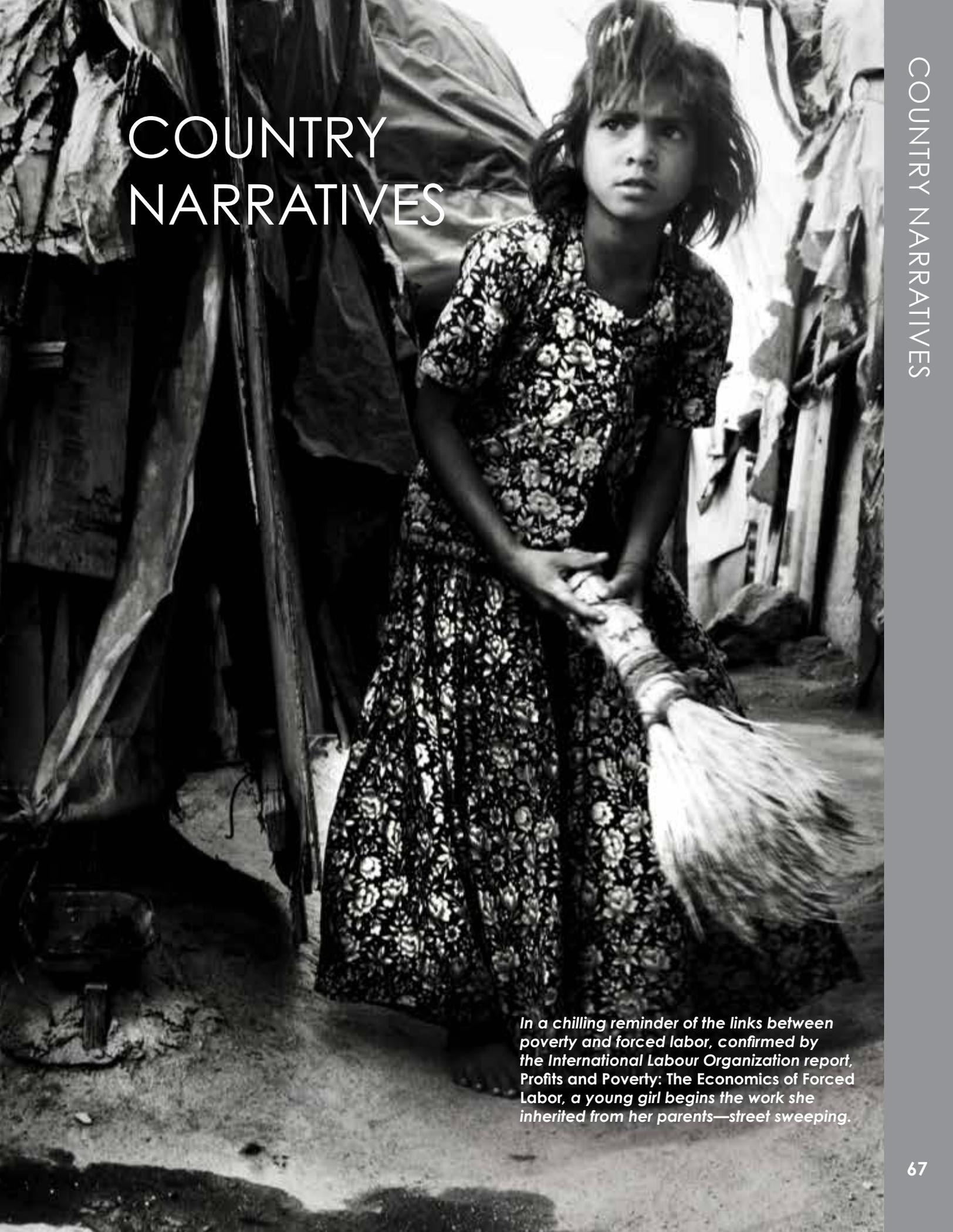


COUNTRY NARRATIVES



In a chilling reminder of the links between poverty and forced labor, confirmed by the International Labour Organization report, Profits and Poverty: The Economics of Forced Labor, a young girl begins the work she inherited from her parents—street sweeping.

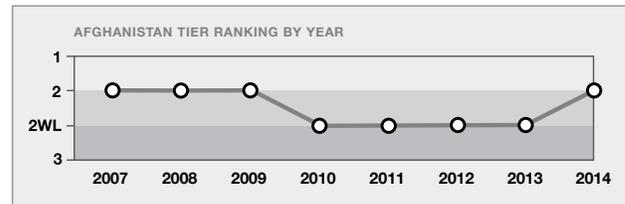
AFGHANISTAN (Tier 2)

Afghanistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking. The majority of Afghan victims are children subjected to human trafficking in carpet-making and brick kiln factories, domestic servitude, and in commercial sexual exploitation, begging, transnational drug smuggling, and assistant truck driving within Afghanistan, as well as in the Middle East, Europe, and South Asia. Most Afghan victims exploited in Iran are boys under age 18 who are compelled to work in forced labor in the construction and agricultural sectors upon their arrival. The majority of Afghan victims in Pakistan are women and girls who are trafficked for the purpose of commercial sexual exploitation, including by forced marriages. Some Afghan families knowingly sell their children into prostitution, including for *bacha baazi*—where wealthy or influential men, including government officials and security forces, use young boys for social and sexual entertainment. Other families send their children to obtain employment through labor brokers, but the children end up in forced labor. Opium-farming families sometimes sell their children to settle debts with opium traffickers. According to the government and the UN, insurgent groups use children as young as nine years old as suicide bombers. Boys from Badakhshan, Takhar, Baghlan, Kunduz, and Balkh provinces in the north region of Afghanistan, as well as those travelling unaccompanied, were reportedly at the highest risk of trafficking. Exploiters often used drugs to control their victims. Sometimes entire Afghan families, including children, are trapped in debt bondage in the brick-making industry in eastern Afghanistan. Traffickers recruit Afghan villagers to Afghan cities and then sometimes subject them to forced labor or forced prostitution after their arrival.

Increasing numbers of men, women, and children in Afghanistan pay intermediaries to assist them in finding employment primarily in Iran, Pakistan, India, Europe, or North America; some of these intermediaries force Afghan citizens into labor or prostitution after their arrival. Afghan women and girls are subjected to prostitution and domestic servitude primarily in Pakistan, Iran, and India. Afghan boys and men are subjected to forced labor and debt bondage in the agriculture and construction sectors primarily in Iran, Pakistan, Greece, Turkey, and the Gulf states. Some Afghan boys are found in sex trafficking in Greece after being smuggled into the country with high fees. There were reports of women and girls from the Philippines, Pakistan, Iran, Tajikistan, Africa, and China subjected to sex trafficking in Afghanistan. Under the pretense of high-paying employment opportunities, labor recruiting agencies lure foreign workers to Afghanistan, including from Sri Lanka, Nepal, India, Iran, Pakistan, and Tajikistan; the recruiters subject these migrants to forced labor after arrival.

The Government of Afghanistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Afghan government's response to the extensive human trafficking in its country and of its citizens was deficient. While victims of trafficking were routinely prosecuted and convicted as criminals for moral crimes, the government failed to hold the vast majority of traffickers criminally accountable for their crimes. Government complicity remained a serious problem and political will to combat the crime was low. The majority of the government's action plan to address trafficking was not completed. There were areas of

small improvements, however. During the reporting period, the government issued a decree directing law enforcement agencies to cease prosecuting trafficking victims. It also took some limited steps to implement its anti-trafficking action plan, including through making executive branch efforts to ratify the 2000 UN TIP Protocol. Despite extensive international support of the government's anti-trafficking programming, the level of understanding of human trafficking among Afghan government officials remained very low.



RECOMMENDATIONS FOR AFGHANISTAN:

Eliminate police and court penalization of trafficking victims for offenses committed as a direct result of being trafficked, such as prostitution, sodomy, or adultery; increase use by law enforcement of the 2008 anti-trafficking law, including prosecuting suspected traffickers and convicting trafficking offenders; consider amending the 2008 anti-trafficking law to prohibit and penalize all forms of trafficking in persons; investigate and prosecute government officials suspected of being complicit in human trafficking; strengthen the capacity of the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling, and implement the anti-trafficking national action plan; educate government officials at national, provincial, and local levels, including law enforcement and judicial officials, on the definition of human trafficking, as well as protection and law enforcement strategies; segregate older and younger boys in trafficking shelters to prevent the abuse of younger boys; increase awareness about the trafficking of male children, particularly in the northern regions of Afghanistan; strengthen the capacity of the Ministry of Interior (MOI)'s anti-trafficking/smuggling unit, including by ensuring the unit is fully staffed and able to differentiate between smuggling and trafficking; undertake initiatives to prevent trafficking, such as running a public awareness campaign to warn at-risk populations of the dangers of trafficking, and encourage religious leaders to incorporate anti-trafficking messaging in religious teachings; improve efforts to collect, analyze, and accurately report counter-trafficking data; implement culturally appropriate long-term victim rehabilitation programs for boys that are designed for their specialized needs; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The Government of Afghanistan sustained low anti-trafficking law enforcement efforts over the reporting period; it failed to amend its anti-trafficking law and official complicity in human trafficking remained a serious problem. Afghanistan's 2008 Law Countering Abduction and Human Trafficking/Smuggling, along with Article 516 of the penal code, prohibits many, but not all, forms of human trafficking. For example, the law does not cover sex trafficking of a child if coercion was not involved. Government officials, including law enforcement and judicial officials, continued to have a limited understanding of human trafficking. In Dari—the language spoken most widely in Afghanistan—the same word denotes both human trafficking and human smuggling, compounding the confusion. The law prescribes between eight and 15 years' imprisonment for persons

convicted of some forms of labor trafficking and prescribes penalties of up to life imprisonment for those convicted of some forms of sex trafficking. The 2009 Elimination of Violence Against Women (EVAW) law and other provisions of the penal code contain penalties for most forms of trafficking. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The MOI has an anti-trafficking in persons unit with approximately 20 officers, but they did not appear to be dedicated full-time to this unit and there was frequent turnover in their leadership. The interagency committee, the High Commission to Combat Trafficking in Persons (High Commission), reported that it convicted 14 offenders under the trafficking statute—an increase from four Pakistani sex traffickers convicted by the attorney general's office in the previous reporting period. The courts reportedly sentenced these offenders to terms of imprisonment ranging from three months to 20 years. For example, a defendant in Herat was convicted of human trafficking after bringing young girls from foreign countries and forcing them into prostitution. International organizations and NGOs continued to provide training to police, prosecutors, and other government officials on identifying and investigating trafficking cases; the MOI provided venues for some of the trainings.

Government employees' complicity in human trafficking remained a serious problem. Reports indicated that government officials, including commanders of the Afghan National Security Forces and provincial governors, engaged in the practice of *bacha baazi*. There have been reports that law enforcement facilitated trafficking and raped sex trafficking victims. Afghan courts convicted two policewomen for sex trafficking in 2013 and sentenced each to eight years' imprisonment. A Ministry of Defense official reported five Afghan National Army soldiers were convicted for crimes related to *bacha baazi* and received one to 10 years' imprisonment. There were no other reports of investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

PROTECTION

The Government of Afghanistan made some progress on victim protection; despite a late-issued formal decree on prohibiting punishment of victims, penalization of victims was widespread and victim protection inadequate. Afghanistan did not develop or employ systematic procedures to identify victims of trafficking or refer them to protective services. The government, particularly authorities from the Ministry of Labor and Social Affairs, Martyrs, and the Disabled (MOLSAMD) and the Ministry of Women's Affairs, in practice referred victims to NGO-run shelters. The Ministry of Public Health reported it had created special forms for use by its health centers that could help to identify victims of human trafficking, but did not report whether these forms were used. The MOI reported that police lacked formal guidelines and funding to provide basic care (including water and food) to victims during the course of an investigation. In some instances, policemen paid out-of-pocket for basic care for the victims. Authorities reportedly placed child trafficking victims in juvenile detention facilities; some of these victims were questioned by the MOI for committing crimes of sodomy. The MOI reported it identified 91 victims of trafficking in 2013, but did not indicate whether they were sex or labor trafficking victims. MOLSAMD owns four short-term trafficking shelters in Kabul, Herat, Kunduz, and Nangarhar, which were operated by IOM and partner NGOs and paid for by other sources. Child trafficking victims were sometimes placed in shelters or orphanages; there

have been reports that older boys sexually abused younger boys in shelters. IOM reported it assisted 250 victims during the reporting period, the majority of whom were boys; many of these boys were referred by the Afghan government. Experts report that victim identification was hindered by lack of capacity, lack of understanding of human trafficking, and lack of will to pursue criminal cases against traffickers. Although the government claimed that it encouraged victims to participate in investigations, this encouragement sometimes resulted in potentially negative rehabilitative consequences, including in a case in which a child trafficking victim was forced to testify in front of his alleged trafficker.

Police often had trouble distinguishing trafficking victims from criminals, and government officials punished victims of trafficking for acts they may have committed as a direct result of being trafficked. Afghan officials continued to arrest, imprison, or otherwise punish female trafficking victims for prostitution or adultery, or for escaping from husbands who forced them into prostitution, even if the destination was a shelter. Authorities sometimes treated male and female victims as criminals simply for being unchaperoned or for having committed moral crimes. For example, two Pakistani child sex trafficking victims were convicted of moral crimes and jailed. NGOs reported instances of child trafficking victims placed in juvenile detention centers, sometimes for several years. Male child sex trafficking victims, including those subjected to *bacha baazi*, were referred to juvenile rehabilitation centers on criminal charges. Officials often placed trafficked women who could not be accommodated in shelters in prisons. Trafficked adult men were incarcerated, in part because they could not stay in shelters. In February 2014, the High Commission, in coordination with the Ministry of Justice, released a directive emphasizing that law enforcement must cease the prosecution of trafficking victims and refer them instead to social services. In response to international pressure, the Afghan government released five imprisoned child sex trafficking victims in February and March 2014. The government does not have a policy that provides relief from deportation for foreign victims of trafficking who may face retribution or hardship in the countries to which they would be deported; however, Afghan law allows foreign victims of trafficking to remain legally in Afghanistan for at least six months. There was no information that the government forcibly deported any foreign victims of trafficking during the reporting period.

PREVENTION

The government made modest improvements in preventing human trafficking. The Afghan government continued to organize its anti-trafficking activities through its interagency High Commission. From April 2013 to February 2014, the government held eight working level interagency meetings of its technical committee and four High Commission meetings, in addition to an *ad hoc* meeting to address the detention and convictions of two child sex trafficking victims. For the majority of the reporting period, attendance by deputy ministers at the meetings was poor and the commission ineffective; invitations to High Commission meetings were sent out with inadequate notice for many officials to be able to attend. In the last few months, there were some improvements to the functioning of the High Commission's administrative organizational unit, the Secretariat, largely attributed to the secondment to the Secretariat of two staff members from the quasi-governmental Afghanistan Independent Human Rights Commission (AIHRC) who professionalized its administration. The High Commission

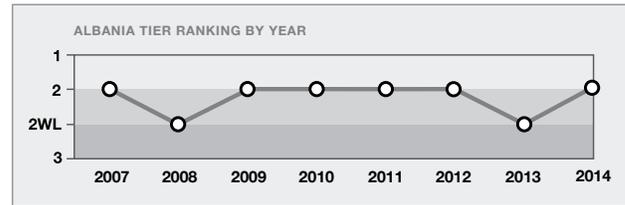
took some limited steps to implement activities set forth in its national anti-trafficking action plan. Specifically, the Ministry of Foreign Affairs took steps to ratify the 2000 UN TIP Protocol, although the decision remained pending before Parliament at the close of the reporting period.

The government increased its efforts to raise awareness on trafficking. The AIHRC launched a national inquiry into the practice of *bacha baazi*, although the report had not yet been published at the close of the reporting period. The Ministry of Education reported that it asked all schools to spend the first five minutes of the school day on raising awareness about human trafficking/smuggling; there is no information confirming that this directive has been implemented. In collaboration with international organizations, the MOLSAMD launched a series of TV spots in January 2014 warning against human trafficking. There was no progress reported toward fulfilling the goals of the action plan signed in January 2011 to combat the practice of *bacha baazi* by the Afghan National Security Forces. The government did not take steps to reduce the demand for commercial sex acts or forced labor. Afghanistan is not a party to the 2000 UN TIP Protocol.

ALBANIA (Tier 2)

Albania is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Albanian women and child victims are primarily subjected to sex trafficking within Albania and in Greece, Italy, Macedonia, Kosovo, Belgium, Netherlands, Germany, Switzerland, Ireland, and the United Kingdom. Criminal groups fraudulently recruit women with offers of employment in waitressing, bartending, dancing, or singing in neighboring countries, specifically in Kosovo, Greece, and Macedonia, and subject them to sex trafficking. Victims from the Philippines and Albania were subjected to forced labor in Albania. There is an increasing problem of Albanian children, often of the Roma ethnicity, being subjected to forced begging and other forms of compelled labor in Greece, Kosovo, and within Albania. Some Albanian girls are subjected to sex trafficking or forced labor following arranged marriages.

The Government of Albania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In October 2013, the government appointed a new national anti-trafficking coordinator, who in December initiated the development of a special taskforce to improve coordination among police, prosecutors, and judges. Albanian law enforcement improved its understanding of a victim-centered approach to human trafficking, though further training is still needed to improve their operating effectiveness in identifying cases and leading them through prosecution. The government increased the number of victims identified, but prosecuted and convicted a small number of trafficking offenders. The government did not fund the NGO shelters that provided services to victims of trafficking. Victims received inadequate mental health services at the state-run shelter, and medical care staff needed training.



RECOMMENDATIONS FOR ALBANIA:

Vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; ensure victims have access to victim-specific assistance, support and protection including reintegration services such as vocational training and free public health care; provide funding to NGOs for shelters and victim assistance services, including through the Special Fund for Crime Prevention; expand joint mobile units operated by civil society groups and law enforcement to increase victim identification; train prosecutors and judges on recent trafficking-related legal amendments; train state-run shelter medical staff on victim-centered support; further train police and officials at the local level to increase the number of victims identified and assisted; continue to train labor inspectors and other officials on victim identification; train officials in child protection units to increase the identification of trafficking indicators and refer victims to appropriate services; ensure the effectiveness and support for the national anti-trafficking coordinator; and continue to expand efforts to raise awareness of trafficking throughout Albania, including through the use of regional anti-trafficking units.

PROSECUTION

The Government of Albania increased anti-trafficking law enforcement efforts over the last year, improved its legislation for criminal offenses, and sufficiently punished convicted offenders. Albania's criminal code prohibits sex and labor trafficking under Articles 110(a) and 128(b), which prescribe penalties of eight to 15 years' imprisonment. These penalties are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. In 2013, the criminal code was amended to strengthen its anti-trafficking provisions, including by raising the minimum sentence for trafficking of adults from five to eight years' imprisonment and increasing the sentences for trafficking of minors (from seven-15 years to 10-20 years); adding internal trafficking as a criminal offense; and criminalizing facilitating trafficking by forging, removing, damaging, or otherwise manipulating identity documents; as well as benefiting from or using the services of a trafficked person. The Serious Crimes Prosecutor's Office reported investigating 24 suspected human traffickers in 2013, compared with cases involving 11 suspects in 2012, but did not disaggregate data to demonstrate that it made efforts against both sex trafficking and forced labor. One case went to trial during the year in which three alleged traffickers were charged under Article 110(a), which remained pending at the close of the reporting period. The remaining cases were either dropped, are still under investigation, or are in pre-trial procedures. In 2012, the government reported convicting two defendants and dismissing the prosecutions of two others. The Serious Crimes Court convicted two offenders for trafficking in persons, each sentenced to 15 years' imprisonment, the same number of convictions as were achieved in 2012. Prosecutors reopened for investigation a case of two Albanian men who claimed they were trafficked to Equatorial Guinea for forced labor. Albanian law enforcement officials coordinated with

police on a trafficking investigation in Italy, Germany, and Switzerland, resulting in the arrest of five traffickers in Albania. During 2013, the government trained 57 judges, prosecutors, and police officers on investigation and prosecution of traffickers, and on victim identification and protection. The government increased the number of judicial police and special prosecutors assigned to trafficking cases from three to seven during the reporting period. In December 2013, the national anti-trafficking coordinator initiated the development of a special taskforce to improve coordination among police, prosecutors, and judges. NGOs reported that police, prosecutors, and judges demonstrated improved understanding of a victim-centered approach to human trafficking, though further training is still needed. Corruption and high rates of turnover continued to be an issue within the police force, which hampered the efficacy of training. The government did not report any investigations or prosecutions of government officials allegedly complicit in human trafficking offenses during the year.

PROTECTION

The government increased anti-trafficking protection efforts by increasing identification and referral of trafficking victims to appropriate services, and by providing financial assistance to victims during the reporting period; however, bureaucratic hurdles prevented victims from accessing free healthcare that had previously been approved by the government. The government did not provide funding to NGO shelters. During the reporting period, the government reported that 95 victims of trafficking were identified in Albania; 92 were identified in 2012. Of these, 55 victims were identified and referred by the government in 2013, compared with 42 victims referred by the government in 2012. A total of 93 victims received care in state-run and NGO shelters; 27 victims were accommodated in the state-run shelter exclusively for trafficking victims. Of the 95 victims identified, 43 were child victims of trafficking. Twenty-one identified victims were subjected to labor trafficking. The state-run shelter received the equivalent of approximately \$182,000 in government funding. It provided limited services, but worked in collaboration with NGOs to meet the needs of victims. The government allocated the equivalent of approximately \$50,000 to NGO shelters strictly for food expenses, but failed to disburse these funds. NGOs reported improved involvement of civil society partners and the government in the national referral mechanism. In 2013, law enforcement and social worker child protection units increased to 165 from 65 in 2012; the units have a direct role in identifying child victims of trafficking and ensuring their protection. In 2013, the government, in cooperation with police directorates and NGOs, established three joint mobile identification units, each consisting of police and two NGO social workers; the units searched local communities for potential victims of trafficking.

The government allocated and disbursed the equivalent of approximately \$10,000 in financial support to 30 victims of trafficking. Victim advocates and NGOs reported that the state-run shelter lacked human, physical, and financial resources for longer-term care of victims of trafficking, including health, education, and employment services. Victim advocates reported that psychological services offered at the state-run shelter were inadequate and medical staff required further training. NGOs reported that victims were punished as a direct result of being in human trafficking situations. In 2012, at least three victims of sex trafficking were convicted of prostitution. In one case, the court issued both a conviction against the defendant for trafficking in persons, and simultaneously convicted the victim

for prostitution. Lack of training and the high rate of turnover among prosecutors was a challenge to progress on this problem.

The three shelters that were operated by NGOs provided comprehensive services to include: psychological care, legal assistance, medical care, reintegration services, and assistance for victims' children. Male victims of trafficking were provided with accommodations in apartments. There were no specialized shelters for child victims of trafficking. The government approved access to free healthcare for victims of trafficking in 2012; however, bureaucratic hurdles prevented victims from accessing government-approved free healthcare, and victims or NGOs often had to pay for services during the reporting period. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders by providing victim-witnesses access to social workers and psychologists during trials. The Serious Crimes Prosecution Office in Tirana is the only office that employs a victim-witness coordinator. Victims outside Tirana had access to this service; however, local prosecutors lacked training on how to effectively work with victim witnesses. In 2013, one victim of trafficking was provided with witness protection. As an alternative to removal for foreign trafficking victims, Albania's anti-trafficking law provides a two-year reflection period with temporary residency status, and the opportunity to apply for permanent residency after five years in the country, as well as authorization to work. In practice, the government has yet to grant this status to a victim. There were no reports of victims being detained or otherwise penalized for unlawful acts committed as a result of their being trafficked. Under the new amendments, victims are now exempt from punishment for offenses committed during or as a result of being trafficked.

PREVENTION

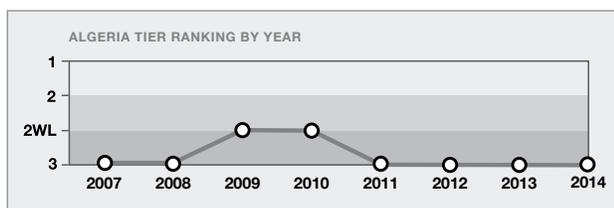
The Government of Albania increased efforts to prevent trafficking in persons during the year. In October 2013, shortly after taking office, the government appointed a new national anti-trafficking coordinator. For the first time, the government designated a separate budget for the national anti-trafficking coordinator's office of the equivalent of approximately \$50,000. The government also allocated funds for the regional anti-trafficking committees to address trafficking issues in local districts. The national coordinator was successful in restarting the 12 previously dormant committees around the country. During the reporting period, the committees were active in addressing trafficking issues in their districts through establishing local action plans and conducting various meetings in cooperation with civil society partners. The government, in cooperation with NGOs, trained regional anti-trafficking committee members, government officials, social service workers, police, school teachers, and labor inspectors on implementing victim identification and referral procedures. Nevertheless, regional anti-trafficking committees and local officials continue to need further training and development. In cooperation with NGOs, the government co-funded educational initiatives to publish and distribute anti-trafficking booklets to police and potential trafficking victims, and published and distributed copies of a novella highlighting the true story of a victim of trafficking to high school students, employers, local civil society representatives, and community members in various cities. The government co-sponsored a workshop for the purpose of sensitizing hotel and travel agency owners to human trafficking and victim identification. The government co-financed a project for the implementation of a mobile device application for use by citizens in reporting suspected trafficking cases and

accessing assistance services. The government established a civil society advisory board to improve cooperation with NGOs. The government performed an internal audit of the state shelter. The government continued implementation of its 2011-2013 national action plan. The government demonstrated efforts to reduce the demand for commercial sex acts; however, it did not demonstrate efforts to reduce the demand for forced labor.

ALGERIA (Tier 3)

Algeria is a transit and, to a lesser extent, destination and source country for women subjected to forced labor and sex trafficking and, to a lesser extent, men subjected to forced labor. Most commonly, sub-Saharan African men and women enter Algeria voluntarily but illegally, often with the assistance of smugglers, for the purpose of traveling to neighboring countries or Europe. Some of these women may be forced into prostitution, domestic service, and begging. Some sub-Saharan African men, mostly from Mali, are forced domestic workers; homeowners often confiscate their identification documents, a common method of coercion. Sub-Saharan illegal immigrants from Anglophone countries remain particularly vulnerable to forced labor and sex trafficking in Algeria, primarily due to language barriers. Criminal networks, which sometimes extend to sub-Saharan Africa and to Europe, are involved in smuggling and human trafficking. Some foreign women and children, primarily sub-Saharan migrants, are forced into prostitution in bars and informal brothels in Tamanrasset and Algiers; the traffickers are typically members of the victim's own nationality. The "chairmen," or leaders, of the "African villages"—small non-Algerian ethnic enclaves located in and around the southern city of Tamanrasset—may be among those responsible for forcing some women into prostitution. Some Algerian women and children are also forced into prostitution in Algeria. Civil society groups believe that Algeria is increasingly becoming a destination for both undocumented migration and trafficking.

The Government of Algeria 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 demonstrate efforts to investigate, prosecute, or convict perpetrators of sex trafficking and forced labor. The government continued to conflate human trafficking and smuggling. The government, thus, treated trafficking victims as criminals or illegal immigrants; trafficking victims were frequently subject to arrest, detention, and deportation. Furthermore, the government lacked adequate measures to identify and provide protection services to victims of trafficking. The government minimized and denied trafficking in the face of evidence to the contrary from civil society and others.



RECOMMENDATIONS FOR ALGERIA:

Investigate, prosecute, and convict sex and labor trafficking offenders, distinct from the crime of human smuggling, and punish them with imprisonment; establish formal procedures

to guide officials in the identification of victims of forced labor, forced prostitution, and child prostitution, particularly among illegal migrant communities; establish a policy to ensure that identified and suspected victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; establish and implement victim referral procedures, and provide appropriate protection services, including shelter, medical, psychological care, legal aid, and repatriation assistance, to all victims of trafficking; establish a shelter dedicated specifically to the needs and appropriate care of men, women, and children who are victims of forced labor and sex trafficking; provide support to relevant NGOs or international organizations that offer protection services to victims of trafficking; establish strong partnerships with relevant organizations and community leaders among foreign migrant populations to ensure that trafficking victims are properly identified and receive appropriate protection and assistance; collaborate with relevant organizations and NGOs in source countries to ensure the safe and voluntary repatriation of foreign trafficking victims; train officials, including law enforcement, healthcare and social workers, and labor inspectors, who may come in direct contact with trafficking victims, on appropriate measures to identify suspected victims using victim identification guidelines; and improve efforts to increase public awareness of trafficking, including on the differences between human smuggling and trafficking.

PROSECUTION

The Algerian government made minimal efforts to address human trafficking through law enforcement means. Algeria prohibits all forms of trafficking under Section 5 of its criminal code, enacted in March 2009. Prescribed penalties under this statute range from three to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government did not have an effective system to collect and report anti-trafficking law enforcement data, and government officials had difficulty distinguishing between human trafficking and smuggling data. Though the government reported prosecuting trafficking offenders in this reporting period, it did not provide details on such cases to indicate whether they were human trafficking cases, distinct from smuggling or other similar crimes. For another year, the government did not report any convictions of trafficking offenders. By law, Algerian courts must hear testimony from the victim in order to convict the trafficking offender; courts are thus unable to secure a conviction if a victim has already left the country. The government did not report efforts to investigate or punish government employees complicit in trafficking-related offenses. In June 2013, the government, in coordination with an international organization, partially funded and provided the space for an anti-trafficking training—for Algerian judges.

PROTECTION

The government made no discernible progress in protecting victims of trafficking; proactive victim identification efforts remained weak. It did not develop or employ systematic procedures for the identification of trafficking victims among vulnerable populations, such as foreign women arrested for prostitution or undocumented migrants; government officials relied on victims to self-report abuses to authorities. Likewise, the government did not have a formal victim referral procedure in place to provide victims with appropriate protection and assistance. Some trafficking victims were jailed for unlawful

acts committed as a direct result of their being subjected to human trafficking, such as engaging in prostitution or lacking adequate immigration documentation. The government reported conducting regular raids on migrant communities—in which some may be trafficking victims—where authorities arrested and detained illegal migrants for a short period and then released them; some were returned to the Algerian border to be deported. Likewise, the government reported that undocumented migrants detained in Tamanrasset spent a week in a detention center before being deported to neighboring countries to the south. There was no indication that authorities attempted to identify potential victims of trafficking among these vulnerable migrant populations.

The government did not report identifying any trafficking victims in this reporting period. The government did not operate shelters for trafficking victims, and civil society groups were prohibited from operating any such shelters under threat of penalty for harboring undocumented migrants. NGOs operated care facilities for vulnerable populations, such as abandoned women, which could be accessible to some female trafficking victims; there was no indication that any victims received services. Government-operated health clinics continued to be available for trafficking victims, and some victims reportedly used these services; however, most victims were either unaware of these clinics, declined to use them for fear of deportation, or were arrested while attempting to seek assistance at health centers, particularly if they were illegal migrants. There was no formal program to encourage trafficking victims to participate in investigations or prosecutions of trafficking offenders. The government did not provide counseling, legal services, or long-term residency benefits to victims. Though a 2012 amendment to the anti-trafficking law allows the government to provide financial assistance and free telecommunications resources to trafficking victims, the government has never reported providing these services to victims. The government did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

PREVENTION

The Algerian government made no significant progress in its prevention efforts. Government officials denied that human trafficking existed in Algeria. Although the government's inter-ministerial anti-trafficking committee continued to meet monthly, the government did not have a formal policy to complement its anti-trafficking law; the government reportedly had a national plan of action, though it did not disclose the details of the plan. The government did not conduct an anti-trafficking public awareness or educational campaigns, and it did not attempt to forge effective anti-trafficking partnerships with civil society organizations. The government did not report taking any measures to reduce the demand for child sex tourism among Algerians traveling abroad. The government took actions to reduce the demand for commercial sex acts, but it did not make efforts to reduce the demand for forced labor.

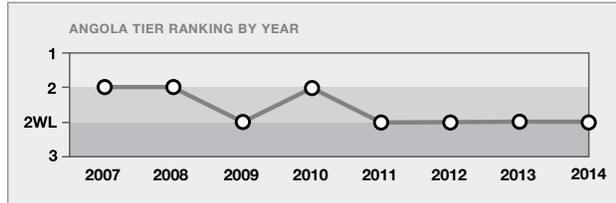
ANGOLA (Tier 2 Watch List)

Angola is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Angolans are forced to labor in the agriculture, fishing, construction, domestic service, and artisanal diamond mining sectors within the country. Chinese nationals in Angola exploit

Angolan children in brick-making factories, construction, and rice farming. Girls as young as 13-years-old are prostituted. Angolan adults use children under the age of 12 for forced criminal activity, as children cannot be criminally prosecuted. Some Angolan boys are taken to Namibia for forced labor in cattle herding. Angolan women and children are subjected to domestic servitude and sex slavery in South Africa, Namibia, and European countries, including the Netherlands and Portugal. During the year, two Zimbabwean child sex trafficking victims were identified in Luanda.

Vietnamese and Brazilian women in prostitution in Angola may be victims of sex trafficking. Chinese women are recruited by Chinese gangs and construction companies with promises of work, but later are deprived of their passports, kept in walled compounds with armed guards, and forced to pay back the costs of their travel by engaging in prostitution. Chinese, Southeast Asian, Namibian, and possibly Congolese migrants are subjected to forced labor in Angola's construction industry; conditions include the withholding of passports, threats of violence, denial of food, and confinement. Chinese workers are brought to Angola by Chinese companies that have large construction or mining contracts; the companies do not disclose the terms and conditions of the work at the time of their recruitment. Undocumented Congolese migrants, including children, enter Angola for work in diamond-mining districts, where some experience conditions of forced labor or forced prostitution in mining camps. Trafficking networks recruit and transport Congolese girls as young as 12-years-old from the Kasai Occidental province of the Democratic Republic of Congo (DRC) to Angola for various forms of exploitation.

The Government of Angola does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Government of Angola has not shown increasing efforts to address human trafficking compared to the previous year; therefore, Angola is placed on Tier 2 Watch List for a fourth consecutive year. Angola 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 reporting period, the government amended its penal code to include anti-trafficking prohibitions—a noteworthy accomplishment—and investigated two suspected trafficking cases. Nonetheless, the government failed to vigorously prosecute trafficking offenses in 2013, including those identified in previous reporting periods involving allegedly complicit government officials. The Angolan government has never convicted a trafficking offender. It failed to systematically investigate abuses in the Angolan construction sector or prosecute and hold accountable companies allegedly responsible for forced labor of both Angolan and foreign nationals, despite years of ongoing reports of construction companies engaged in forced labor. During the reporting period, the government developed a manual to assist law enforcement officials in identifying victims of trafficking among vulnerable populations; however, victim identification efforts remain inadequate, and the government failed to provide victims with protective services.



RECOMMENDATIONS FOR ANGOLA:

Use the revised penal code provisions to investigate and prosecute forced labor and sex trafficking offenses; train law enforcement officials on the new penal code provisions; systematically investigate labor trafficking in the Angolan construction sector; train law enforcement, social services, and immigration officials in identification and referral procedures; ensure provision of shelter, counseling, and medical care to all victims either directly or in partnership with NGOs; establish broad-based institutional capacity to coordinate and guide national efforts by forming an anti-trafficking inter-ministerial committee; collect and analyze anti-trafficking law enforcement data; organize nationwide anti-trafficking public awareness campaigns; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The Government of Angola continued to make minimal law enforcement efforts during the year. Although the government amended its penal code to include anti-trafficking provisions and arrested one alleged offender, it failed to initiate any prosecutions of suspected offenders and has never convicted a trafficker. In February 2014, the government amended the 1886 penal code to prohibit all forms of trafficking in persons, proscribing penalties of eight to 12 years' imprisonment—penalties that are both sufficiently stringent and commensurate with those proscribed for other serious crimes. Article 19 criminalizes the act of delivering, enticing, accepting, transporting, housing, or keeping of persons for the purposes of sexual exploitation, forced labor, or trafficking of organs, including by force, fraud, or coercion. Article 19 also makes the enticement, transport, or housing of a child for such purposes by any means a trafficking offense; in keeping with international law, it does not require the use of fraud, force, or coercion to prove a trafficking case when a child is the victim. This provision would appear, however, to overlap with Article 22, pimping of minors, which provides a lower penalty of two to 10 years' imprisonment for promoting, encouraging, or facilitating the exercise of the prostitution of children, with enhanced penalties for the use of force, threat, or fraud of five to 12 years' imprisonment. Slavery and servitude are separately criminalized in Article 18 with sentences of seven to 12 years' imprisonment. In August 2012, the government adopted the Law on the Protection and Integral Development of Children; Article 7 prohibits the exploitation of children and Article 33 prohibits the kidnapping, sale, trafficking, or prostitution of children. This 2012 law fails to define and prescribe penalties for these crimes, limiting its utility.

The Angolan government investigated two suspected trafficking cases during the reporting period, leading to the arrest of one labor recruiter. In May 2013, the criminal investigative police arrested a Chinese national suspected of fraudulently recruiting children and young adults, ages 15 to 25, from Huila with promises of good wages for construction work in Zaire province. A Chinese construction company exploited these children and young adults in forced labor without pay and in poor conditions for three months. The government did not initiate

prosecutions in this case and provided no information on progress to prosecute cases against alleged offenders from previous reporting periods, including the January 2013 case of 54 children intercepted *en route* from Huila to Namibe province, allegedly for work on tomato farms. One suspected labor trafficking offender, arrested and charged with organized crime after a raid on a Chinese construction site in Luanda in April 2011, remained in jail pending trial. The government maintained a labor agreement with the Government of China that requires Chinese companies to follow Angolan labor laws. However, Angolan authorities have not sought to criminally prosecute Chinese construction companies and employers for alleged forced labor abuses.

The government took no action to address allegations of official complicity in trafficking from this or previous reporting periods. For example, the government did not report on its efforts to independently investigate allegations against a prominent member of the People's Movement for the Liberation of Angola (MPLA) suspected of running an international prostitution ring that brought Brazilian women in prostitution to Angola, South Africa, Austria, and Portugal; some of these women reported being detained and denied payment. Due to a culture of corruption, law enforcement efforts were stymied in many areas, including counter-trafficking. In February 2013, IOM instructed 60 government officials on best practices to identify and protect trafficking victims as part of training on migration issues held in government facilities in Zaire province. Separately, in partnership with IOM, the government provided anti-trafficking training to 248 officials in Luanda and Uige. National police academy trainings included human trafficking provisions; 513 officials received this training in 2013.

PROTECTION

The government made minimal efforts to protect victims during the year. The government identified and rescued 21 potential trafficking victims in 2013, but did not provide them with protective services. In one case, after an official with the local child protection network identified 10 children in forced labor with a Chinese construction firm, police worked alongside the National Institute of Children (INAC) to rescue the children and reunite them with their families in May 2013; however, the government did not refer the victims for additional protective services. The government failed to identify any Chinese trafficking victims among the large number of Chinese laborers in the Angolan construction sector where labor exploitation is rife.

INAC oversaw child protection networks in all 18 provinces that offered health care, legal and social assistance, and family reunification for crime victims under the age of 18. The Ministry of Social Assistance and Reintegration, the Ministry of Family and Women's Promotion, and the Organization of Angolan Women operated 27 counseling centers, seven multi-purpose shelters, and 51 children's shelters that trafficking victims could access. However, it is unclear whether any trafficking victims received government-provided services—including even basic counseling and medical care—through these centers in 2013. Although the government may coordinate with NGOs or international organizations to provide care, it failed to provide them support for such services. For example, in June 2013 the government identified a potential Tanzanian victim abandoned by her Congolese recruiter; the government temporarily placed her in a detention facility, but did not charge her with immigration violations. Government officials subsequently referred her to IOM, which supported her return to Tanzania.

During the reporting period, in partnership with an international organization, the Ministry of Interior finalized manuals and standard operating procedures for responding to trafficking crimes, including guidance on victim identification. Law enforcement, immigration, and social services personnel generally did not make systematic efforts to identify victims and lacked a mechanism for screening individuals in prostitution or undocumented migrants. Neither documented nor undocumented foreign workers, including among the Chinese population, were screened for trafficking victimization and may have been arrested and deported for unlawful acts committed as a result of having been trafficked, including immigration and employment violations. For example, if during labor inspection workers were found to be without work permits, authorities fined employers and arrested and deported the workers. On occasions when authorities identified trafficking victims among Chinese laborers, the Angolan government routinely repatriated them to China without providing care or ensuring proper treatment upon their arrival in China. Angolan law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution. The government did not actively encourage victims to participate in trafficking investigations during the year.

PREVENTION

The government modestly increased efforts to prevent human trafficking, though it largely relied on partnerships with international organizations to do so. In a change from previous years, the government launched anti-trafficking awareness events, including workshops in secondary schools to raise awareness of recruitment techniques used by traffickers. In late 2013, the government also constructed a maze in downtown Luanda to simulate what victims endure as they attempt to escape. In partnership with an international organization, the government placed Kikongo-language trafficking awareness posters along the border with the DRC. The government remained without an inter-ministerial body to coordinate national anti-trafficking efforts and failed to develop an updated national action for 2014. The national director of labor led an inter-ministerial commission, formed in May 2012, to examine Chinese labor in Angola and implement a labor accord with the Chinese government, which was signed into effect by the president in March 2012 and called for proper treatment of Chinese workers and compliance with Angolan labor law by Chinese employers and recruitment firms. The government did not make efforts to reduce the demand for commercial sex acts during the year. Angola is not a party to the 2000 UN TIP Protocol.

