the Philippines, India, Sri Lanka, Bulgaria, Ghana, Moldova, and to a lesser extent, Romania, migrate voluntarily and legally to Israel for temporary contract labor in the construction, agriculture, caregiving, fishing and other industries. Some face forced labor, experiencing unlawful withholding of passports, restrictions on movement, limited ability to change or otherwise choose one's employer, nonpayment of wages, exceedingly long working hours, threats, sexual assault, and physical intimidation. Foreign workers within the agricultural sector report that they face withholding of passports, long workdays with no breaks or rest days, and low salaries. Men from the Philippines, Sri Lanka, and India reportedly work in harsh conditions on fishing boats; some of this labor may amount to human trafficking, distinguished by isolation, long working hours with little rest, and withheld salaries. Caregivers, especially live-in caregivers, are highly vulnerable to forced labor due to their isolation inside private

residences and because they are not protected under the Work and Rest Hours Law, which regulates work conditions. Many labor recruitment agencies in source countries and brokers in Israel require workers to pay recruitment fees to secure jobs in the caregiving sector, a practice that contributes to forced labor once migrants are working in the country. In recent years, women from Ukraine, Russia, Moldova, Uzbekistan, China, Ghana, and to a lesser extent South America, were subjected to sex trafficking in Israel; some of these women arrive on tourist visas for the purpose of working in prostitution for a short period of time before returning to their home country but are subsequently subjected to forced prostitution. Some Israeli women and girls may be subjected to sex trafficking in Israel.

Since 2011, thousands of African migrants—primarily from Eritrea, Sudan, and South Sudan, and to a lesser extent, Ethiopia, and Cote d'Ivoire—have entered Israel irregularly from Egypt's Sinai Peninsula. Many of these vulnerable migrants were kidnapped along the Eritrea-Sudan border or within Sudan and subsequently subjected to severe abuses, including human trafficking, at the hands of criminal groups in Egypt's northern Sinai before reaching Israel; some reported being forced to work as cleaners or on construction sites during their captivity. Although the flow of migrants arriving in Israel has almost ceased—dropping from 10,000 in 2012 to 36 in 2013—following the construction of the fence along the Israel-Egypt border and other deterrence measures, international organizations report that the abuses in Egypt continue to occur against this vulnerable group. The 53,000 Eritrean and Sudanese migrants and asylum seekers, most of whom arrived to Israel through the Sinai in Egypt, are highly vulnerable to forced labor and sex trafficking in Israel, due to their lack of formal work status and pressure to repay their family and friends for the large debts owed for the ransoms paid to free them from criminal groups in Egypt's northern Sinai. A local health clinic reports that both male and female Eritrean migrants are vulnerable to sex trafficking in Israel. The government and NGOs report that some find informal work in the agriculture sector under harsh conditions; some of this work may amount to forced labor.

The Government of Israel fully complies with the minimum standards for the elimination of trafficking. The government sustained strong law enforcement actions against sex and labor trafficking, although courts did not sentence some convicted offenders to prison terms commensurate with the severity of the offense. The government continued to identify and refer victims to government-funded shelters for trafficking victims, and it cooperated with NGOs to identify potential victims. In addition, the government opened a third trafficking shelter and a day center to provide services to an increasing number of identified victims. It continued to improve its efforts to proactively identify and provide protection to victims among vulnerable populations, such as migrants from the Sinai in Egypt. The government released from detention victims of trafficking, who were identified among African migrants abused in the Sinai, and provided them with temporary assistance until shelter space became available. Nonetheless, NGOs continued to raise concerns that the government-funded shelter space was still inadequate to serve all trafficking victims or potential trafficking victims in Israel. The government continued to implement strong anti-trafficking prevention measures.