ANTIGUA AND BARBUDA (Tier 2 Watch List)

Antigua and Barbuda is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. Legal and undocumented immigrants from the Caribbean region, notably from Jamaica and the Dominican Republic, as well as from southeast Asia, comprise the population most vulnerable to trafficking. Forced prostitution has been reported in bars, taverns, and brothels. Incidences of forced labor have occurred in domestic service and the retail sector. UNICEF has documented children engaging in transactional sex with older men for material goods throughout the Eastern Caribbean; third-party prostitution of children under 18 is a form of human trafficking.

The Government of Antigua and Barbuda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Antigua and Barbuda is placed on Tier 2 Watch List. For a second year, the government did not remedy a flaw in its human trafficking law affecting which court has jurisdiction over trafficking cases. The government did not report any prosecutions, convictions, or punishments of trafficking offenders, including officials complicit in human trafficking. Authorities only identified and referred to assistance one suspected trafficking victim.



RECOMMENDATIONS FOR ANTIGUA AND BARBUDA:

Amend the anti-trafficking law to allow human trafficking offenses to be tried on indictment in the high court, which would have jurisdiction to impose the maximum sentences of imprisonment; vigorously prosecute trafficking offenses and convict and punish trafficking offenders, including officials complicit in human trafficking; continue identifying and protecting trafficking victims by formalizing procedures for law enforcement, child welfare officials, and other front-line responders to identify victims and refer them to appropriate services; and continue efforts to raise awareness among child protection specialists about child sex trafficking, underscoring that all prostituted children—regardless of whether they were moved from one place to another—are trafficking victims.

PROSECUTION

The government made no discernible progress in prosecuting and punishing trafficking offenders. Antigua and Barbuda's Trafficking in Persons (Prevention) Act 2010 prohibits all forms of human trafficking, including bonded labor, and prescribes punishments of 20 to 30 years' imprisonment with fines. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law also includes extensive victim protection measures. The law is flawed in that it requires trafficking crimes to be tried in the lower court rather than the high court, and the lower court cannot legally impose sentences as severe as those provided for in the Act. Authorities investigated three suspected trafficking cases in 2013 compared with two in the previous reporting period. One person was arrested for allegedly maintaining a woman in domestic servitude, but the case did not progress to the prosecution stage during the reporting period. One prosecution from 2011 remained pending in 2013; the government did not report any new prosecutions, convictions, or punishments of trafficking offenders during the reporting period, and a nightclub previously shut down due to allegations of trafficking was operational again in 2013. Credible sources raised concerns of possible trafficking-related complicity by government officials and an apparent conflict of interest in the practice of some off-duty police officers providing security for sex trade establishments, an arrangement that would appear to inhibit law enforcement's willingness to investigate allegations of human trafficking in

the sex trade and victims' willingness to report offenses. The government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses. The government provided in-kind support to IOM-led training workshops related to human trafficking for government officials.

PROTECTION

The government made limited progress in the protection of trafficking victims during the reporting period, though the Gender Affairs Department continued to provide high quality assistance to victims. Law enforcement authorities identified one adult labor trafficking victim and no sex trafficking victims in 2013, compared to two suspected sex trafficking victims in 2012. The government did not have formal procedures to encourage and guide law enforcement, child welfare officials, and other front-line responders in identifying victims and referring them to available services. The Gender Affairs Department partnered with other government officials and NGOs to raise awareness about human trafficking indicators and available government services. In 2012, the government located a space for use as a shelter for trafficking and domestic violence victims, but did not open the shelter. Gender Affairs Department officials conducted a formal needs assessment for each potential victim of trafficking and offered job placement and various legal, health, lodging, psychological, communication, advocacy, and crisis services to the one victim identified during the reporting period. In a positive step, the government offered the one identified foreign victim long-term residency and integration into Antiguan society as a legal alternative to removal to a country where he or she might have faced retribution or hardship. The government also had policies in place to encourage trafficking victims to assist in the prosecution of trafficking offenders. The Trafficking in Persons (Prevention) Act 2010 protects identified victims from punishment for unlawful acts committed as a direct result of their having been subjected to human trafficking.

PREVENTION

The government sustained trafficking prevention efforts from the previous reporting period. It continued to operate a hotline with operators trained to identify and assist human trafficking victims; the hotline received 73 calls in 2013. The government reportedly had an anti-trafficking action plan, and authorities continued to distribute human trafficking public awareness materials and posters in English and Spanish that targeted victims as well as the general public. The Gender Affairs Department hosted community talks and distributed posters throughout Antigua and Barbuda to raise anti-trafficking awareness. The Trafficking in Persons Prevention Committee included representatives from the Ministry of National Security, the Ministry of Foreign Affairs, the Directorate of Gender Affairs, the Labor Ministry, the Attorney General, the Police Commissioner, the Immigration Department, Customs, the Coast Guard, and two NGOs; it held meetings every six weeks. A separate anti-trafficking taskforce focusing on trafficking investigations and victim protection held meetings at least twice per month in 2013. The government did not report any initiatives aimed at reducing the demand for forced labor or commercial sex. The government and local NGOs reported no evidence that child sex tourism occurs in Antigua and Barbuda and reported no child sex tourism investigations.

ARGENTINA (Tier 2)

Argentina is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Argentine women and children, including many from rural areas or northern provinces, are forced into prostitution within the country. A significant number of foreign women and children, primarily from Paraguay and the Dominican Republic, are subjected to sex trafficking in Argentina. To a more limited extent, Argentine men, women, and children have been found in sex and labor trafficking in other countries. In 2013, transgender Argentines were identified as victims of sex trafficking by French authorities, and activists from the LGBT community reported that transgender Argentines were vulnerable to sex trafficking within the country and in Western Europe. Bolivians, Paraguayans, and Peruvians, as well as Argentine citizens from poorer northern provinces, are subjected to forced labor in sweatshops, agriculture, charcoal and brick production, domestic work, and small businesses, including restaurants and supermarkets. Chinese citizens working in supermarkets are vulnerable to debt bondage. In 2013, Argentine authorities identified Colombian citizens working in furniture and basket production and peddling as potential labor trafficking victims; some of these potential victims reportedly were subjected to debt bondage. Argentine officials have identified isolated cases of foreign victims recruited in Argentina and subjected to trafficking in third countries.

The Government of Argentina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Argentine officials continued to identify a significant number of potential trafficking victims and support several shelters that provided services to such victims. The government increased convictions of sex trafficking offenders, but convicted no labor traffickers in 2013, despite having identified more than 900 labor trafficking victims during the year. Trafficking-related corruption remained a serious concern, and no complicit officials were convicted or sentenced during the year. Government funding for victim services was inadequate to assist the large number of victims identified during the year, particularly in forced labor. Authorities did not report how many victims received specialized services or shelter in 2013, raising concerns that many victims might not have access to services beyond emergency assistance.



RECOMMENDATIONS FOR ARGENTINA:

Follow through on investigations of trafficking-related complicity by prosecuting, and when appropriate, convicting officials guilty of such crimes; increase funding for specialized victim services, particularly for forced labor victims, in partnership with civil society, at the federal, provincial, and local levels; consistently offer foreign victims services, including shelter, legal, medical, and employment services, as well as the opportunity to remain in the country; strengthen efforts to investigate, prosecute, convict, and punish trafficking offenders, especially labor trafficking offenders; improve efforts to collect data on victims assistance

to verify that victims receive care beyond emergency assistance; continue to develop and implement protocols for local-level officials to identify and assist trafficking victims; and strengthen anti-trafficking coordination among the federal and provincial governments and civil society organizations, including through establishing the federal council on human trafficking and implementing a national anti-trafficking plan.

PROSECUTION

The Government of Argentina maintained efforts to investigate and prosecute trafficking offenders, but did not convict any public officials implicated in a large number of ongoing trafficking investigations. It also failed to bring any labor traffickers to justice, despite identifying more than 900 potential labor trafficking victims in 2013. Law 26842, passed in 2012, prohibits all forms of human trafficking and prescribes penalties of four to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law established the use of force, fraud, and coercion as an aggravating factor rather than an essential element of the crime, and defines facilitating or profiting from the prostitution of others and illegal sale of organs as human trafficking. The government has yet to issue implementing regulations for the law. Some prosecutors used prostitution-related statutes to address sex trafficking crimes.

Authorities carried out 391 trafficking investigations in 2013. The anti-trafficking prosecutor's office (PROTEX), which monitored all trafficking cases being heard by courts across the country, reported that 86 prosecutions were initiated during the year, 59 for sex trafficking and 27 for labor trafficking. The government convicted 25 sex trafficking offenders, with sentences ranging from three to 11 years' imprisonment. Authorities did not convict any labor trafficking offenders in 2013. In comparison, authorities reported convicting 17 sex trafficking and two labor trafficking offenders in 2012. In December 2013, judges reversed a prior ruling and convicted 10 of 13 defendants in Argentina's most high-profile sex trafficking case; the 13 defendants had been acquitted in December 2012 after 10 years of investigation reportedly due to a lack of evidence.

The Ministry of Security coordinated the efforts of different federal law enforcement entities. Although trafficking is a federal crime, some trafficking cases were investigated or prosecuted under different statutes at the local level and some provinces maintained specialized law enforcement units. Some officials and NGOs noted significant delays caused by confusion over which authorities had jurisdiction, and in some cases testimonies were discarded during this process. PROTEX published a report analyzing labor trafficking investigations since 2008. This report highlighted the important role of the Federal Agency of Public Income in identifying potential labor trafficking, and identified the need for enhanced intelligence gathering and improved victim assistance following law enforcement operations. The government continued to provide anti-trafficking training to hundreds of police, prosecutors, and judicial officials, sometimes in partnership with civil society organizations. In 2013, Argentine prosecutors coordinated with foreign governments on 35 transnational trafficking investigations.

Complicity of government officials in trafficking crimes remained a serious concern. Some police officers provided protection to brothels where trafficking victims were exploited or tipped off brothel owners about impending raids. NGOs and officials reported that some judges received bribes from traffickers

or did not adequately investigate signs of official complicity. Other local officials, including mayors, reportedly protected brothels where trafficking occurred. Staff from the Program for Rescue—an inter-disciplinary team of government officials located in Buenos Aires, but responsible for coordinating victim services nationwide—reported that police were complicit in 40 percent of sex trafficking cases, either as purchasers of commercial sex or as contacts of the brothel owner. NGOs and government officials reported that this protection of the commercial sex industry by officials served as an obstacle to victims reporting their exploitation. Prosecutors filed four new cases of trafficking-related complicity in 2013, including two separate cases in which deputy police chiefs provided protection to brothels where sex trafficking occurred. It was unclear what progress had been made in cases of trafficking-related complicity opened in 2012, including the investigation of a deputy police commissioner accused of holding four trafficking victims captive. An investigation initiated in 2010 of more than 70 Buenos Aires police officers accused of taking bribes to protect brothels remained ongoing. Officials did not report the outcome of the 2010 investigation of the former head of the anti-trafficking police unit accused of running brothels. In spite of this significant number of investigations of government officials complicit in human trafficking in recent years, the government did not report convicting any complicit officials in 2013.

PROTECTION

The Argentine government reported identifying a significant number of potential trafficking victims, but did not report how many victims received services beyond emergency assistance. Resources for victims—especially labor trafficking victims—remained insufficient. The Program for Rescue reported identifying 1,746 potential human trafficking victims in 2013. The program stated that 52 percent were labor trafficking victims, while 47 percent were sex trafficking victims. Authorities did not report how many of these victims were adults or children and how many were Argentine citizens or foreign nationals. The Ministry of Security reported using written procedures on victim assistance during and immediately following raids, and Argentine immigration and consular officers received guidelines on victim identification, but implementation of systematic procedures to identify victims among vulnerable populations varied by province.

Authorities did not report how many victims received comprehensive services, such as legal, medical, and psychological care, in 2013. The Program for Rescue took initial victim statements and provided emergency post-rescue care to an unspecified number of victims. NGOs offered mixed assessments of the program's effectiveness. The Ministry of Social Development coordinated victim services, but the quality and level of victim care varied by province, and most provinces lacked dedicated resources to care for trafficking victims, particularly forced labor victims. Some provinces reportedly had programs for trafficking victim assistance, although it was unclear how many victims these programs assisted. Authorities reported providing an unspecified amount of funding to an NGO to provide victim services. However, specialized services and reintegration efforts were limited. The 2012 anti-trafficking law required the government to establish a fund for victims, but this fund was not created in 2013. For the first time, the labor ministry began incorporating some trafficking victims into employment programs in 2013.

The Program for Rescue maintained a shelter in the capital to care temporarily for adult trafficking victims, though it was unclear how many of the victims identified during the year stayed at this shelter or where they were housed immediately following law enforcement raids. Federal, provincial, and municipal authorities provided various amounts of funding to four additional government-operated shelters for women and child victims of sex trafficking and abuse across the country, but authorities did not report how many of the victims they identified were assisted at these shelters in 2013. There were no specialized shelters for forced labor victims, and it is unclear how many of the more than 900 potential labor trafficking victims identified during the year received services after giving their initial statements to authorities. Some rescued victims were temporarily housed in police stations due to lack of shelter.

Argentine authorities encouraged victims to assist with the investigation and prosecution of their traffickers, and an unspecified number of victims did so during the year. There were no specific reports of identified victims being jailed or penalized for unlawful acts committed as a direct result of their being subjected to human trafficking. Authorities did not report how many of the large number of foreign victims identified in 2013 received temporary or long-term residency. It was also unclear to what extent foreign victims were fully informed of their residency and assistance options before their repatriation. NGOs stated that the federal government's *de facto* protocol of quickly returning foreign victims to their country or province of origin was not always in the victims' best interest, and asserted that federal entities do not consistently refer victims to specialized services in their place of origin. The government did not report identifying or assisting any repatriated Argentine victims of trafficking.

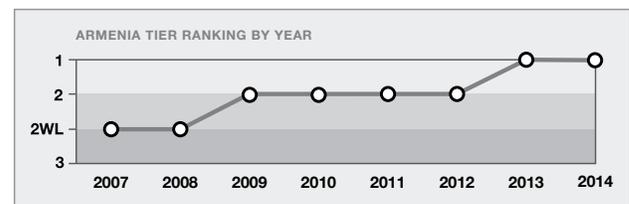
PREVENTION

The Government of Argentina did not implement key prevention aspects of the 2012 anti-trafficking law, but continued awareness campaigns, most of which focused on sex trafficking. The government did not create the federal council on human trafficking, a broad working group mandated by the 2012 anti-trafficking law that should include federal government agencies, NGOs, and provincial representatives. It did, however, create a smaller executive council on human trafficking—mandated by law to implement the initiatives of the federal council—which met several times starting in September 2013. The 2012 anti-trafficking law required the government to design and implement a national anti-trafficking plan, but this plan was not issued; without a plan, no specific budget allocations could be assigned to new anti-trafficking structures required by law. Federal authorities reported funding public awareness campaigns focused on sex trafficking—one targeted at the potential clients of sex trafficking victims—and maintaining two anti-trafficking hotlines. Some provincial governments maintained prevention efforts, including provincial anti-trafficking working groups. NGOs and municipal authorities continued to express concern about a perceived rise in child sex tourism, though there were no reported investigations or prosecutions related to this crime. The government did not report providing anti-trafficking training to Argentine troops prior to their deployment abroad on international peacekeeping operations. Employees of the labor ministry took action to reduce the use of forced labor through an initiative to register informal workers and employers in rural areas; labor officials doing this work collaborated on five labor trafficking cases in 2013.

ARMENIA (Tier 1)

Armenia is a source and, to a lesser extent, destination country for men, women, and children subjected to trafficking in persons, specifically forced labor and sex trafficking of women and men; sex and labor trafficking of women and children within the country is an increasing problem. Women and girls from Armenia are subjected to sex trafficking within the country and in the United Arab Emirates (UAE) and Turkey. Armenian men are subjected to forced labor in Russia and, to a lesser extent, Turkey. Armenian women and children are vulnerable to forced begging domestically. Officials reported the forced begging of two boys who were compelled to steal if they did not receive a certain amount of money each day. Some children work in agriculture, construction, and service provision within the country. Men in rural areas with little education and children staying in child care institutions remain highly vulnerable to trafficking.

The Government of Armenia fully complies with the minimum standards for the elimination of trafficking. In 2013, all branches of government improved their anti-trafficking coordination and collaboration in an effort to narrow gaps in policies, legislation, and practices. The government continued to preserve its strong collaborative working ties with anti-trafficking NGOs, local media, donor organizations, and regional partners. These measures contributed to an increased number of trafficking convictions and victims identified; however, gaps in the identification of victims of labor trafficking remain. In 2013, the Government of Armenia developed a draft law on identification and assistance to the victims of trafficking; however, the lack of formal victim-witness protection continued to be a concern.



RECOMMENDATIONS FOR ARMENIA:

Improve efforts to identify victims of forced labor, including by strengthening victim identification training of front-line staff, empowering labor inspectors of the reformed inspectorate to identify victims through unannounced visits, and having stronger cooperation with law enforcement; provide sensitivity training to judges to foster a culture of empathy for trafficking victims; continue to work with Russian authorities on identifying Armenian forced labor victims and prosecuting labor traffickers; continue to work with NGOs to find ways to identify and assist Armenian trafficking victims in Turkey; continue to work with NGOs to reintegrate victims; establish a victim compensation mechanism for trafficking victims; continue to work with NGOs to improve the safety of victims and ensure freedom of movement while receiving shelter and assistance; continue awareness-raising campaigns to rural and border communities as well as to children leaving child care institutions; license, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad; and continue robust partnerships with civil society groups.

PROSECUTION

The Armenian government strengthened law enforcement efforts, increasing the number of investigations, prosecutions, and convictions of trafficking offenses. Armenia prohibits both sex trafficking and labor trafficking through Articles 132 and 132-2 of its criminal code, which prescribe penalties of five to 15 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 138 was amended in 2013 to reflect punishment for rape committed against a minor under 18 and against a minor under 14, which ranges from eight to 15 years of age. The government investigated 10 new trafficking cases in 2013, the same amount as in 2012, and prosecuted 12 defendants for trafficking offenses—including one case of child forced begging—compared with prosecutions against 18 alleged traffickers in 2012; two additional cases were reopened due to new circumstances.

Armenian courts convicted 15 traffickers in 2013, compared to 10 convicted in 2012. In one case, three men and five women were convicted for trafficking eight women and girls to the UAE. Sentences ranged from four to 11 years' imprisonment. One trafficker, whose husband was also convicted, had her sentence reduced to two years' probation as a result of her cooperation and to take care of her children. Prosecution of labor trafficking cases continued to be a challenge for Armenian investigators due to the fact that most of the cases happen in Russia, with which law enforcement collaboration remained difficult. The absence of diplomatic relations with Turkey also hindered the identification of Armenian trafficking victims there.

Judges inexperienced with trafficking cases were reportedly less sensitive to victims, taking little account of the vulnerability and psychological experience of victims. In some cases, defense attorneys interrogated victims. The government conducted training sessions and awareness-raising programs on human trafficking, including forced labor, for hundreds of personnel. The Ministry of Social and Labor Affairs conducted trafficking-related training for over 250 civil servants; approximately 340 police employees and regular officers were trained at the Police Academy, and the Ministry of Justice implemented mandatory training for officers and employees of corrections institutions. The Government of Armenia did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The Government of Armenia enhanced efforts to protect identified trafficking victims by counselling children who were about to leave child care facilities and co-funding one of the two NGOs that work with trafficking victims. The government certified five male and 13 female trafficking victims in 2013—eight of whom were subjected to forced begging within the country—and offered assistance, including referrals to NGO shelters, to all of them. Seventeen of these 18 certified victims were identified by police; the previous year the government certified eight trafficking victims, of which seven had been identified by police. Five of the 10 female sex trafficking victims were victimized in Armenia and the rest were victimized in the UAE. The government partially funded one of the two NGOs that sheltered 20 victims, of which 14 were newly identified. The short-term shelter provided support to nine victims and the longer-term shelter provided assistance to 29 victims, of whom 11 were referred in 2012. The government provided all victims legal, medical, and psychological help. Authorities

also included victims in different social, educational, and employment projects, and provided housing. Four trafficking victims received free medical assistance, ranging from clinical examinations to surgery, through a government program for vulnerable persons. Due to security concerns, adult victims were required to notify staff when they left NGO shelters unescorted, but were free to leave if they no longer wanted assistance. Services were equally available to female and male victims. Based on the small number of minor victims, there was no special shelter for them, but when required, minor victims could be housed in a trafficking shelter or referred to a child care institution. Although none were identified in 2013, previously identified foreign victims were provided temporary residency permits and allowed to work in Armenia; in previous reporting periods the government did not deport foreign victims. The government spent the equivalent of approximately \$72,000 for assistance and counseling of children leaving child care institutions as well as the equivalent of approximately \$6,800 for scholarships and lump sum assistance, which were similar to previous years. Reforms to address difficulties the Labor Inspectorate had experienced in identifying victims of forced labor, including the unification of all state inspectorates, were not finalized in 2013. All victims officially recognized by the government assisted police with trafficking investigations. During the last several years many victims gained greater trust in law enforcement when witnessing ongoing efforts to investigate their cases and prosecute the offenders. There were no reports in 2013 of identified trafficking victims being inappropriately detained; they were exempted from criminal prosecution for crimes they were forced to commit as a result of their victimization.

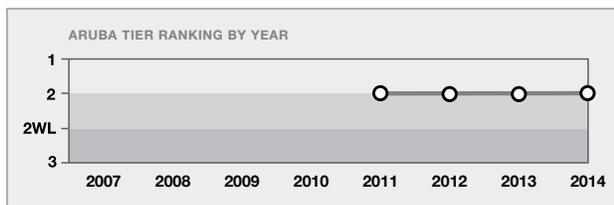
PREVENTION

The Government of Armenia continued to demonstrate robust trafficking prevention efforts. The government spent the equivalent of approximately \$19,400, the same amount as the previous year, to increase public awareness of human trafficking, funding public service announcements, which included messages aimed at reducing demand for commercial sex acts; a television program on trafficking; and targeting youth in 15 cities across Armenia with seminars and role-playing scenarios. Government agencies continued to undertake a variety of prevention activities, including an anti-trafficking media contest with a cash prize designed to improve professional journalism and the broadcasting of anti-trafficking public service announcements and other programs on national and regional stations during peak viewing periods. The government also provided trafficking awareness training to labor inspectors, social workers, NGOs, educators, media, and students. The Ministerial Council to Combat Trafficking in Persons, chaired by the Deputy Prime Minister, and the Inter-Agency Working Group against Trafficking in Persons continued to meet regularly and to coordinate the implementation of the government's anti-trafficking action plan in strong partnership with NGOs and international organizations. Both NGOs operated hotlines, which were advertised nationally through all forms of media as well as awareness-raising campaigns at various events. In 2013, the police added an anti-trafficking component to their hotline for migration-related calls; this number was advertised on their daily television program. The government regularly published reports of its anti-trafficking activities during the reporting period. The government provided anti-trafficking training to Armenian troops before their deployment overseas on international peacekeeping missions.

ARUBA (Tier 2)*

Aruba is a destination and source country for women and men subjected to sex trafficking and forced labor. Those at greatest risk continue to be foreign women in Aruba's commercial sex trade, and foreign men and women in the service and construction industries. Specific at-risk communities include Chinese men and women working in supermarkets, Indian men in the jewelry sector, and Caribbean and South American women in domestic service. A 2013 international organization report identified Aruba's regulated and unregulated prostitution sectors, domestic workers, and small retail shops as the groups and sectors most susceptible to trafficking. This report also noted some children may be vulnerable to trafficking, including children providing sexual favors and/or companionship for money and gifts; third-party prostitution of children under the age of 18 is a form of human trafficking. The report also noted a trafficking case involving an Aruban girl studying in the Netherlands and media reports of Aruban women allegedly subjected to debt bondage in the Netherlands.

The Government of Aruba does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made progress in its anti-trafficking law enforcement efforts in 2013 by convicting two trafficking offenders, marking the first convictions under Aruba's human trafficking statute. The government has yet to formalize standard operating procedures to guide all front-line responders in the proactive identification of trafficking victims and their referral for care; its approach to trafficking victim identification and protection remained *ad hoc*. The government did not initiate any new prosecutions during the reporting period.



RECOMMENDATIONS FOR ARUBA:

Proactively identify trafficking victims among all vulnerable groups in Aruba, including domestic workers, migrants in construction and retail shops, and women in the sex trade and on adult entertainment visas; formalize standard operating procedures on the identification and referral of trafficking victims for all front-line responders; widely disseminate these procedures to encourage their use by immigration officials, NGOs, health workers, labor inspectors, and other officials; vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; take steps to ensure that weekly medical check-ups for foreign women in the regulated prostitution sector include screening for trafficking indicators; systematically provide information to all immigrant populations upon their arrival in Aruba so they are familiar with their rights and where to go for help; provide the anti-trafficking committee with an independent budget and provide resources to enable the national coordinator to improve overall anti-trafficking response; and develop ways to educate clients of the sex trade about trafficking.

PROSECUTION

The Government of Aruba demonstrated significant progress in its anti-trafficking law enforcement efforts by convicting and sentencing two trafficking offenders in 2013. Aruba prohibits all forms of trafficking in persons through Articles 203a and 286a of its criminal code, which prescribe penalties for trafficking offenses ranging from four to 15 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. In November 2013, an Aruban court convicted and sentenced two traffickers under Article 286a to five and four-and-a-half years' imprisonment, respectively. The court convicted the trafficking offender who received four-and-a-half years' imprisonment in *absentia*; the other perpetrator remains in prison.

During the year, the government reported the referral of five new suspected trafficking cases to the national anti-trafficking coordinator for further action. Of these cases, the government initiated one new trafficking investigation in Aruba involving one victim and at least two alleged offenders. Authorities referred another investigation to authorities in Bonaire. This represents an increase from the previous year, when the government did not launch any trafficking investigations. The government did not initiate any new prosecutions in 2013; two cases from previous years remained pending. The government did not report any investigations or prosecutions of public officials allegedly complicit in human trafficking-related offenses. In an apparent conflict of interest, security for sex trade establishments was reportedly sometimes provided by off-duty police officers, which experts note could inhibit law enforcement's willingness to investigate allegations of human trafficking in the sex trade and could prevent victims from reporting trafficking crimes. Aruban police officers reportedly also frequent the services of women in prostitution, which could also deter victims from coming forward. The government reported that adequate funding and staffing for police remained an ongoing challenge. Aruba continued to incorporate human trafficking awareness into the police academy curriculum in 2013.

PROTECTION

The Government of Aruba sustained its victim protection efforts in 2013. The government identified two potential trafficking victims during the reporting period; the government identified one potential victim in 2012. The potential victim identified in connection with the Bonaire case reportedly left Aruba before the case was reported. In the second case, the government provided the victim with emergency shelter, food, clothing, and financial and immigration assistance. The government had informal, verbal agreements with local NGOs and private sector accommodations for sheltering adult victims; the government lacked a formal referral mechanism to guide officials on the identification of trafficking victims and where to refer victims them for care. The government reported victims were permitted to leave shelters unchaperoned after conducting a risk assessment. Aruba's anti-trafficking taskforce continued to provide law enforcement and social services officials with a checklist of the 10 most common signs of human trafficking. Although police and health department officials inspected bars in Aruba with regulated prostitution, these inspections did not include an assessment of trafficking indicators, nor were these checks conducted during prime hours of operation. Further, although labor inspectors reportedly inspected work

* Aruba is a semi-autonomous entity within the Kingdom of the Netherlands. The Kingdom Charter divides responsibility among the co-equal parts of the Kingdom based on jurisdiction. For the purpose of this report, Aruba is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how Aruba would be assessed if it were a separate, independent country.

sites where vulnerable migrants were present, they did not undertake screenings for trafficking indicators. The government reported that it encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders and did not charge victims for crimes committed as a direct result of being trafficked. According to Aruban officials, the government has the authority to provide identified trafficking victims relief from immediate deportation and work permits for a maximum of six months; however, it granted no such relief to any trafficking victims in 2013.

PREVENTION

The government sustained prevention efforts during the reporting period. The anti-trafficking taskforce, via its national coordinator, continued to coordinate Aruba's anti-trafficking efforts and prevention activities in 2013. During the year, the taskforce began drafting a 2014-2018 action plan on human trafficking. The plan will incorporate key findings and recommendations from an expert regional report published in 2013 titled, "A Situational Analysis of Aruba's Response to Human Trafficking." The government partnered with IOM to produce the donor-funded report, which resulted in increased transparency about anti-trafficking efforts in Aruba. Aruba continued to promote a human trafficking awareness campaign, which included posters and flyers in four languages targeted to both victims and the general public and linked to a hotline with operators trained to assist trafficking victims. The government took no steps to reduce the demand for commercial sex acts during the reporting period. There were no known reports of child sex tourism occurring in Aruba or of Arubans participating in international sex tourism.

AUSTRALIA (Tier 1)

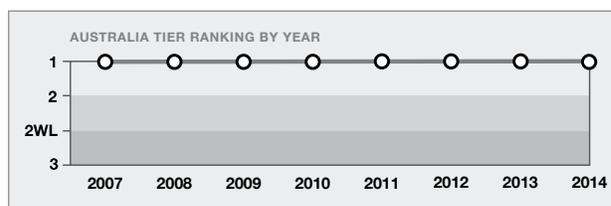
Australia is primarily a destination country for women subjected to forced prostitution and, to an increasing extent, for women and men subjected to forced labor. Child sex trafficking occurs with a small number of Australian citizens, primarily teenage girls, as well as foreign victims, exploited within the country. Some women from Thailand, Malaysia, the Philippines, South Korea, China, and to a lesser extent India, Vietnam, Indonesia, Eastern Europe, and Africa migrate to Australia voluntarily intending to work legally or illegally in a number of sectors, including the sex trade. Subsequent to their arrival, some of these women are coerced into prostitution. These foreign women and girls are sometimes held in captivity, subjected to physical and sexual violence and intimidation, manipulated through illegal drugs, and obliged to pay off unexpected or inflated debts to their traffickers. There were reports of some victims of sex trafficking and some women who migrated to Australia for arranged marriages being subsequently subjected to domestic servitude. In 2013, there were reports of an Australian female victim subjected to sex trafficking in the United States and other countries.

Men and women from several Pacific Islands, India, China, South Korea, and the Philippines are recruited to work temporarily in Australia. After their arrival, some are subjected by unscrupulous employers and labor agencies to forced labor in agriculture, horticulture, construction, cleaning, hospitality, manufacturing, seafaring, and domestic service. They may face confiscation of their travel documents, confinement on the employment site, threats of physical harm, and debt bondage through inflated debts imposed by employers or labor agencies. Most often,

traffickers operate independently or are part of small organized crime networks that frequently involve family and business connections between Australians and overseas contacts.

The majority of identified victims were individuals on student visas in Australia. Many foreign students in the country spend significant sums in placement and academic fees. Some foreign students work in housekeeping, restaurants, and other service industries and are subject to a restriction of working a maximum of 20 hours per week under their visas. Unscrupulous employers coerce students to work in excess of the terms of their visas, which makes them vulnerable to trafficking because of their fears of deportation for immigration violations. There were reports that some foreign diplomats subjected household staff to forced labor in Australia.

The Government of Australia fully complies with the minimum standards for the elimination of trafficking. During the year, the government continued to prosecute a modest number of trafficking cases and convicted one offender. The government enacted legislation that enhanced protections for witnesses in trafficking cases, such as through granting the ability to provide testimony by video, and it continued to identify and refer victims to the government-funded support program. The government continued robust efforts to combat child sex tourism, including through prosecuting six cases and convicting three Australian nationals who committed this crime overseas.



RECOMMENDATIONS FOR AUSTRALIA:

Vigorously prosecute, convict, and stringently sentence traffickers, with increased focus on labor trafficking; continue to increase efforts to train police, local councils, health inspectors, diplomats, and other front-line officers to recognize indicators of trafficking, and respond to suspected cases of both sex and labor trafficking; enhance and utilize formal mechanisms for government agencies that deal with labor violations to refer cases with elements of trafficking to law enforcement officials to consider criminal prosecutions; continue to strengthen efforts to proactively identify trafficking victims among vulnerable groups, such as migrants arriving in the country without documentation, through methods other than immigration compliance actions; consistently employ multidisciplinary groups of law enforcement officers and social service providers when planning to conduct initial screening interviews with potential victims; consider ways to streamline and expedite visa processes for trafficking victims; continue to ensure all victims have access to a full suite of protective services; sustain and increase funding to NGOs for the provision of protection services and the implementation of awareness campaigns, particularly among rural communities and migrant populations that are not easily accessed through mainstream media; consider establishing a national compensation scheme for trafficking victims; consider appointing an ambassador dedicated to addressing human trafficking issues worldwide; and develop a targeted campaign to raise awareness among clients of Australia's legal sex trade about the links between prostitution and trafficking.

PROSECUTION

The Government of Australia increased investigations and prosecutions of human trafficking offenses. Australia prohibits sex and labor trafficking and trafficking-related offenses through divisions 270 and 271 of the Commonwealth criminal code, which prescribe maximum penalties of 12 to 25 years' imprisonment and fines of up to the equivalent of \$152,000. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. Through the 2013 Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act, it amended the criminal code and addressed gaps in previous legislation, most notably by including specific prohibitions of forced labor and prescribing sufficiently stringent penalties of nine years' imprisonment for this offense. The legislation also expanded the definition of coercion to include non-physical forms such as psychological oppression, abuse of power, and taking advantage of a person's vulnerability. The Migration (Employer Sanctions Amendment) Act of 2007 prohibits exploiting migrant employees through forced labor, sexual servitude, or slavery and prescribes penalties of up to five years' imprisonment and various fines; these also are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Child prostitution is criminalized by state and territorial laws.

The Australian Federal Police (AFP) initiated 46 investigations in 2013, an increase from 29 investigations in 2012. The government initiated prosecutions against six defendants, compared to three in 2012. In 2013, the government convicted one offender for subjecting Malaysian women to sex trafficking; one offender was also convicted in 2012. One sex trafficking prosecution was dismissed when the jury was unable to reach a verdict; a retrial is expected to occur in 2014. The punishment of a sex trafficking offender, convicted during the previous reporting period, was reduced from eight years and 10 months' imprisonment to six years and 10 months' imprisonment as the result of a successful appeal of the sentence. The majority of labor trafficking cases were addressed through civil mechanisms. The AFP continued to use specialized Human Trafficking Teams (HTT) to investigate suspected trafficking offenses. The government provided specialized training on human trafficking investigation procedures to 18 police and immigration officers. The government did not investigate, prosecute, or convict any Australian government officials for trafficking or trafficking-related criminal activities during the reporting period.

PROTECTION

The Government of Australia sustained efforts to provide protection to identified victims of trafficking, though the number of identified victims remained low. In 2013, the government and NGOs identified 21 trafficking victims, including 12 subjected to sex trafficking and nine subjected to labor trafficking. The AFP referred these victims to the government's victim support program. Victims in this program could typically access accommodation, living expenses, legal advice, health services, and counseling. Only the AFP could refer victims to the government's victim support program; NGOs provided support to additional victims who were either not recognized by the AFP or who chose not to communicate with law enforcement. Among those referred to the support program was one Australian victim subjected to sex trafficking in the United States and other jurisdictions. Fifty-five victims identified during previous years continued to receive government support services. The government provided the equivalent of approximately \$1 million to fund its victim support program.

There were no government-run shelters for trafficking victims and few trafficking-specific shelters in the country; most victims were initially placed in hotels that met security standards set by the AFP and the support program assisted victims participating in the criminal justice process to access longer-term housing solutions. The government encouraged victims to participate in trafficking investigations, and 92 percent of identified victims participated in an investigation or prosecution during the reporting period. In 2013, the government granted 14 Permanent Witness Protection (Trafficking) visas to victims and their immediate family members, which required contribution to an investigation or prosecution of a trafficking offense. However, local organizations expressed concern that lengthy delays in processing this type of visa could be a disincentive for victims to pursue the benefit. In 2013, the government enacted legislation that improved protections and rights for witnesses in some criminal proceedings, including cases of human trafficking; new provisions allow for victims to provide testimony by video within or outside Australia. Victims identified by authorities were not incarcerated, fined, or penalized for unlawful acts committed as a direct result of being trafficked.

The AFP updated its procedures for the identification of victims based on the 2013 amendments to the criminal code, which includes new definitions of forced labor, and officials followed formal procedures to proactively identify and refer to services victims involved in the legal sex trade. The majority of trafficking victims were identified through immigration compliance actions, an environment in which the fear of detainment and deportation could make victims reluctant to communicate with law enforcement officers. The government did not ensure social service professionals were present during initial screening interviews, although procedures were in place to bring in social service personnel when law enforcement officers determined they were needed. The government's efforts to identify and refer victims of forced labor were limited, and many front-line officers, particularly at the sub-national level, would benefit from additional training to identify indicators of trafficking, particularly labor trafficking. The government reported that immigration officers were trained to identify indicators of potential trafficking among undocumented migrants arriving by sea, although international observers expressed concerns that possible victims among boat crew members detained in Australia for people smuggling violations, including some children, may have remained unidentified. Victims could be eligible for compensation through state and territories' general crime victim schemes, but benefits varied by region and could only be granted on the basis of trafficking-related crimes, as trafficking is not a crime in state and territorial law. Few victims had access to this form of redress. NGOs reported concerns that victims were not always adequately informed about visa options and legal avenues available to individuals who wish to remain in Australia to pursue compensation or civil remedies.

PREVENTION

The Government of Australia continued to demonstrate strong efforts to prevent trafficking in persons. Government anti-trafficking efforts were coordinated by the interdepartmental committee, chaired by the Attorney General's Department, which produced an annual report on its efforts for parliament, and the national roundtable continued to serve as a consultative mechanism between the government and NGOs on trafficking issues. The government continued to fund the Australian Institute of Criminology to conduct research on human trafficking in Australia and Asia. In May 2013, the government established

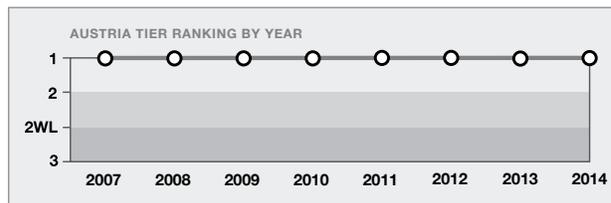
two working groups to supplement its national roundtable consultative process; one group will develop and implement a human trafficking awareness and communication strategy, and the other will develop recommendations for policies to address slavery in supply chains. In May 2013, an interagency group provided a briefing on indicators of human trafficking and avenues for assistance under Australian law for foreign diplomats in Canberra. The Fair Work Ombudsman conducted awareness campaigns and pursued civil efforts through the courts for workplace violations such as underpayment of wages; however, none of the cases it investigated were referred to the AFP or the Department of Immigration and Border Protection for criminal investigation of potential forced labor.

Australia continued to fund anti-trafficking activities in the Asia-Pacific region. AFP HTT officers conducted a two-week human trafficking training course in Thailand for law enforcement officials and social service providers from across Southeast Asia. The government conducted numerous programs to combat child sex tourism including, in May 2013, an AFP-conducted symposium on the commercial sexual exploitation of children in travel and tourism for attendees from numerous Pacific island nations. It continued to distribute materials to Australian passport applicants outlining the application of Australian child sex laws to Australians overseas. The Australian government prosecuted six cases of child sex tourism under extraterritorial provisions and convicted three offenders. The government did not take significant steps to reduce the demand for commercial sex acts, but continued to undertake specific efforts to raise awareness of and prevent trafficking within its legal sex trade.

AUSTRIA (Tier 1)

Austria is a destination and transit country for men, women, and children subjected to trafficking in persons, specifically sex trafficking and forced labor. The vast majority of identified victims of trafficking are women and girls forced to engage in Austria's sex trade. Victims primarily originate from Romania, Bulgaria, Hungary, the Slovak Republic, the Czech Republic, Ukraine, and, to a lesser extent, China, Nigeria, the Middle East, North Africa, Southeast Asia, and South America. Forced labor also occurs in the agricultural, construction, and catering sectors. Authorities identified trafficking victims among the growing population of unaccompanied minor asylum seekers, including the forced begging of children from Syria, Afghanistan, and North Africa. Physically and mentally disabled persons and Roma children were also victims of forced begging.

The Government of Austria fully complies with the minimum standards for the elimination of trafficking. The toughening of sentencing structures addressed a major concern in Austria's law enforcement response. The government devoted more resources during this reporting period to identifying and assisting men who are victims of forced labor, although authorities did not provide them with housing. Austrian officials also undertook considerable effort to sensitize law enforcement on the state, national, and international levels to trafficking in persons, as well as conducting extensive public outreach. The government continued to identify and refer trafficking victims for victim-centered assistance in partnership with NGOs. The government demonstrated proactive efforts to identify and prevent domestic servitude in diplomatic households. The government's conviction rate for trafficking offenders charged under its trafficking law increased slightly during the reporting period.



RECOMMENDATIONS FOR AUSTRIA:

Continue to aggressively prosecute and convict trafficking offenders; continue to ensure more trafficking offenders receive sentences that are proportionate to the gravity of the crime; establish and formalize a nationwide trafficking identification and referral system, including in reception centers for asylum seekers; provide housing at shelters for men who are victims of trafficking; continue efforts to sensitize the judiciary about the challenges victims of human trafficking face in testifying against their exploiters; solidify the standard operating procedures for victim identification and referral; implement screening procedures for identifying victims of human trafficking among deportees; increase the assistance available to men who are victims of human trafficking; provide more specialized assistance throughout the country for children who are victims of human trafficking; review standard operating procedures for the issuance of residency permits for victims of human trafficking who agree to testify, particularly EU nationals who do not meet the criteria for residence; step up training and local outreach efforts to proactively identify trafficking victims among children in prostitution and men working in agriculture, construction, and other sectors where foreign migrants are vulnerable to exploitation; continue to ensure victim protection organizations have access to potential trafficking victims in brothels in the legal sector; continue to proactively refer child trafficking victims, including minors in prostitution, to care and ensure they are not treated as offenders; and continue a targeted campaign for clients in the prostitution sector to alert them to the links between prostitution and trafficking.