### RECOMMENDATIONS FOR ISRAEL:

Impose stricter sentences on convicted trafficking offenders, consistent with the gravity of this serious crime; continue to provide protection to all trafficking victims, including shelter and medical and psychological treatment; ensure that trafficking victims are not penalized, including by being detained, for unlawful acts committed as a direct result of being trafficked, such as immigration violations; continue to strengthen trafficking victim identification among African migrants—particularly Eritrean and Sudanese—who endured severe abuses in Egypt's Sinai Peninsula; continue to increase the number of labor inspectors and interpreters in the agriculture, construction, and homecare sectors, ensuring that they are adequately trained in identifying trafficking; continue to increase training for regional district police units and other law enforcement officials, such as prison officials, in victim identification, victim sensitivity, and enforcement of labor and sex trafficking laws; increase enforcement of foreign worker labor rights; and increase investigations of forced prostitution of Israeli nationals, including children, and foreign migrants forced to work in the fishing industry.

### PROSECUTION

The government sustained strong law enforcement efforts against sex trafficking, though sentences given to some convicted trafficking offenders were low. The government prohibits all forms of human trafficking through its Anti-Trafficking Law of 2006, which prescribes penalties of up to 16 years' imprisonment for the trafficking of an adult, up to 20 years' imprisonment for the trafficking of a child, up to 16 years' imprisonment for slavery, and up to seven years' imprisonment for forced labor. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2013, the government conducted at least 32 investigations of sex trafficking and four investigations of forced labor. Police continued to investigate potential cases of forced labor referred by NGOs, while the central police initiated 88 investigations based on its own proactive investigative work. The government reported initiating new prosecutions against at least eight sex trafficking defendants and one forced labor defendant; it convicted 22 sex traffickers and three forced labor offenders. Despite this, some trafficking offenders were given sentences that were not sufficiently serious to deter the crime. Sex traffickers were given sentences ranging from six months' community service to 16 years' imprisonment. Forced labor offenders were given sentences ranging from four months' community service to two years' imprisonment. Law enforcement efforts were consistent with those undertaken in 2012, when the government investigated 28 cases of sex trafficking and seven cases of forced labor, prosecuted nine sex trafficking defendants and 10 forced labor defendants, and convicted 17 sex traffickers and four forced labor offenders. An Israeli national was extradited from Turkey in February 2013 to face charges of trafficking in persons for the purpose of prostitution; in December 2013, he was sentenced to three years' suspended imprisonment. The legal aid branch of the Ministry

of Justice (MOJ) provided legal assistance to a domestic worker from Cameroon to seek compensation from her employer and file a request for a stay permit. The worker claimed her foreign diplomat employer withheld her passport and did not pay her. The police initiated three investigations of immigration officers accused of sexual offenses against foreign workers that, in some cases, may have amounted to sex trafficking; indictments were filed in all three cases.

Central police provided nationwide anti-trafficking training to local police units responsible for enforcing trafficking crimes and handling trafficking investigations; every central police unit had a trained investigator specialized in trafficking. NGOs, however, continued to report that some police units handling trafficking cases lacked experience, interpreters, familiarity with migrant workers' communities, and sensitivity. The government continued to provide numerous anti-trafficking trainings, workshops, and seminars for law enforcement and judicial officials, social workers, and NGOs. The police reported that training for officers that handle cases related to children in prostitution has led to an increase in investigations of such crimes.

## PROTECTION

The government improved identification and protection of trafficking victims, including those among vulnerable populations. The government continued to widely circulate victim identification guidelines to relevant government ministries, which regularly referred potential victims to the police to open an investigation and ensure the provision of protective services to victims. Authorities also continued to regularly cooperate with NGOs on victim identification and referral. For example, the police continued a program with an NGO to help identify sex trafficking victims during police raids of brothels and refer them to NGO protection services. The government continued to fund the 35-bed Maagan shelter for female trafficking victims and a 35-bed Atlas shelter for foreign male trafficking victims, both of which allowed shelter residents to leave freely. These shelters offered one year of rehabilitation services, including job training, psychosocial support, medical treatment, language training, and legal assistance; however, NGOs reported that the shelters lacked adequate psychological care. The shelter staff maintained contact with trafficking victims after they left the shelter to assist victims with reintegration into Israeli society and to ensure future work conditions were not exploitative. The government also funded transitional apartments with 18 beds for trafficking victims, as needed. The government opened a new 18-bed shelter for female victims in December 2013 in response to the increased number of trafficking victims identified among the African migrants abused in Egypt's Sinai Peninsula. In 2013, the Maagan shelter assisted 67 victims; the transitional apartments housed 33 women and six children; and the Atlas shelter assisted 104 men. This was an increase from the 58 female and 53 male victims these shelters assisted in 2012. In 2013, police identified and referred 39 female and 26 male trafficking victims to shelter services, which was a slight increase from the 33 women referred in 2012, but a significant decrease from the 53 men referred in 2012. The Detention Review Tribunal released from detention and referred 15 Eritrean and Ethiopian women, who were identified as trafficking victims from the Sinai in Egypt but detained in Israel for immigration violations, to the Maagan shelter. Though most victims of trafficking were not punished for acts committed as a direct result of being trafficked, some foreign trafficking victims, such as those arriving from the Sinai and some forced labor victims, were detained for immigration violations. For example,

according to a local NGO, police detained three Thai fishermen who were forced to work for an Israeli shipping agency that withheld their passports, allowed only two hours' rest, and provided insufficient food and living conditions; the fisherman were detained for months while waiting to testify against their employer on non-trafficking related charges.

Though the numbers of African migrants arriving in Israel from Egypt significantly decreased in 2013, the government continued to grapple with policies to address the group's vulnerabilities, as some members of this group had been subjected to trafficking prior to their entry into Israel. The government improved its system of identifying and providing assistance to trafficking victims in the immigrant detention facilities. The government released from detention 18 male and 36 female trafficking victims to the homes of relatives or friends until space became available at one of the shelters; an NGO also reported receiving 39 referrals for victim support services from the court in 2013. However, social welfare NGOs expressed concern that the female victims, who resided within their communities until shelter space became available, were highly vulnerable to being re-victimized and compelled to work in prostitution to pay off debts owed to friends and family for ransoms paid to free the women from being held captive in the Sinai in Egypt. In addition, the Ministry of Social Affairs (MSA) opened a day center in Tel Aviv in August 2013 as an interim solution for female trafficking victims who were abused in the Sinai and were awaiting space at the shelters; in November 2013, it started offering services to male victims. This day center provided psychosocial services and food aid, and it also identified individuals at risk of trafficking and referred them to shelter services. The center was open three mornings and two evenings a week. The center provided services to 24 women and 10 men in 2013. Additionally, the government provided trafficking victims who endured abuses in the Sinai in Egypt, but live within their communities in Israel, as opposed to receiving services at a shelter, an official letter and telephone numbers of the anti-trafficking unit, the shelter, and the Ministry of Welfare in the event that they were detained for immigration violations. However, an international organization voiced concerns that this was not an adequate protection measure to prevent victims from being arrested and detained.

The legal aid branch of the MOJ continued to provide free legal aid to trafficking victims. In 2013, the branch provided legal aid to 187 African migrants who had endured abuses in the Sinai in Egypt; of these individuals, 19 men and 16 women were identified as trafficking victims. In 2013, the government issued five B1 visas to newly identified trafficking victims, eight "rehabilitation year" visas, and 156 extensions of B1 visas that allowed victims to work legally and without restriction; these were not contingent on their participation in investigations or prosecutions of their traffickers. The B1 visas could be renewed for a "rehabilitation year;" however, some victims no longer had legal status in Israel once their visas expired. In addition, in September 2013, the Ministry of Interior (MOI) issued B1 visas to all female Eritrean trafficking victims residing in the Maagan shelter, and it issued B1 work visas to Eritrean male victims in October 2013; overall, the government issued 54 new B1 visas and two one-year extensions to this population in 2013. In comparison, in 2012, the government issued 44 and extended 301 temporary B1 visas to trafficking victims. After the B1 visa given to victims for a one-year rehabilitation period expired, Eritrean trafficking victims received a "conditional release" A5 visa, which was renewable every one to three months, but did not include legal permission to work. The government encouraged victims to assist in the investigation

and prosecution of their traffickers but did not require their participation as a condition for receiving assistance; government policy also allowed trafficking victims to work during the period of investigation and prosecution. The Government of Israel encouraged trafficking victims to participate in the criminal prosecution of their exploiters through offering a moderate stipend, a B1 work visa during the period of investigation and prosecution, and protection services; victims can opt to leave the country pending trial proceedings.