PROSECUTION

The Austrian government sustained a vigorous level of law enforcement efforts. The law was amended to include a more comprehensive enumeration of forms of exploitation (explicitly including begging, benefiting from criminal activities committed by other persons, etc.) and to increase the penalties for the basic offense in Article 104(a)(1) from a maximum of three years' imprisonment to a maximum of five years' imprisonment. It also increased the maximum term of imprisonment for trafficking of children between the ages of 14 and 18 years to 10 years' imprisonment.

Overall convictions for trafficking offenders increased slightly. The government prohibits both sex trafficking and labor trafficking under Article 104(a) of the Austrian criminal code, but continued to use primarily Article 217, which prohibits the transnational movement of persons for prostitution, to prosecute suspected traffickers. Paragraph 1 of Article 217 prohibits the movement of people into Austria for prostitution and Paragraph 2 prohibits the use of deception, threats, or force in the transnational movement of persons for prostitution. Article 104 criminalizes "trafficking for the purpose of slavery" and prescribes penalties ranging from 10 to 20 years' imprisonment. Penalties prescribed in Article 104(a) range up to 10 years' imprisonment, while penalties prescribed in Article 217 range

from six months' to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The government reportedly investigated 192 trafficking cases in 2013; 112 under Article 217; 72 under Article 104(a); and eight under Article 104; there were 134 trafficking investigations in 2012. Four of the victims in cases filed under Article 217 were minors and 15 of the victims in cases filed under Article 104(a) were minors; no minor victims were involved in cases under Article 104. The government prosecuted 40 offenders in 2013: 29 under Article 217, 11 under Article 104(a), and none under Article 104. The government prosecuted 45 offenders in 2012: 38 under Article 217, six under Article 104(a), and one offender under Article 104. Austrian courts convicted 20 offenders in 2013: 18 under Article 217, two under Article 104(a), and none under Article 104. Austrian courts convicted 17 offenders under Article 217 in 2012, and none under Articles 104 and 104(a).

In 2012, two offenders were sentenced to more than five years' imprisonment; four were sentenced to one to five years' imprisonment; nine received partial suspended sentences; and two received partially suspended sentences resulting in jail time of one month to one year. In January 2014, a man received a six-year sentence under the revised sentencing laws for pimping, rape, and trafficking in St. Poelten. Investigations and court proceedings for four of the five cases of labor exploitation concerning foreign diplomats were suspended until such time as the suspects are no longer protected by diplomatic immunity. In the other case, the equivalent of approximately \$4,800 was awarded to a victim in a civil suit against a diplomat who no longer was in Austria and therefore not protected by diplomatic immunity. The government took steps to address trafficking perpetrated by diplomats posted in Austria, despite challenges diplomatic immunity posed.

Although Paragraph 1 of Article 217 does not require the use of means, such as deceit or force, to prove transnational movement of persons for prostitution, approximately half of those convicted under this statute meet all of the trafficking elements; in the other half, illegal means are suspected, but evidence was insufficient to prove them in court. Experts observed that some criminal investigations against trafficking offenders who victimized Nigerian nationals were dismissed, despite the availability of victim testimony. The government reported domestic workers intending to work for diplomats increasingly applied for tourist visas, in an attempt to evade government scrutiny. The Government of Austria did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The Government of Austria maintained a high standard of assistance to female trafficking victims, but continued to lack sufficient services for male trafficking victims. It proactively identified trafficking victims and implemented its policy of granting trafficking victims access to the Austrian labor market. An NGO that worked closely with the government identified 261 women and children subjected to trafficking in 2013, and one government official estimated there were also a small number of male labor trafficking victims; the government, in coordination with NGOs, identified 242 trafficking victims in 2012. The government funded a specialized anti-trafficking NGO that provided 103 trafficking victims with psychological and legal assistance in 2013. Female victims were provided

housing, psycho-social assistance, and legal services and were not detained involuntarily; male victims received counselling services, but not housing. The government provided this NGO the equivalent of approximately \$732,000 in 2013, which was slightly more than in the previous year. On behalf of the Social Affairs Ministry, the NGO guided a qualitative and quantitative analysis of male trafficking victims in Austria. According to the study, risk sectors include the construction, cleaning, agriculture, prostitution, and gastronomy industries.

The government provided foreign victims with legal alternatives to their removal through its 2009 Residence and Settlement Act, and in 2013 issued six new residency permits to victims and six extensions under Article 69(a). Residence permits were generally granted for a period of one year. The government granted victims who hold residence permits unconditional access to the Austrian labor market. Austrian law encouraged victim cooperation by allowing for residency and work permits. Victims could file civil suits for compensation against traffickers. Victims could testify via video conference or provide anonymous depositions and witness protection programs, including a high-risk witness protection program, allowed victims to retain anonymity in testifying. In one case, the government permitted a victim's child to travel to Austria to forestall threats against the victim's family. The Justice Ministry reported 103 victims assisted in prosecutions during 2013. This number remained low due to fears of retaliation. A government-subsidized NGO encouraged and assisted trafficking victims to seek compensation through civil suits, including compensation for non-material damages. Four victims won civil suits in 2013 and collected judgment awards under Article 217. The Federal Criminal Police Office conducted a forensic project to conduct detailed medical examinations of trafficking victims at special hospital units shortly after the identification of victims to obtain evidence for future legal proceedings. During the year, experts cited inconsistencies in legal residency options. The "special protection" residency permit for victims of human trafficking who testify against their traffickers does not apply to non-Austrian citizens of the EU, who must meet a minimum income requirement to legally remain in the country for the duration of the trial. Funding for voluntary repatriation was also not provided for identified trafficking victims. Austria has made considerable effort to address concerns voiced in the 2011 Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) report by intensifying law enforcement cooperation with countries of origin, increasing efforts to identify child victims, and creating a working group to improve identification methods. The government's regulation of Austria's sizable, legal commercial sex sector included weekly health checks for sexually transmitted infections and periodic police checks of registration cards. The police continued screening women in prostitution for trafficking indicators using various manuals on trafficking and victim identification—including a pocket card developed in coordination with NGOs—that listed the main indicators for identifying victims of trafficking. Most trafficking victims declined to cooperate with authorities due to fears of retaliation. The government funded Vienna's specialist center for unaccompanied minors; many of the 202 child victims assisted in 2013 were likely subjected to trafficking. Although the government reported an internal policy shielding victims from punishment for unlawful acts committed as a direct result of being trafficked, an NGO reported in a previous reporting period that some Nigerian trafficking victims were deported.

PREVENTION

The Government of Austria continued to devote considerable resources to prevent human trafficking, with increased emphasis on child and labor exploitation. The government published a report in September 2013 in response to the GRETA findings, documenting how it is in compliance with the Council of Europe Convention on Action Against Trafficking. The Trafficking Task Force has formed three working groups (prostitution, child trafficking, and labor exploitation) to discuss and recommend policy and legal changes. Actions directly initiated through the taskforce include intensified cooperation between federal and provincial authorities, expanded training, increased public awareness, statutory changes enabling police surveillance for suspicions of pimping, and improved statistical collection. In particular, tabulation of trafficking cases is no longer limited to classification by the leading charge. As a result, trafficking statistics capture all cases in which one of the charges is for trafficking.

The government organized and/or supported numerous public awareness events and programs. Austria hosted several international conferences dealing with the subject of trafficking. For EU Anti-Trafficking Day in October 2013, the Foreign Ministry organized an international conference to discuss strategies to combat trafficking with a strong focus on labor trafficking. The government also subsidized several publications and television programs dealing with the issue of trafficking, and funded campaigns to inform women in prostitution and clients of the rights of women in prostitution under the law. The government also continued a series of school exhibitions to sensitize Austrian youth to trafficking. The exhibition was supplemented by a handbook for teachers that contained additional information on identifying victims of trafficking. The Interior Ministry continued to run a 24-hour trafficking hotline and email service. The Trafficking Task Force's working group on child trafficking distributed leaflets to various government authorities and the military.

The government continued to cooperate with Germany and Switzerland in the trilateral Campaign to Protect Children and Youth against Sexual Exploitation. The government screened videos to prevent child sexual exploitation in airports, outbound Austrian Airlines flights, tourism offices, train stations, hotels of the Accor group, and doctors' offices. Austria continued a campaign to encourage tourists and travel agencies to report cases of child sex tourism. The government did not undertake any awareness campaigns to reduce the demand for commercial sex acts in 2013, but did conduct awareness campaigns to sensitize clients of prostitution about sex trafficking. The government funded courses conducted by an anti-trafficking NGO to sensitize troops prior to their deployment on peacekeeping missions.

AZERBAIJAN (Tier 2)

Azerbaijan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Azerbaijani men and boys are subjected to conditions of forced labor in Russia and in Azerbaijan. Women and children from Azerbaijan are subjected to sex trafficking within the country and in the United Arab Emirates (UAE), Turkey, Russia, Iran, and Sweden. Some migrant workers from Turkey, as well as Turkmenistan, Uzbekistan, Afghanistan, the Philippines, Romania, India, and Ukraine are subjected to conditions of forced labor in Azerbaijan. Azerbaijan has been used as a transit

country for victims of sex and labor trafficking from Central Asia to the UAE, Turkey, and Iran. Within the country, some children, particularly those of Romani descent, are subjected to forced begging and to forced labor as roadside vendors and at tea houses and wedding facilities. Domestic servitude of Filipina victims in Azerbaijan is an emerging problem. Women from internally displaced persons settlements and street children—children released from correctional facilities, orphanages, and state-run boarding schools who end up homeless—are especially vulnerable to trafficking.

The Government of Azerbaijan 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 amended its trafficking laws to better conform to international law and continued to provide protection and reintegration services to trafficking victims. However, the government continued to identify only a limited number of foreign trafficking victims and did not demonstrate a sustained effort to thoroughly investigate companies that allegedly engaged in forced labor of migrant workers. Pervasive corruption also limited the effectiveness of anti-trafficking regulations and mechanisms.



RECOMMENDATIONS FOR AZERBAIJAN:

Strengthen efforts to identify foreign victims of labor trafficking by law enforcement and health practitioners within the country by creating standard operating procedures; increase law enforcement efforts against trafficking offenders, including individuals or companies that subject migrant workers to forced labor, and increase the number of convicted offenders who are sentenced to time in prison; improve communication among government agencies, including about victim referrals and potential cases; vigorously investigate and prosecute government officials allegedly complicit in human trafficking; increase funding to victim service providers and expand the network of providers outside Baku; provide sensitivity training to law enforcement officers, prosecutors, and the judiciary, including on how to work with trafficking victims who experienced psychological trauma; educate judges on the legal definition of human trafficking; and target public awareness campaigns to foreign migrant workers, describing indicators of human trafficking and avenues to seek help.

PROSECUTION

The Government of Azerbaijan increased law enforcement efforts by toughening its anti-trafficking laws with new legislation and increasing law enforcement efforts against labor trafficking during the reporting period. Azerbaijan's 2005 Law on the Fight against Trafficking in Persons and Article 144 of the criminal code prohibit sex trafficking and forced labor, and prescribe penalties of five to 15 years' imprisonment, punishments which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In April and May 2013, the government amended Article 144 of the criminal code to bring it in line with international law, by removing cross-

border transport as a necessary element of the crime, increasing penalties for forced labor, clarifying that means of force, fraud, or coercion need not be demonstrated to prove the crime of sex trafficking of children, and establishing criminal liability for identity document fraud if committed for the purpose of trafficking in persons.

The government reported four labor trafficking investigations and 17 sex trafficking investigations in 2013, an increase from two labor trafficking investigations and 10 sex trafficking investigations in 2012. In addition, it reported prosecuting two defendants for labor trafficking, including its first case on behalf of a Filipina domestic worker exploited in Azerbaijan, and 15 defendants for sex trafficking crimes in 2013, compared with two prosecutions for labor trafficking crimes and 12 defendants prosecuted for sex trafficking in 2012. The government reported that it convicted five traffickers in 2013, compared with 12 in 2012. The government did not report sentencing information for trafficking cases.

Systemic corruption in Azerbaijan hindered anti-trafficking efforts. Civil society groups continued to report that law enforcement bodies did not adequately investigate accusations of forced labor in the construction sector for fear of recrimination by influential figures, including government officials. Local police were accused in a previous reporting period of accepting bribes from brothels, some of which had sex trafficking victims, to ignore those businesses' illegal activities. The Government of Azerbaijan investigated one case of forced labor of a Filipina domestic worker in the home of a politically connected businessman, although charges had not been filed as of the close of the reporting period. Despite these allegations, the Government of Azerbaijan did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The Government of Azerbaijan made some progress during the reporting period to protect and assist victims of trafficking, although funding for NGOs was insufficient, and the failure to identify foreign labor trafficking victims remained a concern. The Ministry of Internal Affairs' (MIA) Anti-Trafficking Department (ATD) created a list of indicators for identifying trafficking victims—investigators referred to the list to determine whether there were enough indicators present in a potential case to move forward with a criminal investigation—but did not develop formal standard operating procedures to distribute to government agencies and NGOs. In 2013, the government certified 15 men and one woman as labor trafficking victims and 40 women as sex trafficking victims, compared with 17 male labor trafficking victims and 36 female victims of sex trafficking in 2012. The ATD reported that 19 Azerbaijanis were victims of trafficking in Turkey, 16 in the UAE, 15 in Russia, and one in Iran. One NGO assisted 97 trafficking victims, some of whom were not counted as part of the government total. Of the officially recorded victims, 37 received temporary shelter at a government facility, where they received medical and psychological treatment. Fifty victims, including two sex trafficking victims from Uzbekistan, received a stipend equivalent of approximately \$510, and 13 received some form of financial compensation from the Victim's Assistance Fund. Twenty-two victims received employment assistance, and 21 were sent to vocational schools for training. The Labor Ministry's Center for Assistance to Victims of Trafficking reported that it

provided rehabilitation and reintegration services to 44 victims referred by the MIA and 18 victims referred by NGOs (a total of 62 people) in 2013. Of the victims who sought the Center's services, 11 victims were provided with jobs, three people were offered training, two people received financial assistance, seven people were provided with shelter, eight people were offered psychological assistance, four people received medical aid, and six people received legal assistance. Provision of these services was not contingent upon a victim's agreement to participate in a law enforcement investigation, according to authorities. In 2013, the ATD assisted 62 victims of human trafficking, compared with 53 victims assisted in 2012. Of those victims, 43 received temporary shelter at a government-run facility, which adult victims could reportedly enter and leave freely. Eleven of the victims were provided with employment, two received financial aid, eight received psychological support, six received legal consultation, and three attended professional training courses. Questions were raised about the effectiveness of the rehabilitation and reintegration programs as they reportedly lacked funding.

The government reported identifying one case involving the trafficking of a minor for sexual exploitation, two cases involving the recruitment of minors for prostitution, and one case of foreign labor trafficking. The government did not ensure victims of trafficking were not penalized for unlawful acts committed as a direct result of their being trafficked. According to reports, authorities in May 2013 arrested a group of 53 people (45 women and eight men) working in prostitution in a Baku club. Many of the detained were Uzbek minors (aged 16 and 17), which should have automatically merited their designation as human trafficking victims; it is unknown what punishments the girls received or how long they were detained.

The MIA ATD drafted new memoranda of understanding to improve interagency cooperation for the victim referral process, which had hindered victim identification and protection. The government did not report how much funding it devoted to anti-trafficking efforts. In July 2013, the MIA, as the lead anti-trafficking agency, renewed its memorandum of understanding with the NGO Coalition against Human Trafficking through 2018. Under the agreement, the MIA routinely refers victims and potential victims to NGO partners for shelter and other assistance services. The ministry does not, however, provide any funding to the NGO partners that provide shelter and other services. Multiple NGOs reported that they are in danger of closing due to a lack of funding.

In September 2013, the Cabinet of Ministers approved amendments to the anti-trafficking law on the repatriation of foreign victims of trafficking that allowed for the provision (upon the victims' request) of temporary residence permits to recognized victims for up to one year (Article 2.3). In practice, application has been mixed at best; three foreign victims were granted documents but not permitted to obtain work permits or rent their own housing. According to the legislation on repatriation approved by the Cabinet of Ministers in September 2013, if at the end of the automatic one-year stay of deportation granted to every recognized foreign trafficking victim, the victim decides to actively assist with the criminal investigation/proceedings, that victim may stay in Azerbaijan, without penalty, until the criminal proceedings are complete. In practice, though, victims may feel pressure to leave the country, despite actively cooperating with the investigation. Identified foreign trafficking victims are provided assistance repatriating to

their country of origin or, if they would face danger as a result, going to another country.

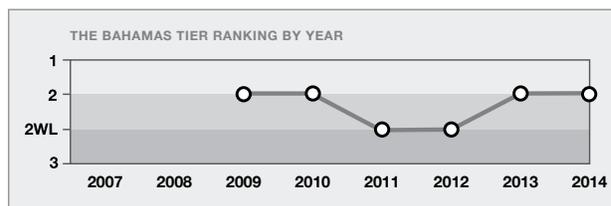
PREVENTION

The Government of Azerbaijan continued progress in its trafficking prevention efforts during the reporting period. Most of the government-supported awareness campaigns targeted potential trafficking victims. The ATD conducted awareness-raising activities in 44 cities, distributed anti-trafficking posters and video clips, and maintained a hotline. The government's existing National Action Plan to Combat Trafficking officially expired at the end of 2013 but will remain in effect until the follow-on plan comes into force. The ATD took the lead in drafting the follow-on National Action Plan (2014-2018), in consultation with international organizations, the NGO Coalition, the public, and others. The draft plan stipulates that shelters be established for youth recently released from correctional facilities—because this is a population vulnerable to trafficking—and that government workers attend anti-trafficking training. It also provides for increased protection of witnesses and includes plans to expand shelter and victims' assistance facilities outside of Baku. The government neither reported any measures taken during the reporting period to reduce the demand for commercial sex and forced labor, nor undertook any measures during the reporting period to specifically address Azerbaijani nationals' participation in international and domestic child sex tourism.

THE BAHAMAS (Tier 2)

The Bahamas is a destination, source, and transit country for men, women, and children subjected to forced labor and sex trafficking. Migrant workers are especially vulnerable to involuntary servitude in The Bahamas, particularly the thousands of Haitians who arrive in The Bahamas largely voluntarily to work as domestic employees and laborers. Other large, vulnerable, migrant worker communities are from China, Jamaica, and the Philippines. There were reports during the year that some U.S. nationals who were locally employed had their movement restricted and passports taken, activities indicative of human trafficking. There were also some anecdotal reports that passports were taken and movement restricted among some non-migrant Chinese workers. Children born in The Bahamas to foreign-born parents do not automatically receive Bahamian citizenship and face potential discrimination and vulnerability to trafficking. Economic migrants transiting through The Bahamas were vulnerable to trafficking. Groups especially vulnerable to sex trafficking in The Bahamas include foreign citizens in prostitution or exotic dancing and local children under 18 engaging in sex with men for basic necessities such as food, transportation, or material goods; third-party prostitution of children under 18 is a form of human trafficking.

The Government of The Bahamas does not comply fully with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government successfully convicted a trafficker during the reporting period, marking the first conviction for human trafficking in The Bahamas. Further, it launched its second prosecution under its anti-trafficking law, investigated an official for alleged trafficking-related complicity, and continued to implement its victim-centered assistance protocol for identified trafficking victims. Victim identification among vulnerable populations in the country remained low.



RECOMMENDATIONS FOR THE BAHAMAS:

Prosecute, convict, and punish trafficking offenders; use the victim identification and referral protocol more frequently to identify potential victims of forced labor and forced prostitution and provide them with protection and assistance; continue to implement protocols to take potential trafficking victims to a safe location while conducting victim identification interviews, as victims often first appear as immigration or prostitution violators and are reluctant to disclose details of their exploitation in a detention setting or post-raid environment; make efforts to involve independent interpreters when conducting inspections of migrant worker labor sites, and conduct private interviews of workers to enhance their ability to speak openly; continue to build partnerships with NGOs to increase grassroots outreach with potential trafficking victims among vulnerable groups; develop a nationwide public awareness campaign to educate the public and officials about human trafficking, its distinctions from human smuggling, and its manifestations in the Bahamas.

PROSECUTION

The Government of The Bahamas increased its anti-trafficking law enforcement efforts during the reporting period. All forms of human trafficking are prohibited by the Trafficking in Persons Prevention and Suppression Act of 2008, which prescribes penalties ranging from three years to life imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government reported 15 new forced labor and sex trafficking investigations, an increase from 10 in the previous reporting period. On March 26, 2014 the government convicted a sex trafficker, the first ever conviction for human trafficking in the country. The court has yet to sentence the defendant. The government launched a second prosecution under its trafficking law in a case involving two sex trafficking suspects. One alleged offender was placed in pre-trial detention; the other suspect remained at large. Notably, the government launched an investigation into trafficking-related complicity by a government official, but it did not report any prosecutions of government employees for such complicity. The government continued to provide in-kind assistance for anti-trafficking training provided by a foreign donor. The Royal Bahamas Defense Force and Royal Bahamas Police Force continued to require all new recruits to undertake a "Trafficking in Persons Awareness Training Module." Seventy-four new officers completed this government-funded training during the reporting period; the government initiated this training module for an additional 147 officers.

PROTECTION

The Bahamian government sustained efforts to protect trafficking victims. The government continued to implement a formal victim-centered protocol to guide front-line responders in how to identify human trafficking victims and refer them to available services during the reporting period. However, a UN expert noted concerns about the small number of trafficking victims formally identified in the country, observing that some trafficking victims

may not have been recognized among vulnerable populations. In 2013, the government identified one new sex trafficking victim and referred this victim for appropriate care and assistance. In addition to officially identifying one new trafficking victim, the government reported identifying 64 other potential forced labor and sex trafficking victims—both men and women—in connection with new investigations. However, the government did not indicate whether it referred all 64 potential victims to assistance providers. Some potential victims were interviewed while in police custody or in other detention-like settings.

The government reported spending the equivalent of approximately \$28,000 on trafficking victim care including housing, medical, psychological, and legal assistance. During the year, it provided assistance to a total of three adult sex trafficking victims in partnership with NGOs; two of the victims were identified in the previous reporting period. Victims were placed in independent housing rented by the government, and the government facilitated the safe and responsible repatriation for one identified victim in partnership with IOM. The government provided financial stipends to two trafficking victims in the amount equivalent of approximately \$750 and \$600, respectively, during the reporting period. The government provided the third victim with a refugee certificate to remain in The Bahamas while participating in a prosecution; this certificate enabled the victim to work legally in The Bahamas. The UN Special Rapporteur on Trafficking in Persons, however, reported victims had difficulty receiving a work permit and thus gaining access to the labor market, noting this posed an impediment to victim protection.

The government encouraged trafficking victims to assist in prosecutions and provided foreign victims with legal alternatives to their removal to countries in which they would face retribution or hardship. During the year, it funded the costs and provided an additional stipend for one previously repatriated victim to return to The Bahamas to assist law enforcement with the prosecution of the victim's alleged trafficker. The 2008 anti-trafficking act provided victims with immunity from prosecution for unlawful acts committed as a direct result of their being subjected to trafficking. However, in December 2013, the UN Rapporteur expressed concern about lack of victim identification and noted that the government's restrictive immigration policy may deter potential trafficking victims from reporting to authorities, resulting in their possible inadvertent arrest, detention, and deportation.

PREVENTION

The government increased prevention efforts and took important steps to inform the public and potential victims about trafficking. The government demonstrated commitment to transparency by inviting the UN Special Rapporteur on Trafficking in Persons to visit The Bahamas to assess progress and challenges in combatting human trafficking. The government published and disseminated pamphlets in various public venues to advise potential trafficking victims of their rights and inform them about available resources. It also aired public service announcements on television and radio throughout the country. The government's inter-ministerial committee to coordinate anti-trafficking policy met regularly, as did the government's trafficking taskforce, which was charged with ensuring operational coordination on trafficking cases. The government, in partnership with NGOs, drafted a national action plan on trafficking during the reporting period. Labor inspectors reportedly incorporated trafficking indicators in inspections of labor sites. However, the UN Rapporteur reported

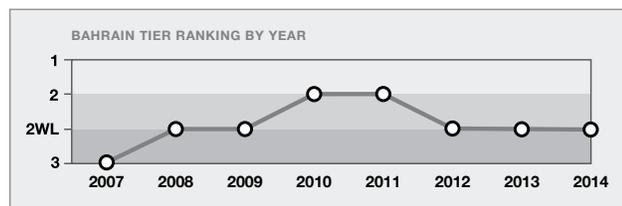
some labor inspectors are unable to carry out monitoring to assist in the identification of potential trafficking victims. The government did not have an awareness campaign targeted at potential clients of the sex trade or forced labor. Authorities did not consider child sex tourism to be a problem in The Bahamas during the reporting period and reported no child sex tourism investigations.

BAHRAIN (Tier 2 Watch List)

Bahrain is a destination country for men and women subjected to forced labor and sex trafficking. Men and women from India, Pakistan, Nepal, Sri Lanka, Bangladesh, Indonesia, Thailand, the Philippines, Ethiopia, Ghana, Kenya, Eritrea, Uzbekistan, and other countries migrate voluntarily to Bahrain to work as domestic workers or as unskilled laborers in the construction and service industries. In 2013, NGOs observed a greater influx of workers from Ethiopia. Some migrant workers face forced labor after arriving in Bahrain, experiencing unlawful withholding of passports, restrictions on movement, contract substitution, nonpayment of wages, threats, and physical or sexual abuse. NGOs report that Bangladeshi unskilled workers—especially men—are in particularly high demand in Bahrain and are considered to be exploitable since they do not typically protest difficult work conditions or low pay, nor is there a well-established Bangladeshi expatriate community to which workers can seek support and information about their rights. Domestic workers are also considered to be highly vulnerable to forced labor and sexual exploitation because they are largely unprotected under the labor law and are not required to register with the Bahrain government's Labor Market Regulatory Authority (LMRA). Government and NGO officials report that the physical abuse and sexual assault of female domestic workers are significant problems in Bahrain; strict confinement to the household, withholding of workers' identity cards and passports, and intimidation by employers prevent these workers from reporting abuse and restrict authorities from investigating such abuses.

Forced labor, debt bondage, and isolation have led to a high incidence of suicide among migrant workers in Bahrain; workers who committed suicide reportedly lost their jobs or had their salaries and passports withheld by employers or sponsors. In 2012, 40 suicides were reported among migrant workers in Bahrain, especially those from India; 25 suicides were reported among migrant workers in 2013. A 2011 study by the LMRA found that 65 percent of migrant workers had not seen their employment contract and that 89 percent were unaware of their terms of employment upon arrival in Bahrain. The LMRA study found that 70 percent of foreign workers borrowed money or sold property in their home countries in order to secure a job in Bahrain. Many labor recruitment agencies in Bahrain and source countries require workers to pay high recruitment fees—a practice that makes workers highly vulnerable to debt bondage in Bahrain. Some Bahraini employers illegally charge workers exorbitant fees to remain in Bahrain working for third-party employers (under the illegal "free visa" arrangement). In previous years, the LMRA estimated that approximately 20,000 migrant workers were in Bahrain under "free visa" arrangements under which employers apply for work visas for nonexistent jobs and then illegally sell them to migrant workers—a practice that can contribute to debt bondage—and approximately 52,000 others are working on expired or terminated visas. Women from Thailand, the Philippines, China, Vietnam, Morocco, Jordan, Syria, Lebanon, Russia, Ukraine, and other Eastern European states are subjected to forced prostitution in Bahrain.

The Government of Bahrain 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, Bahrain is placed on Tier 2 Watch List for a third consecutive year. The Government of Bahrain was granted a waiver from an otherwise required downgrade to Tier 3 because the 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. The government investigated, prosecuted, and convicted an increased number of trafficking offenders in 2013, in comparison to the previous reporting period; the number of investigations, half of which were forced labor cases, was higher than the previous reporting period. The government also continued to identify and refer victims to protection services, including government-run shelters. The government continued to implement awareness campaigns. Nonetheless, the government failed to prosecute or convict any forced labor offenders and frequently treated potential cases of forced labor as labor violations instead of treating them as serious crimes. Furthermore, potential trafficking victims—particularly domestic workers who ran away from abusive employers—continued to be arrested, detained, and deported for crimes committed as a direct result of being subjected to human trafficking. The government also did not finalize a formal trafficking victim identification procedure or guidelines for officials to refer suspected trafficking victims to protection services.



RECOMMENDATIONS FOR BAHRAIN:

Enforce the 2008 anti-trafficking law, and significantly increase the investigation and prosecution of trafficking offenses—particularly those involving forced labor—including convictions and punishment of trafficking offenders; ensure that identified victims of trafficking are not punished for unlawful acts committed as a direct result of being trafficked, such as illegal migration or prostitution; institute and apply formal procedures to identify victims of trafficking among vulnerable groups, such as domestic workers and women in prostitution; institute a formal victim referral mechanism for law enforcement and other government officials to refer identified victims to protection services; expand government-run shelters to provide protection services to all victims of trafficking, including victims of forced labor and male victims of trafficking, and ensure that shelter staff receive anti-trafficking training and speak the languages of expatriate workers; reform the sponsorship system to eliminate obstacles to migrant workers' access to legal recourse for complaints of forced labor; actively enforce labor law protections for domestic workers; continue to train officials on the anti-trafficking law and victim identification; and continue to publicly raise awareness of trafficking issues in the media and other outlets for foreign migrants, specifically domestic workers, in their native languages.

PROSECUTION

The government made some progress in its efforts to investigate, prosecute, and convict trafficking offenses. However, law enforcement efforts were hampered by lack of training of lower-level police officers, investigators, and prosecutors; the government frequently treated potential cases of forced labor as labor violations in labor court instead of treating them as serious crimes. Bahrain's anti-trafficking law, Law No. 1 of 2008, prohibits all forms of trafficking in persons and prescribes penalties ranging from three to 15 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Although withholding a worker's passport is illegal and carries a financial penalty under a ministerial order, a worker must file a complaint with the police who do not have the authority to enforce this law and can only refer a complaint to the court if the employer refuses to return the passport. According to NGO sources, employers often claimed that a worker's passport was lost. The government reported it investigated 30 trafficking cases, an increase from seven trafficking investigations in the previous reporting period; according to the Ministry of Foreign Affairs (MFA), 14 of these cases were forced labor investigations and 15 were sex trafficking. In 2013, the government prosecuted and convicted seven sex trafficking defendants; four of the convictions were cases initiated in 2012. The number of prosecutions and convictions in 2013 was an increase from three prosecutions and no convictions in the previous reporting period. Courts sentenced the seven convicted offenders to a range of two to five years' imprisonment.

The government did not prosecute or convict any potential forced labor offenders, even though NGOs and foreign embassy officials abundantly documented forced labor offenses. Cases of unpaid or withheld wages, passport retention, and other abuses—common indicators of trafficking—were treated as labor violations and taken to labor court. For example, in 2013, the labor court reviewed 225 out of 354 cases in which workers reported that their employers or sponsors withheld their passports and the Ministry of Labor (MOL) filed 36 complaints on behalf of foreign workers whose employers withheld their travel documents. However, authorities did not investigate any of these cases as potential forced labor offenses. Similarly, although the government received 927 labor court cases from workers whose employers withheld their wages, none of these cases were investigated under the criminal law as forced labor offenses. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. Bahraini government officials indicated there was a general lack of awareness of trafficking crimes among working-level police.

At the end of 2013, the LMRA established an anti-trafficking team, which worked with the office of the Public Prosecutor to refer suspected trafficking cases for judicial proceedings. The LMRA team referred eight suspected forced labor cases to the Public Prosecutor in December 2013, which were under investigation at the end of the reporting period; the LMRA also referred more than 40 suspected forced labor cases in February 2014. Additionally, in June 2013, the Ministry of Foreign Affairs—in cooperation with an international organization—organized an anti-trafficking workshop for over 200 law enforcement and judicial officials. In October 2013, the MFA organized an anti-trafficking seminar for representatives of religious ministries and officials from the Ministries of Interior and Labor, the LMRA, and local NGOs.

PROTECTION

The Bahraini government made some progress in improving identification of and protection for victims of trafficking. Nonetheless, the government continued to lack systematic procedures to identify victims among vulnerable groups, such as domestic workers who have fled abusive employers or women arrested for prostitution. The government also did not have policies to protect trafficking victims from punishment for crimes committed as a direct result of being subjected to human trafficking; trafficking victims were punished for employment or immigration violations and subjected to detention and deportation. For example, government and NGO contacts reported that some domestic workers who ran away from employers because of abuse or nonpayment of wages were sentenced to 10 days or more in jail and deported, particularly if an employer filed a criminal claim, such as theft, against the worker. Police investigating runaway workers' abuse claims are required to attempt to reach the employer three times before taking other actions. Some police stations reportedly followed up on an abuse claim immediately, while others let days or weeks lapse between attempts to contact the employer by phone. This failure to immediately investigate claims of abuse and potential trafficking crimes left victims at risk of further exploitation and without protection services. Government officials failed to recognize that some contract violations or salary disputes—including withholding of salaries—are indicators of forced labor and required further investigation. For example, the Ministry of Labor (MOL) estimated there were 1,700 runaway workers at the end of 2013, but without an official allegation of abuse from the worker, the government assumed these workers violated the labor law. The Labor Law No. 36, which was adopted in September 2012, provided some protections to domestic workers, which included requiring that domestic workers be provided a labor contract that specified working hours, annual leave, and bonuses; it also required that the employer pay the worker at least once a month. Nonetheless, the government did not issue guidance on how to implement the law. NGO sources reported that most domestic workers entered the country illegally or under false pretenses, so they did not benefit from protections in the law.

While law enforcement officials' victim identification efforts remained *ad hoc*, police identified 21 suspected victims of trafficking in this reporting period, a slight increase from the 18 identified in the previous reporting period. The government, however, did not report if the identified victims in this reporting period were sex trafficking or forced labor victims. The Ministry of Social Development (MOSD) continued to fund a 120-bed domestic violence shelter, which also offered services to female victims of trafficking and their children. The shelter assisted and provided some medical services to 45 suspected sex trafficking victims and three potential forced labor victims in 2013—which included victims involved in investigations initiated in this reporting period—which was an increase from the 25 victims the shelter assisted in the previous reporting period. Shelter residents could freely leave the shelter unchaperoned. During the year, the MOSD began sending male trafficking victims to a government-run shelter for homeless men. The majority of trafficking victims in Bahrain continued to seek shelter at their embassies or at an NGO-operated trafficking shelter, which reported assisting 156 female victims of abuse—some of whom were likely trafficking victims. Foreign embassies stated that when foreign victims of trafficking or abuse approached Bahraini labor officials for assistance, they were typically advised to seek assistance at their embassies, with no effort to proactively identify trafficking victims among those who make complaints

or to refer potential forced labor cases to law enforcement for further investigation.

In November 2013, the MOSD released and sponsored a seminar on a 400-page legal framework document on the protections of trafficking victims, which also clarified the roles of the Public Prosecutor and the MOSD in protecting victims. The MOSD also sponsored a seminar in November to explain the framework to government officials; the seminar discussed human trafficking, human smuggling, and organ smuggling within the same context. Bahraini government officials stated that they encouraged victims to participate in the investigations and prosecutions of their traffickers, and the public prosecution was responsible for protecting victims of trafficking crimes during preliminary investigations and court proceedings. While the labor law stipulates that foreign workers may change sponsors during investigations and court proceedings, this option was not available to victims while their complaints were adjudicated by the court. It was unclear how many trafficking victims, if any, whose cases were not being adjudicated, were able to change sponsors. Workers typically did not file complaints against employers due to distrust of the legal system and lengthy court procedures, inability to afford legal representation, lack of interpretation and translation services, fear of losing residency permits during proceedings, and fear of additional maltreatment at the hands of the employer. The government did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

PREVENTION

The government made sustained efforts to prevent trafficking in persons. However, despite past commitments and pledges, the government did not abolish the sponsorship system, which contributed greatly to forced labor and debt bondage. The government's interagency National Committee to Combat Trafficking in Persons, which also includes members of civil society, met once a month during the reporting period and sponsored public awareness media campaigns and organized trainings and seminars for over 400 attendees from government ministries and NGOs. In 2013, the government established the Committee for the Evaluation of Foreigners Who Are Victims of Trafficking, which was chaired by MOSD and responsible for identifying and protecting victims of trafficking. The committee helped organize a seminar on legal resources for the protection of trafficking victims in November 2013 and assessed individual trafficking cases according to the guidelines in its mandate. The LMRA distributed workers' rights pamphlets in various languages to foreign workers and launched a weekly radio program on a local Indian radio station to answer workers' labor-related inquiries in Hindi and Malayalam. The LMRA website also provided information about workers' rights in Bahrain. The government reported 170 labor complaints against 108 separate companies that were late in paying their workers' monthly salaries; however, it is unclear how many of these companies were investigated or punished for illegally withholding workers' salaries. The LMRA conducted regular visits to work places to check for indications of abuse of workers; the government did not report if suspected cases of trafficking were identified during these visits. In December 2013, the LMRA also began distributing SIM cards to workers on arrival in the country, to enable the workers to use text messaging to contact the LMRA immediately if there were problems with their employers. The Ministry of Interior continued to operate a 24 hour, toll-free hotline for trafficking victims, but officials did not provide

statistics on the use of the hotline. The LMRA also operates an abuse hotline during working hours, though it is unknown if any trafficking victims were identified through this number. The government reported no efforts to reduce the demand for commercial sex during the year.

BANGLADESH (Tier 2)

Bangladesh is primarily a source, and, to a lesser extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. Some of the Bangladeshi men and women who migrate willingly to the Persian Gulf, Iraq, Iran, Lebanon, Maldives, Malaysia, Singapore, Thailand, Brunei, Sudan, Mauritius, the United States, and Europe for work subsequently face conditions indicative of forced labor. Before their departure, many migrant workers assume debt to pay high recruitment fees, imposed legally by recruitment agencies belonging to the Bangladesh Association of International Recruiting Agencies (BAIRA) and illegally by unlicensed sub-agents; this places some migrant workers in a condition that could be viewed as debt bondage. Some recruitment agencies and agents also commit recruitment fraud, including contract switching, in which they promise one type of job and conditions, but then change the job, employer, conditions, or salary after arrival. Domestic workers are predominantly women and particularly vulnerable to abuse. Some women and children from Bangladesh are transported to India and Pakistan, where they are subjected to commercial sexual exploitation and forced labor. The Rohingya community in Bangladesh is especially vulnerable to human trafficking.

Within the country, some Bangladeshi children and adults are subjected to sex trafficking. Some, predominately in rural areas, are subjected to domestic servitude and forced and bonded labor, in which traffickers exploit an initial debt assumed by a worker as part of the terms of employment. Some street children are coerced into criminality or forced to beg; begging ringmasters sometimes maim children as a means to generate sympathy from donors and earn more money. In some instances, children are sold into a form of bondage by their parents, while others are induced into labor through fraud and physical coercion, including in the domestic fish processing industry, or exploited in prostitution. According to an international expert on debt bondage, some Bangladeshi families and Indian migrant workers are subjected to bonded labor in Bangladesh's brick kilns; some kiln owners sell bonded females into prostitution purportedly to further recoup the families' debts. That same expert also reported that some Bangladeshi families are subjected to debt bondage in the shrimp farming industry in southeastern Bangladesh and that some ethnic Indian families are forced to work in the tea industry in the northeastern part of the country. In some instances, girls and boys as young as 8-years-old are subjected to forced prostitution within the country, living in slave-like conditions in secluded environments.

Bangladesh does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities investigated and prosecuted more cases under the 2012 Prevention and Suppression of Human Trafficking Act (PSHTA), but continued to convict only a small number of traffickers. Bangladesh lacked a formal referral mechanism and authorities did not adequately train police and other public officials on identifying and assisting victims. While the government implemented stricter criteria in granting

licenses to recruitment agents, it continued to allow extremely high and legal recruitment fees.



RECOMMENDATIONS FOR BANGLADESH:

Finalize, adopt, and disseminate the implementing rules for the PSHTA, and train government officials on its implementation; take steps to sharply reduce all recruitment fees charged by licensed labor recruiters, and enforce violations with criminal sanctions; increase efforts to prosecute trafficking cases and convict trafficking offenders, particularly labor trafficking offenders, while strictly respecting due process; increase the training provided to government officials, including law enforcement, labor inspectors, and immigration officers, on methods to proactively identify trafficking cases; expand the support services available to trafficking victims, particularly adult male and forced labor victims; use the PSHTA to prosecute fraudulent labor recruiters; take steps to address any allegations of trafficking-related complicity of public officials, particularly through criminal prosecution; conduct awareness campaigns about the existence of laws against bonded labor targeted to government officials, employers, and vulnerable populations; improve services, including shelters, legal aid, counseling, and trained staff at Bangladesh's embassies in destination countries; increase the accessibility of information about the migration process and labor laws in countries of destination to potential migrants before they decide to migrate; improve quality of pre-departure trainings, including sessions on labor rights, labor laws, and methods to access justice and assistance in destination countries and in Bangladesh; improve data collection on the number of trafficking victims identified and assisted in Bangladesh and by Bangladeshi embassies; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The Government of Bangladesh maintained anti-trafficking law enforcement efforts. The 2012 PSHTA generally prohibits and punishes all forms of human trafficking, although it prohibits the fraudulent recruitment of labor migrants only if the recruiter knows that the recruited worker will be subjected to forced labor. Prescribed penalties for labor trafficking offenses are five to 12 years' imprisonment and a fine of not less than the equivalent of approximately \$600, and prescribed penalties for sex trafficking offenses range from five years' imprisonment to the death sentence. These penalties are sufficiently stringent, and commensurate with those prescribed for other serious crimes, such as rape. In the reporting period, the government continued to prepare the implementing rules for the PSHTA, but did not yet finalize them.

The government reported investigating 84 new cases of sex trafficking and two cases of forced labor in 2013, compared with 67 sex and labor trafficking cases in 2012. All cases were prosecuted under the 2012 PSHTA. Authorities reported initiating prosecutions of 215 trafficking cases in 2013, compared with 94 in 2012. The government convicted 14 traffickers in 2013, compared with eight in the previous reporting period. The courts

sentenced five of the convicted traffickers to life imprisonment, eight traffickers to ten years' imprisonment, and one trafficker to four months' imprisonment.

The alleged complicity of some Bangladeshi government officials and police officers in human trafficking remained a problem. Corrupt politicians, police, and border security forces on both sides of the India-Bangladesh border reportedly recognized a token used by human traffickers to evade arrest if caught at the border. The Government of Bangladesh reported that it continued prosecuting one case of government officials suspected of trafficking-related complicity, although there were no further developments. The government provided some anti-trafficking training at the police training academy. Observers reported that information about the PSHTA had not been circulated widely among officials at the district and local government levels.

PROTECTION

The Government of Bangladesh made limited efforts to protect victims of trafficking. The police registered 377 cases involving individual or groups of victims in 2013, compared to 602 in 2012. The government lacked a formal mechanism for authorities to refer identified victims to care, and officials' ability to refer victims depended on their awareness of the PSHTA. Bangladeshi officials collaborated with Indian authorities on the repatriation of Bangladeshi child trafficking victims through a shared standard operating procedure. The government did not fund shelters or other services specifically designed for trafficking victims, but trafficking victims could access non-specialized support services for vulnerable people through nine shelter homes, drop-in centers, and safe homes administered by the Ministry of Social Welfare. Adult victims could leave the shelters on their own without supervision. The government continued to operate shelters in its embassy in Riyadh and consulate in Jeddah for female Bangladeshi workers fleeing abusive employers. The Bangladeshi diplomatic corps lacked the resources in destination countries to adequately assist Bangladeshi labor trafficking victims. When Bangladeshi migrant workers lodged complaints of labor and recruitment violations, including allegations of forced labor, they went through the Bureau for Manpower, Education, and Training. BAIRA had an arbitration process for addressing complaints, which provided victims with remediation, but rewards were often minimal and did not adequately address the illegal activities of some BAIRA-affiliated recruitment agents. In one case during the reporting period, the government worked with NGOs to provide legal services to repatriated victims from Iraq; there was no information on whether law enforcement officials encouraged other victims to participate in investigations and prosecutions of their traffickers. Unregistered Rohingya refugees who were trafficking victims may have been at risk of indefinite detention because of their lack of documentation.

PREVENTION

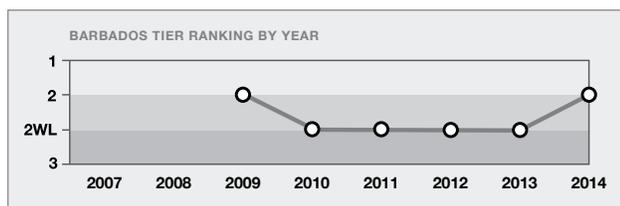
The Bangladeshi government made limited efforts to prevent trafficking in 2013. The government also sustained policies that permitted the forced labor of Bangladeshi migrant workers abroad to continue. In particular, the government continued to allow BAIRA to set extremely high and legal recruitment fees and did not exercise adequate oversight to ensure BAIRA's licensing and certification practices did not facilitate debt bondage of Bangladeshi workers abroad. Authorities canceled four recruitment agencies' licenses in 2013 for labor trafficking, compared to 65 agencies for engaging in a variety of illegal

practices in the previous reporting period. The Ministry of Expatriate Welfare's Vigilance Task Force continued to operate; its mandate was to improve the oversight of Bangladesh's labor recruiting process. The government continued to facilitate the migration of some willing Bangladeshi workers to Malaysia on the basis of a government-to-government agreement that aimed to mitigate the impact of private recruitment agencies' high fees and sometimes unscrupulous practices. The government enacted the 2013 Overseas Employment Act, which required labor recruiters to meet more stringent criteria to become licensed and required job seekers to register in an online database and for recruiters to only hire those in the database. The government developed a mandatory 21-day pre-departure training course for Bangladeshi women going abroad to work as domestic servants. The government did not fund any other anti-trafficking awareness campaigns. The government-NGO coordination committee continued to meet regularly, though observers noted poor coordination among the ministries. The government continued to implement the 2012-2014 national plan of action, but a few observers reported that the plan lacked clear resource allocations to relevant ministries, and that some ministries' representatives to coordination meetings were sometimes not familiar with the responsibilities assigned to their ministries by the action plan. The Ministry of Home Affairs published its annual report on human trafficking. The government trained military personnel to recognize and prevent trafficking in persons prior to their deployment abroad on international peacekeeping missions. The government did not demonstrate efforts to reduce the demand for commercial sex. Bangladesh is not a party to the 2000 UN TIP Protocol.

BARBADOS (Tier 2)

Barbados is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Authorities and NGOs report foreign women have been forced into prostitution in Barbados. Foreigners have been subjected to forced labor in Barbados, most notably in domestic service, agriculture, and construction. Legal and illegal immigrants from Jamaica, the Dominican Republic, and Guyana are especially vulnerable to trafficking. The prostitution of children occurs in Barbados. UNICEF has documented children engaging in transactional sex with older men for material goods throughout the Eastern Caribbean; this is a high risk group for human trafficking.

The Government of Barbados does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government identified and assisted an increased number of trafficking victims during the reporting period compared with 2012. It established formal, victim-centered guidelines to guide officials in the identification and protection of trafficking victims and the prosecution of trafficking offenders. No traffickers have been convicted of human trafficking offenses; however, the government arrested suspected trafficking offenders during the reporting period, including a government official for alleged complicity in trafficking. It also pledged to improve its anti-trafficking legal framework.



RECOMMENDATIONS FOR BARBADOS:

Amend the 2011 legislation to prohibit all forms of human trafficking and prescribe penalties that are sufficiently stringent (without an alternative of a fine) and commensurate with those prescribed for other serious crimes, such as rape; convict trafficking offenders, including officials complicit in human trafficking, and provide appropriate sentences for their crimes; train and encourage government officials to implement recently formalized procedures to proactively identify labor and sex trafficking victims among vulnerable populations, such as Barbadians and foreigners in prostitution and migrant workers; provide adequate funding to organizations that assist trafficking victims; continue to enhance partnership with Barbados’ skilled and dedicated NGO community to combat human trafficking; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made some efforts to prosecute trafficking offenders, including government officials complicit in human trafficking, and committed to improving its anti-trafficking legal framework. Barbadian law does not prohibit all forms of human trafficking and does not prescribe penalties for prohibited forms of trafficking that are sufficiently stringent or commensurate with the prescribed penalties for other serious crimes, such as rape. Article 8 of the Transnational Organized Crime (TOC) Act of 2011 and Articles 18, 20, 33, and 34 of the Offenses against the Person Act all address trafficking in persons. Compelling prostitution under Article 20 of the Offenses against the Person Act is punishable by five years’ imprisonment, while the trafficking of an adult under the TOC Act is punishable by a potential fine with no jail time, both of which are far less stringent punishments than Barbados’ prescribed penalty for rape, which is life imprisonment. In early 2014, the government expressed its intention to amend Barbados’ legal framework to conform to international standards to combat human trafficking. In the interim, the government issued guidance to its officials highlighting the 2000 UN TIP Protocol definition of human trafficking and encouraging innovation within the current legal framework to address human trafficking offenses.

Authorities investigated three suspected trafficking cases during the reporting period and conducted no prosecutions against alleged traffickers, compared with two investigations and no prosecutions the previous year. In April 2013, police arrested the owner, an employee, and another person connected with a brothel and charged them with 30 counts of human trafficking using the TOC Act for exploiting foreigners in sex trafficking, and subsequently arrested an immigration official for alleged complicity on charges of misconduct in public office. One suspect remains in pre-trial detention, and authorities released the others on bail. Under the Barbadian criminal justice system, the case is still considered to be in the investigative stage. The two investigations reported in the previous year did not lead to any prosecutions. There were no convictions of trafficking offenders during the reporting period.

PROTECTION

The government increased victim protection efforts during the reporting period. In February 2014, authorities formalized procedures to guide officials across the government in proactively identifying victims of sex trafficking and forced labor and referring them to available services. Officials identified one child and four foreign adult sex trafficking victims, an improvement from identifying only two victims during the previous reporting period.

Officials and NGOs reported strong partnerships during the reporting period to provide trafficking victims assistance. The government had an agreement with an NGO to provide shelter for male victims of human trafficking, though this NGO did not assist any male trafficking victims during the reporting period. The government provided some funding to an NGO crisis center that provided shelter and psychological, medical, and occupational services to female human trafficking victims, but this funding was inadequate to cover costs. This organization and the government’s gender affairs bureau cooperated with other NGOs to offer additional services. For example, one NGO provided pro bono legal assistance to trafficking victims during the reporting period. In coordination with NGOs, officials from the police, immigration department, and child care board assisted other potential victims, but after further investigation, did not classify them as trafficking victims.

In early 2014, the government formalized policies to encourage victims to participate in the investigation and prosecution of trafficking offenders. As part of its operations guidelines, the government established a policy allowing the immigration department to provide foreign trafficking victims with temporary legal alternatives, such as temporary residence in Barbados, to their removal to countries where they would face hardship or retribution. The government worked with IOM to provide safe and voluntary repatriation to some of the foreign victims identified during the year and allowed those who wanted to stay to remain in Barbados in NGO care. The government formalized guidelines directing authorities not to penalize trafficking victims for unlawful offenses committed as a direct result of being subjected to human trafficking. Complaints of potential victims being summarily deported decreased substantially compared with previous year.

PREVENTION

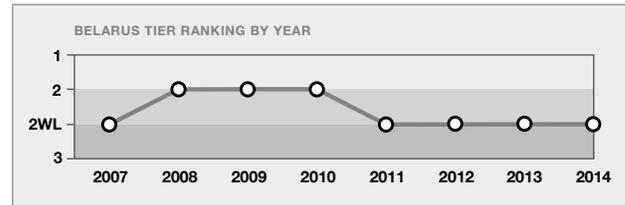
The government made progress in efforts to prevent human trafficking during the reporting period. Marking a positive shift from their previous position, government officials acknowledged the presence of human trafficking in Barbados. The Bureau of Gender Affairs conducted an anti-trafficking public awareness campaign entitled “NOT AGAIN, Trafficking in Persons—Modern Day Slavery,” which included townhall and panel discussions on the issue. The government produced brochures and pamphlets on human trafficking, and developed a “before and after” questionnaire to facilitate the panel discussions’ effectiveness. The government funded the operation of a hotline staffed by professionals trained to identify human trafficking. The Attorney General led the government’s anti-trafficking taskforce, which met at least twice during the reporting period and included permanent secretaries from several ministries and NGOs. The government provided in-kind assistance to IOM-led anti-trafficking training for officials from various ministries. The government did not report any efforts to reduce the demand for commercial sex acts or forced labor over the year. Barbados is not a party to the 2000 UN TIP Protocol.

BELARUS (Tier 2 Watch List)

Belarus is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Belarusian women and children are subjected to sex trafficking within Belarus, and in countries such as Russia, Belgium, Cyprus, the Czech Republic, Egypt, France, Germany, Greece, Israel, Italy, Lebanon, Lithuania, Poland, Spain, Sweden, Turkey, and the UAE. Belarusian men, women, and children are found in forced labor in the construction industry and other sectors in Russia. The Government of Belarus restricted Belarusian workers in state-owned wood processing factories and construction workers employed in modernization projects at those factories, from leaving their jobs. Belarusian men seeking work abroad are subjected to forced labor. Workers are recruited through informal advertisements and notice boards and then taken by minibuses from employment centers to foreign countries, such as Russia. Some Belarusian women traveling for foreign employment in the adult entertainment and hotel industries are subsequently subjected to sex trafficking. Women from Ukraine may be subjected to sex trafficking in Belarus.

The Government of Belarus 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 overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Belarus is placed on Tier 2 Watch List for a fourth consecutive year. The Trafficking Victims Protection Act provides that a country may remain on Tier 2 Watch List for only two consecutive years, unless that restriction is waived because the government has a written plan to bring itself into compliance with the minimum standards for the elimination of trafficking. Belarus 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.

During the reporting period, the government continued to be a leader in multilateral efforts to combat trafficking. However, these efforts were not matched by the government's work to combat trafficking and assist victims within Belarus. The government retained a decree forbidding thousands of workers in the wood processing industry from leaving their jobs in state-owned factories without their employers' permission. Authorities did not convict any traffickers under the trafficking statute and conducted the fewest number of investigations in at least four years. Despite officials' claim that the prevalence of trafficking has decreased, observers identified hundreds of trafficked Belarusian citizens in 2013, far more than the 20 victims the government identified in the course of trafficking investigations. While the government operated non-trafficking-specific emergency shelters, they were reportedly poorly equipped and lacked trained caregivers. At the close of the reporting period, the government had not implemented a January 2013 law permitting state funding for NGOs providing services to victims. The government continued its efforts to prevent trafficking through awareness campaigns, penalizing fraudulent labor recruitment, and operating a safe migration hotline. The government continued to offer trafficking-specific training to Belarusian and foreign officials through the police academy's training center.



RECOMMENDATIONS FOR BELARUS:

Revoke the December 2012 presidential decree forbidding wood processing workers' resignation without their employers' permission; significantly increase efforts to vigorously investigate and prosecute cases of forced labor and forced prostitution, thereby demonstrating the government's continuous vigilance against this crime; increase the use of Article 181 of the criminal code to prosecute trafficking cases, even in cases also charged under other statutes; improve victim identification, including of teenagers in prostitution inside Belarus and forced labor victims; increase resources devoted to victim assistance and protection within Belarus, including in state-owned territorial centers for social services; provide funding through the January 2013 law allowing public funding for NGOs offering critical victim protection services in private shelters; cultivate a climate of cooperation with NGO partners; finalize and train officials on a national identification and referral mechanism; ensure all victims, including children and foreign nationals, are provided with appropriate assistance and protection; refer all Belarusian victims exploited abroad to care facilities upon repatriation; and consider revising the definition of human trafficking under Belarusian law to ensure that trafficking cases that do not involve the purchasing and selling of a person are still considered trafficking cases during the course of prosecutions, as prescribed by the 2000 UN TIP Protocol.

PROSECUTION

The Government of Belarus demonstrated decreased law enforcement efforts, as the government failed to convict any traffickers under its trafficking statute and retained a decree issued in December 2012 forbidding workers in state-owned wood processing factories from resigning without their employers' permission. The decree applied to thousands of employees; employees are permitted to appeal any worker's proposed resignation to the government-appointed provincial governor, but not to a judge. At least one instance of a worker being barred from quitting occurred during the reporting period. The government has explained that the decree was temporary in nature and workers were free not to sign new contracts required under the decree.

Belarusian law prohibits both sex and labor trafficking through Article 181 of its criminal code, which prescribes penalties ranging from five to 15 years' imprisonment in addition to the forfeiture of offenders' assets. These penalties are sufficiently stringent and are commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the government was in the process of modifying the law's definition of trafficking, so that cases do not require the buying and selling of a person to be considered trafficking cases. The government reported six trafficking investigations in 2013 under Article 181, compared to eight in 2012, nine in 2011, and 39 in 2010. All of the 2013 cases were related to sexual exploitation, not to labor trafficking. The government did not report whether elements of trafficking were present in investigations under non-trafficking statutes that criminalize

pimping, engaging in prostitution, and profiting from servitude; in 2012, the government reported eight trafficking investigations under these non-trafficking statutes. Belarusian authorities did not convict any traffickers under Article 181 in 2013, despite identifying six trafficked victims in the course of investigations. The absence of convictions under Article 181 reflects a continuing decrease in law enforcement efforts, as authorities convicted one trafficker in 2012, seven in 2011, and 12 in 2010. Observers noted that judges often required evidence of money transfers or the buying and selling of a person to prove human trafficking under Article 181, which may be one reason it was infrequently used. Authorities reported two convictions under Article 181.1, which prohibits the use of slave labor; the convicted offenders were sentenced to eight to 10 years' imprisonment. The police academy's international anti-trafficking training center, in partnership with civil society organizations, provided trafficking-specific training to 280 Belarusian law enforcement officials. Law enforcement officials collaborated on transnational investigations with counterparts from France, Poland, Russia, Turkey, and Ukraine. The Government of Belarus did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The government did not demonstrate improved protection efforts, as it did not provide adequate resources for public or private shelters. The government did not identify any labor trafficking victims in 2013, though NGOs reported identifying hundreds of such victims. Belarusian authorities identified six victims of sex trafficking under Article 181, compared with 12 in 2012, 14 in 2011, and 64 in 2010. In addition, authorities identified 14 child victims of sex trafficking under other statutes. Experts observed that the number of trafficking victims identified by the government was far from commensurate with the number of Belarusian victims identified by NGOs and other sources outside of the country, particularly with regard to reports of increased labor trafficking of Belarusians in Russia. NGOs reported identifying and assisting 353 trafficking victims in 2013, more than the 197 assisted in 2012 and 142 assisted in 2011. The government reported that law enforcement officials had referred 36 of the victims cared for by NGOs. The government continued to lack a formal national victim identification and referral mechanism, though it established a taskforce for this purpose during the reporting period and continued to provide law enforcement officers with written procedures to identify trafficking victims. The lack of a formal mechanism may have led to some sex trafficking victims being punished for acts directly resulting from their being trafficked. In 2013, authorities issued 826 fines and made 168 arrests for prostitution offenses.

The government did not have trafficking-specific facilities available to care for victims, but it operated 74 "crisis rooms" for vulnerable male and female adults, including victims of trafficking and their children, which offered temporary shelter, including beds, meals, and personal hygiene products. Authorities reported in 2014 that victims were allowed to stay in these shelters indefinitely, whereas victims were previously limited to 10 days of accommodation. The government did not report how many trafficking victims received assistance at these facilities. Observers reported that the majority of victims sought assistance at private shelters because the government's centers were poorly equipped and lacked qualified caregivers. The education ministry maintained 127 non-trafficking-specific shelters that could house child victims for up to six months; however, no child victims received services at these facilities,

despite the government identifying 14 trafficked or sexually exploited children during 2013. Victims were entitled to receive medical assistance, psychological counseling, and legal counsel from state institutions. The interior ministry estimated that state institutions provided the equivalent of approximately \$112,000 in victim services and prevention campaigns in 2013. Additionally, five *oblasts* (provinces) estimated that public institutions provided the equivalent of approximately \$17,000 for victim services and prevention campaigns, compared to the equivalent of approximately \$27,800 in 2012. Although a January 2013 law authorized the provision of government funding to NGOs running social welfare programs, the funding mechanism was not operational at the close of the reporting period. Authorities did not issue any temporary residence permits in 2013, as no identified foreign victims were illegally present in Belarus.

PREVENTION

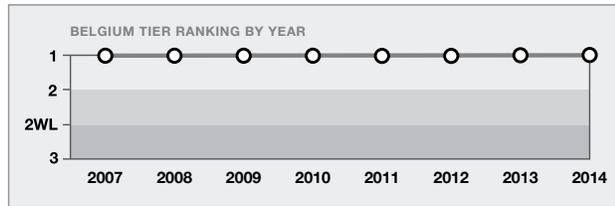
The Government of Belarus improved its efforts to prevent trafficking. The government conducted public awareness campaigns through television, radio, print media, internet, and press conferences. The interior ministry's hotline for safe travel abroad received 617 inquiries in 2013, but did not report how many of those inquiries were related to trafficking situations. Authorities investigated 157 administrative offenses related to illegal employment abroad, 98 of which resulted in fines or administrative penalties. The government adopted and began implementing the 2013-2015 State Program on Countering Crime and Corruption, which included anti-trafficking activities; all of the activities were developed with collaboration from NGOs. As outlined in this state program, Belarus acceded to the Council of Europe's Convention on Action against Trafficking in Human Beings in November 2013, which enabled the Council's monitoring group to conduct a future country evaluation. In addition, the interior ministry continued to report on the government's anti-trafficking measures and law enforcement statistics through its website. The government did not demonstrate efforts to reduce the demand for commercial sex.

BELGIUM (Tier 1)

Belgium is a destination, transit, and a limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims primarily originate in Eastern Europe, Africa, South Asia, East Asia, and Latin America. Prominent source countries include Bulgaria, Romania, Albania, Nigeria, Morocco, China, Turkey, Brazil, and India. Male victims are subjected to forced labor in restaurants, bars, sweatshops, horticulture sites, fruit farms, construction sites, cleaning businesses, and retail shops. Belgian girls, who are recruited by local pimps, and foreign children—including ethnic Roma—are subjected to sex trafficking within the country. Some Belgian women have been subjected to sex trafficking in Luxembourg. Forced begging within the Roma community in Belgium also occurs. Foreign workers continued to be subjected to forced domestic service, including in the diplomatic community assigned to Belgium.

The Government of Belgium fully complies with the minimum standards for the elimination of trafficking. Prosecutions and convictions increased from the previous reporting period, but sentences often were suspended. The government amended the law to allow judges to multiply fines by the number of victims.

The Belgian definition of trafficking remained overly broad in comparison to the definition in the 2000 UN TIP Protocol and did not require demonstration of coercive means to prove a case of human trafficking, which risks diluting the effectiveness of Belgian prosecutions. Council of Europe experts expressed concern about Belgium's identification and protection of child victims, particularly children in forced begging.



RECOMMENDATIONS FOR BELGIUM:

Enhance training of law enforcement, prosecutors, and judges to improve the conviction rates of traffickers; enhance training of relevant professionals to increase the number of trafficking victims identified, and improve assistance and protection services; enhance training of front-line staff to better identify and protect child victims; harmonize procedures for providing legal aid to minors subjected to human trafficking in an effort to limit the number of stakeholders in contact with them; establish a campaign to increase public knowledge of human trafficking, particularly child trafficking; provide repatriation assistance to victims from other EU countries; and, in light of the expanded legal definition of trafficking in Belgium and in line with Article 2 of the 2011 EU Directive on Human Trafficking, provide disaggregated prosecution and conviction data for those cases that involved force, fraud, or coercion to demonstrate that trafficking offenders are vigorously prosecuted in Belgium.

PROSECUTION

The government demonstrated increased law enforcement efforts. Belgium prohibits all forms of trafficking through a 2005 amendment to its 1995 Act Containing Measures to Repress Trafficking in Persons. As amended, the law's maximum prescribed penalty for all forms of trafficking—20 years' imprisonment—is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. However, Belgium's definition of trafficking in persons is broader than the definition in the 2000 UN TIP Protocol, which risks diluting the government's efforts. The failure of an employer to meet prevailing wage, hours, and working conditions can constitute "exploitation" under Belgium's anti-trafficking law, and these cases are included in the government's prosecution data. Contrary to the definition of trafficking under international law, under Belgian law, coercion is considered an aggravating factor rather than an integral part of the base offense for adults. Belgian law also does not require evidence of any form of coercion in order to secure a trafficking conviction. Although the intent of this provision is reportedly to facilitate prosecutions, it may be counterproductive: the Council of Europe's Group of Experts on Action Against Trafficking in Human Beings (GRETA) Report observed that the overbroad definition may lead to confusion between trafficking and other criminal offenses and possible difficulties in mutual legal assistance with foreign governments that use a definition more consistent with international law. In August 2013, the government broadened the purpose of exploitation in the trafficking definition to include sexual exploitation (rather than just prostitution) and begging; the amendment also makes it possible to multiply the

finer traffickers receive by the number of victims.

The government reported it prosecuted 432 defendants in 2013, compared with 381 prosecuted in 2012; it prosecuted 196 (190 in 2012) defendants for sex trafficking offenses, 184 (164 in 2012) for labor trafficking or economic exploitation offenses, and did not report any prosecutions for coerced criminality or forced begging. The government reported it convicted and sentenced at least 70 trafficking offenders in 2013, along with 120 aggravating circumstances, compared with at least 48 trafficking offenders in 2012. The government reported sentencing 63 convicted offenders in 2013, including 28 suspended or partially suspended sentences, compared to 48 sentenced in 2012. Most sentences ranged from one year to five years' imprisonment; nine offenders were sentenced to one year, 24 were sentenced to between one and three years, 17 were sentenced to three to five years, and 13 offenders were sentenced to five years or more. The government continued efforts to prosecute eight family members of the Abu Dhabi royal family for allegedly subjecting 17 girls to forced servitude while staying at a Brussels hotel in 2008. The Government of Belgium did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. Twice per year the Belgian government offers refresher courses on specialized anti-trafficking topics for police investigators specializing in human trafficking; these trainings are also available to public prosecutors. The government also offered a basic module on trafficking for non-specialized law enforcement officers.

PROTECTION

The Government of Belgium made substantial efforts to protect victims of trafficking, although prerequisites for the government to extend victim status and to provide extended care proved burdensome. Federal and regional governments continued to fund three dedicated NGO-run shelters—officially recognized by Royal Decree in May 2013—that provided specialized, comprehensive assistance to trafficking victims, including psycho-social, medical, and legal care. These shelters assisted at least 152 new adult victims in 2013, compared with 185 new victims assisted the previous year. Of these 152 new victims, 89 were victims of labor trafficking, 48 were victims of sex trafficking, and only 20 victims were referred to the shelters by NGOs. For the most part, victims were identified by local or federal police, judicial institutions, or welfare agencies. The shelters were open to all victims regardless of gender, status, or nationality. Adult victims could leave these shelters unchaperoned and at will. The government also funded three shelters for minors; these facilities were shared with victims of other crimes. Once recognized, the government granted trafficking victims a 45-day residence permit; victims who cooperated in the prosecution of their trafficker were given a three-month registration certificate that included residency, social benefits, and a work permit. In order to qualify for victim status, victims must have broken off all contact with their traffickers and agreed to counseling at a specialized trafficking shelter, conditions that are especially challenging for child trafficking victims. The government granted permanent residence to victims if the trafficker was convicted; residence permits for indefinite lengths of time may be available without conviction, if authorities establish a formal charge of trafficking. The international and non-governmental organizations handled repatriations; victims from other EU countries faced challenges obtaining repatriation assistance. The Belgian Rapporteur urged a more victim-centered approach, especially for victims who are reluctant to participate in court proceedings, and recommended granting trafficking victims

greater legal status immediately upon their identification. The government continued to employ systematic procedures to identify and refer victims for care based on a 2008 interagency directive for trafficking victims; however, an evaluation of this directive determined that front-line responders needed more training to identify victims more effectively.

Victims were reportedly not detained, fined, or jailed for unlawful acts committed as a result of being trafficked. Judicial authorities continued to face challenges in identifying victims; to address this, Belgian authorities circulated administrative notices to prosecutors. Victims who assisted in the prosecution of trafficking were eligible for full protection status and a residency permit. During the year, the government issued or renewed 247 residence permits to trafficking victims.

PREVENTION

The Government of Belgium continued efforts to prevent trafficking through awareness campaigns targeting potential victims, and first-line responders, and warning employers of the dangers of trafficking. The Inter-Department Coordination Unit spearheaded an awareness campaign featuring pamphlets and training sessions targeting first-line responders such as social workers and health care professionals to help them identify trafficking victims, particularly among women in Belgium's legal sex trade. Flyers were also available to the public in the consular sections of Belgian embassies and consulates abroad, and military trainers, social inspectors, and magistrates received specialized anti-trafficking training. In July 2013, the government established a commission to mediate disputes between members of diplomatic posts and foreign domestic workers in their employ. Experts noted a lack of awareness among the public regarding child trafficking. The Rapporteur's office continued to publish an annual self-critical report on the government's anti-trafficking activities, focused on the importance of not punishing victims. The report noted that the government lacked a list of offenses typically linked to trafficking, whereby charges would be dropped immediately if the suspects of the infractions are actually victims.

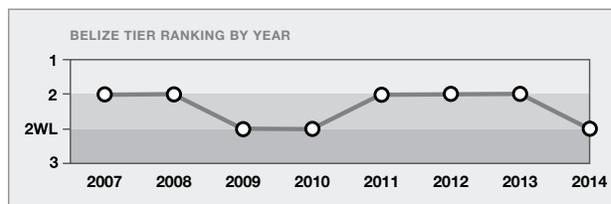
The government continued to co-sponsor the nationwide campaign, "Stop Child Prostitution" in 2013 and continued to distribute a multilingual flyer describing available visas for potential trafficking victims. Belgian authorities identified child sex tourism as a serious problem among Belgian nationals in the previous reporting period, but reported no prosecutions of such activity in 2013. There were no efforts to reduce demand for commercial sex acts. The government provided specific anti-trafficking training to Belgian troops prior to their deployment abroad on international peacekeeping missions.

BELIZE (Tier 2 Watch List)

Belize is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. A common form of human trafficking in Belize is the coerced prostitution of children, often occurring through parents pushing their children to provide sexual favors to older men in exchange for school fees, money, and gifts. Third-party prostitution of children under 18 is a form of human trafficking. Child sex tourism, involving primarily U.S. citizens, is an emerging trend in Belize. Additionally, sex trafficking and forced labor of Belizean and foreign women and girls, primarily from Central America, occurs in bars, nightclubs, and brothels

throughout the country. Foreign men, women, and children, particularly from Central America, Mexico, and Asia, migrate voluntarily to Belize in search of work; some may fall victim to forced labor. Forced labor has been identified in the service sector among the South Asian and Chinese communities in Belize, primarily in restaurants and shops with owners from the same country. Children and adults working in the agricultural and fishing sectors in Belize are also vulnerable to forced labor.

The Government of Belize 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 overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Belize is placed on Tier 2 Watch List. Early in 2014, the government made its first arrest under its 2013 trafficking law; however, it did not initiate any prosecutions. Victim identification efforts significantly declined, and the lack of proactive victim identification resulted in the detention and deportation of potential victims based on immigration violations. The government did not investigate or prosecute any public officials for alleged complicity in human trafficking-related offenses. The failure to convict and punish trafficking offenders, especially allegedly complicit government officials, remained a significant problem.



RECOMMENDATIONS FOR BELIZE:

Improve victim identification efforts by involving Spanish-speaking social workers, NGOs, or victim advocates in the process to ensure trafficking victims are not penalized and re-victimized for crimes committed as a direct result of being subjected to human trafficking; proactively implement the anti-trafficking law by vigorously investigating and prosecuting suspected forced labor and sex trafficking offenders, including officials allegedly complicit in trafficking; take steps to ensure trafficking offenders receive sentences that are proportionate to the gravity of the crime; finalize the anti-trafficking committee's draft formal procedures to guide officials in the identification and referral of victims of sex trafficking and forced labor; implement procedures to take trafficking victims to a safe location while conducting victim identification interviews, as victims often first appear as immigration violators and are reluctant to disclose details of their exploitation in a detention setting or post-raid environment; encourage all front-line responders, including prison officials, labor inspectors, and other law enforcement officials to implement victim identification procedures among groups vulnerable to trafficking, including migrant laborers, children, and people in prostitution; take steps to ensure the effective prohibition of the commercial sexual exploitation of children, including those of ages 16 and 17; increase partnerships with NGOs to reintegrate victims and to deliver specialized care for trafficking victims in Belize; and implement a targeted campaign educating domestic and foreign communities about domestic servitude and other types of forced labor, commercial sexual exploitation of children, and other forms of human trafficking.

PROSECUTION

The Government of Belize decreased its efforts to investigate and prosecute trafficking offenses and convict trafficking offenders in 2013; overall law enforcement efforts were weak and declined compared to the previous reporting period. The government has not incarcerated any trafficking offenders since 2011. The 2013 Trafficking in Persons (Prohibition) Act prohibits all forms of trafficking and prescribes punishments of one to eight years' imprisonment for the trafficking of adults, up to 12 years' imprisonment for the trafficking of children, and up to 25 years' imprisonment in cases involving sexual assault or other aggravating circumstances. The prescribed maximum penalty of eight years' imprisonment, and up to 25 years' imprisonment in some cases, is sufficiently stringent and commensurate with other serious crimes. The 2013 Commercial Sexual Exploitation of Children (Prohibition) Act criminalizes the facilitation of prostitution of children under 18 years of age. This law, however, allows for 16- and 17-year-old children to engage in sexual activity in exchange for remuneration, gifts, goods, food, or other benefits if there is no third-party involved. This provision is consistent with the international law definition of trafficking, but appears to sanction a practice that is likely to render children vulnerable to commercial sexual exploitation by third parties, especially in Belize where the coerced prostitution of children by parents is common. Third-party prostitution of children under 18 is a form of human trafficking.

In early 2014, the first suspect was arrested under the 2013 anti-trafficking law and charged with one count of trafficking involving a child. The government did not, however, initiate any new prosecutions in 2013, nor did it convict any trafficking offenders during the reporting period; this is a decline from the previous year when it convicted two offenders. At least five human trafficking prosecutions from previous years remained pending. The government did not provide data on the number of trafficking investigations it conducted during the year. It returned two trafficking suspects to Honduras and Nicaragua based on requests from those governments. Trafficking-related complicity by government officials, including allegations of involvement of high-level officials, continued. The government has yet to report any additional steps taken to prosecute a government official, noted in the 2011 Report, who allegedly raped a victim in the course of a trafficking investigation. Many off-duty police officers provide security for sex trade establishments, which risks inhibiting victims from coming forward and law enforcement's willingness to investigate allegations of human trafficking in the sex trade.

PROTECTION

The Belizean government's efforts to protect trafficking victims decreased compared to the previous reporting period. It did not proactively identify potential trafficking victims among vulnerable groups in 2013. Officials identified three trafficking victims, a significant decline from 13 identified the previous year. Although NGOs reported having identified additional potential trafficking victims, the government did not follow up on these referrals despite the mandate to protect victims under Belize's anti-trafficking law. Police did not systematically inspect brothels or bars for indications of trafficking during the year, and it was reported that front-line responders carrying out brothel raids generally looked for immigration violations over potential trafficking indicators. Underage girls were reportedly present in bars that function as brothels. The indiscriminate practice of fining, prosecuting, and convicting immigration offenders without screening for elements of trafficking or providing them

with an opportunity to disclose possible exploitation resulted in limited victim identification.

The government, in partnership with NGOs, provided assistance to a total of six sex trafficking victims in 2013, three of whom were children. Three of the six victims were identified in a previous reporting period. This represents a decline from seven victims assisted in 2012 and 12 victims assisted in 2011. The government has yet to update draft procedures to guide officials and NGOs in referring trafficking victims to available services, as outlined in its 2012-2014 strategic plan. The government provided the equivalent of approximately \$103,125 for victim care in 2013 through placements in safe houses, including NGO-run domestic violence shelters. There were no reports that victims were detained involuntarily in these shelters. The government placed child victims in foster care.

Authorities in Belize reportedly encouraged victims to assist with the investigation and prosecution of trafficking offenders until trial, although court delays caused victims to become discouraged and often led them to cease cooperation with law enforcement authorities despite their interest in seeking justice. The Government of Belize reported it provided initial temporary residency for formally identified foreign trafficking victims during the year. The government did not ensure for the safe and responsible repatriation of four additional potential trafficking victims. Belize's anti-trafficking law exempts trafficking victims from prosecution or punishment for crimes committed as a result of being subjected to human trafficking. Law enforcement and other government officials did not systematically employ formal mechanisms to guide them in identifying victims of sex trafficking and forced labor during the year. Reports persisted that potential trafficking victims were often jailed and or deported based on immigration violations.

PREVENTION

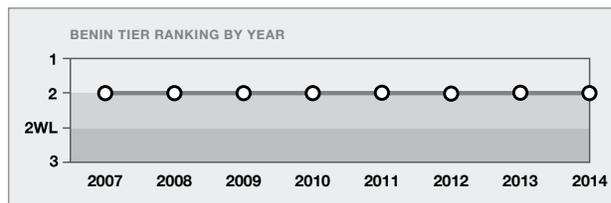
The government demonstrated minimal prevention efforts in 2013. Its anti-trafficking committee met less frequently than in previous years and did not proactively implement the 2012-2014 anti-trafficking national strategic plan. The government provided some anti-trafficking training to tour guides, students, and law enforcement officials during the year, but has yet to conduct significant outreach to educate law enforcement on Belize's 2013 anti-trafficking legislation; some senior law enforcement officials reported they did not know the anti-trafficking law existed. The government did not release public reports on its anti-trafficking efforts during the year; however, it demonstrated a commitment to transparency by inviting the UN Special Rapporteur on Trafficking in Persons to visit Belize to assess progress and challenges in combatting human trafficking. The government completed a survey during the reporting period to assess trafficking vulnerabilities in bars and nightclubs, particularly among women in prostitution, and reported it provided the information to law enforcement for further action. The government continued its awareness campaign in English, Spanish, Mandarin, and Hindi, primarily by disseminating previously created materials, including posters and public service announcements. The government's Office of the Special Envoy for Women and Children conducted a sexual abuse and exploitation awareness campaign during the year targeting adolescent girls. The Belize tourism board aired several public service announcements to address tourism and the demand for commercial sex acts in 2013. The government did not conduct any nationwide awareness campaigns to educate the public and government officials about the manifestations of trafficking

in Belize. In 2013, the government amended its sexual assault legislation to make it gender neutral and increase penalties for sexual assault; this legislation has been used previously to prosecute child sex tourism offenders in Belize.

BENIN (Tier 2)

Benin is a country of origin, transit, and destination for women, children, and men subjected to forced labor and sex trafficking. The majority of identified victims are Beninese girls subjected to domestic servitude or sex trafficking in Cotonou, the administrative capital. The practice of *vidomegon*, which traditionally provided educational or vocational opportunities to children by placing them in the homes of wealthier families, is now sometimes used to exploit children in domestic servitude. Children are forced to labor on farms, in commercial agriculture—particularly in the cotton sector—in artisanal mines, at construction sites, or as street or market vendors to produce or hawk items. A July 2013 UNICEF study cited over 7,800 children subjected to labor exploitation in the markets of Cotonou, Porto-Novo, and Parakou. Children from Burkina Faso, Nigeria, Togo, and Niger are also in forced labor in these sectors; Togolese girls are exploited in prostitution in Benin. Cases of child sex tourism, involving both boys and girls, were reported in the Department of Mono and on the shores of the Bight of Benin. In northern Benin, children in Koranic schools, known as *talibe*, are exploited in forced begging by Koranic teachers known as *marabout*. The majority of child trafficking victims are from the northern regions of Benin, and many are recruited and transported to Republic of the Congo, Nigeria, Gabon, and, to a lesser extent, Niger, Cote d'Ivoire, Ghana, and Guinea-Bissau, where they are forced to labor in homes, mines, quarries, restaurants, markets, and on cocoa farms. The majority of child victims intercepted in Benin, either from Benin or other West African countries, are *en route* to exploitation in Nigeria. Benin is the largest source country for trafficking victims in the Republic of the Congo. West African women are trafficked into domestic servitude and forced prostitution in Benin, and Beninese women are victims of sex trafficking in Lebanon.

The Government of Benin does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to prosecute and convict child labor traffickers and to identify and provide protective services to child trafficking victims, though authorities focused on intercepting traffickers and victims in transit rather than rescuing persons from exploitation in Benin. During the reporting period, the government identified 173 potential child trafficking victims and convicted six individuals for unlawfully transporting them. Anti-trafficking legislation—including prohibitions and penalties for the trafficking of adults—has remained pending review by the Ministry of Justice since September 2012. The government failed to systematically investigate instances of trafficking of adults and provide protective services to adult victims. It also did not investigate or prosecute any sex trafficking or forced labor offenses or cases that did not involve the movement of victims within Benin or across borders. Anti-trafficking progress continues to be hindered by the lack of adequate funding and staffing for the Office for the Protection of Minors (OCPM), the Ministry of Family, and the Ministry of Labor.



RECOMMENDATIONS FOR BENIN:

Finalize and enact draft legislation to criminalize all forms of trafficking consistent with the 2000 UN TIP Protocol; increase efforts to convict and punish trafficking offenders, including via existing statutes to prosecute sex trafficking and forced labor crimes, as well as the trafficking of adults; adequately sentence convicted trafficking offenders; develop systematic procedures for the proactive identification of victims—including those found to be in situations of forced labor—and their subsequent referral to care; train law enforcement officials on relevant legislation and identification and referral procedures; greatly increase funding to the OCPM, the Ministry of Labor, and the Ministry of Family to ensure they can adequately carry out their responsibilities for inspecting worksites for trafficking crimes and providing support to victims; improve efforts to collect law enforcement data on trafficking offenses and make these data available to other government agencies and the public; and launch a nationwide anti-trafficking awareness campaign.

PROSECUTION

During the reporting period, the government maintained its anti-trafficking law enforcement efforts, continuing its investigation and prosecution of potential child trafficking cases and its first case against adult labor trafficking suspects. Existing laws do not prohibit all forms of trafficking. The 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking (Act 2006-04) criminalizes all forms of child trafficking and prescribes penalties of 10 to 20 years' imprisonment. However, Act 2006-04 focuses on prohibiting and punishing the movement of children rather than their ultimate exploitation and prescribes much lower penalties—six months to two years' imprisonment or fines—for actual trafficking crimes involving labor exploitation; these penalties are not sufficiently stringent. The country's penal code outlaws procuring or offering someone for prostitution and the facilitation of prostitution and prescribes punishments of six months to two years' imprisonment, while the labor code prohibits forced labor and prescribes punishments of two months to one year imprisonment or a fine. These punishments are neither sufficiently stringent nor commensurate with punishments prescribed for other serious crimes, such as rape. Comprehensive anti-trafficking legislation that includes prohibitions and penalties for the trafficking of adults has remained pending review by the Ministry of Justice since the draft was completed in September 2012.