## PREVENTION

The government made sustained progress in preventing and raising awareness of human trafficking. The anti-trafficking unit within the MOJ, which served as the lead coordinating body among governmental agencies, continued to hold meetings with government ministries, NGOs, and the Knesset (parliament), as well as conduct trainings for officials. The anti-trafficking unit continued to chair an inter-ministerial committee appointed to study women and children in prostitution in Israel. The Knesset Subcommittee on Trafficking in Women and Prostitution held frequent public meetings, while the Knesset Committee on Foreign Workers held hearings focused on forced labor, examining the MOI's policy toward African migrants abused in the Sinai in Egypt and reforming employment of foreign caregivers. In February 2014, the government held its sixth annual ceremony to present awards to individuals or organizations that had made a significant contribution against human trafficking. The government also produced a brochure on the indicators of trafficking to disseminate to the public. In January 2014, the Ministry of Foreign Affairs sent to all foreign diplomatic and consular missions in Israel a document entitled "Slavery in Diplomatic Households: A Cooperative Battle Waged by Host Countries and Foreign Missions" to raise foreign missions' awareness of domestic servitude and encourage them to take preventative measures against trafficking. Likewise, in February and March 2013, the government conducted two anti-trafficking lectures to Israeli ambassadors and consuls who were to be sent to diplomatic missions abroad.

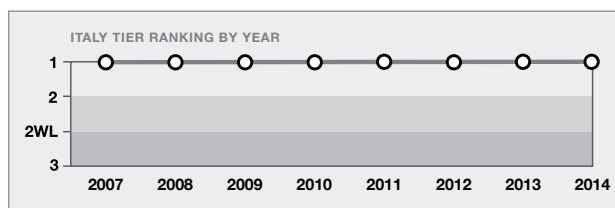
The Population and Immigration Authority (PIA) opened 1,551 new investigations and imposed 1,581 fines against foreign workers' employers, and it filed 205 criminal indictments against employers of foreign workers who violated labor laws. The Ministry of Economy (MOE) initiated 452 investigations concerning employers of foreign workers, imposed 23 financial sanctions and issued 332 administrative warnings against 108 employers; six indictments were filed against six employers and two were convicted. NGOs remained concerned that labor inspectors lacked Thai interpreters during inspections in the agriculture sector, which prevented inspectors from communicating with and receiving complaints from the predominantly Thai migrant workers in this sector; however, the MOE reported using interpreters during inspections. In 2013, the police reported it investigated one case of illegal collection of brokerage fees and the police Prosecution Unit filed one indictment for inflated brokerage fees. In accordance with PIA procedures for recruitment agencies in the care giving sector, the PIA required that every agency hired a head licensed social worker to be responsible for supervising the conditions of foreign caregivers, including home visits, and for informing the relevant authorities about any labor violations. The government continued to operate a 24-hour hotline for foreign workers to lodge complaints. In 2013, the hotline received 1,748 complaints from foreign workers, 1,632 of which were from Thai workers in the agriculture sector and 117 complaints were

from Bulgarian and Moldovan workers in the construction sector; the complaints were primarily related to salary issues and workers' accommodations, but no trafficking victims were reportedly identified through this hotline. The government reported efforts to reduce the demand for commercial sex acts and forced labor, and it made efforts to address sex tourism of Israeli nationals domestically and abroad.