During the year, the Ministry of the Interior's OCPM—a specialized unit responsible for all criminal cases involving children—reported its investigation of 62 cases of child trafficking in addition to 11 cases of exploitative child labor, including several cases of domestic servitude. The government continued to fail to systematically investigate the trafficking of adults. OCPM referred 23 suspects to the courts for prosecution. Prosecutions in 20 cases remained ongoing in courts at the close of the reporting period. The government convicted six individuals for the illegal movement of children under Act 2006-04, a decrease

compared to 20 offenders convicted in 2012 and 25 in 2011. Although one offender received a suspended sentence, the courts sentenced five other offenders to terms of imprisonment of up to five years. For example, in April 2013, the Court of Abomey sentenced a trafficker to five years' imprisonment, under Act 2006-04 and penal code Article 354 (on kidnapping), following her exploitation of a 13-year-old Beninese girl in domestic servitude in Nigeria. The government failed to investigate or prosecute any cases involving sex trafficking offenses or forced labor on worksites. OCPM anecdotally reported cases of child exploitation occurring in Cotonou that did not involve movement of the victims from places outside of the capital. OCPM remained understaffed, underfunded, and without adequate office supplies, transportation, and fuel to conduct investigations and provide immediate victim assistance.

In May 2013, UNODC led a training session at the National Police Academy on counteracting child trafficking, as part of its broader training on child rights and protection for 10 senior and entry-level police officers. In partnership with UNODC, the government trained 20 gendarmes, police, and border protection agents on victim identification and trafficking case investigation techniques. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The government sustained efforts to protect potential forced child labor victims during the year. The OCPM identified 173 trafficking victims in 2013. The majority of those identified were potential Beninese labor trafficking victims being moved to other countries, though children from Togo and Nigeria were also identified. Those identified also included five Nigerian sex trafficking victims ages 16 to 22, who fled to Benin after enduring sex trafficking by a Nigerian syndicate in Cote d'Ivoire. OCPM provided them temporary shelter, as well as legal, medical, and psychological services, in a transit center staffed by government and NGO personnel and located on police premises in Cotonou. OCPM then transferred victims to long-term NGO shelters; however, the government failed to provide financial or in-kind support to NGOs providing such care. For example, in March 2013, security forces intercepted and the OCPM subsequently identified 10 Beninese children who were allegedly destined for labor exploitation in Nigeria; the children were assisted at OCPM's transit center before government officials reunited them with their families. OCPM worked with the Ministry of Family to return Beninese children to their families, typically after schooling or vocational training provided by the Ministry of Family had been secured; it is unclear how many victims received such assistance during the year. Officials with the Ministries of Family, Justice, and Interior worked in partnership with UNICEF and NGOs to coordinate placement of child trafficking victims with host families who provided additional care to children prior to reinsertion into their home communities. Government social workers provided counseling for such children, while an NGO provided financial support to cover their basic needs. Through their broad services in support of victims of crime and vulnerable groups, 85 centers for social promotion (CSP) under the Ministry of Family, offered basic social services, food, and temporary shelter to trafficking victims throughout the country, particularly in rural areas where such services were scarce and in the reintegration of victims into their home communities.

The Beninese government partnered with the Nigerian government to repatriate five Nigerian victims and with the Gabonese and Congolese governments to facilitate the repatriation of at least 10 Beninese child trafficking victims. Officials and NGO stakeholders in destination countries noted re-trafficking was an issue once victims returned to Benin, with the child or their siblings often sent back to the trafficker by their parents to uphold their initial agreement to send children. The Beninese government failed in 2013 to carry out joint investigations or extraditions of charged defendants in cooperation with Congolese authorities—a key component of their anti-trafficking cooperation agreement. In August 2013, Beninese officials met with Gabonese authorities to finalize an agreement for cooperation on child trafficking, although this remained incomplete at the end of the reporting period. As part of its cooperation agreement with Nigeria, Beninese security officials routinely hand over to Nigerian authorities alleged Nigerian traffickers intercepted at the border.

The OCPM did not encourage child victims to take part in investigations or court proceedings unless a judge required it, preferring not to expose them to potential additional trauma. There were no reports that victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked. However, the government did not make systematic efforts to identify adult trafficking victims or employ any mechanism to screen individuals in prostitution for trafficking victimization, which may have left victims unidentified in the law enforcement system.

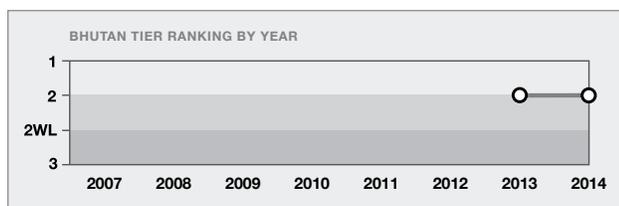
PREVENTION

The government made minimal efforts to prevent trafficking in persons during the year. The anti-trafficking coordinating body—the Trafficking and Exploitation Technical Working Group of the National Monitoring and Coordination Working Group for Child Protection—reportedly met during the year, but failed to coordinate national anti-trafficking efforts, or organize awareness campaigns for the second consecutive year. Nonetheless, during the reporting period, the Ministries of Justice and Family held sessions to raise awareness of child trafficking and the related provisions under Beninese law, specifically in source communities. In July 2013, the government launched the National Plan for the Elimination of the Worst Forms of Child Labor (2012-2015) and the Ministries of Labor, Family, and Justice introduced activities from the plan into their annual work plans. In June 2013, as part of the World Day of Action Against Child Labor, the government, in cooperation with the ILO, UNICEF, and UNHCR, raised awareness of the worst forms of child labor, including child trafficking, at granite and gravel quarries in Dogbo and children's fairs held in Cotonou, Lokossa, and Zapkota. During ILO-funded trainings, Ministry of Labor officials trained 25 labor inspectors on techniques to combat child labor in October 2013, and members of the National Executive Committee to Combat Child Labor, in May 2013. Labor inspectors generally imposed administrative penalties, resulting in fines, even for serious labor violations, some of which likely included trafficking crimes; in 2013, the Ministry of Labor did not report penalization of any child labor law violations. The government took no systematic steps to reduce the demand for commercial sex acts or forced labor both within the country and in other countries during the reporting period. It provided Beninese troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though such training was conducted by a foreign donor.

BHUTAN (Tier 2)

Bhutan is a destination country for men, women, and children vulnerable to forced labor and sex trafficking, and a source country for Bhutanese children subjected to forced labor and sex trafficking within the country and in India, although data is limited. Bhutanese girls, who work as domestic servants and entertainers in *drayungs*, or karaoke bars, are subjected to sex and labor trafficking through debt and threats of physical abuse. Young, rural Bhutanese are transported to urban areas, generally by relatives, for domestic work, and some of them are subjected to domestic servitude. An expanding construction sector has resulted in an increase in low-skilled foreign labor, primarily men from India. Most domestic workers are young girls from poor, rural areas of Bhutan, though some women and girls are transported to Bhutan from India.

The Government of Bhutan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. There were no known law enforcement efforts to combat trafficking in persons. The government did not use formal procedures to identify trafficking victims among vulnerable populations, but funded an NGO whose services were available to protect trafficking victims. Some government agencies have a limited understanding of trafficking in persons and do not recognize trafficking in Bhutan.



RECOMMENDATIONS FOR BHUTAN:

Create, or appoint, an agency to take the lead on trafficking in persons issues; formalize standard operating procedures to proactively identify trafficking victims, both men and women, and refer them to protection services; take law enforcement efforts to address trafficking; investigate, and if there is enough evidence, prosecute those cases; amend Section 154 in the penal code to refine the definition of human trafficking so the purpose of the crime is “exploitation” rather than “any illegal purpose;” undertake and publish a comprehensive assessment of all forms of human trafficking—including labor trafficking of men—in Bhutan; train government officials on the existence of human trafficking and the implementation of anti-trafficking laws; establish shelters for trafficking victims in border areas; continue to fund NGOs that provide protective services to trafficking victims; ensure that trafficking victims are not penalized for acts committed as a result of being trafficked, such as prostitution or immigration offenses; undertake human trafficking awareness-raising measures among vulnerable populations; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The Government of Bhutan did not deploy sufficient law enforcement efforts against human trafficking. Article 154 of the penal code was amended in 2011 broadly to criminalize a person who “recruits, transports, sells or buys, harbors or receives a person through the use of threat or force or deception within, into, or outside of Bhutan for any illegal purpose.” This

definition departs from the 2000 UN TIP Protocol definition because it requires that the purpose be otherwise “illegal,” rather than for the purpose of engaging in “exploitation,” such as forced prostitution or labor. Bhutan also defines trafficking to include the buying, selling, or transporting of a child for any illegal purpose and the same actions if done for the purpose of engaging a person in prostitution in Articles 227 and 379 of the penal code, respectively. It also prohibits all forms of trafficking of children “for the purpose of exploitation” in Article 224 of the Child Care and Protection Act of 2011. Punishments range from three years’ to life imprisonment. The Labor and Employment Act of 2007 also prohibits most forms of forced labor, with penalties from three years’ to five years’ imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government did not investigate or prosecute any suspected trafficking offenders in the reporting period. The Government of Bhutan did not report any investigations, prosecutions, or convictions of cases of government employees complicit in human trafficking. Officials’ lack of training and lack of awareness of human trafficking continued to impair the government’s response to cases.

PROTECTION

The Government of Bhutan continued to fund an NGO that provides protection to victims; however, protection efforts were impaired by the government’s denial of a trafficking problem. The government did not employ systematic procedures to identify victims and refer them to protective care. The government did not identify any trafficking victims, but NGOs identified four trafficking victims during the reporting period: a Bhutanese boy and girl subjected to domestic servitude in India, and two Indians subjected to domestic servitude in Bhutan. The government does not have its own victim protective custody facilities, but funds an NGO partner to provide shelter and rehabilitation to women and children who are victims of all types of violence, including domestic violence, sexual assault, and human trafficking. Services provided by the shelter included counseling, emergency shelter, reintegration assistance, legal aid, advocacy, and creation of community-based support systems to assist with victim identification. There was no equivalent facility for adult males. Adult victims were not able to leave the shelter unchaperoned until after all court proceedings were completed. The Government of Bhutan continued its policy of deporting undocumented migrant workers without screening them for victimization. The law does not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship. The government did not fund or conduct any specialized anti-trafficking training.

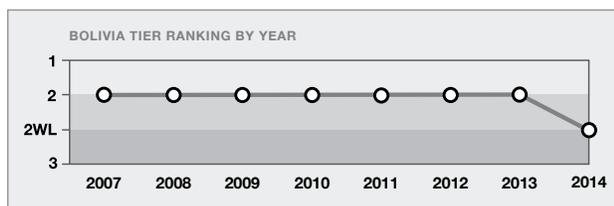
PREVENTION

The Government of Bhutan undertook some efforts to prevent human trafficking. The Bhutan Labor and Employment Act of 2007 required employment recruiters to abide by the same labor laws as employers, and regulated recruiters by requiring licenses. Migrant laborers are registered with the government, and working conditions are monitored by the Ministry of Labour and Human Resources. The government did not launch any campaigns to raise awareness of trafficking in persons in the country. The government did not report whether it took steps to reduce the demand for commercial sex acts. Bhutan is not a party to the 2000 UN TIP Protocol.

BOLIVIA (Tier 2 Watch List)

Bolivia is principally a source country for men, women, and children who are exploited in sex trafficking and forced labor within the country and abroad. To a more limited extent, women from other nearby countries, including Brazil and Paraguay, have been identified in forced prostitution in Bolivia. Indigenous Bolivians are particularly vulnerable to sex and labor trafficking. Women, children, and men are subjected to sex trafficking in Bolivia; LGBT youth are particularly vulnerable to sex trafficking. Bolivian women and girls are also exploited in sex trafficking in neighboring countries, including Argentina, Peru, and Chile. Within the country, Bolivian men, women, and children are found in forced labor in domestic service, mining, ranching, and agriculture. Bolivians working in agriculture, food processing, and ranching in the Chaco region of Bolivia experience forced labor; indicators include physical confinement, induced indebtedness, nonpayment or withholding of wages, and threats of violence. Some indigenous families reportedly live in debt bondage in the country, particularly in the Chaco region. The press reports cases of children forced to commit criminal acts, such as robbery and drug production, and children participating in forced begging. Bolivians are found in forced labor in Argentina, Brazil, Chile, Peru, Spain, the United States, and other countries, usually in sweatshops and agriculture, as well as in domestic service. In 2013, Bolivian authorities identified Bangladeshi men transiting through Bolivia to Brazil as potential labor trafficking victims. Authorities report some nationals from neighboring countries engage in child sex tourism.

The Government of Bolivia 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 report identifying a large number of potential trafficking victims and convicted two trafficking offenders, a decrease from six convictions in 2012. Despite these efforts, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Bolivia is placed on Tier 2 Watch List. Bolivian authorities did not allocate adequate funding for specialized victim services as required under the anti-trafficking law of 2012, nor did they make efforts to register and inspect employment agencies for possible involvement in trafficking, another requirement of the law. Uneven data collection made it difficult to assess government efforts to identify and assist trafficking victims and to investigate and prosecute trafficking cases. Specialized services for adult victims and victims of forced labor were nonexistent. The number of trafficking convictions remained low relative to the large number of victims in Bolivia, particularly for forced labor. Despite the large number of Bolivian trafficking victims identified in neighboring countries, authorities did not report how many, if any, of these victims received government-provided services upon repatriation.



RECOMMENDATIONS FOR BOLIVIA:

Enhance victim services across the country by increasing resources designated for specialized assistance for trafficking

victims, including for victims of forced labor; strengthen efforts to prosecute trafficking offenses, and convict and punish trafficking offenders and fraudulent labor recruiters; increase resources for prosecutors and police and ensure dedicated human trafficking units focus on human trafficking as opposed to other crimes, such as missing persons; develop formal procedures for identifying trafficking victims among vulnerable populations; intensify law enforcement efforts against the forced labor of adults and children, including domestic servitude, and the forced prostitution of adults; provide all returning Bolivian trafficking victims reintegration services; and improve data collection.

PROSECUTION

The Government of Bolivia initiated fewer trafficking investigations and convicted fewer trafficking offenders compared with the previous year. Law 263 of 2012 prohibits all forms of trafficking and establishes penalties of 10 to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed under Bolivian law for other serious crimes, such as rape. The law diverges from the 2000 UN TIP Protocol by penalizing illegal adoption as human trafficking. Some officials conflated human trafficking with the movement of children within the country or to other countries without proper documentation. Some police and prosecutors investigated child sex trafficking as non-trafficking crimes, such as pimping.

Prosecutors reported opening 181 trafficking investigations in 2013; there was no information available regarding how many of these cases involved sex trafficking, forced labor, or illegal adoption or how many victims were children or adults. This represents a decrease from 285 trafficking investigations reported opened by prosecutors in 2012. There were also 161 trafficking investigations that remained open from previous years. In addition, 55 investigations from previous years closed in 2013, 52 for lack of sufficient evidence. The government prosecuted and convicted two trafficking offenders in 2013, but did not report their sentences. In comparison, the government reported convicting one forced labor and five sex trafficking offenders in 2012.

The government operated 15 specialized anti-trafficking and anti-smuggling police units. Some of the cases investigated by these units involved other crimes such as missing persons and domestic violence, limiting officers' ability to focus on human trafficking cases. The national coordination office responsible for prosecution of human trafficking and other crimes maintained a database of trafficking cases, but this database lacked specific information such as the number of prosecutions initiated during the year or the kind of trafficking cases involved. At least one prosecutor in each of Bolivia's nine departments was designated to handle trafficking cases in addition to their existing caseload. Prosecutors reported that police conflated trafficking with other issues, such as runaway youth, and that police gathered insufficient evidence to prove trafficking crimes. Law enforcement officials and prosecutors received anti-trafficking training from government officials in 2013, often partnering with international organizations with foreign donor funding. The ombudsman's office reported that two police officers allegedly forced female inmates into prostitution. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The Government of Bolivia made inadequate victim protection

efforts, and civil society organizations provided the majority of specialized care without government funding. The government lacked formal procedures for identifying trafficking victims among vulnerable populations, such as people in prostitution or child laborers. Prosecutors reported identifying 253 trafficking victims in 2013, but did not specify how many were exploited in labor trafficking or sex trafficking. More than half of these identified victims were Bolivian girls, and based on press accounts and past trafficking convictions, most victims identified were girls in sex trafficking. Efforts to identify forced labor victims or adult trafficking victims were more limited. Authorities reported that labor inspectors were trained to identify forced labor cases, but did not report if any inspectors did so in 2013. Argentine and Brazilian officials reported identifying a large number of Bolivian victims during the year, some of whom returned to Bolivia.

Specialized victim services were lacking in most of the country. Police and prosecutors referred victims to services and shelters during the year, including social workers, although the government did not report the total number of victims assisted in 2013 or what kind of services these victims received. Authorities had a victim attention protocol outlining required victim support procedures for different government institutions, but it is unclear how it was implemented. The government operated one shelter in La Paz for girl victims of sexual abuse and commercial sexual exploitation that assisted 30 child sex trafficking victims in 2013. Funding for this shelter was inadequate to meet the needs of victims. Law 263 required regional governments to create specialized care centers for trafficking victims, but none did so during the year. The government funded no specialized services for boys or for adult victims. Departmental governments operated special victims units focused on providing legal and psychological services to victims of gender-based violence, including victims of human trafficking, but did not report how many trafficking victims these units assisted. These units varied in effectiveness and most lacked sufficient resources. NGOs and religious groups provided the majority of shelter care and reintegration programs without government funding; none of these programs were exclusively for trafficking victims. An international organization funded the repatriation of 19 Bolivian victims from Argentina and Peru, and the government did not have sufficient funding to assist Bolivian victims exploited in neighboring countries. Authorities did not report what services were provided to repatriated victims. In this reporting period, the government did not report progress in providing long-term medical, psychological, and legal support for trafficking victims and improving victim protection, deficiencies identified by an internal government assessment conducted in 2012.

The government encouraged victims to participate in trafficking investigations and prosecutions, though victims often chose not to cooperate out of fear of reprisals from traffickers and lack of faith in the judicial system. During the year, there was one known case in which government officials released the names of child trafficking victims to the press. The trafficking law criminalizes the release of victim information by government employees and prescribes penalties of three to eight years' imprisonment, but authorities did not report initiating any prosecutions for this crime. There were no reports of identified victims being jailed or penalized for unlawful acts committed as a direct result of their being subjected to human trafficking. The government could provide foreign victims with humanitarian visas to temporarily remain in Bolivia, but did not report doing so during the year.

PREVENTION

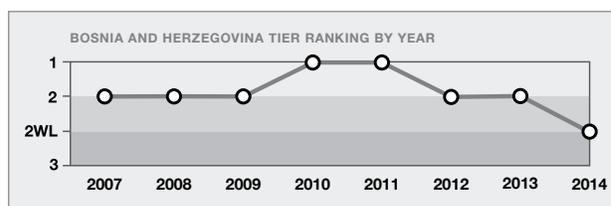
The government took limited prevention efforts, which varied

greatly in effectiveness across the country. The national anti-trafficking council, which also focused on smuggling, met monthly and drafted a national plan for trafficking and smuggling in 2013 with civil society input. Several departments formed anti-trafficking councils of varying effectiveness to coordinate local policies; however, coordination between government agencies was uneven outside of the capital. Law 263 obligated private media outlets to run or publish public awareness announcements on human trafficking without remuneration. It also required the Ministry of Labor to create a national registry of employment agencies—entities often involved in trafficking cases—in order to monitor for trafficking activity, but authorities did not establish this mechanism in 2013. There were no reported investigations, prosecutions, or convictions for child sex tourism during the year. The government did not report any efforts to reduce demand for commercial sex acts or forced labor. It did not report providing anti-trafficking training to its troops before they deployed on international peacekeeping missions.

BOSNIA AND HERZEGOVINA (Tier 2 Watch List)

Bosnia and Herzegovina is a source, destination, and transit country for men, women, children, and persons with developmental disabilities subjected to sex trafficking and forced labor. Bosnian women and girls are subjected to sex trafficking within the country in private residences, motels, and gas stations. Roma boys and girls are subjected to forced labor, including forced begging and forced marriage by local organized criminal groups. In some cases of forced marriage, girls as young as 12-years-old have been subjected to domestic servitude and had their passports withheld. In past years, victims from Serbia, Bulgaria, Germany, Kosovo, and Ukraine were subjected to sex trafficking and forced labor within the country. Bosnian victims are subjected to sex trafficking and forced labor in Serbia, Slovenia, Macedonia, Azerbaijan, Croatia, Spain, Italy, and other countries in Europe.

The Government of Bosnia and Herzegovina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government allocated funding for anti-trafficking activities in the national budget. Both the Brcko district and the Republika Srpska amended their anti-trafficking laws. Despite these measures, the government did not show progress in convicting trafficking offenders or identifying and protecting trafficking victims; therefore, Bosnia and Herzegovina is placed on Tier 2 Watch List. The government has not yet amended all sub-national laws to criminalize all forms of trafficking consistent with national and international law. It significantly decreased its identification of victims, representing a lack of vigorousness regarding investigations, victim identification, and prosecutions by relevant agencies. Law enforcement and judiciary agencies failed to prioritize forced labor and forced begging as criminal activities.



RECOMMENDATIONS FOR BOSNIA AND HERZEGOVINA:

Vigorously investigate sex and labor trafficking and hold trafficking offenders accountable through prosecutions and appropriate sentences; increase victim identification; harmonize all sub-national laws to explicitly criminalize all forms of trafficking consistent with the state law and the 2000 UN TIP Protocol; increase assistance and protection for all victims of trafficking, regardless of their cooperation with law enforcement or outcome of prosecutions; increase efforts to provide training to officials on identification of victims of labor trafficking; train all front-line officers on the identification of victims, including law enforcement, social welfare officers, child centers, medical staff, and labor inspectors; include labor inspectors in the national referral mechanism with a goal of increasing identification of male victims and labor trafficking victims; ensure that child victims are afforded adequate care during the investigation and prosecution of trafficking cases, including protection from threats and a coherent, unified system of victim care throughout trial; enhance transparency regarding victim protection, including by better integrating Roma groups into decision-making processes; make stronger efforts to prevent trafficking by reducing the demand for commercial sex acts and the use of the services of trafficking victims; and provide a reflection and recovery period for all victims of trafficking.

PROSECUTION

The Government of Bosnia and Herzegovina improved anti-trafficking law enforcement efforts over the last year by increasing prosecutions and convictions throughout the state; although one of the entities and the Brcko District harmonized their laws with national and international law in 2013, law enforcement and judiciary agencies failed to prioritize forced labor and forced begging as criminal activities, and accountability for traffickers remained weak. Bosnia and Herzegovina prohibits sex trafficking and forced labor through Article 186 of the criminal code, which prescribes penalties of three to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2013, the state prosecutor's office initiated investigations into alleged crimes committed by six sex trafficking suspects, compared with eight in 2012; investigations involving 28 suspects remained pending from previous reporting periods. The state prosecutor's office initiated prosecutions against five alleged trafficking offenders, including one for forced labor, compared to at least one prosecution in 2012. The national government convicted two trafficking offenders during the reporting period, compared to one conviction in 2012, and sentenced each offender to four years' imprisonment for sex trafficking.

Bosnia and Herzegovina consists of two entities within the state, the Federation of Bosnia and Herzegovina and the Republika Srpska. Each entity has political, legislative, and judicial authority. The Brcko District is a self-governing unit under the jurisdiction of the state. Because the Federation's amendments were rejected, the government has yet to fully harmonize sub-national laws with the state anti-trafficking law and the 2000 UN TIP Protocol to explicitly criminalize all forms of trafficking. The harmonization addresses an important jurisdictional objective, as only cases with an international aspect can be prosecuted at the state level. The entity-level authorities address domestic offenses. In the absence of such trafficking-specific statutes, some trafficking offenders were prosecuted under an old Enticement to Prostitution statute, Article 210 of the Federation of Bosnia and Herzegovina's criminal code. During the reporting period,

Republika Srpska authorities revised Article 198a of their criminal code to bring it into compliance with the definition of trafficking under international law. During the reporting period, Article 207 Enticement to Prostitution of the criminal code of the Brcko District was amended to include Article 207(a), which criminalizes trafficking and prescribes a minimum of five years' and maximum of 10 years' imprisonment. Cantonal (local) prosecutors' offices within the Federation investigated 14 alleged trafficking offenders and initiated prosecutions for eight persons, compared with three in 2012. During the reporting period, Federation courts convicted five trafficking offenders, greater than the number of convictions in 2012. Two traffickers were sentenced to imprisonment and three received suspended sentences. Courts sentenced the two offenders to 1.5 years' imprisonment. Courts in the Republika Srpska investigated one alleged offender and initiated prosecution for one person; courts convicted one offender under Article 198, compared with two in 2012. The Brcko District investigated three persons and initiated prosecutions for two alleged offenders. One offender was convicted under Article 207 and sentenced to eight years' imprisonment for forced labor.

Training for government officials focused on recognition, investigation, and prosecution of trafficking. Corruption remained a problem, and police reportedly accepted bribes in exchange for information concerning upcoming raids. The government did not report any investigations, prosecutions, or convictions of public officials for alleged complicity in trafficking-related offenses during this reporting period.

PROTECTION

The government's efforts to protect victims of trafficking decreased during the reporting period as victim identifications dropped to the lowest level ever, reflecting the lack of vigorous investigation, identification, and prosecution by relevant agencies. The national referral mechanism did not incorporate labor inspectors, hampering efforts to identify and assist victims of forced labor. The government identified 16 victims of trafficking in 2013, a steep decrease from 39 victims in 2012. Of the identified victims, 13 were subjected to forced labor and three were victims of sex trafficking. Nine of the 16 identified victims were children, five were adult females, and two were adult males. Government experts noted the number of identified victims was significantly lower than the estimated incidence of trafficking. During the reporting period, seven NGOs received small grants from the government to meet basic needs of victims of trafficking. NGOs reported a lack of transparency in the allocation of government funds, particularly with regard to Roma victims. The government referred six victims of trafficking to shelters; the child victims were accommodated with their families; and some victims declined assistance. Foreign victims were permitted to permanently leave the shelter after obtaining approval; domestic minor victims were permitted to leave after obtaining the consent of a guardian; and domestic adult victims were permitted to leave the shelter at any time. The victims were not permitted to leave the shelter without a chaperone.

The government offered domestic and foreign victims of trafficking reintegration services and access to psychological assistance, medical care, vocational training, legal counseling, and aid, provided they reside in recognized or authorized shelters. Assistance to victims was provided by social welfare centers throughout the country; victims of trafficking who were no longer in shelters were not offered these rehabilitation or reintegration services or given access to the labor market.

Six victims of trafficking received assistance. The government rarely referred foreign victims to legal service providers, despite agreements with an NGO to do so. Experts expressed concerns about interview techniques used with child trafficking victims, noting a victim was interviewed in front of her suspected exploiter. Foreign victims of trafficking are eligible for a humanitarian visa for a legal, temporary stay in Bosnia and Herzegovina. Prior to requesting such a visa, victims are permitted a 30-day period to determine whether they want to request a visa. The government allows victims of trafficking who hold a humanitarian visa to work legally in the country and to count time spent under such a visa towards permanent residency; there is no special visa for trafficking victims. In practice, temporary residency permits were granted only to victims whose cases were prosecuted. One victim of trafficking requested and received a residence permit during the reporting period; the two victims who received residence permits in 2012 were subsequently repatriated. Observers reported that, once prosecutors determined a victim's testimony was not needed, or when they closed a case due to lack of evidence, the government often initiated deportation procedures against victims of trafficking without providing them adequate assistance or arranging for their safe repatriation. NGOs reported the state prosecutor improperly required proof of recruitment as part of a child trafficking case in order to charge the case as trafficking. Experts documented problems with the continuity of victim care; after indictment, victim-witness support from law enforcement and prosecutors ended, and the court took over any support. This lack of continuity discouraged victims' participation and was confusing, as victims did not receive timely updates on the status of their case. Furthermore, the Council of Europe's Group of Experts on Action Against Trafficking in Human Beings (GRETA) documented that child victims were intimidated during trials and that authorities did not use available legal protections to shield them from threats. There were no reports of victims being detained or otherwise penalized for unlawful acts committed as a result of their being trafficked. Only Brcko District contains a provision exempting trafficking victims from prosecution for unlawful acts.

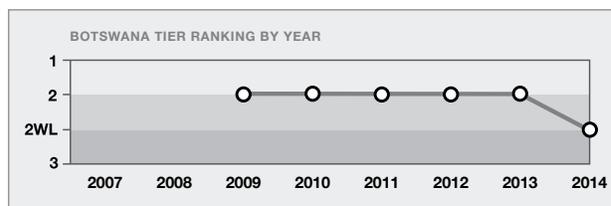
PREVENTION

The Government of Bosnia and Herzegovina made moderate efforts to prevent trafficking during the reporting period. In 2013, the government co-organized several activities and public awareness campaigns on the prevention of human trafficking and trafficking of forced labor, especially forced begging and domestic servitude. The government allocated the equivalent of approximately \$7,000 for activities associated with the 2013 European anti-trafficking day, which included a panel discussion with high school students on trafficking prevention. In cooperation with an NGO, the State Coordinator expanded existing anti-trafficking monitoring teams, which coordinated the implementation of the national action plan and incorporated mental health professionals into the team. The monitoring team produced guidelines to mental health centers on working with victims of trafficking. The government adopted a new national action plan for 2013-2015. The government allocated the equivalent of approximately \$133,000 to implement the national strategy and action plan in 2014, compared with \$100,000 in 2013. The government, in cooperation with the OSCE, maintained a training program for peacekeepers on identifying and reporting human trafficking. The government undertook some modest public prevention campaigns targeting the demand for commercial sex acts, although the GRETA report concluded these efforts were weak.

BOTSWANA (Tier 2 Watch List)

Botswana is a source and destination country for women and children subjected to forced labor and sex trafficking. Residents of Botswana most susceptible to trafficking are unemployed men and women, those living in rural poverty, agricultural workers, and children. Some parents in poor rural communities send their children to work for wealthier families as domestic servants in cities or as herders at remote cattle posts. Young Botswana serving as domestic workers for extended family or friends of family in some cases may be denied access to education and basic necessities or subjected to confinement or verbal, physical, or sexual abuse—all conditions indicative of forced labor. Botswana girls are exploited in prostitution within the country, including in bars and along major highways by truck drivers. The ILO and a child welfare organization in Botswana believe that a significant minority of persons in prostitution are children. Undocumented Asian immigrants may be vulnerable to forced labor due to the threat of deportation; for example, in a previous year, an Indian national was held in forced labor through nonpayment of wages and withholding of his passport by traffickers of the same nationality. NGOs report forced labor of both adults and children of the San ethnic minority group on private farms and at cattle posts.

The Government of Botswana 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, including the Botswana Police Service's (BPS) survey of potential trafficking cases, the government did not demonstrate evidence of overall increasing anti-trafficking efforts compared to the previous year; therefore, Botswana is placed on Tier 2 Watch List. The government has never criminally prosecuted or convicted a trafficking offender, and did not investigate reports of complicity by officials in trafficking crimes. The Ministry of Defense, Justice, and Security (MDJS)—the lead ministry overseeing anti-trafficking efforts—did not make progress in developing national anti-trafficking policy during the reporting period. The government did not enact draft anti-trafficking legislation or launch an awareness-raising campaign. It also has yet to develop formal victim identification and referral procedures—inhibiting the identification and provision of services to victims among vulnerable groups, including women in prostitution and undocumented migrants. Officials did not address gaps in its social assistance programming, which prevented the provision of protection services to the large majority of children discovered in prostitution in the previous reporting period; the government continued to not provide assistance to these children because they were neither orphans nor destitute.



RECOMMENDATIONS FOR BOTSWANA:

Enact comprehensive anti-trafficking legislation; increase efforts to investigate and criminally prosecute cases against suspected trafficking offenders using existing laws for both transnational and internal trafficking cases; develop a formal system to identify trafficking victims proactively and refer them to care; train law

enforcement, immigration, and social welfare officials on these identification procedures to screen vulnerable populations, including women in prostitution and undocumented migrants, for potential trafficking victimization; establish a program to provide specific care for trafficking victims, either directly or in partnership with NGOs, to provide them accommodation during their support to investigations; develop guidelines for government-provided services to include victims of child prostitution; launch a national human trafficking awareness campaign; and institute a unified system for documenting and collecting data on human trafficking cases.

PROSECUTION

The Government of Botswana made minimal progress in its anti-trafficking law enforcement efforts, as it did not enact draft anti-trafficking legislation and did not demonstrate significant efforts to vigorously investigate and prosecute trafficking offenses under existing law. Botswana does not have a law specifically prohibiting trafficking in persons, though provisions in the Penal Code of 1998, such as those in sections 150-158 (forced prostitution), section 256 (kidnapping for slavery), and sections 260-262 (slavery and forced labor), prohibit most forms of trafficking. The sufficiently stringent penalties prescribed for offenses under these sections range from seven to 10 years' imprisonment, and are commensurate with those prescribed for other serious crimes, such as rape. Sections 57 and 114 of the 2009 Children's Act prohibit child prostitution and child trafficking, respectively; section 57 prescribes penalties of two to five years' imprisonment for facilitation or coercion of children into prostitution, while section 114 prescribes penalties of five to 15 years' imprisonment for child trafficking. The Children's Act fails to define child trafficking, potentially limiting its utility. As reflected in the 2013 Report, the Attorney General completed drafting anti-trafficking legislation in October 2012 and submitted it to the Cabinet for review in early March 2013. Parliament did not pass the legislation during the reporting period.

In 2013, the government reported on law enforcement efforts to address potential trafficking crimes, but continued to focus on investigating potential trafficking crimes involving transnational movement. It did not investigate any cases involving Botswana victims trafficked internally—including children in prostitution or domestic servitude. The government did not initiate investigations and prosecutions of forced labor and sex trafficking offenses during the year. A trafficking prosecution initiated in 2010 involving an aunt who exploited her niece in domestic servitude was ongoing at the end of the reporting period.

There were no investigations or prosecutions of government employees for complicity in trafficking crimes reported in this and previous reporting periods. A government-funded NGO reported that members of the civil service, including police officers, soldiers, and teachers, were among the clients of children in commercial sex. The government trained an increased number of officials on human trafficking; as part of four workshops over the year, the BPS trained 300 police officers on victim identification and interview techniques.

PROTECTION

The government made minimal efforts to protect victims of trafficking during the year. The government identified two potential trafficking victims in 2013 and referred them to an NGO. However, the government did not make systematic efforts or develop formal procedures to identify trafficking victims and

refer them to care. Botswana has no social services specifically assisting victims of human trafficking. The government funded an NGO-operated shelter, which provided general services to children. One child victim of domestic servitude, identified in 2010, remained within the care of this shelter for a fourth year and government social workers continued to oversee her case. While a government-funded NGO received a request from a social services official to provide assistance to two potential child trafficking victims from Zimbabwe, it lacked the resources to do so. In the previous reporting period, Department of Social Services staff provided services to only one of the 58 children removed from prostitution, as the children were not orphaned or destitute and, therefore, were judged not to qualify for existing social services programming; the government did not correct such gaps in social assistance programming during the year.

Botswana does not have laws, regulations, or policies that protect trafficking victims from punishment for unlawful acts committed as a direct result of their being trafficked or that allow foreign victims relief from deportation. For example, police exclusively arrest persons soliciting prostitution but do not screen this vulnerable population for victimization. The government deported undocumented foreign migrants within 24 hours of arrest and, due to limited time and resources, provided only informal screening for trafficking victimization for approximately 300 undocumented foreign migrants deported each day. Botswana's informal screening has never resulted in the identification of a trafficking victim.

PREVENTION

The government made decreased efforts to prevent trafficking during the year. In the previous reporting period, the government began to develop a national action plan; it did not complete or begin to implement this plan in 2013. Despite official recognition of the need to increase the understanding of trafficking among Botswana, the government did not launch any trafficking awareness campaigns for the third consecutive year. In December 2013, in partnership with a foreign embassy and an NGO, the government held a workshop and youth dialogue where officials presented proposed legislation and police acknowledged anti-trafficking challenges in Botswana; the events reached at least 100 youth, in addition to government and foreign officials in attendance. In March 2014, in partnership with IOM and UNHCR, the government held a workshop for civil society and government officials on addressing the challenges of mixed migration, which included a segment on trafficking victims. The government did not make efforts to reduce the demand for commercial sex acts during the reporting period.

BRAZIL (Tier 2)

Brazil is a large source and destination country for men, women, and children subjected to sex trafficking and forced labor. Brazilian women and children are exploited in sex trafficking within the country, and federal police report higher rates of child prostitution in the north and northeast regions. Brazilian women are found in sex trafficking abroad, often in Western Europe or neighboring countries such as Suriname, but also as far away as Japan. To a lesser extent, women from neighboring countries, including Paraguay, are exploited in sex trafficking in Brazil. Transgender Brazilians are forced into prostitution within the country, and Brazilian men and transgender Brazilians have been exploited in sex trafficking in Spain and Italy. Child sex

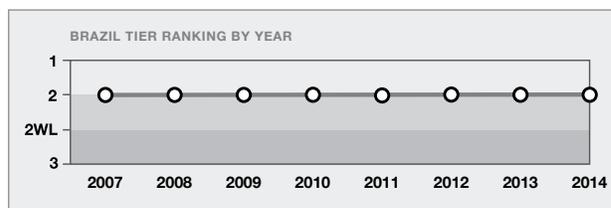
tourism remains a problem, particularly in resort and coastal areas in Brazil's northeast. Child sex tourists typically arrive from Europe and, to a lesser extent, North America.

Under Brazilian law, the term *trabalho escravo*, or slave labor, is defined as forced labor or labor performed during exhausting work days or in degrading working conditions. While not all individuals identified as working in *trabalho escravo* are forced labor victims, one study noted that 60 percent of workers interviewed in rural *trabalho escravo* cases had experienced key indicators of forced labor, and numerous cases involving debt bondage were identified during the year. Some Brazilian men, and to lesser extent women and children, are subjected to *trabalho escravo* in rural areas, often on cattle ranches, charcoal production camps, and sugar-cane plantations, as well as in logging, mining, and agriculture. There is a correlation between *trabalho escravo* and environmental degradation and deforestation-related activities, particularly in the Amazon region. Brazilians in *trabalho escravo* have also been identified in urban areas, primarily in construction, as well as in factories and the restaurant and hospitality industries. For the first time, in 2013 Brazilian authorities identified more individuals in *trabalho escravo* in urban areas than in rural areas. Labor inspectors have identified *trabalho escravo* used by sub-contractors constructing subsidized housing for a government program. Brazil is a destination for men, women, and children from other countries, principally Bolivia, Paraguay, Peru, Haiti, and China, exploited in forced labor and debt bondage in a variety of sectors. These sectors include construction; the textile industry in metropolitan centers, particularly Sao Paulo; and small businesses in different parts of the country.

Many Brazilian women and children, as well as girls from other countries in the region, are exploited in domestic servitude, particularly in the northeast and in the interior of the country. Child domestic servitude is rarely identified, although a recent census estimates indicate that more than 250,000 children—some of whom are trafficking victims—are employed as domestic workers in Brazil. In some cases, traffickers informally adopt girls to work in homes without remuneration. Some Brazilian men, women, and children who are trafficking victims are forced by their traffickers to engage in criminal activity within the country and in neighboring countries, including drug trafficking. Brazilian forced labor victims have been identified in other countries, including Spain, Italy, and the United States.

The Government of Brazil does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Brazilian authorities increased the number of criminal investigations against potential labor trafficking offenders and upheld convictions against at least five labor traffickers and seven sex traffickers. The government continued a variety of awareness-raising efforts at the federal, state, and local level. Brazilian law defines trafficking as a movement-based crime and statutes prohibiting trafficking do not align with international law, making it difficult to assess fully government efforts. Most cases took many years to move from investigations to final convictions in the slow-moving judicial system, and some sex and labor traffickers whose initial convictions were upheld in 2013 served sentences by paying fines, completing community service, or living under house arrest. There were some cases of government officials who were investigated in 2013 for complicity in trafficking-related crimes. The government did not fund specialized services or shelters for sex and labor trafficking victims, and it was unclear how many victims received services during the year. Only one state

out of 26 provided job training and reintegration services for labor trafficking victims.



RECOMMENDATIONS FOR BRAZIL:

Increase efforts to investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders, including those engaged in internal sex trafficking not involving movement; in partnership with civil society, dedicate increased funding for specialized assistance, shelters, and protection for victims of sex trafficking and forced labor; vigorously investigate and prosecute those who engage in the prostitution of children, including through child sex tourism; amend legislation to apply more stringent sentences for trafficking offenders to ensure convicted traffickers cannot serve sentences through community services or fines; verify through ongoing oversight that victims of both sex and labor trafficking are referred to comprehensive social services and that officials working at social service centers have funding and training to provide specialized services, including vocational training and employment opportunities as needed; provide oversight to local guardianship councils to ensure the child victims of sex and labor trafficking receive comprehensive services and case management; enhance timely data collection on trafficking prosecutions, convictions, and victim identification; increase staff dedicated to proactively identifying victims of sex trafficking and domestic servitude, using the model of dedicated staff assigned to investigate *trabalho escravo* in formal work places; dedicate funding to replicate the Mato Grosso job training program for freed laborers in other states; and increase collaboration between government entities involved in combating different forms of human trafficking to ensure coordinated efforts.