## ITALY (Tier 1)

Italy is a destination, transit, and source country for women, children, and men subjected to sex trafficking and forced labor. Victims subjected to trafficking in Italy often originate from Nigeria, Romania, Morocco, Tunisia, Moldova, Slovakia, Ukraine, China, Brazil, Peru, Colombia, Pakistan, Bangladesh, Ecuador, Poland, Bulgaria, Pakistan, Egypt, Somalia, Eritrea, and India. Victims are subjected to sex trafficking after accepting false promises of employment as waitresses, dancers, singers, models, or caregivers. Men are subjected to forced labor through debt bondage in agriculture in southern Italy and in construction, house cleaning, hotels, and restaurants in the north of the country. Some employers blackmail and exploit seasonal agricultural workers, taking advantage of labor contract terms requiring the workers to remain in Italy; the farmers compel the migrants to work in poor conditions and move them from region to region. Children subjected to sex trafficking and forced labor in Italy are from Romania, Nigeria, Brazil, Morocco, and Italy, specifically Roma and Sinti boys who may have been born in Italy. Transgender children from Brazil are subjected to sex trafficking in Italy. Experts estimate approximately 2,000 children are exploited on the streets in prostitution. Nigerian children and women are subjected to labor trafficking through debt bondage and coercion through voodoo rituals. Roma children from Italy are subjected to forced labor in begging or petty theft and sex trafficking. The December 2013 deaths of several workers highlighted an emerging form of labor trafficking: Chinese men and women are forced to work in textile factories in Milan, Prato, and Naples. Disabled victims of trafficking from Romania and Albania are subjected to forced begging by Romanian and Albanian transnational criminal networks. Men and women from Central Asia arriving in Italy through Russia, Turkey, and Greece are subjected to forced labor. Unaccompanied children, mainly boys from Bangladesh, Egypt, and Afghanistan, some of whom are employed in shops, bars, restaurants, and bakeries are at risk of trafficking.

The Government of Italy fully complies with the minimum standards for the elimination of trafficking. The government continued to vigorously investigate offenders and prosecute and convict defendants under the anti-trafficking law. The government's anti-trafficking protection efforts, however, significantly decreased. Victim identification decreased by 77 percent. In the context of general budget cuts for social protection, Italian authorities reduced funding for trafficking victim protection and assistance by more than 60 percent.



**RECOMMENDATIONS FOR ITALY:**

Restore funding levels to protect trafficking victims; increase efforts to identify victims of domestic trafficking, specifically among children within the country who are vulnerable to forced labor and sex trafficking; formalize victim identification and referral procedures for law enforcement and other officials, and ensure procedures are applied consistently; improve efforts to screen irregular migrants and asylum seekers to identify possible human trafficking victims and protect them from deportation that may contribute to re-trafficking; continue to fund victim protection and assistance services; increase funding to NGOs providing assistance and counseling to victims and increase presence of "street teams" to meet new victims; collect and disseminate disaggregated law enforcement data to demonstrate efforts to combat both sex trafficking and forced labor; regularly train law enforcement officials on victim identification; and establish an autonomous national rapporteur to enhance anti-trafficking efforts.

**PROSECUTION**

The Government of Italy continued to vigorously investigate, prosecute, and convict trafficking offenders during the reporting period. Italy prohibits all forms of human trafficking through its 2003 Measures Against Trafficking in Persons law, which prescribes penalties of eight to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. In March 2014, the government enacted a decree implementing EU anti-trafficking directive 2011/36, including by extending the scope of human trafficking exploitation to include forced begging, forced criminal behavior, and forced organ removal. Authorities investigated 2,270 trafficking offenders in 2012, the most recent year for which law enforcement statistics were available, compared with 2,624 in 2011; prosecuted 354 defendants compared with 370 in 2011. In 2012, 135 traffickers were convicted, compared with 179 traffickers in 2011; and appeals courts affirmed the convictions of 121 defendants in 2012, compared with 109 in 2011. The average sentence imposed on convicted traffickers in 2011 was 6.5 years in prison; those convicted for exploitation of children in prostitution were sentenced to an average of 3.8 years' imprisonment and a fine, and those convicted of slavery were sentenced to an average of 1.5 years' imprisonment and a fine. The government added new specialized training on victim identification and investigation of trafficking and exploitation into the regular curriculum for law enforcement agencies. In January 2014, Italian authorities carried out joint anti-trafficking law enforcement efforts with Moldovan counterparts. In June 2013, a Rome court convicted former Prime Minister Berlusconi for the commercial sexual exploitation of a Moroccan sex trafficking victim. There continued to be incidents of individual government officials involved in trafficking at a local level. To settle charges that he exploited a Brazilian domestic worker, in April 2013 an Italian consular officer and his wife pled guilty in California to a felony charge related to his unlawful possession of an identification document and agreed to pay restitution.

**PROTECTION**

The Italian government's anti-trafficking protection efforts sharply diminished and funding for victim protection and assistance significantly decreased. The government and NGOs assisted 447 foreign victims of trafficking during the reporting period compared with 2,018 in 2012. Thirty-two disabled adult victims, as old as 70 years of age, were identified as having

been subjected to forced begging. The government granted 381 temporary residence permits to victims, compared with 466 in 2012; experts attributed some reduction in the grant of residency permits to an increase in Nigerian sex trafficking victims opting to apply for asylum. Victims were not required to cooperate with law enforcement to obtain a residence permit. The government provided victims with three-to-six months' assistance, shelter for an additional 12 months, and reintegration assistance. Victims may obtain a subsequent work or study permit, which can lead to permanent residency, if they find employment or are enrolled in a training program through designated NGOs. Male victims were accommodated in specialized protected facilities run by NGOs, and were provided with employment training. Minor trafficking victims received an automatic residence permit until majority and were accommodated in separate centers. Services were provided by NGOs with funding provided by national, regional, and local authorities, and include both medical and physical assistance. Victims could leave the shelters unchaperoned and at will.

The government significantly decreased the amount of funding it allocated for trafficking victim protection and assistance, from the equivalent of approximately \$11 million in 2012 to the equivalent of approximately \$4 million in 2013. It extended anti-trafficking assistance programs approved in 2012 through 2013, but did not collect data on their implementation. For 2013, the government reapproved and assigned programs to NGOs, including counseling, health care, housing, legal advice, and training. Most national funding was disbursed through grants to NGOs. In an effort to offset the funding cuts, the government encouraged regions to plan interventions exclusively with the support of EU structural funds earmarked for social inclusion and employability of vulnerable workers. The government has reported the victim assistance budget for 2014 will be higher than it was in 2013. Matching funds and in-kind contributions of the equivalent of approximately \$973,000 were guaranteed by local authorities. The law provided for the identification and transfer of victims placed under protective custody to NGOs that provided transition, reintegration, and repatriation services to victims. NGOs reported the referral process varied from region to region, both in terms of quality and procedure. According to NGOs, criteria for victim identification and guidelines for victim referral were not always applied consistently by local police. NGOs reported that some trafficking victims, especially among those who were also asylum seekers, may have passed through the system unidentified by officials. Moreover, the lack of sufficient funding to NGOs that provided assistance to victims resulted in a decreased presence of "street teams" to meet new victims and provide assistance and counseling. There were no reports of victims being punished for crimes committed as a result of being trafficked. The government encouraged victims to assist voluntarily in the investigation and prosecution of trafficking, but did not require victim cooperation as a precondition to obtain temporary residence permits. Victims who were material witnesses in a court case against a former employer were allowed to obtain other employment.

**PREVENTION**

The Government of Italy sustained anti-trafficking prevention efforts in 2013 by continuing to operate an active hotline for victims of trafficking, but it did not implement new national public awareness programs. Local authorities, in cooperation with NGOs, continued to update and distribute materials on a regular basis, including brochures, posters, bumper stickers and media advertisements that provided information on assistance

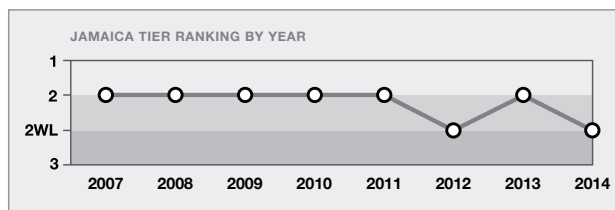
to victims. The government regularly updated a manual for law enforcement officers on trafficking laws and best practices for assisting victims. The government coordinated an interagency working group to generate guidelines and procedures for victim identification and referral, as part of the creation of the national plan. The government postponed publication of the plan until 2014 due to limited funds available for assistance in 2013. The government worked with NGOs to coordinate and implement anti-trafficking initiatives, but, unlike in prior years, did not conduct any evaluations in 2013. In cooperation with municipalities, police, social services, and NGOs carried out local education campaigns aimed at reducing the demand for prostitution. The ministry of foreign affairs implemented regular training programs for diplomatic officers deployed abroad and included modules on the prevention of trafficking in persons. The government did not publish a systematic evaluation of its anti-trafficking efforts. In 2013, Italian authorities investigated 281 illegal labor recruiters; unscrupulous labor recruiting can facilitate human trafficking. The government did not report any convictions for child sex tourism. The Italian armed forces continued to provide anti-trafficking training to civilians and military personnel before their deployment abroad on international peacekeeping missions.