PROSECUTION

Brazilian authorities continued law enforcement efforts against human trafficking, although the lack of a unified anti-trafficking law and comprehensive data made it difficult to evaluate these efforts. Brazilian laws prohibit most forms of trafficking in persons. Articles 231 and 231-A of the penal code prohibit sex trafficking involving movement, with violence, threats, or fraud as aggravating elements, as opposed to necessary elements of the offense. These articles prescribe penalties of two to eight years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Articles 231 and 231-A are inconsistent with international standards because they require movement as a necessary element of human trafficking and also prohibit moving a person for the purposes of prostitution, which is not a trafficking crime as defined in international law. Prosecutors sometimes prosecute cases of sex trafficking not involving movement under pimping statutes instead of the sex trafficking statute and many internal sex trafficking cases are investigated as other crimes, such as sexual exploitation of children.

Some labor trafficking offenses are criminalized pursuant to Article 149 of the penal code, which prohibits *trabalho escravo*, or reducing a person to a condition analogous to slavery, prescribing

penalties of two to eight years' imprisonment. Article 149, however, goes beyond situations in which people are held in service through force, fraud, or coercion to criminalize other treatment that is not considered human trafficking, including situations in which persons are subjected to exhausting work days or degrading working conditions. Article 207 of the penal code prohibits fraudulent recruitment of workers, with sentences of one to three years' imprisonment. Brazilian law does not appear to adequately criminalize non-physical coercion used to subject workers to forced labor, such as threatening foreign victims with deportation unless they continue to work.

Given that Brazilian laws related to trafficking also criminalize non-trafficking offenses, and that other laws may have been used to prosecute and convict trafficking offenders, it was unclear how many total trafficking investigations and prosecutions were initiated or how many trafficking offenders were convicted and sentenced in 2013. Authorities did not report how many sex trafficking cases were investigated in 2013 or how many sex trafficking prosecutions were initiated in 2013. According to data from federal prosecutors' offices, police opened 185 investigations and prosecutors opened 702 criminal investigations of potential *trabalho escravo* in 2013 compared with 167 police investigations and 391 prosecutorial investigations in 2012. Based on available but incomplete data, there were approximately 101 criminal prosecutions launched under Article 149 in 2013 compared with 153 in 2012.

Most sex and labor trafficking offenders convicted by lower courts appealed their convictions while living in freedom. These judicial processes last for years, and officials noted that delays in the justice system made it difficult to hold traffickers accountable for their crimes. In 2013, federal appeals courts upheld the convictions of at least seven sex traffickers and five labor traffickers. Of these convicted sex traffickers, two received no jail time but were fined and sentenced to community service, while other sentences ranged from two years served in house arrest to 15 years' imprisonment. Of the convicted labor traffickers, two received no jail time but were fined the equivalent of approximately \$300,000, two had sentences that could be served as house arrest or community service, and one was sentenced to 11 years and 6 months' imprisonment for child domestic servitude involving repeated torture of the victim. It was unclear how many trafficking convictions federal courts upheld in 2012 and if this represented an increase or decrease in upheld convictions.

Various federal and state police and prosecutorial units investigate potential trafficking cases, and various state and federal courts rule on trafficking cases. The lack of a unified approach led to disjointed law enforcement efforts. Many law enforcement units, including those investigating crimes against women or children, reported they needed more funding, expertise, or staff to investigate potential trafficking cases. Some officials reported bureaucratic hurdles in conducting trafficking investigations, including the inability to investigate businesses for sex trafficking without the registration of an official complaint. According to civil society organizations and officials, some police officers did not understand traffickers' use of subtle forms of coercion. Officials recognized that training for local and state level law enforcement officials remained uneven, and authorities provided anti-trafficking training to more than 2,000 state and federal police officers in 2013.

The Ministry of Labor (MOL)'s anti-*trabalho escravo* mobile units continued to free laborers and require those responsible for

their exploitation to pay fines. Labor inspectors and prosecutors could only apply civil penalties, and their efforts were not always coordinated with Public Ministry prosecutors who initiate criminal cases. Many of these *trabalho escravo* cases were not criminally prosecuted. In some areas, local political pressure, threats, and violence from landowners; shortage of labor inspectors or police officers; and the remoteness of areas in which rural *trabalho escravo* was prevalent were impediments to investigation. Mobile inspection teams were not always accompanied by federal police for physical protection. In some cases, individuals and companies had multiple accusations and investigations involving *trabalho escravo* against them. Officials reported that domestic servitude cases were particularly difficult to identify and investigate.

In May 2013 and January 2014, members of the National Council of Justice visited Amazonas state and found that judges repeatedly and purposefully delayed the investigation of the mayor of the one of the largest cities in the state for operating a child sex trafficking ring in a case that dated back to 2009. The mayor and five members of his cabinet were arrested in February 2014. Authorities in Bahia state opened an investigation against a judge for alleged involvement in international sex trafficking and authorities in Rio de Janeiro opened an investigation into local police officers allegedly involved in operating a brothel. NGOs and officials reported that some police officers often turned a blind eye to the commercial sexual exploitation of children and were clients at brothels, impeding proactive identification of potential sex trafficking. In 2013, authorities identified eight members of Congress as owning companies that employed *trabalho escravo* in previous years. It was unclear how many new criminal investigations or prosecutions of officials for *trabalho escravo* were opened, if any.

PROTECTION

The Brazilian government continued to identify a large number of potential trafficking victims and offer social services to vulnerable populations, but did not fund specialized services and did not report how many total victims were assisted during the year. Labor inspectors, staff at anti-trafficking offices, and other officials had guidance on how to identify potential trafficking victims, though some officials lacked formal written procedures to guide them in identifying trafficking victims among vulnerable populations. Various government entities used different definitions to identify the number of trafficking victims assisted in 2013, making it difficult to assess total victim identification and assistance efforts. State governments operated 16 state-level anti-trafficking offices and 13 assistance posts in airports and other key transit points to aid repatriated citizens, including possible trafficking victims. Six of these offices reported identifying at least 190 potential sex trafficking victims and 1,144 potential labor trafficking victims. Many of the latter were identified by MOL mobile inspection units, which identified and freed 1,658 laborers in situations of *trabalho escravo* in 2013. One international organization study reported that 13 percent of workers subjected to forced labor were rescued by mobile units during their exploitation, suggesting that many forced labor victims remain unidentified. It was unclear if authorities identified any victims of domestic servitude during the year. The government did not report the number of children identified in commercial sexual exploitation in 2013.

The federal government did not fund specialized shelters or services for trafficking victims. Victim services and shelters varied from state to state and remained underfunded and inadequate

in many parts of the country. Anti-trafficking offices and posts functioned during business hours and were responsible for referring victims to services, but authorities did not report how many victims identified by these entities were referred to services such as shelter or legal or psychological care. The government operated specialized social service centers across the country where psychologists and social workers provided assistance to vulnerable people, including trafficking victims; 454 of the centers, or 20 percent, were certified by officials to assist trafficking victims. The Ministry of Social Development provided generalized shelter, counseling, and medical aid to women through its nationwide network of at least 187 centers and 72 shelters. In 2012, the last year for which statistics were available, these centers assisted at least 137 victims of sexual exploitation: 31 girls, 19 women, 27 boys, and 60 men. The centers did not report how many victims of labor trafficking were assisted in 2012. Many government-run centers were not prepared to handle trafficking cases and were underfunded. NGOs and international organizations provided some additional victim services. There were no specialized services for male and transgender sex trafficking victims. Long-term shelter options for sex trafficking victims were generally unavailable, and officials in many states, including Sao Paulo, reported the need for specialized shelter options. Sex trafficking victims did not receive three months' salary at minimum wage like laborers in situations of *trabalho escravo*.

It was unclear how many child victims were referred to government-run specialized social service centers to receive legal and health services. Specialized shelters for children in commercial sexual exploitation were lacking. Local guardianship councils, autonomous entities whose members were elected by community members, were responsible for monitoring the situation of children whose rights had been violated and deciding what protection measures should be taken; however, NGOs and officials reported these councils often did not have the expertise or resources to correctly identify child trafficking victims and refer them to services.

Individuals removed from *trabalho escravo* were provided with unpaid wages plus three months' salary at minimum wage and transportation home. Although labor prosecutors reported awarding some victims monetary compensation from fines levied against employers, in some cases authorities did not file for these indemnities, and in other cases the victims did not receive them due to nonpayment by employers. The government reported that rescued workers were due the equivalent of approximately \$3.2 million in back-pay in 2013. The state of Mato Grosso continued to fund a program to provide vocational training in construction skills and other services to freed slave laborers in partnership with civil society and the private sector and was the only state to do so. According to NGOs and international organizations, a significant percentage of rescued slave laborers have been re-trafficked, due to few alternate forms of employment and a lack of substantive assistance and services. A recent study found that workers freed from *trabalho escravo* faced the same vulnerabilities a year after being rescued. This research found that officials responsible for providing social services in rescued workers' hometowns were not told that these workers had returned and did not have the knowledge or capacity to provide services to these victims.

The government encouraged trafficking victims to participate in investigations and prosecutions of their traffickers, but did not report how many did so. Some victims were reluctant to testify due to fear of reprisals from traffickers. Victims of sex trafficking

were eligible for short-term protection under a program for witnesses, but it was unclear how many victims participated in this program in 2013. The government generally did not detain, fine, or otherwise penalize identified victims of trafficking for unlawful acts committed as a direct result of being trafficked. The government ombudsman recommended that foreign trafficking victims be offered refugee status, although authorities did not report how many victims, if any, received this status in 2013. In 2013, federal police officers deported some foreign citizens identified as *trabalho escravo* victims, despite official guidance instructing officials not to do so.

PREVENTION

The Brazilian government continued various prevention efforts, but coordination between initiatives focused on different forms of trafficking was uneven. The National Secretary of Justice (SNJ) coordinated the national committee on trafficking, which also included selected NGOs. The SNJ issued two reports in 2013 on government efforts to implement a plan for movement-based trafficking launched in the previous reporting period. NGOs reported that plan implementation was weaker in states with fewer financial resources. The government continued to operate anti-trafficking offices in 16 states. These offices were responsible for coordinating local government efforts against trafficking, raising public awareness, and referring victims to services. Some of these offices lacked adequate infrastructure, human resources, and budget. Many states and some municipalities had local-level anti-trafficking coalitions, committees, and plans. The national commission to eradicate *trabalho escravo*, a council composed of government agencies, NGOs, and international organizations, continued to coordinate efforts against *trabalho escravo*, and some states had local commissions of varying degrees of activity. Various federal, state, and municipal entities undertook anti-trafficking initiatives and trafficking offices awareness efforts, such as traveling awareness roadshows and workshops, often in collaboration with civil society and the private sector.

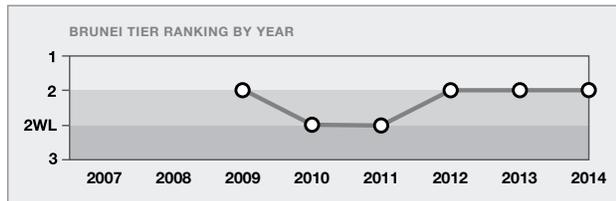
In an effort to reduce the use of forced labor, the MOL published a "dirty list," which publicly identified individuals and corporate entities determined to be responsible for *trabalho escravo*. The most recent version of the list, released in December 2013, added more than one hundred new entries for a total of 579 total employers, who were denied access to credit by public and private financial institutions because of this designation. A state official sued to have her name removed from the list. Sao Paulo state had a law penalizing companies using *trabalho escravo* in their supply chain.

Authorities continued awareness campaigns during the Carnival season in an effort to reduce the demand for commercial sexual exploitation of children. The government continued to prosecute a case initially investigated in 2007 involving a fishing tour company that brought U.S. citizens to engage in child sex tourism with indigenous girls in Amazonas state. Government records do not specify the total number of investigations, prosecutions, or convictions of child sex tourists in 2013. The Brazilian government provided anti-trafficking training to its military troops prior to their deployment abroad on international peacekeeping missions.

BRUNEI (Tier 2)

Brunei is a destination country for men, women, and children subjected to forced labor and sex trafficking. Men and women from countries in Asia such as Indonesia, Bangladesh, China, the Philippines, Thailand, and Malaysia migrate to Brunei primarily for domestic work, or on social visit passes or tourist visas, and are sometimes subjected to conditions of involuntary servitude upon their arrival. Some women and girls are subjected to sex trafficking. Some victims are subjected to debt bondage, nonpayment of wages, passport confiscation, physical abuse, and confinement. Although it is illegal for employers in Brunei to withhold wages of domestic workers for more than 10 days, some employers are known to withhold wages in order to recoup labor broker or recruitment fees or as a tool to compel the continued service of workers. Retention of migrant workers' travel documents by employers or agents is a common and generally accepted practice.

The Government of Brunei 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 Heads of Specialist Trafficking Unit (HSU) completed and began implementation of a national action plan to combat trafficking, and Brunei authorities convened a meeting with representatives from foreign diplomatic missions to raise awareness of trafficking and the processes for reporting suspected cases. Debt bondage and passport confiscation continued to occur. During the reporting period, the government conducted interviews in 136 cases of labor complaints to screen for suspected trafficking offenses, but it did not prosecute or convict any trafficking offenders; one case remained under investigation at the close of the reporting period. The government did not report identifying any trafficking victims or providing any suspected victims protective services.



RECOMMENDATIONS FOR BRUNEI:

Increase efforts to investigate and prosecute trafficking offenses and convict and punish offenders of both sex and labor trafficking; train officials on proactive procedures to identify victims of trafficking among vulnerable groups, such as migrant workers and individuals in prostitution, and implement them widely; include social workers when screening potential victims for indicators of trafficking; ensure all suspected victims receive access and referrals to protective services; increase protective services to provide incentives for victims to participate in investigations and prosecutions, including by allowing adult victims in government shelters to come and go freely and by issuing work permits to all victims; prosecute employers and recruitment agencies who unlawfully confiscate workers' passports or use other unlawful practices to compel forced labor; ensure that victims of trafficking are not arrested, deported, or otherwise punished for crimes committed as a direct result of being trafficked; allocate government resources to the fund established by the 2004 law, and allow this to be paid directly to victims as restitution; provide long-term alternatives to

removal to countries where foreign victims may face hardship or retribution; provide training to diplomats on the prevention of trafficking and methods to identify and protect victims prior to their departure for overseas posts; continue to support comprehensive and visible anti-trafficking awareness campaigns directed at employers of foreign workers and clients of the sex trade; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government reported fewer prosecutions and convictions than in the previous reporting period. Brunei prohibits both sex and labor trafficking through its Trafficking and Smuggling Persons Order of 2004, which prescribes punishments of up to 30 years' imprisonment. These punishments are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. The penal code includes a prohibition on traveling outside the country for commercial sex with children, prescribing a punishment of up to 10 years' imprisonment. During the reporting period, the government conducted interviews in 136 cases of labor complaints to screen for suspected trafficking offenses, but it did not prosecute or convict any trafficking offenders; one case remained under investigation at the close of the reporting period. This represents a decrease from the three prosecutions and one conviction obtained during the previous reporting period. One case pending from the previous reporting period was dismissed, and two were prosecuted under other statutes. Cases involving prostitution, unpaid wages, workers fleeing their place of employment, or physical abuse of workers were systematically referred to the Human Trafficking Unit (HTU) of the Royal Brunei Police Force (RBPF) for investigation for potential trafficking. During the reporting period, a previously reported potential trafficking case involving a police officer ended in acquittal after trial. The government provided some anti-trafficking training to officers in the RBPF.

PROTECTION

The Government of Brunei did not identify any trafficking victims or provide protective services to any suspected victims. HTU officers implemented a standardized procedure of asking screening questions when apprehending persons in prostitution and others suspected of being trafficking victims. These efforts led to the screening of 136 suspected victims, but the government did not identify any as trafficking victims. Brunei officials did not generally identify cases as trafficking when victims had willingly migrated, raising concerns about the effectiveness of the government's identification efforts. Foreign women apprehended during brothel raids were detained and deported for immigration violations; inadequacies in the government's efforts to screen these individuals may have resulted in some unidentified trafficking victims being punished. Some trafficking victims, particularly those whose documents had been confiscated or those who had been forced to violate other laws in the course of being trafficked, may have been fearful of communicating with law enforcement officers, limiting the effectiveness of screening efforts. The government maintained three general-purpose facilities that could be used to assist female trafficking victims, though no victims were referred to the facilities during the year. A mixed-use shelter was available for male victims. A separate facility, available to child victims, sheltered one child rescued from prostitution during the year, though the government did not identify her as a trafficking victim. Victims residing in these facilities were not permitted to leave except under special circumstances, and accompanied by the police.

Brunei's 2004 law established a fund to pay the cost of victims' repatriation and to award individuals helping to prevent or suppress trafficking; however, it is funded primarily by court settlements—of which there have been none—and therefore remained unfunded. Victims were encouraged to participate in investigations, but many victims declined participation and elected immediate repatriation; the government could make greater efforts to provide incentives for victims to remain in Brunei and participate in legal cases. The government reported that certain labor trafficking victims would be eligible on a case-by-case basis to receive employment passes to temporarily work in Brunei while assisting in investigations, though none received this benefit during the year. There were no trafficking-specific programs offering long-term alternatives to removal to countries where victims may face hardship or retribution.

PREVENTION

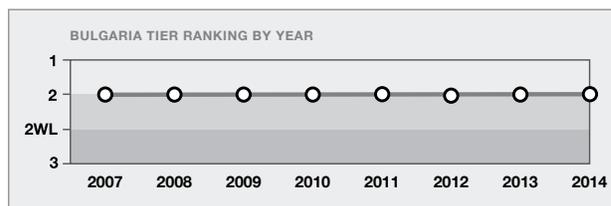
The Brunei government continued its efforts to prevent trafficking during the reporting period. The Labor Department continued some efforts to enforce licensing requirements for all labor recruitment agencies, with three agencies under investigation for related violations. The government's Heads of Specialist Trafficking Unit within the RBPF continued to meet regularly to coordinate the country's anti-trafficking policy; it completed and began implementation of a national action plan to combat trafficking, though the plan was not formally approved by the legislature during the reporting period. In January 2014, the government conducted a briefing for representatives of foreign diplomatic missions in Brunei, to raise awareness of the dangers of trafficking and the process for reporting cases to authorities. The HTU conducted awareness raising events at local police stations and hosted talks with other agencies to spread awareness of its role in combating human trafficking, and the government-influenced press regularly published articles relating to trafficking. The government did not take discernible measures to decrease the demand for forced labor or commercial sex acts during the year. Brunei is not a party to the 2000 UN TIP Protocol.

BULGARIA (Tier 2)

Bulgaria is a source and, to a lesser extent, a transit and destination country for women and children who are subjected to sex trafficking and men, women, and children subjected to forced labor. Bulgarian women and children are subjected to sex trafficking within the country, particularly in Sofia, resort areas, and border towns, as well as in Austria, Belgium, Cyprus, France, Germany, Greece, Italy, Macedonia, the Netherlands, Norway, Poland, Spain, Sweden, Switzerland, Turkey, the United Kingdom, and the United States. Bulgarian men, women, and children are subjected to forced labor in Belgium, Cyprus, the Czech Republic, Germany, Greece, Israel, Italy, Lithuania, the Netherlands, Norway, Spain, Sweden, the United Kingdom, and Zambia, predominantly in agriculture, construction, and in restaurants. Ethnic Roma men, women, and children represent a significant share of identified trafficking victims. Some Bulgarian children are forced into street begging and petty theft within Bulgaria and also in Greece, Italy, Sweden, and the United Kingdom.

The Government of Bulgaria 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 increased funding for two state-owned trafficking shelters and provided assistance for more women and child victims. However, shelter capacity for female victims was insufficient relative to the number of victims identified, and the government lacked specialized services for male victims. Authorities investigated and prosecuted more labor trafficking cases, yet the overall number of cases remained low. Law enforcement efforts were hampered by sentences for convicted traffickers that were inconsistent with the gravity of the crime. Law enforcement action against public officials and police officers complicit in trafficking offenses remained limited.



RECOMMENDATIONS FOR BULGARIA:

Enhance efforts to investigate, prosecute, and convict trafficking offenders, particularly for labor trafficking; ensure, including through legal changes, that convicted offenders serve time in prison; proactively target, investigate, prosecute, and convict government officials complicit in trafficking, and ensure convicted officials receive prison sentences; increase the capacity of existing shelters for adult female trafficking victims; ensure male victims can receive shelter, reintegration assistance, and legal services; ensure investigative units have sufficient resources and clear lines of responsibility among them; ensure prosecutors supervising trafficking cases receive additional specialized training; increase the number of victims referred by government officials to service providers for assistance; implement and manage a comprehensive database of all victims who have been identified, referred, and assisted; and allocate government funding for outreach activities to Roma communities.

PROSECUTION

The Government of Bulgaria made mixed progress in anti-trafficking law enforcement efforts, as the government prosecuted and convicted a considerable number of traffickers, but sentenced the majority of those convicted with suspended sentences. Bulgaria prohibits all forms of both sex and labor trafficking through Article 159 of its criminal code, which prescribes penalties of between two and 15 years' imprisonment for convicted offenders, in aggravated cases. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In September 2013, Parliament passed amendments to the penal code that expanded the trafficking definition to include begging as a form of exploitation and increased the penalty for public officials who commit an act of trafficking in relation to official duties. The prosecution service launched 82 sex trafficking investigations and 12 labor trafficking investigations in 2013, compared with 121 sex trafficking and seven labor trafficking investigations conducted in 2012. Authorities charged 114 defendants with sex trafficking and five with labor trafficking in 2013, compared to 91 and two, respectively, in 2012. The government convicted 85 sex trafficking offenders and five labor trafficking offenders in 2013, compared to 94 sex trafficking offenders and three labor trafficking offenders convicted in 2012. Four of the five convicted labor trafficking offenders received a suspended sentence; one trafficker was sentenced to up to three years'

imprisonment. Fifty-five of the 85 convicted sex trafficking offenders—65 percent—received a suspended sentence; 26 were sentenced to up to three years' imprisonment, three received up to five years' imprisonment, and one received from five to ten years' imprisonment.

The government provided specialized training for police officers, investigators, prosecutors, and judges. Bulgarian authorities collaborated with foreign governments on trafficking investigations, including Cyprus, France, Germany, and the Netherlands. In June 2013, the government moved the anti-organized crime unit from the Ministry of Interior to the National Security Agency (DANS) and began structural changes to the public prosecution office; the reorganization stalled human trafficking investigations for several months in 2013, and observers reported that trafficking cases were no longer supervised by prosecutors with subject matter expertise. The Ministry of Interior created a new unit to investigate human trafficking near the end of 2013, but the legislation defining its powers and functions was not in place as of April 2014, and it was unclear how responsibilities would be divided between this new unit and the anti-organized crime unit in DANS.

The government demonstrated inadequate efforts to combat trafficking-related complicity of government officials in the reporting period. The government did not begin investigations of any police officers in 2013 for trafficking or trafficking-related complicity. By comparison, the government investigated five police officers in 2012, seven police officers in 2011, and 12 police officers in 2010. The alleged criminal acts that were the subject of the 2012 investigations included forcing a woman into prostitution, recruiting victims, and warning traffickers of planned police raids. In February 2014, a trial court acquitted a police officer who was accused of forcing a woman into prostitution in 2012; he was reinstated to his previous position. One investigation on drug trafficking charges was ongoing against a former police officer who was also allegedly complicit in human trafficking from 2006 to 2012. The status of the other three investigations from 2012 was unclear. In January 2013, a court imposed a 10-year sentence on a former municipal councilor who was charged with leading an organized crime group involved in human trafficking; an appeal of the sentence is pending. There were no other reported prosecutions or convictions against public officials in the reporting period. As part of the restructuring of the service responsible for combating organized crime, all of its officers, including from the anti-trafficking unit, underwent security checks and professional testing in order to be reappointed at DANS. Some officers chose not to submit to the tests and opted to move to the Ministry of Interior. There were continued allegations of corruption of local police officers responsible for investigating trafficking, including that officials leaked information that compromised several anti-trafficking operations.

PROTECTION

The Government of Bulgaria's record in victim protection was mixed. The government allocated more money for shelters and assisted more women and child victims, and two state-run shelters received increased funding and provided care for more women; however, the government provided services to a limited number of victims overall. The prosecution service identified 428 victims of sex trafficking and 55 victims of labor trafficking in 2013, compared to 574 sex trafficking victims and 72 labor trafficking victims identified in 2012. The government allocated the equivalent of approximately \$82,700 for victim

assistance to the two state-run shelters in 2013, an increase from the equivalent of approximately \$62,500 allocated in 2012 and \$29,100 allocated in 2011. NGOs provided victim services in these shelters, including medical and psychiatric services, and assistance in reintegration, such as preparation for job interviews. Each shelter had capacity to house six adult females, and throughout 2013 the two shelters accommodated 29 female victims in total, an increase from 24 victims assisted in 2012 and nine victims assisted in 2011. Victims could leave the shelters on their own without supervision. The government did not offer male victims specialized services, including shelter, legal aid, and reintegration assistance, although authorities assisted male victims with their repatriation and issuance of identity documents. The government operated 15 crisis centers for child victims of violence that provided shelter and psychological and medical assistance to 60 child victims of trafficking in 2013, compared to 24 in 2012. Observers reported that authorities did not consistently refer victims to NGOs to receive services. In 2013, the government trained social workers, crisis center staff, health specialists, and law enforcement experts on identifying and working with child victims of trafficking. The government did not identify any foreign victims of trafficking. However, Bulgarian law allowed foreign victims who cooperate with law enforcement to stay and work in Bulgaria for the duration of criminal proceedings before deportation. Foreign victims who chose not to assist in trafficking investigations were permitted to remain in Bulgaria for 40 days for recovery before deportation to their country of origin; the recovery period for foreign child victims was 70 days. No victims applied for compensation in Bulgaria; observers reported that the process for seeking compensation continued to be overly bureaucratic and victims were not adequately informed of the opportunity to apply for compensation. 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

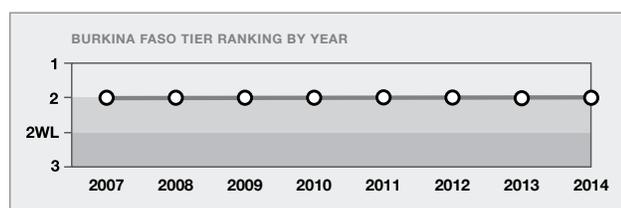
The Government of Bulgaria demonstrated substantial efforts to prevent human trafficking. The inter-ministerial coordinating body, the National Commission for Combating Trafficking in Human Beings, spent the equivalent of approximately \$109,600 on prevention campaigns, training, conferences, and administrative expenses, an increase from the equivalent of approximately \$93,879 spent in 2012. The commission, in coordination with its nine local bodies, sponsored a number of prevention campaigns and trainings to raise public awareness of trafficking, particularly in Roma communities, and with school children and adults seeking work abroad. The commission trained labor mediators, who often encounter vulnerable workers, on how to prevent human trafficking. The Government of Bulgaria annually adopts a national action plan for combating human trafficking; the 2013 plan was approved in February 2013. The government demonstrated efforts to reduce the demand for commercial sex.

BURKINA FASO (Tier 2)

Burkina Faso is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Burkinabe children are subjected to forced labor as farm hands, gold panners and washers, street vendors, domestic servants, and beggars recruited as pupils by unscrupulous Koranic school teachers. Girls are exploited in the commercial sex

trade. Burkinabe children are transported to Cote d'Ivoire, Mali, and Niger for forced labor or sex trafficking. To a lesser extent, traffickers recruit women for ostensibly legitimate employment in Lebanon, Saudi Arabia, and various countries in Europe, and subsequently subject them to forced prostitution. Burkina Faso is a transit country for traffickers transporting children from Mali to Cote d'Ivoire, and is a destination for children trafficked from other countries in the region, including Ghana, Guinea, Mali, and Nigeria. Women from other West African countries, including Nigeria, Togo, Benin, and Niger, are fraudulently recruited for employment in Burkina Faso and subsequently subjected to forced prostitution, forced labor in restaurants, or domestic servitude in private homes. During the reporting period, two Tibetan women were subjected to forced prostitution in Burkina Faso by Nepalese traffickers.

The Government of Burkina Faso does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased law enforcement efforts by securing 18 convictions of traffickers in 2013, a significant increase from zero convictions in 2012. It also continued to identify and provide services to a large number of child trafficking victims and conducted several national awareness-raising efforts throughout the country. However, the government did not take steps to address unscrupulous Koranic school teachers subjecting children to forced begging and failed to take proactive measures to identify adult victims of trafficking among vulnerable populations.



RECOMMENDATIONS FOR BURKINA FASO:

Continue efforts to prosecute and convict trafficking offenders, and apply appropriate penalties as prescribed by the May 2008 anti-trafficking law; strengthen the system for collecting anti-trafficking law enforcement and victim identification data, and ensure that authorities responsible for data collection are supplied with adequate means for accessing and compiling this information; train law enforcement officials to identify trafficking victims among vulnerable populations, such as women in prostitution and children working in agriculture and mining, and refer them to protective services; strengthen efforts to identify traffickers posing as Koranic school teachers and pursue criminal prosecution of such individuals; improve coordination between the national and regional committees that combat trafficking in persons, including by increasing funding to regional bodies; and, while continuing to fund transit centers and vocational training programs, develop a formal referral mechanism to provide victims with long-term care in coordination with NGOs.

PROSECUTION

The government increased law enforcement efforts. The country's May 2008 anti-trafficking law prohibits all forms of trafficking and prescribes maximum penalties of 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with prescribed penalties for other serious offenses, such as rape. The government struggled to compile complete data on its

law enforcement efforts. The government reported investigating 73 suspected trafficking cases, initiating 22 prosecutions, and convicting 18 traffickers in 2013; this represents a significant increase in convictions compared to the lack of any convictions reported in 2012. All 18 convictions were secured using the 2008 anti-trafficking law and the traffickers received sentences ranging from six months' to five years' imprisonment. However, there were no prosecutions or convictions involving forced begging by unscrupulous Koranic school teachers, despite the prevalence of this form of trafficking in the country.

The government provided anti-trafficking training to police officers, social workers, judges, teachers, labor inspectors, and traditional and religious leaders, which included information on trafficking victim identification, victim assistance, investigation procedures, and prosecution of trafficking crimes. The government, with financial support from UNICEF and ECOWAS, trained approximately 700 participants. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking during the reporting period; however, law enforcement efforts remained hindered by limited human and financial resources, and general corruption in the judiciary.

PROTECTION

The government sustained efforts to identify and provide protective services to a large number of child trafficking victims. In 2013, the Ministry of Social Action (MSA) reported identifying 1,146 child victims of trafficking; 949 were victims of internal trafficking and 197 were victims of transnational trafficking. The majority of these children were intercepted while being transported, sometimes in large numbers on trucks or buses, and were rescued prior to reaching destinations where they would face exploitation, typically in gold mines or in city centers as domestic servants or street beggars; it is unclear whether these children were victims or potential victims of trafficking. Due to severe data collection constraints, the government was unable to determine how many of these children were identified by the government versus NGOs and how many were referred to protective services. The government also identified 16 adult Burkinabe women who were subjected to labor trafficking within the country; all 16 victims were provided protective services by the MSA. Additionally, international organizations identified two Tibetan women who were subjected to forced prostitution in Burkina Faso; these women were not identified or provided care by the government, but were supported by local NGOs.

The government, in collaboration with a variety of local NGOs and international organizations, continued to operate 23 multi-purpose transit centers, which provided limited food, medical care, and counseling before reuniting victims with their families. The shelters were open and victims were free to leave at any time. To complement funding from other donors, the government allocated the equivalent of approximately \$20,000 to support protection activities, including funding for these transit centers; this is an increase from 2012, when the government allocated the equivalent of approximately \$14,000. The law provides that foreign citizens may apply for asylum if they fear they will face hardship or retribution if returned to their country of origin; during the reporting period, two Tibetan victims were granted asylum. The government did not encourage victims to cooperate in investigations or prosecutions during the reporting period. There were no reports that trafficking victims were penalized for unlawful acts committed as a direct result of being trafficked.

PREVENTION

The Burkinabe government sustained moderate efforts to prevent trafficking in persons. The MSA conducted a number of awareness-raising activities, including theater forums, workshops, radio programs, and open-forum discussions for the general public. The National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices, the government's coordinating body responsible for assessing the current trafficking situation, providing guidance, and making recommendations, met once during the year. In addition to this meeting, 13 regional bodies brought together police, social workers, transit companies, NGOs, and other groups engaged in combating trafficking on a regional level to coordinate activities to identify and assist victims and potential victims of trafficking, as well as support law enforcement efforts. Regional bodies remained severely underfunded and lacked sufficient resources.

In response to previous cases involving Burkinabe women subjected to forced labor and forced prostitution in Lebanon, the government offered counseling on the potential risks of trafficking to all women who applied for work visas to travel to Lebanon. The Governments of Cote d'Ivoire and Burkina Faso entered into a bilateral cooperative agreement against cross-border child trafficking in October 2013. The municipal police in the capital city of Ouagadougou conducted an awareness-raising campaign in an effort to reduce brothel activity. However, the government did not make any discernible efforts to reduce the demand for forced labor during the reporting period. The Government of Burkina Faso continued to fail to address the issue of traffickers posing as Koranic school teachers who force children to beg in the streets, citing sensitivities involved in engaging on the issue within the Muslim community. The government provided Burkinabe troops with anti-trafficking and human rights training prior to their deployment abroad on international peacekeeping missions.

BURMA (Tier 2 Watch List)

Burma is a source country for men, women, and children subjected to forced labor, and for women and children subjected to sex trafficking in other countries. Burmese men, women, and children who migrate for work abroad, particularly to Thailand and China, are subjected to conditions of forced labor or sex trafficking in these countries. Poor economic conditions within Burma continue to drive large numbers of Burmese men, women, and children to migrate through both legal and illegal channels for work primarily in East Asia, as well as destinations including the Middle East, South Asia, and the United States. Men are most often subjected to forced labor, often in the fishing, manufacturing, and construction industries abroad. Women and girls are primarily subjected to sex trafficking or domestic servitude. The large numbers of migrants seeking work in Thailand's fishing and domestic work sectors do so outside formal channels. Some Burmese men in the Thai fishing industry are subjected to debt bondage, passport confiscation, or false employment offers; some are also subjected to physical abuse and are forced to remain aboard vessels in international waters for years. Burmese women are transported to China and subjected to sex trafficking and domestic servitude through forced marriages to Chinese men; there were isolated reports of Burmese government officials complicit in this form of trafficking. Networks on both sides of the Burma-Thailand border facilitated migration of undocumented workers, which often leads to their

being trafficked upon arrival in Thailand. During the year, there were increasing reports of Rohingya asylum seekers transiting Thailand *en route* to Malaysia being sold into forced labor on Thai fishing boats, reportedly with the assistance of Thai civilian and military officials. Unidentified trafficking victims are among the large numbers of migrants deported from Thailand each year.

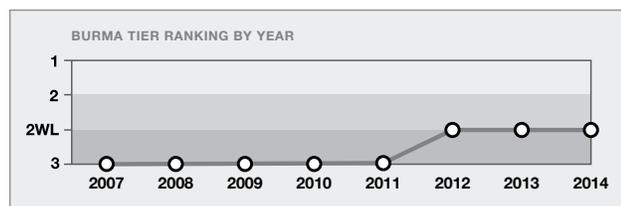
Within Burma, both government officials and private citizens are involved in trafficking. Military personnel and insurgent militia engage in the forced conscription of child soldiers and continue to be the leading perpetrators of other forms of forced labor inside the country, particularly in conflict-prone ethnic areas. Men and boys are forced through intimidation, coercion, threats, and violence to serve in the Burmese army and the armed wings of ethnic minority groups. There is limited data on the total number of children in Burma's army. Children of the urban poor are at particular risk of conscription. Reports from the UN and former child soldiers indicate that army recruiters target orphans and children alone on the streets and in railway stations; sometimes children are tricked into joining the army and other times they are threatened with jail or physically abused if they do not agree to join.

The Burmese military, and to a lesser extent, civilian officials, used various forms of coercion, including threats of financial and physical harm, to compel victims to provide forced labor. Those living in areas with the highest military presence, including remote border areas and regions of active conflict, are most at risk for forced labor. Military and, to a lesser extent, civilian officials systematically subject civilian men, women, and children to forced labor as porters, manual labor for infrastructure projects, or in state-run agricultural and commercial ventures. International organizations report this practice remains common in conflict regions, particularly in Rakhine State. Since the dissolution of a ceasefire with the Kachin Independence Army in June 2011 and the eruption of sectarian violence in Rakhine State in June 2012, fighting has displaced an estimated 100,000 Kachin and more than 140,000 Rakhine residents, who are highly vulnerable to forced labor and sex trafficking. In 2013, there was reportedly an incident in which a Rohingya woman was kidnapped in Rakhine State and subjected to sexual slavery on a military installation.

Other forms of trafficking also occur within Burma. There have previously been anecdotal reports that some Burmese victims were forced to labor on palm oil and rubber plantations near Kawthaung. Children are subjected to forced labor in tea shops, home industries, agricultural plantations, and in begging. Exploiters subject children and adults to domestic servitude, and girls and boys to sex trafficking, particularly in urban areas. A small number of foreign pedophiles have attempted to enter Burma with the intent to exploit Burmese children.

The Government of Burma does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Ministry of Home Affairs created a specialized division with a dedicated one-year budget in the equivalent of approximately \$780,000 to lead anti-trafficking law enforcement activities. Authorities continued to investigate and prosecute cross-border sex trafficking offenses. During the reporting period, the government released 206 boys forcibly recruited into the military's ranks. Despite these measures, the government failed to demonstrate overall increasing efforts to combat trafficking from the previous year. Forced labor of civilians and the forced recruitment of child soldiers by military officials remained serious problems that occurred, often with impunity. The military did not grant unfettered UN access to

military bases to inspect for the presence of children during the year. The government undertook few efforts to address trafficking that occurred wholly within Burma, and victim protection efforts remained inadequate. Therefore, Burma is placed on Tier 2 Watch List for a third consecutive year. Burma 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.



RECOMMENDATIONS FOR BURMA:

Vigorously prosecute and punish offenders of both sex and labor trafficking, including trafficking occurring within Burma; increase efforts to investigate and sanction, including through criminal prosecution, government and military perpetrators of internal trafficking offenses, including child soldier recruitment and forced labor; continue to implement the terms of the ILO action plan for the elimination of forced labor offenses perpetrated by government employees, particularly military personnel; take necessary action to authorize the anti-trafficking taskforce (ATTF) police to proactively initiate, investigate, and support prosecution of transnational and internal trafficking cases; develop and maintain a transparent database to report civil or military prosecutions of government officials for trafficking crimes, including forced labor and child conscription; actively identify and demobilize all children serving in the armed forces; abide by the terms of the UN-backed action plan to grant international monitors unhindered access to inspect any and all recruitment centers, training centers, and military bases to support the identification, demobilization, and rehabilitation of child soldiers; take steps to ensure no children are arrested or imprisoned for desertion or attempting to leave the army; through partnerships with local and international NGOs, prioritize and significantly increase proactive victim identification and protection efforts, including victim shelters, provision of services for male victims, and reintegration support for former child soldiers; develop and implement formal victim identification and referral procedures, including for victims identified within the country; consider appointing a case manager to facilitate victims' involvement in criminal proceedings and to maintain a victim-centered approach; and increase efforts to identify and respond to sex trafficking occurring within the country.

PROSECUTION

The Government of Burma continued law enforcement efforts to address cross-border sex trafficking, but it did not make progress in holding significant numbers of traffickers, including public officials, criminally accountable for trafficking within the country. Burma prohibits sex and labor trafficking through its 2005 Anti-Trafficking in Persons Law, which prescribes criminal penalties that are sufficiently stringent and commensurate with those prescribed for rape. Forced labor, including the recruitment of children into the army, is a criminal offense under both the new Wards and Village Tracts Administration Act passed in March 2012, and Penal Code Section 374; violations can

result in imprisonment for up to one year, a fine, or both. In addition, forced labor is prohibited under Section 359 of Burma's 2008 constitution. In June 2013, the government formed a committee to begin drafting the necessary regulations for the 2005 law; although these regulations were not completed, officials continued to use the law to prosecute and convict trafficking offenders.

The Government of Burma reported investigating 100 cases of trafficking, and prosecuting and convicting 183 offenders in 2013, compared with 120 investigations and 215 prosecutions and convictions in 2012. As in previous years, the government's law enforcement efforts focused primarily on the sex trafficking or forced service of Burmese women through forced marriages to Chinese men, with the majority of cases pursued by the ATTF in Muse. The government reported investigating 22 suspected cases of internal trafficking, though it did not provide additional information about the nature of these cases or whether they resulted in any prosecutions or convictions. Burmese court proceedings continued to lack transparency and did not accord due process to defendants. Burma's judiciary lacked sufficient independence; international organizations and NGOs were often unable to verify court statistics provided by the government. Additionally, limited capacity and training of the police, coupled with the lack of transparency in the justice system, made it unclear whether all trafficking statistics provided by authorities were indeed for trafficking crimes.

In April 2013, the Ministry of Home Affairs created a specialized Anti-Trafficking in Persons Division (ATIPD), with an independent annual budget in the equivalent of approximately \$780,000, with three sub-divisional offices to oversee the 18 ATTFs operating in key cities and at international border crossings and three newly created child protection taskforces. ATTF officers did not have the authority to serve as primary case investigators; they were required to transfer investigations to general police investigators, who lacked specialized anti-trafficking knowledge, which impeded the success of law enforcement efforts to combat trafficking. The government opened two additional border liaison offices staffed by police and immigration officials, bringing the total to six such offices operated to address crimes such as human trafficking on Burma's borders with China and Thailand. Officials reported joint investigations of six cases with Thai law enforcement officials and 16 cases with Chinese officials during the year. Through the government's Central Body for the Suppression of Trafficking in Persons (CB-TIP), with funding provided by foreign donors, the government conducted child protection investigation trainings throughout the year for police and other local officials. The government continued its cooperation with the ILO and other international partners in reviewing remedies for the long-standing problems of forced labor and child soldier conscription committed by members of the military or civilian administrators. The ILO continued to receive and investigate forced labor complaints; in 2013, it received 157 complaints of military and police recruitment of children and 73 complaints of other forms of forced labor.