## JAMAICA (Tier 2 Watch List)

Jamaica is a source, transit, and destination country for adults and children subjected to sex trafficking and forced labor. Jamaican children subjected to sex trafficking in Jamaica's sex trade remains a serious problem. Sex trafficking of children and adults occurs on streets and in night clubs, bars, and private homes throughout Jamaica, including in resort towns. Traffickers in massage parlors in Jamaica lure women into prostitution under the false pretense of employment as massage therapists and then withhold their wages and restrict their movement. People living in Jamaica's poverty-stricken garrison communities, territories ruled by criminal "dons" effectively outside of the government's control, are especially at risk. NGOs express concern that children from poor families sent to wealthier families or local "dons" with the intent of a chance at a better life are highly vulnerable to prostitution and forced labor, including domestic servitude. Other at-risk children include those working in the informal sector, such as on farms or in street vending, begging, markets, and shops. An alarmingly high number of children are reported missing in Jamaica; some of these children are likely subjected to forced labor or sex trafficking. Foreign nationals are subjected to forced labor in Jamaica and aboard foreign-flagged fishing vessels operating in Jamaican waters. Numerous sources report that Jamaican citizens have been subjected to sex trafficking or forced labor abroad, including throughout the Caribbean, Canada, the United States, and the United Kingdom.

The Government of Jamaica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2013, the government implemented amendments to strengthen Jamaica's anti-trafficking law. Despite these efforts, the government did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous reporting period; therefore, Jamaica is placed on Tier 2 Watch List. For a fifth consecutive year, the government did not convict trafficking offenders or officials complicit in human trafficking and took insufficient action to address reports of official complicity. The government

identified few Jamaican trafficking victims and failed to provide many of them with adequate assistance.



### RECOMMENDATIONS FOR JAMAICA:

Vigorously prosecute, convict, and punish trafficking offenders, including officials complicit in forced labor or sex trafficking; identify and assist more victims of forced labor and sex trafficking, including prostituted Jamaican children; implement government-wide standard operating procedures to guide police, labor inspectors, child welfare officials, and health workers in the proactive identification of local, as well as foreign, victims of forced labor and sex trafficking—including children under age 18 in prostitution in night clubs, bars, and massage parlors; implement procedures to refer victims to adequate service providers; train officials on the fundamental principles of international human trafficking law, including that movement of a victim is not necessary for trafficking to occur; and use the government shelter in cooperation with NGOs to provide a safe and welcoming place for Jamaican children under 18 subjected to prostitution and other trafficking victims that need protection.

### PROSECUTION

The government made progress on strengthening Jamaica's anti-trafficking law, but this development was eclipsed by a continued lack of trafficking convictions and serious concerns about official complicity. The government prohibits all forms of trafficking through its comprehensive Trafficking in Persons (Prevention, Suppression and Punishment) Act, which went into effect in 2007. In August 2013, the government enacted amendments to the act to increase the maximum sentence for trafficking crimes from 10 to 30 years' imprisonment. These penalties are sufficiently stringent and appear to be commensurate with penalties prescribed for other serious crimes. The amendments contain other positive elements, including a requirement that convicted trafficking offenders pay restitution to victims.

While Jamaica's legal structure against human trafficking was sufficient, there continued to be no results; the government did not convict any trafficking offenders in this reporting period or in the previous five years. Authorities reportedly arrested seven individuals for suspected human trafficking crimes and initiated four prosecutions in 2013, compared with two prosecutions initiated in 2012. The government continued four prosecutions of human trafficking offenses carried over from previous reporting periods. No government officials were prosecuted or convicted for alleged complicity in trafficking-related offenses, though allegations persisted from previous reporting periods that some Jamaican police officers were complicit in prostitution rings, some of which were suspected of recruiting children under 18 and coercing adults into the sex trade.

Beginning in 2014, police funded an anti-trafficking module—designed and implemented by the police's lead human trafficking investigator—as part of the basic curriculum for all new recruits. In January 2014, the Justice Ministry ran a three-day anti-trafficking training seminar for 88 prosecutors, justices of the