Corruption and lack of accountability remained pervasive in Burma and limited the enforcement of human trafficking laws. Police limited investigations when well-connected individuals were alleged to be involved, including in forced labor or sex trafficking cases. The government reported one prosecution of a public official for involvement in trafficking, without providing further details. The ILO reported it received information on two cases in which the wives of military officials were alleged to have facilitated the sex trafficking of women and girls to

China; no action was taken to prosecute the suspected offenders. The government did not provide comprehensive statistics on the number of military officials it investigated, prosecuted, or punished for trafficking or trafficking-related crimes, but there were reports that the Ministry of Defense undertook independent efforts to investigate and punish military personnel for their involvement in recruiting children for military service; an unverified report to an international organization indicated the military disciplined one officer and 26 enlisted personnel for the recruitment of children. The majority of those disciplined received reprimands, though an unknown number of enlisted soldiers were reportedly imprisoned. The power and influence of the Burmese military continued to limit the ability of civilian police and courts to address cases of forced labor and the forced recruitment of child soldiers by the armed forces; there was no evidence that any soldiers accused of trafficking crimes were prosecuted in civilian courts. Without assent from high-ranking military officers, law enforcement officials generally were not able to investigate or prosecute such cases. There were no reports of investigations or prosecutions of military officials for extracting forced labor from civilians, though this practice continued to occur.

PROTECTION

The Burmese government continued modest efforts to provide temporary shelter and facilitate safe passage to Burmese victims repatriated from abroad, but its overall victim protection efforts were inadequate. Department of Social Welfare (DSW) officials in 2013 received 214 repatriated victims—110 from Thailand, and 104 from China. This represented an increase from 195 victims repatriated to Burma by foreign authorities in 2012. The government had written procedures in place for the identification of victims, but the majority of victims were identified through international repatriations. The government reported identifying four additional cases through its national trafficking hotline, and police and border officials reported identifying an additional 47 cases during the year. Officials in northern Burma continued to have some success in identifying and rescuing suspected victims *en route* to China for forced marriages likely to result in sex or labor exploitation, but front-line officers throughout the country generally lacked adequate training to identify potential victims with whom they came in contact in Burma. The government did not make efforts to screen for indicators of trafficking among individuals deported from neighboring countries or returning migrant workers filing complaints regarding employment abroad—groups likely to include unidentified trafficking victims. During the reporting period, the government released 206 children and young people who had been recruited into the military as children through implementation of its UN-backed action plan on child soldiers and the ILO complaints mechanism.

Police and border officials consistently referred repatriated victims to DSW to receive protective services, but there were no referral mechanisms in place for victims of other forms of trafficking, and working-level cooperation between DSW and the police remained weak. Children who fled military service continued to face physical abuse or arrest and imprisonment on charges of desertion if they were re-apprehended. Beginning in June 2013, the government made progress in granting UN monitors access to some battalion level military installations to inspect for the presence of children, but it failed to provide unhindered access for UN monitors to all military installations. In some cases, the government refused to provide access to requested sites and in other cases it limited inspectors' access to non-operational

units such as recruitment centers and training schools. The DSW began providing limited reintegration support to demobilized child soldiers, though overall support to demobilized children was inadequate. The government took steps to improve the protection of child victims during investigations; it developed three child protection taskforces within the new ATIPD police structure and began providing training to police on the use of designated interview rooms for child victims. Such rooms were not, however, widely available to police during the year.

The government continued to operate five centers for women and children in need, including trafficking victims, and one facility dedicated to female victims of trafficking. NGOs and foreign donors provided the majority of funding for the limited protective services available to victims. While in government facilities, victims received basic medical care, though they had limited access to counseling. No shelters specifically dedicated to male victims of trafficking existed, though the government designated two new facilities to serve male victims in addition to female victims; these facilities did not become operational during the year. No individualized services were available for victims and longer-term support was limited to vocational training for women in major city centers and in border areas; the lack of adequate protective measures for victims made them vulnerable to being re-trafficked.

Government authorities reported encouraging victims to assist in investigations and prosecutions, but noted that disincentives, such as the lengthy criminal justice process, made it difficult to obtain victims' cooperation in prosecutions. Furthermore, a cumbersome investigation process required victims to give their statements multiple times to different officials, increasing the burden on victims who chose to participate. The government made efforts to include victims' perspectives in training sessions with police and during government meetings to better inform the development of policies and procedures that prioritize the needs of victims. Inadequate efforts to screen for indicators of trafficking in thousands of anti-prostitution interventions may have led to sex trafficking victims being treated as criminals. Although victims had the right to file civil suits against their traffickers, none did so during the reporting period. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

PREVENTION

The Government of Burma continued efforts to prevent human trafficking. The CB-TIP, comprising representatives from 26 agencies and some civil society members, continued to coordinate the government's anti-trafficking programs and policies, in line with the five-year national action plan to combat human trafficking. The government implemented aspects of its UN-backed action plan on the identification, release, and rehabilitation of children in the Burmese army, and in March 2014, it officially extended the plan, which had expired in December 2013. The government and the UN jointly developed and implemented a public awareness campaign utilizing billboards, radio, television, and print media aimed at preventing the recruitment of children into the military. The government did not make efforts to strengthen age verification procedures for military recruits, and the Burmese military's high recruitment goals, which could not be met through voluntary enlistments, continued to make children vulnerable to forced conscription. The government continued to deny citizenship to an estimated 800,000 men, women, and children in Burma, the majority of whom are ethnic Rohingya living in Rakhine State;

the lack of legal status and access to identification documents significantly increased this population's vulnerability to trafficking in neighboring countries.

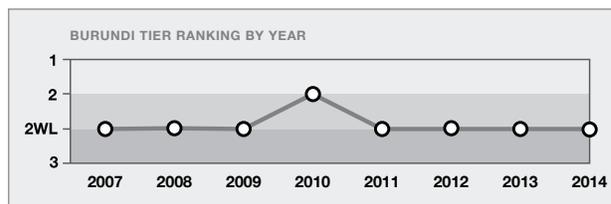
In September and October 2013, the CB-TIP conducted training sessions for 700 members of the country's community-based anti-trafficking watch groups in targeted areas where trafficking is known to be prevalent, and more than 3,000 public officials were trained on human trafficking during the year. The CB-TIP held public awareness events and campaigns in 76 towns throughout the country, and state and regional anti-trafficking committees held more than 3,500 additional awareness events. The Ministry of Labor continued efforts to prevent forced labor of Burmese citizens at home and abroad; together with Thai officials, it operated five temporary passport-issuing centers in Thailand, staffed by Burmese labor ministry personnel. The centers assisted 200,000 expatriate Burmese workers in obtaining temporary Burmese identity documents, and the labor attaché in the Burmese embassy in Thailand continued providing assistance and advocacy on behalf of the large number of Burmese workers in Thailand. In September 2013, the government appointed a labor attaché to its embassy in Kuala Lumpur to assist Burmese workers in Malaysia. In November 2013, authorities deported to China the manager of an agency alleged to have facilitated the trafficking of Burmese women into exploitative marriages in China; no criminal investigations or prosecutions for trafficking were reported in this case. In an effort to prevent child sex tourism, Burmese authorities reported preventing six foreign nationals (three British, one Canadian, one American, and one German) from entering the country as a result of information about prior criminal activities. The government did not make any discernible efforts to reduce the demand for commercial sex acts or forced labor inside Burma during the reporting period.

BURUNDI (Tier 2 Watch List)

Burundi is a source country for children and possibly women subjected to forced labor and sex trafficking. Children and young adults are coerced into forced labor on plantations or small farms in southern Burundi, in gold mines in Cibitoke, for informal commerce in the streets of larger cities, collecting river stones for construction in Bujumbura, or in the fishing industry. Some traffickers are the victims' family members, neighbors, or friends who recruit them for forced labor under the pretext of assisting with education or employment opportunities. Some families are complicit in the exploitation of children and adults with disabilities, accepting payment from traffickers who run forced street begging operations. Children in domestic servitude in private homes or working in guest houses and entertainment establishments are coerced—with threats of being fired—into committing sex acts for their employers or clients. Children are also fraudulently recruited for domestic work and later exploited in prostitution. Young women offer vulnerable girls room and board within their homes, eventually pushing some of them into prostitution to pay for living expenses; these brothels are located in poorer areas of Bujumbura, along the lake, and on trucking routes. Extended family members sometimes also financially profit from the prostitution of young relatives residing with them; mothers sometimes also initiate their daughters into the sex trade, at times through threats and bullying. Male tourists from East Africa and the Middle East, teachers, police officers and gendarme, military, and prison officials exploit Burundian girls in prostitution. Incarcerated women facilitate commercial sex between male prisoners and detained children within the Burundian prison

system. Business people recruit Burundian girls for prostitution in Bujumbura, as well as in Rwanda, Kenya, Uganda, and the Middle East, and recruit boys and girls for various types of forced labor in southern Burundi and Tanzania. During the reporting period, the UN Group of Experts reported its identification of a Burundian man who had been fraudulently recruited in Uganda and forced to join the ranks of the M23 rebel group.

The Government of Burundi 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, Burundi is placed on Tier 2 Watch List for a fourth consecutive year. Burundi 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. The government made efforts to increase its capacity to combat trafficking in 2013 through its establishment of a national coordinating body, completion of its national action plan, and work to finalize anti-trafficking legislation. However, the government made few other tangible efforts during the reporting period to demonstrate its seriousness in addressing trafficking crimes or protecting victims. The government continued investigations into several potential trafficking cases, initiated the prosecution of two defendants, and convicted two traffickers in 2013. Nonetheless, law enforcement efforts remained modest overall and investigations continued to focus on transnational trafficking crimes. NGOs continued to provide most victim assistance with minimal government support; however, officials assisted in the return to the country, referral to assistance, and reintegration of some victims during the year. A lack of adequate training for officials and the government's continued inaction to address official complicity remained serious concerns.



RECOMMENDATIONS FOR BURUNDI:

Finalize and enact draft anti-trafficking legislation; enforce the trafficking provisions in the 2009 criminal code amendments through increased prosecution of trafficking offenses and conviction and punishment of trafficking offenders, including complicit officials; institutionalize anti-trafficking training for all police, prosecutors, judges, and border guards; establish standardized policies and procedures for government officials to proactively identify trafficking victims and transfer them to care; increase provision of protective services to victims, possibly through partnerships with NGOs or international organizations; and institute a unified system for collecting trafficking case data for use by all stakeholders.

PROSECUTION

The Government of Burundi maintained its modest efforts to investigate and prosecute trafficking offenses in 2013 and convicted its first offender since 2009. Articles 242 and 243 of Burundi's criminal code prohibit some forms of human trafficking,

prescribing punishments of five to 20 years' imprisonment, but do not provide a definition of human trafficking, impeding investigators' and prosecutors' ability to identify and prosecute trafficking offenses. Elements of sex trafficking offenses can also be addressed using penal code articles on brothel-keeping and procuring prostitution, which prescribe penalties of one to five years' imprisonment, and child prostitution, with prescribed penalties of five to 10 years' imprisonment; these articles do not require the use of force, fraud, or coercion in commission of these crimes. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. Forced labor is prohibited by Article 2 of the labor law, though there appears to be no explicit penalties for a violation, which officials cite as a weakness in addressing forced child labor. The government completed its drafting of anti-trafficking legislation, intended to rectify this and other gaps in existing laws. In December 2013, the trafficking in persons commission referred the draft to the Minister of Solidarity and Human Rights, where it remained pending submission to and review by the council of ministers before being sent to parliament for debate and passage.

The Children and Ethics Brigade, under the Burundian National Police, led the country's anti-trafficking law enforcement efforts. The brigade, however, lacked capacity to adequately track its caseload. The government continued to focus on investigating trafficking crimes involving transnational movement, failing to investigate any cases involving Burundian victims trafficked internally. The government reported its investigation of 12 alleged trafficking offenders and initiated prosecution of two suspects during the year. In addition, in March 2014 in Ruyigi, the government sentenced a convicted offender to five years' imprisonment for the abduction of two girls held in domestic servitude and sexually abused. His accomplice was also convicted and sentenced to two-and-a-half years' imprisonment. Trials involving at least five other alleged traffickers remained pending from previous reporting periods. The government opened an investigation into the case of a Lebanese national allegedly responsible for the sex trafficking of more than 100 Burundian girls to Lebanon since 2004. It charged two men with trafficking for their attempted recruitment of Burundian girls for sex trafficking in Oman; the suspects remain in custody pending trial.

Officials' lack of investigative skills and trafficking awareness reportedly continued to hinder investigations and prosecutions. In 2013, the brigade developed a new curriculum for recruits being trained at the police academy that includes a section on trafficking in persons, which reached more than 1,000 new recruits during the year. Police repeatedly apprehended suspects involved in the commercial sexual exploitation of children, but released them shortly thereafter without prosecution, at times due to the corruption of police and judicial officials. As in previous years, the government failed to prosecute or convict any public officials suspected of complicity in human trafficking crimes, despite allegations against teachers, police officers, members of the military and gendarmerie, and prison officials. For example, during the previous reporting period, the assistant prosecutor of Cibitoke investigated a police officer suspected of facilitating the prostitution of young girls. The prosecutor dropped the charges as the girls eventually testified in favor of the suspected police woman. The government reported no information regarding the status of this case. The government took no action to stop child prostitution occurring within the Burundian prison system. The government expelled a diplomat from the Democratic Republic of the Congo for his alleged involvement in trafficking of Burundian girls to a third country.

PROTECTION

The government maintained its modest efforts to protect victims during the reporting period. It facilitated the return of three trafficking victims from overseas, reintegrated four potential victims, and referred 70 victims to an NGO working group—a decrease from 99 referred in the previous reporting period. Care centers in Burundi are operated by NGOs, religious organizations, and women's or children's associations largely funded by UN agencies; none are specifically focused on providing assistance to trafficking victims. NGOs reported the identification and referral of 70 trafficking victims by communal leaders and border police following their anti-trafficking training of these officials. The government, however, did not provide information on its victim identification or referral efforts. It also did not provide adequate support for the services delivered by these organizations. Burundian police, in partnership with an NGO, assisted in the return of a Burundian girl and a mentally disabled Burundian boy from Oman in 2013. Burundian officials, working with authorities in Lebanon, facilitated the repatriation of one Burundian woman; however, the lack of cooperation by Lebanese officials stymied efforts to return additional identified victims.

The Ministry of National Solidarity provided funding to some local NGOs to assist victims of gender-based violence and trafficking, while the Ministry of Health provided vouchers for hospital care to an unspecified number of trafficking victims. The Ministry of National Solidarity continued oversight of centers for family development that address human rights and gender-based violence issues at the commune-level. It often assisted in the reintegration of victims into their home communities. The government operated two centers, in Kigobe and Buyenzi communes, to assist street children, including an unknown number of victims of forced child labor who were identified and provided counseling through the centers. The government-staffed and UNICEF-supported one-stop center in Gitega—established to provide victims of gender-based violence immediate care and assistance in reporting cases—provided these services to three trafficking victims in 2013.

The government has not yet finalized a system to proactively identify trafficking victims among vulnerable populations or to refer victims to service-providing organizations. Officials referred cases in an *ad hoc* fashion to an NGO working group, which coordinated provision of care among service providers. Police and National Solidarity officials partnered to ensure trafficking victims received referrals to NGO care. Without standardized procedures for identifying trafficking victims, some may have been penalized for unlawful acts committed as a direct result of their being trafficked. For example, the Children and Ethics Brigade did not attempt to identify trafficking victims among women in prostitution who were arrested, jailed, or fined. However, police provided limited shelter and food to child trafficking victims in temporary custody, keeping them in a holding area separate from adult detainees while authorities attempted to locate their families. In some instances, the brigade and its provincial focal points provided counseling to children in prostitution and mediated between these victims and their parents immediately thereafter, though without referral for additional services. Although the government encouraged victims to assist in the investigation or prosecution of their traffickers, none did so during the year. Burundian law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution.

PREVENTION

The government increased its capacity to make proactive anti-trafficking efforts during the year. In 2013, it established the Trafficking in Persons Permanent Commission to oversee its anti-trafficking efforts. During the year, the commission worked to finalize anti-trafficking legislation and, in March 2014, completed its national action plan. Nonetheless, coordination across government ministries to combat trafficking remained poor, and relevant agencies remained largely unaware of the problem, which severely hindered progress. With donor funding, an NGO-led joint working group on human trafficking, including representation from the National Police and the Ministries of Justice and National Solidarity, continued to meet every three months to share information; however, the government did not take an active role or provide material support to the efforts of the group. In 2013, the Children and Ethics Brigade continued its national awareness-raising campaign throughout the country to educate officials and local populations about the dangers of human trafficking, and encourage citizens to report trafficking cases to local authorities. In June 2013, the National Multi-Sectoral Committee for the Elimination of the Worst Forms of Child Labor organized a national day for awareness on the worst forms of child labor. In 2013, the Ministry of Labor's 18 inspectors conducted no child labor inspections; in addition, the number of inspectors was inadequate and their focus on labor law violations in the formal sectors did not reach the majority of forced child labor violations, which occurred in the informal sector. The government did not make efforts to reduce the demand for commercial sex acts, child sex tourism, or forced labor during the reporting period. The government, in partnership with a foreign donor, provided Burundian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

CABO VERDE (Tier 2)

Cabo Verde is a source, transit, and destination country for children subjected to forced labor and sex trafficking within the country and in Guinea, and at times, a source for persons trafficked to Brazil, Portugal, and other countries in Europe for forced transport of drugs. Adult migrants from China, Guinea-Bissau, Senegal, Nigeria, and other ECOWAS countries may receive low wages, work without contracts, and not have regularized their visa status, creating vulnerabilities to forced labor. West African migrants may transit the archipelago *en route* to situations of exploitation in Europe. Cabo Verdean children work in domestic service, often working long hours and at times experiencing physical and sexual abuse—indicators of forced labor. In addition, Cabo Verdean children engaged in begging, street vending, car washing, garbage picking, and agriculture are vulnerable to trafficking. Reports indicate that boys and girls, some of whom may be foreign nationals, are exploited in prostitution in Santa Maria, Praia, and Mindelo. Sex tourism, at times involving prostituted children, is a problem in Cabo Verde. Cabo Verdean adults and children are at risk of being deceived or forced into transporting drugs to or within Brazil and Portugal.

The Government of Cabo Verde 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 acknowledged that sex trafficking is a problem in Cabo Verde. It investigated two cases involving alleged child prostitution, the same number as in the previous reporting period. The government

convicted three traffickers compared to no convictions in the previous year. The Cabo Verdean Institute for Children and Adolescents (ICCA), under the Ministry of Youth, Employment, and Human Resources Development, made concerted efforts to protect child victims of sexual abuse, including child victims of prostitution, and to assist vulnerable children. The government did not make efforts to raise awareness of human trafficking or to reduce the demand for commercial sex acts.



RECOMMENDATIONS FOR CABO VERDE:

Draft comprehensive anti-trafficking legislation consistent with the 2000 UN TIP Protocol, including a broad definition of trafficking in persons that does not rely on evidence of movement but rather on exploitation; continue to prosecute, convict, and punish trafficking offenders under existing law; take appropriate steps to clarify that Cabo Verdean law prohibits facilitating the prostitution of children ages 16 and 17; train law enforcement officials to use existing laws to investigate and prosecute trafficking offenses; develop and implement procedures for the identification and referral of trafficking victims amongst vulnerable populations; compile anti-trafficking law enforcement data; and launch a targeted anti-trafficking public awareness campaign.

PROSECUTION

The Government of Cabo Verde continued minimal law enforcement efforts to combat human trafficking. Cabo Verdean law does not specifically prohibit all forms of trafficking, though several existing statutes cover certain forms. Article 14 of the labor code prohibits forced labor and Article 271 of the penal code outlaws slavery, both of which prescribe sufficiently stringent penalties of six to 12 years' imprisonment. Article 148 of the penal code outlaws facilitating prostitution of children under the age of 16 and prescribes sufficiently stringent penalties of two to eight years' imprisonment for victims under 14 years and one to five years for victims aged 14 or 15. The penalties for victims aged 14 or 15 are not sufficiently stringent or commensurate with penalties for other serious crimes, such as rape. The penal code does not prohibit or punish those who facilitate the prostitution of children between the ages of 15 and 18. Investigations into sex crimes, including child prostitution, involving children aged 14 and 15 require complaints from the child's legal guardian; government officials indicate that no such case has ever been reported to police. Prostituted children aged 14 to 17 are rendered virtually invisible to law enforcement and social welfare officials under existing law, granting impunity to those who profit from their exploitation.

During the year, the judicial police reported investigating two cases of human trafficking for sexual exploitation of children in the city of Praia on the island of Santiago; however, the government did not collect comprehensive anti-trafficking law enforcement data and did not provide specific information about these cases. In the two cases, police identified 17 child victims of sex trafficking—including at least eight girls between 13 and 14 years old. Four individuals were arrested in these cases

and remained in custody at the end of the reporting period. In addition, in April 2013 government prosecutions resulted in convictions of three men involved in the sexual abuse and sex trafficking of six boys in Praia. One foreign national offender was sentenced to five years' imprisonment; two Cabo Verdean offenders, who were sentenced to four years and six months' and four years and eight months' imprisonment, have appealed their sentences. The Cabo Verdean court awarded damages to the victims in these cases totaling the equivalent of approximately \$3,425; this award is under appeal. The government partnered with the Portuguese Border Patrol to provide training for 40 Cabo Verdean border and national police officers on the international framework to combat human trafficking—including investigation and identification of potential victims. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The government made modest efforts to protect child trafficking victims. Although it did not report information on protection services provided to the 17 child trafficking victims identified during investigations, several government facilities that provide care to vulnerable children and victims of gender-based violence may have assisted trafficking victims during the year. Two ICCA-run centers for children in Praia and Mindelo afforded temporary care to child victims of sexual abuse, violence, and abandonment; children could remain in these centers for up to three months. The government maintained five protection and social reinsertion centers on the islands of Sal, Sao Nicolau, Boa Vista, Fogo, and Santiago, which offered reintegration services to children experiencing long-term trauma. The ICCA continued its *Nos Kaza* project that aims to reduce the vulnerability of street children to sexual abuse, including prostitution and child labor through the operation of six day centers on the islands of Santo Antao, Sao Vicente, Sao Nicolau, Fogo, Boa Vista, and Santiago, which hosted children during the day and provided counseling. At the end of the reporting period, over 65 children and adolescents used the facilities of *Nos Kaza* in the city of Praia daily. The government also supported foster family and adoption programs for the care of children who could not return to their families.

The Cabo Verdean border police and law enforcement agencies did not have written procedures for identification or referral of trafficking victims. However, the ICCA's network for the protection and prevention of sexual abuse of children and adolescents—comprised of the judicial police, the national police, the national prosecutor, the directorate general of tourism, and the Office of Health for Praia—coordinated the referral of child victims of sexual abuse and prostitution to care and offered support throughout court processes. *Disque Denuncia*, the government's hotline for reporting cases of child abuse, exploitation, and prostitution, served as a referral system, coordinating efforts between the attorney general's office, the judiciary police, the national police, hospitals, and Offices of Health and School. ICCA and UNICEF established a special unit in the judicial police to attend to child sex abuse victims, including child victims of prostitution; the unit was equipped with a video room that allows children to testify outside of court. Cabo Verdean law does not provide for legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution. There were no reports that victims of human trafficking were penalized for unlawful acts committed as a result of being trafficked.

PREVENTION

The government made modest efforts to prevent trafficking through efforts directed towards addressing the vulnerabilities of migrant workers and the elimination of child labor. In October 2013, the government published a guide for the nearly 20,000 immigrants in the country, which contains information related to rights, access to services, and contact information for local immigrant associations, embassies, and consulates. In 2012, ICCA established a unit for the prevention and elimination of child labor, the National Committee for Eradication of Child Labor in Cabo Verde (CDNPCTI), which continued work to establish a legal basis for the committee to carry out its mandate. Several ministries and agencies—including labor and youth, education, and police, as well as civil society partners—participated in four CDNPCTI meetings during the year to discuss implementation, monitoring, and evaluation of the national committee's objectives. The government did not identify any child labor violations during the reporting period and did not remove any children from situations of child labor.

To improve coordination of efforts to combat child labor and violence against children, in December 2013 the Cabo Verdean National Assembly approved a new law, the Status of Children and Adolescents. This law establishes a public-private network of government and NGO service providers that can be called upon to protect and assist abused children, including child sex trafficking victims. It also outlines the legal framework for child and adolescent protection and for access to health, education, security, and social assistance. The government did not undertake any trafficking awareness campaigns during the reporting period. During the year, no prosecutions involving cases of child sex tourism were reported, and the government did not make significant efforts to reduce the demand for forced labor or commercial sex acts or to address sex tourism.

CAMBODIA (Tier 2 Watch List)

Cambodia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Cambodian adults and children migrate to countries within the region and, increasingly, to Africa for work; many are subsequently subjected to sex trafficking, domestic servitude, debt bondage, or forced labor on fishing vessels, in the agricultural sector, or in factories. Cambodian migrant workers—especially in Thailand and Malaysia—are vulnerable to forced labor and debt bondage; employers in destination countries have withheld copies of employment contracts and confiscated passports. Recruitment agencies have falsified legal identification and age verification documents to facilitate illegal recruitment of children. Despite an ongoing ban, Cambodian women and girls continue to migrate to Malaysia to work in domestic service. These women often travel on tourist visas and transit through Thailand; some subsequently become victims of domestic servitude.

Male Cambodians continue to be subjected to forced labor on Thai-flagged fishing boats operating in international waters; the number of Cambodians subjected to this form of exploitation is unknown, but local observers have expressed concern over the increasing trend of victims trafficked in the fishing industry. Cambodian victims escaping fishing industry traffickers have been identified in Malaysia, Indonesia, Mauritius, Fiji, Senegal, and South Africa. Cambodian men report being deceived about the expected length of service and their wages by fishing boat

owners in Thailand, where the majority were recruited for work in fishing; some have reported severe abuses by Thai captains and being forced to remain aboard vessels for years.

Children from impoverished families are highly vulnerable to forced labor, including domestic servitude and forced begging in Thailand and Vietnam. Parents are often complicit in this practice. The Svay Pak area outside Phnom Penh, where many young children have been exploited in the sex trade, operated as a transit point for child sex trafficking victims from Vietnam who were subsequently exploited in hotels and other establishments in Phnom Penh. Within the country, Cambodian and ethnic Vietnamese women and girls move from rural areas to Phnom Penh, Siem Reap, Poipet, Koh Kong, and Sihanoukville, where they are subjected to sex trafficking in brothels and increasingly in venues such as beer gardens, massage parlors, salons, karaoke bars, and non-commercial sites. Sex trafficking of children under the age of 15, once promoted through highly visible methods, has become increasingly clandestine. The sale of virgin women and girls continues to be a problem in Cambodia. Cambodian men form the largest source of demand for child prostitution; however, men from other Asian countries, the United States, and Europe travel to Cambodia to engage in child sex tourism.

Vietnamese women and children, many of whom are victims of debt bondage, travel to Cambodia and are forced into commercial sex. NGOs report that some Vietnamese victims were transported through Cambodia by criminal gangs before being exploited in Thailand and Malaysia. Corrupt officials in Cambodia, Thailand, and Malaysia cooperate with labor brokers to facilitate the transport of victims across the border. Additionally, an unknown number of unidentified trafficking victims are among the large number of migrants deported from Thailand each year.

The Government of Cambodia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government developed draft guidelines for a standardized, nationwide system for the proactive identification of victims among vulnerable groups, and it implemented a pilot program to test them in two provinces. Despite these measures, the government did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous year. Therefore, Cambodia is placed on Tier 2 Watch List. It failed to make progress in holding trafficking offenders accountable. Although numerous forms of human trafficking continued to occur in Cambodia, the government prosecuted and convicted fewer trafficking offenders and identified fewer victims than it did in the previous year. The Supreme Court's acquittal of a former police chief convicted in 2011 of trafficking, as well as an overall failure to address trafficking-related complicity, contributed to a climate of impunity for trafficking offenders and a denial of justice to victims. Despite increased attention from the government and NGOs to the prevalence of male victims, the availability of services for this population remained limited. The government reported posting labor attachés to three of its embassies in countries with large numbers of Cambodian workers and providing general anti-trafficking training to all diplomats before being posted overseas, but it lacked systematic procedures for its diplomatic missions abroad to assist trafficking victims. The government did not explicitly grant police the authority to conduct undercover anti-trafficking operations, although the Ministry of Justice encouraged officials to utilize procedures for approval of undercover investigations allowed within the current legal framework during a donor-funded workshop in December.



RECOMMENDATIONS FOR CAMBODIA:

Increase efforts to vigorously investigate and prosecute trafficking offenses and convict and punish both labor and sex traffickers; issue an executive decree (*prakas*) or other official guidance authorizing the use of undercover investigative techniques in the enforcement of the anti-trafficking law; make efforts to hold officials accountable for complicity in human trafficking; sensitize law enforcement authorities and policymakers to the prevalence of trafficking of adult men, especially in commercial fishing, and make more services available to male victims; streamline procedures for reporting and responding to trafficking cases in which victims are identified in countries without Cambodian diplomatic representation; establish systematic procedures to assist Cambodian victims through diplomatic missions abroad, perhaps by appointing a dedicated labor attaché in countries with large numbers of Cambodian workers, and train diplomats on identifying and assisting trafficking victims before their departures for overseas posts; finalize and implement a nationwide protocol for the proactive identification of victims among vulnerable groups; enforce criminal penalties for labor recruitment companies engaging in illegal acts that may contribute to trafficking; update the national committee's national action plan to combat trafficking; augment governmental referrals of trafficking victims to NGOs with increased support and services, including legal aid, psycho-social support, and reintegration programs; improve interagency cooperation and coordination between police, court officials, and other government personnel on trafficking cases and victim referral processes; ensure bilateral memoranda of understanding (MOUs) on the deployment of Cambodian workers to foreign countries include strong protection provisions to decrease workers' vulnerability to trafficking; increase efforts to make court processes more efficient and sensitive to the needs and interests of trafficking victims, including through the provision of witness protection; and expand and continue to promulgate public awareness campaigns aimed at reducing the demand for commercial sex and child sex tourism, with an increased focus on addressing the local demand for commercial sex with children.

PROSECUTION

The Government of Cambodia's efforts to hold traffickers accountable significantly declined. The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation explicitly addresses trafficking offenses in 12 of its 30 articles. The law prohibits all forms of trafficking and prescribes penalties that are sufficiently stringent and commensurate with other serious crimes, such as rape. During the reporting period, the government reported investigating 35 suspected cases of trafficking. It convicted 10 sex trafficking offenders and eight labor trafficking offenders, a decrease from 44 offenders convicted in the previous year. One of the 35 cases involved labor trafficking in the commercial fishing sector; in May 2013, Cambodian authorities arrested a Taiwan national for the alleged trafficking of hundreds of Cambodian men on Thai fishing vessels in international waters. At the close of the reporting period, the suspect remained in pre-trial custody.

The government continued to design and deliver donor-funded training on the implementation of the anti-trafficking law, reaching approximately 1,200 law enforcement and judicial officials, but officials lacked adequate expertise to identify and prosecute a significant number of trafficking cases. Officials at times conflated labor trafficking and human smuggling, and a lack of competence in evidence collection led officers to rely almost wholly on victim testimony to build cases. Inadequate efforts to protect victims, including a lack of incentives for victims to participate in prosecutions, left many unwilling to participate. Victims whose families received out-of-court settlements from traffickers at times changed their testimonies, hampering the pursuit of successful prosecutions. Although the government maintained agreements calling for joint investigations of trafficking cases with the governments of Thailand and Vietnam, no international cooperation with these governments was reported during the year. Local organizations and some officials recognized an urgent need for more sophisticated evidence collection techniques, including undercover investigations, to decrease the reliance on witness testimony and to adapt to the changing nature of sex trafficking—which has become increasingly clandestine and difficult to prove in court—in Cambodia. Though undercover evidence collection operations in human trafficking cases are not explicitly prohibited by Cambodian law, in recent years Cambodian judges have deemed them illegal. While the government has specifically approved undercover investigation authority for other types of crimes, such as counter-narcotics, similar approval has not been clearly extended to the investigation of suspected offenses under the 2008 human trafficking law.

Endemic corruption at all levels of the Cambodian government continues to severely limit the ability of individual officials to make progress in holding traffickers accountable. Local observers report corrupt officials regularly thwart progress in cases believed to have political, criminal, or economic ties to government officials, and the government failed to hold officials accountable for such practices. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. In November 2013, the Supreme Court held an unannounced, closed-door hearing and acquitted on all charges the former head of the Phnom Penh Municipal Police's Anti-Human Trafficking and Juvenile Protection Department, convicted *in absentia* for human trafficking and related offenses in 2011.

PROTECTION

The government continued to employ procedures to identify victims and refer them to NGOs, but the number of victims identified declined compared to the previous reporting period. The Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) reported receiving and referring 310 trafficking victims to NGO shelters, a decrease from the 570 victims referred during the previous reporting period. Local police referred 151 victims of sex trafficking to provincial agencies for NGO referrals, a decrease from the 388 victims referred in the previous year. The government did not finalize guidelines for a standardized, nationwide system for the proactive identification of victims among vulnerable groups, but it did develop draft guidelines and implement a pilot program to test them in two provinces. The government operated a temporary shelter in Phnom Penh for female victims of trafficking and other crimes, though the authorities did not offer further assistance to victims. With assistance from an international organization, MOSAVY continued to operate a transit center in Poipet, where it received

159 victims identified by Thai authorities. Victim identification procedures on both sides of the border were inadequate, and the number of actual trafficking victims among the 55,000 Cambodians deported from Thailand was likely much higher. The government received 170 victims repatriated from Vietnam with the assistance of an international organization. International and local NGOs unofficially repatriated an unknown number of victims on Thai fishing vessels. One organization reported repatriating 114 Cambodian male victims from Mauritius, Indonesia, Senegal, Malaysia, and South Africa in 2013—more than twice as many as it assisted in 2012. The government did not have adequate procedures in place to facilitate the rescue and repatriation of victims of forced labor on fishing boats identified overseas. A lack of diplomatic representation or other bilateral agreements in some countries where victims were identified left victims with little support. During the reporting period, the government maintained its prohibition on the migration of women to Malaysia for domestic work but failed to ensure that procedures or safeguards were in place to assist Cambodian women already working in Malaysia. The government reported posting labor attachés to its embassies in South Korea, Thailand, and Malaysia. The Cambodian embassy in Kuala Lumpur provided temporary shelter to some Cambodian domestic workers who faced abuse in Malaysia and assisted NGOs in the repatriation of 30 Cambodian migrant workers, but it lacked systematic procedures to assist trafficking victims through its diplomatic mission in Malaysia or other countries.

The majority of medical, legal, shelter, and vocational services for victims of both domestic and international trafficking were provided by NGOs, most of which cared for victims of a number of forms of abuse. During the year, MOSAVY finalized guidelines for standards of care in residential facilities for victims of trafficking and sexual exploitation in Cambodia. Nonetheless, there were allegations that some NGO shelters subjected victims to abuse or inadequate care and that inadequate government oversight allowed these practices to occur with impunity. Authorities systematically referred identified victims to NGO shelters to receive care but did not develop a policy for formally transferring custody of child victims, leaving NGOs that accepted these victims for care vulnerable to court actions against them. Lack of available long-term care, including mental health services, made victims, particularly child sex trafficking victims, highly vulnerable to re-trafficking. Despite the prevalence of male victims, assistance for this population, if any, was limited to *ad hoc* sheltering in facilities that lacked experience caring for trafficking victims; trafficking-specific shelters refused to accept men, and the government did not provide facilities or services other than referrals to male victims. Foreign victims of trafficking had the same access to victim care facilities as Cambodian trafficking victims; however, there were a limited number of shelters with the ability to provide specialized care to foreign victims, including foreign-language capabilities and culturally sensitive support.

The Cambodian government required foreign victims found in Cambodia to be repatriated to their home countries and did not provide legal alternatives to their removal should they face hardship or retribution upon return to their countries of origin. There were no reports that identified victims were punished for crimes committed as a result of being trafficked; however, many victims of trafficking were not formally identified, and unidentified victims were at risk of being punished. Authorities reportedly encouraged victims to participate in investigations and prosecutions of traffickers, and foreign victims were eligible for temporary legal residence in order to do so. Cambodia's weak

and corrupt judicial and law enforcement systems, however, and lack of adequate victim protection hindered victims' willingness to cooperate in cases and their access to legal redress. Although the government required service providers and front-line officials to interview victims in a safe place, the government typically lacked the necessary equipment and office space to do so; perpetrators and victims were often interviewed in the same location. Victims were theoretically eligible for restitution, though this was limited in practice by a legal requirement that compensation be paid only following the completion of a convicted offender's jail term.

PREVENTION

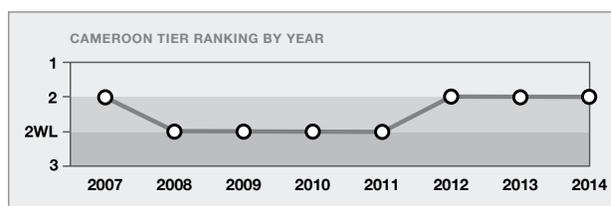
The Government of Cambodia continued moderate efforts to prevent trafficking. The National Committee on the Suppression of Human Trafficking, Smuggling, and Labor and Sexual Exploitation (National Committee) and its secretariat continued to lead the country's anti-trafficking efforts and implement the committee's anti-trafficking action plan, but it reported difficulty in obtaining adequate funding to effectively implement the plan. The government continued to negotiate a bilateral memorandum of understanding (MOU) with the Government of Malaysia on the migration of Cambodians to Malaysia for domestic work, but it was not finalized during the year. The government's efforts to punish fraudulent labor recruiters declined; after convicting four staff members from one licensed recruiting agency for labor trafficking in the previous reporting period, the government made only one arrest and issued no punishments for illegal recruitment practices this year. Local observers believe corruption to be the cause of impunity afforded to recruiting firms, including some with reported financial ties to senior government officials, engaging in recruitment practices that contribute to trafficking.

With support from foreign and local donors, the government continued to produce and disseminate printed materials, radio broadcasts, and billboards and posters addressing the dangers of various forms of human trafficking. At times, the government may have impeded the work of civil society organizations by requiring government approval of NGO-produced materials prior to public dissemination. The Ministry of Tourism sustained collaboration with NGOs in producing trainings, billboards, and handouts aimed at reducing the demand for commercial sex acts and child sex tourism, though these efforts were targeted at foreign sex tourists rather than the local population that is the main source of demand for commercial sex with children. Authorities reported arresting nine foreign nationals and convicting three for child sex tourism offenses. Nonetheless, local observers reported ongoing concern over the government's failure to properly investigate or impose punishments on foreign nationals who purchase commercial sex acts with children. Authorities reported that four Cambodian citizens were convicted for purchasing commercial sex acts with children. The government reported that its training program for diplomats, prior to their departure for overseas posts, included instruction on Cambodia's anti-trafficking policy. The National Committee provided members of military forces with training on human trafficking prior to their deployment abroad on peacekeeping initiatives.

CAMEROON (Tier 2)

Cameroon is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Cameroon is a source country for men in forced labor. Trafficking operations usually target two to four children, often when rural parents hand over their children to an intermediary promising an education or a better life in the city. Traffickers of children increasingly resort to kidnapping their victims, as heightened public awareness about trafficking has led to parents being less willing to give their children to these intermediaries. Cameroonian children are exploited in many sectors, such as domestic service; restaurants; street begging or vending; artisanal gold mining and gravel quarries; agriculture, including on tea and cocoa plantations; in the urban transportation and construction sectors, where they perform odd jobs as errand boys and laborers on construction sites; and in prostitution within the country. Reports indicate the existence of hereditary slavery in northern chiefdoms. Cameroonian women are lured to Europe and other regions by fraudulent internet marriage proposals or offers of domestic work and subsequently become victims of forced labor or forced prostitution in Switzerland and France, with smaller numbers in Russia. In 2013, a group of approximately 35 Cameroonian men were exploited in forced labor in forestry work in Sweden; most were granted temporary residency permits during the investigation. During the year, Cameroonian trafficking victims were also identified in Denmark, Norway, Sweden, Germany, Poland, Slovakia, Cyprus, Spain, Saudi Arabia, Lebanon, the United Arab Emirates, Qatar, Haiti, Nigeria, Equatorial Guinea, Gabon, and several West and Central African countries. Some teenagers and adults from the Central African Republic (CAR) and Nigeria are lured by the prospect of a better life in Cameroon and subsequently became victims of labor trafficking.

The Government of Cameroon 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 continued to implement activities associated with an action plan to combat trafficking, including enforcing the anti-trafficking law, providing training to government officials and NGOs, reintegrating street children who were trafficking victims, and conducting public awareness campaigns. Despite these efforts, the government did not make progress in ensuring trafficking victims received access to protection services. Data collection remained sporadic and did not cover the entire country, resulting in unreliable and incomplete statistics on victim identification and law enforcement.



RECOMMENDATIONS FOR CAMEROON:

Vigorously prosecute and convict trafficking offenders, including government employees complicit in trafficking-related offenses; continue to educate police, judges, lawyers, and social workers about the law against human trafficking; develop and provide advanced training for law enforcement in investigation and prosecution of human trafficking offenses; dedicate resources

to improve the collection of statistics relating to victim identification and law enforcement; develop standardized procedures for referring trafficking victims to government and NGO care services, and socialize these mechanisms among government officials and the NGO community; continue to provide training for government service providers to ensure the quality of care for victims; and address cases of hereditary servitude in the northern regions.

PROSECUTION

The Government of Cameroon sustained modest anti-trafficking law enforcement efforts. The 2011 Law Relating to the Fight Against Trafficking in Persons and Slavery prohibits all forms of trafficking in persons, and under Section 4 prescribes a penalty of 10 to 20 years' imprisonment, penalties that are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. Section 5 prescribes penalties ranging from 15 to 20 years' imprisonment if the trafficking victim is 15 years of age or younger, if violent pretexts are used to coerce the victim, or if the victim sustains serious injuries as a result of trafficking. Section 3 prescribes penalties for debt bondage ranging from five to 10 years' imprisonment. These penalties are also sufficiently stringent. Amendments to the 2011 law drafted by the government to address shortcomings in protection of victims and witnesses were still under consideration at the end of the reporting period.

During the reporting period, the government initiated five trafficking prosecutions and secured one conviction for child trafficking. This represents a slight increase from the previous reporting period, in which the government conducted three prosecutions with no convictions. Specific information about the case resulting in a conviction was not available, but the defendant was sentenced to 11 years' imprisonment. Two cases were dismissed by judges for lack of evidence, and two prosecutions remained pending at the end of the reporting period. The government failed to collect comprehensive anti-trafficking law enforcement data from all of Cameroon's 10 regions during the reporting period. Various government and other sources indicated that 120 cases of trafficking and related offenses, including kidnapping of minors, kidnapping with fraud and violence, forced marriage, and slavery, were reported to law enforcement and NGOs in the Littoral, South West, and South regions; many of these were investigated by police, but information is not available to determine how many were cases of human trafficking.

The government organized two training sessions on human trafficking for government officials and NGOs, collaborated with international organizations and an NGO to conduct four additional training programs on trafficking, and reported that the national training sites for *gendarmerie* include modules on detecting human trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The Cameroonian government demonstrated modest efforts to ensure identified victims of trafficking received access to protection services. The government does not produce statistics from all regions on the number of trafficking victims identified. Information from the government and NGOs indicates that 19 trafficking victims were identified by the government, all of whom were children, ranging in age from 4 months to 16

years, a decrease from the 87 victims identified in the previous reporting period. Of these 19 victims, the government placed 13 children in government or NGO care facilities for assistance and reunited six victims with their families.

The government used an informal referral process in which local administrative authorities and the Ministry of Social Affairs (MINAS) guided security forces in referring identified victims to the appropriate government agency for assistance. The government continued to provide direct assistance to child victims, including shelter, medical assistance, psychological support, and activities related to reintegration through its shelter facilities and services for vulnerable children located in several cities. It is unclear how much funding the government devoted to victim care during 2013 or how many victims received services. Local and international NGOs provided the majority of victim services in the country, and the government has yet to institute a standardized, reliable mechanism to refer victims to these services. At ports of entry, trained customs and border security officers interrogated adults accompanying children and checked their travel documents to verify their parentage. Immigration police officials in Cameroon's East Region reported that these procedures helped prevent potential trafficking cases involving victims moving to and from neighboring countries; however, no specific trafficking cases were reported.

The government encouraged victims to assist in the investigation and prosecution of trafficking crimes; however, it is unclear what assistance was provided during court proceedings. Victims may file suits or seek legal action against traffickers, and, because children are the main victims of trafficking in Cameroon, family members may also bring civil suits against traffickers on behalf of children. Some victims received financial settlements from their traffickers after filing such suits. In a case from Cameroon's North West Region, a trafficker who forced a child to do manual labor for one year without compensation paid approximately \$260 as part of a financial settlement to the victim and his family. The child subsequently returned to school. The government provided temporary resident status to five children from other countries (CAR and Nigeria) while working with international organizations and consular officials on their repatriation during the reporting period. It was not reported that the government punished any trafficking victims for unlawful acts committed as a direct result of being trafficked.

PREVENTION

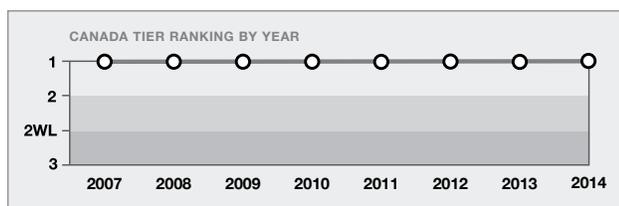
The Cameroonian government demonstrated continued progress in preventing human trafficking. An inter-ministerial committee, chaired by the secretary general of the prime minister's office and comprised of over a dozen different ministries, coordinates anti-trafficking efforts across the government. The government continued action related to its national action plan, including a targeted awareness campaign against forced labor and sex trafficking of children implemented by MINAS. In 2013, the government expanded the campaign from five regions (Center, East, Littoral, Adamawa, and Northwest) to include the Far North region, and reached 2,000 people and mobilized 500 community leaders and journalists. With support from UNICEF, the government trained 410 social workers in five regions on human trafficking as part of training on psychosocial assistance to street children. The Ministry of Employment drafted a manual for potential migrants on the dangers of trafficking, which has yet to be disseminated. MINAS continued to address the phenomenon of street children, a vulnerable population considered at high risk of becoming trafficking victims, and identified 504 new cases

of street children in Yaounde and Douala, and reunited 134 children with their families, and offered reintegration services to the others during the reporting period. The government continued to provide members of the Cameroonian armed forces with training on human trafficking prior to their deployment abroad on international peacekeeping missions as part of an overall briefing on international humanitarian law. The government, however, did not undertake efforts to reduce the demand for commercial sex acts or forced labor.

CANADA (Tier 1)

Canada is a source, transit, and destination country for men, women, and children subjected to sex trafficking, and a destination country for men and women subjected to forced labor. Canadian women and girls are exploited in sex trafficking across the country, and women and girls from Aboriginal communities and minors in the child welfare system are especially vulnerable. NGOs and law enforcement officials note traffickers sometimes use drug dependency to control victims. The Royal Canadian Mounted Police (RCMP) report that roughly half of identified sex trafficking victims worked as exotic dancers or in clubs at the time of their recruitment. Foreign women, primarily from Asia and Eastern Europe, are subjected to sex trafficking in brothels and massage parlors. Law enforcement officials report that local street gangs and transnational criminal organizations are involved in sex trafficking in urban centers. Labor trafficking victims include foreign workers from Eastern Europe, Asia, Latin America, and Africa who enter Canada legally, but are subsequently subjected to forced labor in agriculture, construction, food processing plants, restaurants, the hospitality sector, or as domestic servants. Canada is also a source country of tourists who travel abroad to engage in sex acts with children.

The Government of Canada fully complies with the minimum standards for the elimination of trafficking. In 2013, the government achieved its first conviction for domestic servitude, increased the number of convictions achieved under trafficking statutes compared to the previous year, and launched a dedicated anti-trafficking police unit. Canadian authorities continued strong partnerships with civil society to raise awareness of human trafficking; increased coordination between federal, provincial, and territorial authorities; and demonstrated transparency by issuing their first progress report on the national action plan against trafficking. Few specialized services were available to victims, and the government lacked comprehensive data on trafficking victims identified and assisted during the year.



RECOMMENDATIONS FOR CANADA:

Increase specialized care and reintegration services available to trafficking victims, in partnership with civil society and through dedicated funding; continue to intensify efforts to investigate and prosecute trafficking offenses and convict and sentence trafficking offenders using anti-trafficking laws; increase use of proactive law enforcement techniques to investigate

human trafficking, including forced labor; strengthen training for officials working in law enforcement, immigration, the justice sector, health care, and social work on the identification of and provision of assistance to trafficking victims, as well as the subtle forms of coercion employed by traffickers; improve coordination between law enforcement officials and service providers, possibly through specialized case managers or attorneys, to ensure victim needs are met; continue increased communication between federal, provincial, and territorial actors; vigorously investigate and prosecute Canadian child sex tourists; and improve trafficking data collection, particularly regarding victim identification and assistance.

PROSECUTION

The Government of Canada strengthened law enforcement efforts against human trafficking offenders during the year. Section 279.01 of Canada's criminal code prohibits all forms of human trafficking, prescribing penalties of up to 14 years' imprisonment, or life imprisonment in the case of certain aggravating factors, such as kidnapping or sexual assault. There is a five-year mandatory minimum sentence for trafficking of children under the age of 18 years. Such penalties are sufficiently stringent and commensurate with those for other serious crimes. Section 118 of Canada's Immigration and Refugee Protection Act (IRPA) prohibits transnational human trafficking, prescribing a maximum penalty of life imprisonment and a fine in the equivalent of approximately \$1 million.

Authorities convicted an increased number of traffickers under trafficking-specific statutes compared to the previous year. Some judges and prosecutors demonstrated a limited understanding of human trafficking, including the subtle forms of coercion used by traffickers, leading them to categorize trafficking cases as other crimes, bring civil charges instead of criminal charges, or acquit traffickers. Press reports indicated that in some cases police officers were reluctant to investigate child sex trafficking without victim testimony, despite other available evidence. Police and NGOs reported that prosecutors are often hesitant to use trafficking statutes due to their belief that proving exploitation to judges is exceedingly difficult. In December 2013, the Canadian Supreme Court upheld an earlier decision by the Ontario Court of Appeals, which held that certain federal statutes prohibiting living off the profits of prostitution and operating "bawdy houses" are unconstitutional; these statutes had been frequently used in human trafficking prosecutions.

In addition to ongoing investigations from the previous reporting period, there were at least 42 ongoing human trafficking prosecutions as of February 2014. These prosecutions involved at least 182 accused trafficking offenders, 60 of whom had been charged in 2013. This compares with 77 ongoing trafficking prosecutions during the previous reporting period, involving 130 defendants. The government reported convicting at least 25 trafficking offenders in 2013, including one labor trafficker, compared with at least 30 convictions in 2012, including five for labor trafficking. Of these 25 convictions, 10 were achieved under trafficking-specific laws, an increase from five convictions using trafficking statutes in 2012. Prosecutors convicted at least 15 sex trafficking offenders under other sections of the criminal code, including prostitution-related statutes; this compares with 25 such convictions obtained under such statutes in 2012. The 25 offenders convicted in 2013 had exploited 34 victims, 10 of whom were Canadian children. Sentences ranged from fines to 10 years' imprisonment; some of these sentences were suspended and credit was given for pre-trial custody. Courts

ruled on two high-profile cases involving domestic servitude of foreign victims in British Columbia in 2013, both of which were tried under IRPA. One case resulted in an acquittal by a judge during a bench trial; the other, resulting in a jury decision, was the first conviction for domestic servitude in Canada. Some government and NGO staff viewed these results as a reflection of the lack of understanding of human trafficking on the part of many judges.

Federal and provincial officials conducted training sessions for government officials during the year, and Justice Canada—the justice ministry—distributed a new anti-trafficking handbook for police and prosecutors to all jurisdictions. The RCMP continued extensive anti-trafficking training efforts in 2013 for law enforcement officers, border service officers, and prosecutors, and trained 24 police officers in an in-depth human trafficking investigator's course. The RCMP and the border service agency each maintained online anti-trafficking training courses. Several provinces operated police units focused on commercial sexual exploitation, and the RCMP launched a national anti-trafficking enforcement unit in Quebec in December 2013. The RCMP employed three regional human trafficking awareness coordinators across the country to strengthen anti-trafficking law enforcement and awareness efforts at the local level. The Canadian government reported collaborating with foreign governments on trafficking investigations. A police sergeant who led a pilot anti-trafficking investigative unit in Hamilton, Ontario was investigated for sexual misconduct involving witnesses in human trafficking cases. Authorities did not report any prosecutions or convictions of government employees complicit in human trafficking offenses. Coordination between the federal, provincial, and territorial governments on anti-trafficking law enforcement efforts continued to be a challenge; government authorities launched quarterly national coordination calls between officials working on trafficking to enhance communication and cooperation.

PROTECTION

The government maintained protections for trafficking victims during the reporting period, though most victim services offered by the government were general services offered to victims of a wide variety of crimes, and there were no government programs specifically designed to serve trafficking victims. Officials did not collect comprehensive statistics on the total number of trafficking victims identified and assisted during the year. As of February 2014, law enforcement reported 198 victims in open cases where trafficking-specific charges were brought, although it was unclear how many of these victims were identified in 2013. The majority of these victims were women and girls exploited in sex trafficking.

Immigration officials continued implementing guidelines to assess whether foreign nationals were potential victims of trafficking and police and prosecutors screened potential trafficking cases using established indicators, although application of these guidelines was uneven. There were no nationwide procedures for other government officials—such as social workers or labor inspectors—to proactively identify and assist trafficking victims among vulnerable populations. Provinces and territories had primary responsibility for enforcing labor standards. Civil society organizations reported that provincial and territorial governments often lacked adequate resources and personnel to effectively monitor the labor conditions of increasing numbers of temporary foreign workers or to proactively identify human trafficking victims among such groups.

Provincial and territorial governments had primary responsibilities for general crime victim services, which were available to trafficking victims. The range and quality of these services varied. Most jurisdictions provided trafficking victims with access to shelter services, short-term counseling, court assistance, and other services. The government did not report funding or operating any dedicated facilities for trafficking victims, but referred victims to shelters operated by civil society organizations. Female trafficking victims could also receive services at shelters designed for victims of violence. Shelters for homeless persons could provide basic services to male trafficking victims. The demand for some services, such as longer-term assisted housing, generally exceeded available resources. Service providers highlighted the need for tailored services to address drug dependency in sex trafficking victims, such as crisis stabilization beds. NGOs and law enforcement reported that the lack of specialized services was problematic and officials sometimes failed to offer victims coordinated and timely protective services. Some family members of child sex trafficking victims reported that these victims were not provided with adequate services or protection from traffickers. NGOs noted that local victim referral mechanisms, often involving an anti-trafficking network or coalition, worked well in practice.

Foreign trafficking victims could apply for a temporary resident permit (TRP) to remain in the country. The government issued 14 TRPs to 14 foreign trafficking victims in 2013, 10 of which were first-term permits and four of which were renewals. In comparison, authorities reported granting 26 TRPs to 24 foreign victims in 2012. Some foreign trafficking victims may have received different forms of immigration relief, such as refugee protection. During a 180-day reflection period, immigration officials determined whether to grant TRP holders a longer residency period of up to three years. TRP holders had access to essential and emergency medical care, dental care, and trauma counseling. TRP holders could apply for fee-exempt work permits, and some foreign victims received these permits during the reporting period. Some government officials and NGOs reported difficulties in getting TRPs for foreign victims due to lack of agreement among service providers, law enforcement officers, and immigration officials about whether or not an individual qualified as a trafficking victim. Furthermore, service providers reported delays in victims receiving TRPs during the year; while victims waited for months to receive their TRPs, they could not access government services, and civil society provided this care. Identified victims were not generally penalized for crimes committed as a direct result of being subjected to human trafficking. Some NGOs expressed concern that the length of labor trafficking investigations could expose foreign victims to immigration violations, depending on their legal status as migrant workers in Canada. Press reports indicated some child sex trafficking victims were treated as juvenile offenders for petty criminal offenses committed while exploited in prostitution. Canadian authorities encouraged, but did not require, trafficking victims to participate in investigations and prosecutions of trafficking offenders, but did not report how many victims, if any, participated in investigations and prosecutions.

PREVENTION

The Government of Canada maintained strong anti-trafficking prevention efforts during the reporting period. In December 2013, authorities released the first progress report on the implementation of the national action plan on human trafficking, launched in 2012. Public Safety Canada led a federal interagency taskforce that met on a monthly basis. The RCMP continued

to conduct awareness-raising activities, training approximately 3,700 government officials and members of civil society in 2013. British Columbia had the only provincial anti-trafficking office in the country; the office conducted prevention, training, and awareness activities using federal funds. In 2013, this office released a provincial anti-trafficking action plan and partnered with Aboriginal communities—including in remote areas—to train stakeholders to identify and respond to human trafficking of Aboriginal women and girls. Provincial governments in Quebec and Alberta continued to partner with NGOs receiving federal funds to coordinate provincial anti-trafficking efforts. In efforts to reduce the use of forced labor, Canadian authorities continued to enforce accountability mechanisms for employers of foreign workers, including through workplace inspections, which could lead to noncompliant employers being deemed ineligible to hire foreign workers for two years. Immigration officials provided information to temporary foreign workers, including live-in caregivers, to let them know where to seek assistance for cases of exploitation or abuse, as well to inform them of their rights. Some NGOs asserted these efforts did not address the root issues that make temporary foreign workers vulnerable to forced labor, and called for increased national oversight of labor brokers and recruiters.

Canada is a source of child sex tourists and the criminal code prohibits Canadian nationals from engaging in child sex tourism abroad, with penalties of up to 14 years' imprisonment. There were no public reports of investigations, prosecutions, or convictions of child sex tourists during the year. Authorities continued to distribute a publication, with every new Canadian passport issued, warning Canadians about penalties under Canada's child sex tourism law. Canadian authorities provided anti-trafficking information to Canadian military forces prior to their deployment on international peacekeeping missions. Canadian authorities continued to prosecute individuals who solicited commercial sex.

CENTRAL AFRICAN REPUBLIC (Tier 3)

The Central African Republic (CAR) is a source, transit, and destination country for children subjected to forced labor and sex trafficking, for women subjected to forced prostitution, and adults subjected to forced labor. The scope of the CAR's trafficking problem is unknown, and increased violence and insecurity during the year forced the suspension of NGO programs to survey the problem. Observers report that most victims appear to be CAR citizens exploited within the country, and a smaller number are transported back and forth between the CAR and Cameroon, Chad, Nigeria, Republic of the Congo, Democratic Republic of the Congo (DRC), Sudan, and South Sudan. Trafficking offenders—likely including members of expatriate communities from Nigeria, South Sudan, and Chad, as well as transient merchants and herders—subject children to domestic servitude, commercial sexual exploitation, and forced labor in agriculture, artisanal gold and diamond mines, shops, and street vending. Within the country, children are at risk of becoming victims of forced labor and Ba'aka (pygmy) minorities are at risk of becoming victims of forced agricultural work—especially in the region around the Lobaye rainforest. Girls are at risk of being exploited in the sex trade in urban centers. Girls forced into marriages are often subjected to domestic servitude, sexual slavery, and possibly commercial sexual exploitation.

Reports indicate that the incidence of forced marriages, often perpetrated by members of armed groups, increased during the year. Women in prostitution, some of whom reported in previous years being subjected to gang rapes and beatings perpetrated by peacekeeping troops from other Central African countries, are vulnerable to sex trafficking.

Surges in violent conflict during the year resulted in the displacement of nearly one million people, increasing the vulnerability of men, women, and children to forced labor and sex trafficking. There is limited information about the forms of exploitation that may have increased as a result of the crisis. An organization operating locally reported that women and girls were taken to Sudan for forced labor and that armed groups subjected girls to sex slavery.

The recruitment and re-recruitment of children for use in armed groups, at times through force, increased dramatically during the year, particularly among armed groups aligned with the Seleka government and the organized village self-defense units fighting against it known as the anti-balaka. The Seleka coalition was comprised largely of former members of the Convention of Patriots for Justice and Peace (CPJP), the Union of Democratic Forces for Unity (UFDR), and the Democratic Front of the Central African Republic (FDPC)—all groups known to recruit and use children as soldiers and porters. The anti-balaka evolved from a network of self-defense units previously established by towns and villages to combat armed groups and bandits in areas where the national army or *gendarmes* were not present. The UN estimated in previous years that children comprised one-third of these civilian self-defense units. There are reports that Seleka groups recruited and used children from neighboring countries, including Sudan and Chad, and groups on all sides of the conflict have coerced children into participation in direct hostilities. Children formerly associated with armed groups were at risk of re-recruitment. Despite having previously signed an action plan with the UN to end the recruitment and use of children, the CPJP continued to recruit and use children during the year. In December 2013, the UN estimated that the number of child soldiers in the CAR had increased from more than 2,000 in April to approximately 6,000.

The Lord's Resistance Army (LRA), a Ugandan rebel group that operates in eastern regions of the CAR, continued to enslave Central African, South Sudanese, Congolese, and Ugandan boys and girls for use as cooks, porters, concubines, and combatants. The LRA also committed abductions, forced girls into marriages, and forced children to commit atrocities such as looting and burning villages, killing village residents, and abducting or killing other children. Some of these children may have been taken back and forth across borders into South Sudan or the DRC.

The Government of the Central African Republic 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 investigate or prosecute any suspected cases of human trafficking, and it did not identify, provide protection to, or refer to service providers any trafficking victims. Armed groups aligned with the Seleka government recruited and used children in the commission of atrocities and re-victimized children who had previously been rescued and separated from armed groups.



RECOMMENDATIONS FOR CENTRAL AFRICAN REPUBLIC:

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

PROSECUTION

The Government of the Central African Republic made no discernible anti-trafficking law enforcement efforts during the reporting period. Article 151 of the CAR's penal code prohibits all forms of trafficking in persons and prescribes penalties of five to 10 years' imprisonment, penalties which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. If the offense involves a child victim, Article 151 prescribes the additional penalty of hard labor. If the offense involves a child victim of sex trafficking or forced labor similar to slavery, the prescribed penalty is life imprisonment with hard labor. Articles 7 and 8 of the January 2009 Labor Code prohibit forced and bonded labor and prescribe sufficiently stringent penalties of five to 10 years' imprisonment. Victims can file civil suits to seek damages from their traffickers. These provisions were not enforced, and there is no evidence that any cases of suspected human trafficking offenses were investigated or prosecuted during the reporting period. Traditional dispute resolution methods are widely practiced throughout the country to punish criminal acts, often to the exclusion of formal legal proceedings. The Criminal Court in Bangui has not held a session since 2010, apparently due to lack of financial resources and the overall breakdown of governance throughout the country. The CAR government did not investigate or prosecute any public officials for their alleged complicity in trafficking-related criminal activities during the reporting period. The government did not investigate the use of child soldiers in its aligned militias. Law enforcement officials were not provided adequate technical training and resources to identify and investigate trafficking cases, and officials outside the capital may not have had access to copies of the legal codes.

PROTECTION

The Government of the CAR did not report efforts to ensure that victims of trafficking received access to protective services during the reporting period. It did not develop measures for the proactive identification of victims among vulnerable groups or enact a system for referring identified victims to NGOs to receive care. The government did not report identifying any trafficking victims during the year. An NGO identified 100 victims of sex and labor trafficking and provided care for 30 of these in Bangui, though a surge in violence in December 2013 forced the NGO to halt its operations and victims fled to neighboring countries or were relocated with host families. UNICEF and NGOs facilitated the release of 229 children from armed groups. In October, the government issued guidance authorizing UNICEF to access four military sites in order to identify and separate children, and in January it allowed unimpeded access to all bases.

Armed groups aligned with the Seleka government re-victimized children. In two April incidents in Bangui, Seleka-aligned groups abducted two boys from a children's shelter and re-recruited 41 boys and girls formerly associated with the CPJP from a transit center for use in their ranks. In September, a Seleka commander re-recruited a boy in UNICEF's reintegration program. Also during the reporting year, Seleka groups looted a shelter serving boy victims of trafficking.

The government, which has very limited resources, did not directly provide reintegration programs for child soldiers, which left victims susceptible to further exploitation or re-trafficking by armed groups, including those affiliated with the government, or other traffickers. In previous years, reports indicated that the government arrested and jailed individuals involved in the sex trade, some of whom may have been trafficking victims, without verifying their ages or attempting to identify indicators of trafficking. It is unknown whether the government punished any individuals for involvement in the sex trade during this reporting period. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution, and no such victims were identified.

PREVENTION

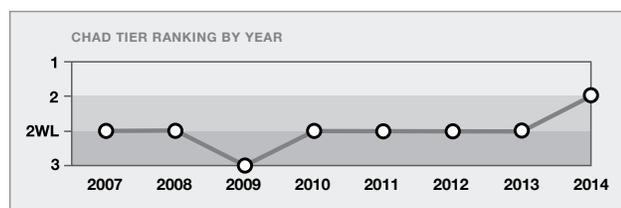
The government did not report any anti-trafficking prevention efforts during the reporting period. There was insufficient evidence to determine whether the government's working group continued to exist or carry out any activities due to continued violence that pervaded the country during the reporting period. The government did not report any efforts to establish a policy against child soldiering or raise awareness about the country's laws prohibiting the use of children in armed forces. In January 2014, following the forced resignation of the Seleka-controlled transitional government, the FACA forces began to report back to service, with many soldiers returning from fighting as members of the anti-balaka; inadequate efforts to vet incoming soldiers for past abuses against children may have increased children's vulnerability to victimization by members of the FACA. The government did not report any measures to reduce the demand for commercial sex acts during the year.

CHAD (Tier 2)

Chad is a source, transit, and destination country for children subjected to forced labor and sex trafficking. The country's trafficking problem is primarily internal and frequently involves

children being entrusted to relatives or intermediaries in return for promises of education, apprenticeship, goods, or money, and subsequently subjected to forced labor in domestic service or herding. Child trafficking victims are subjected to forced labor as beggars and agricultural laborers. Some children who leave their villages to attend traditional Koranic schools are forced into begging, street vending, or other labor by illegitimate teachers. Child herders, some of whom are victims of forced labor, follow traditional routes for grazing cattle and at times cross ill-defined international borders into Cameroon, the Central African Republic, and Nigeria. Some of these children are sold in markets for use in cattle or camel herding. In some cases, child herders are subjected to forced labor by military or local government officials. Chadian girls travel to larger towns in search of work, where some are subsequently subjected to prostitution or are abused in domestic servitude.

The Government of Chad 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 demonstrated increased anti-trafficking law enforcement efforts by investigating 36 trafficking cases, initiating 23 prosecutions, and convicting 11 trafficking offenders. The government also conducted nationwide campaigns to raise awareness of human rights issues, including trafficking in persons, took steps to ensure that no child soldiers remained in any of its eight military districts, and created an inter-ministerial committee on trafficking. The government has yet to enact legislation specifically prohibiting human trafficking and continues to fail to provide trafficking victims direct services or systematically refer them to NGO and international organizations for care.



RECOMMENDATIONS FOR CHAD:

Draft and enact legislation that prohibits all forms of trafficking in persons and prescribes sufficiently stringent punishments; increase efforts to enhance magistrates' understanding of and capability to prosecute and punish trafficking offenses under existing laws; provide specialized anti-trafficking training to law enforcement officers; continue anti-trafficking law enforcement efforts, including the investigation and prosecution, when appropriate, of suspected trafficking offenders; continue collaborating with NGOs and international organizations to increase the provision of protective services to all types of trafficking victims, including children exploited in prostitution or forced into cattle herding or domestic service; allocate regular funding to support the activities of the inter-ministerial committee on trafficking in persons, including funding for victim protection efforts; continue to take steps to raise public awareness of trafficking issues, particularly at the local level among tribal leaders and other members of the traditional justice system; and draft and implement a national action plan to combat trafficking.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. Existing laws do not specifically prohibit human

trafficking, though they do prohibit forced prostitution and many types of labor exploitation. Title 5 of the labor code prohibits forced and bonded labor, prescribing fines equivalent of approximately \$100 to \$1,000, but not imprisonment; these penalties are not sufficiently stringent to deter this form of trafficking and do not reflect the serious nature of the crimes. Penal code Articles 279 and 280 prohibit the prostitution of children, prescribing punishments of five to 10 years' imprisonment and fines up to the equivalent of approximately \$2,000; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Pimping and owning brothels is prohibited under penal code Articles 281 and 282. The 1991 Chadian National Army Law prohibits recruitment of children younger than 18; punishment for those who violate this provision is at the discretion of military justice officials. Draft revisions to the penal code that would prohibit child trafficking and provide protection for victims have not been enacted for the fourth consecutive year. In March 2014, the government began efforts to draft comprehensive anti-trafficking legislation.

Although the government does not have the capacity to collect comprehensive law enforcement data, the government, NGOs, and international organizations reported at least 36 investigations, 23 prosecutions, and 11 convictions during the reporting period, a significant increase from the seven investigations, nine prosecutions, and five convictions reported the previous year. All 11 convictions resulted in prison sentences ranging from one to two years' imprisonment; however, five of the trafficking offenders were granted suspended prison sentences. In December 2013, the government arrested and remanded to custody a senior military official for allegedly trafficking three boys for the purposes of forced labor; his trial was ongoing at the close of the reporting period. NGOs report that local officials, including traditional leaders, are often complicit in trafficking. During the reporting period, several canton chiefs—traditional chiefs officially recognized by the government—held meetings with village chiefs and determined that child trafficking is a forbidden practice; a village chief was subsequently suspended by a canton chief for a human trafficking-related offense. During the reporting period, the Ministry of Social Action, with the support of international organizations, coordinated training on human rights and child protection issues for 410 Chadian officials, including military, police, gendarmeries, judicial personnel, as well as civil society representatives; this training included modules on human trafficking. No anti-trafficking-specific training was provided by the government during the reporting period.

PROTECTION

The Government of Chad sustained weak efforts to identify and provide protection to victims of trafficking. It did not officially report the number of victims identified or referred to protection services, although it identified at least 24 victims as part of the aforementioned investigations. Regional committees, located in six regions within Chad, identified and referred an unknown number of victims to protective services, but these bodies lacked support, resources, and coordination with the national government. The lack of formal victim identification procedures continued to be a problem. Inadequate human and financial resources severely limited the government's ability to provide adequate services to victims of all crimes, including victims of trafficking. The government provided limited in-kind contributions and social services to victims of crime through a joint agreement with UNICEF, though these services were not

tailored to the specific needs of trafficking victims. Through this joint agreement, the government provided facilities to UNICEF, which then used the buildings as shelters for trafficking victims. The government does not have a formal policy in place to offer temporary or permanent residency for foreign victims of trafficking. The government encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders and did not detain, fine, or jail any trafficking victims for unlawful acts committed as a result of being trafficked.

PREVENTION

The government increased its efforts to prevent human trafficking. In October 2013, it created an inter-ministerial committee on trafficking in persons to coordinate all government efforts to combat trafficking; the committee convened for the first time in March 2014, but has yet to receive a dedicated budget. The government launched several nationwide campaigns on children's rights, which included messages on the dangers of giving or selling one's child into animal herding or domestic servitude, two of the most prevalent forms of trafficking in Chad. The Ministry of Social Action also launched a mapping project aimed at tracking violations of children's rights, including trafficking; its findings are meant to help assess and improve the government's previous national action plan against trafficking, which expired in 2010. In April 2013, the National Assembly adopted a Civil Registry Code that mandates full registration and certification of births, customary and religious marriages, and deaths; by mandating the issuance of birth certificates for all children born in Chad, the government aims to reduce the number of children at risk of being trafficked or recruited for military purposes. In an effort to reduce the demand for commercial sex acts involving children, the Mayor of N'Djamena issued a directive that prohibits the presence of underage minors in hotels without their guardians; as a result of this directive, four individuals, including a hotel owner, hotel manager, pimp, and client, are currently on trial for the prostitution of a child. With the exception of efforts to prevent the recruitment and use of child soldiers, the government made no discernible efforts to reduce the demand for forced labor during the reporting period.

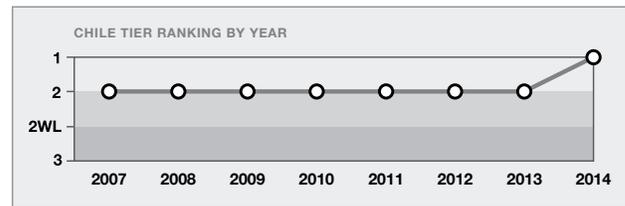
The government took a number of steps to prevent the recruitment and use of child soldiers, including by creating an inter-ministerial committee specifically to address this practice in May 2013. Between August and October 2013, members of the inter-ministerial committee conducted a three-month joint verification visit with UNICEF to all eight military districts in Chad, during which no child soldiers were found. During the visit, government and UNICEF officials also conducted education campaigns for military officials on the rights of the child, including the legal prohibition of the recruitment of child soldiers. In October 2013, the President issued a presidential directive formally prohibiting the recruitment or use of child soldiers and requiring proof of age for all soldiers and recruits.

CHILE (Tier 1)

Chile is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Chilean women and children are exploited in sex trafficking within the country, as are women and girls from other Latin American countries, including Argentina, Bolivia, Peru, Paraguay, the Dominican Republic, and Colombia. Men, women, and children—primarily from Bolivia, Peru, Paraguay,

Colombia, and Ecuador, but also from other countries—have been identified as forced labor victims in Chile's mining, agricultural, and hospitality sectors, and in domestic service. In 2013, authorities identified 12 Indian men in forced labor in a restaurant in Santiago and a large number of Bolivian labor trafficking victims in construction. Authorities report that Chinese immigrants may also be vulnerable to both sex trafficking and forced labor. Chilean authorities identified more than 200 children involved in illicit activities in 2013, including drug trafficking and robbery; some of these children may have been trafficking victims. Chilean authorities indicate that Chile is a transit country for trafficking victims from other countries.

The Government of Chile fully complies with the minimum standards for the elimination of trafficking. During the reporting period, Chilean authorities strengthened anti-trafficking law enforcement efforts through building police and prosecutor capacity and achieved the country's first convictions for labor trafficking. In 2013, the government increased interagency coordination and institutional capacity to respond to trafficking through publishing a national action plan and a victim assistance protocol. Chilean authorities continued to offer specialized services to child sex trafficking victims and adult female victims and provided protective services to significant number of labor trafficking victims. Government officials, especially front-line officials outside the capital region, continued to lack adequate training and resources to identify trafficking victims and refer them to protective services.



RECOMMENDATIONS FOR CHILE:

Increase efforts to investigate and prosecute all forms of human trafficking and convict and sufficiently punish trafficking offenders; expand victims' access to comprehensive services through increased referrals to and funding for these services, in partnership with civil society; increase training for front-line responders in victim identification and implementation of the new victim assistance protocol; continue to strengthen law enforcement's capability to investigate trafficking cases outside the capital, especially involving potential forced labor and domestic servitude; expediently issue temporary visas to foreign trafficking victims to ensure they receive necessary services; continue to increase the use of the anti-trafficking law, including for cases involving child sex trafficking where victims are not transported, perhaps by implementing mechanisms requiring that these cases be referred to specialized anti-trafficking police and prosecutors; improve data collection; and continue to enhance interagency coordination mechanisms and communication with NGOs, particularly at the regional level.

PROSECUTION

The Government of Chile increased anti-trafficking law enforcement efforts during the reporting period, including by achieving the country's first convictions for labor trafficking and by increasing police and prosecutor capacity. Law 20507 prohibits all forms of human trafficking, prescribing penalties ranging from five years and a day in prison to 15 years' imprisonment,

plus fines, for trafficking offenses. Such penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. Chilean officials continued to investigate and prosecute many internal child sex trafficking cases as commercial sexual exploitation of minors or pimping, crimes which often carried lower sentences.

As of February 2014, the anti-trafficking police unit reported 26 open trafficking investigations during the reporting period, half of which involved labor trafficking. This represents an increase from 18 reported investigations in 2012. In 2013 Chilean prosecutors opened 90 trafficking prosecutions; 72 involved the facilitation of the prostitution of children, 14 cases involved adult sex trafficking, and four involved labor trafficking. The government convicted 12 trafficking offenders in 2013 compared to 18 sex trafficking convictions achieved in 2012, including 13 under statutes prohibiting the prostitution of children. Authorities convicted nine trafficking offenders using anti-trafficking statutes, including two convictions for labor trafficking. Of the nine offenders convicted, only three received jail sentences—two were sentenced to five years' imprisonment and one was sentenced to 10 years' imprisonment. Other convicted traffickers, including the two labor trafficking offenders, were released on parole or given suspended sentences, and some were fined. One of the convicted sex traffickers had previously served five years in jail for sex trafficking of minors. In addition, Chilean authorities reported convicting three trafficking offenders under statutes prohibiting the facilitation or promotion of prostitution of children, but did not report the range of sentences for these convictions.

The government convicted an administrative police employee of bringing two Peruvian women into Chile for sex trafficking; he was expelled from the agency and sentenced to three years on parole and a fine. Authorities trained more than 1,000 police officers on combating human trafficking, including at the police academy in mandatory training for all new detectives. The government provided specialized training on trafficking for other officials, including prosecutors, social workers, and labor officials, often in partnership with NGOs and international organizations. Chilean authorities increased staffing for the trafficking and smuggling investigative police unit in Santiago. The public prosecutor's office designated a prosecutor in each region to coordinate trafficking investigations and training, and formed an internal trafficking working group to ensure coordination between these prosecutors. Chilean authorities recognized the need for increased data collection and sharing, and as part of the interagency agreement signed in December 2013, formally committed to producing regular reporting on trafficking law enforcement statistics. Chilean prosecutors reported collaborating with foreign governments in 29 ongoing and new transnational trafficking investigations in 2013.

PROTECTION

The Government of Chile increased victim protection efforts during the reporting period, though specialized services for some victims remained lacking. Prosecutors reported identifying 164 potential trafficking victims during the year, an increase from 95 identified in 2012. Of these victims, 136 were labor trafficking victims while 28 were exploited in sex trafficking. It is likely that many child sex trafficking victims were identified as victims of different crimes, as officials reported assisting 1,095 children in commercial sexual exploitation in 2013. Authorities published an interagency victim assistance protocol in 2013, which established guidelines and responsibilities for

government agencies in trafficking victim care; the protocol was implemented in the capital region during the reporting period, with plans to expand to other regions in 2014. Officials published a separate protocol for legal assistance to trafficking victims during the year. NGOs reported that some government agencies responsible for identifying and assisting victims lacked adequate training, particularly outside the capital region.

In 2013, the government opened a support center for victims of violent crime in Santiago with psychologists, social workers, and attorneys specialized in human trafficking, the first such center to specialize in serving this population. Chilean authorities began training staff at other centers across the country to provide specialized assistance to trafficking victims, beginning in the Magallanes region. Of the 164 victims reported by prosecutors, eight were referred to government-funded shelters, while 69 potential victims received direct assistance from the public prosecutor's office or an NGO that received the equivalent of approximately \$14,000 from the office to assist victims. It was unclear what services the remaining 87 victims received. Almost all NGOs assisting trafficking victims received some government funding, but all reported that funding for these services was inadequate.

The government continued to fund a dedicated shelter operated by an NGO for female adult victims of trafficking and their children. The shelter housed eight foreign victims during the reporting period, including three labor trafficking victims. This open shelter facilitated health, migration, and employment services, and the government spent the equivalent of approximately \$182,000 for the shelter in 2013. The National Service for Minors (SENAME) provided services to child victims of sex trafficking through its national network of 16 walk-in centers for children subjected to commercial sexual exploitation—including boys—and spent the equivalent of approximately \$2.9 million in 2013 for these NGO-administered programs. SENAME also funded one residential shelter exclusively for child victims of commercial sexual exploitation. Some NGOs reported that funding from SENAME was inadequate to provide all necessary services and to conduct outreach to vulnerable youth. Specialized assistance for male victims was limited. Some potential labor trafficking victims were temporarily housed in hotels during the year. Reintegration services such as education and job placement remained lacking.

Chilean authorities encouraged victims to assist in the investigation and prosecution of trafficking offenders. Foreign victims who reported the crime to authorities were eligible for temporary residency with the right to work for a minimum six-month period, and 49 victims received this residency in 2013. NGOs reported that extensive wait time for these temporary visas impeded some foreign victims' access to service. The government worked to develop a protocol so that victims or institutions representing victims could apply for this visa regardless of whether or not prosecutors had opened an investigation. The law also establishes foreign victims' rights to take steps toward regularizing their legal status in Chile. During the year, a judge ordered convicted traffickers to provide the equivalent of approximately \$20,000 in restitution for sex trafficking. There were no reports that the government punished trafficking victims for unlawful acts they committed as a direct result of their being subjected to human trafficking.

PREVENTION

The government increased prevention efforts during the reporting period, including by issuing a comprehensive national action plan to combat human trafficking. The Ministry of Interior continued to lead the anti-trafficking interagency taskforce—which included government agencies as well as international organizations and local NGOs—and its three sub-commissions met multiple times during the year. In December 2013, Chilean government agencies, international organizations, and NGOs signed a formal cooperation agreement to combat human trafficking, including through implementing the national anti-trafficking action plan released during the agreement signing. During the reporting period, authorities designated a government official in each region to lead efforts to implement the national plan at the regional level. The Magallanes region created an interagency taskforce to address human trafficking at the local level in 2013. The government launched a national awareness campaign about human trafficking, and SENAME continued an ongoing awareness campaign about commercial sexual exploitation of children. Authorities provided anti-trafficking training to Chilean troops prior to their deployment abroad for international peacekeeping missions. The government took actions to reduce the demand for commercial sex acts involving children, but did not report efforts targeting the demand for forced labor.

CHINA (Tier 2 Watch List)

The People's Republic of China (China or PRC) is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Instances of trafficking are pronounced among China's internal migrant population, estimated to exceed 236 million people. Chinese men, women, and children are subjected to forced labor in brick kilns, coal mines, and factories, some of which operate illegally and take advantage of lax government supervision. Forced begging by adults and children occurs throughout China. There are reports that traffickers are increasingly subjecting deaf and mute individuals to forced labor. Media reports indicate that children in some work-study programs supported by local governments and schools are forced to work in factories.

State-sponsored forced labor continues to be an area of significant concern in China. "Reform through labor" (RTL) was a systematic form of forced labor that had existed in China for decades. The PRC government reportedly profited from this forced labor, which required many detainees to work, often with no remuneration, for up to four years. By some estimates, there had been at least 320 facilities where detained individuals worked in factories or mines, built roads, and made bricks. According to reports, several RTL facilities closed by the end of the reporting period; other RTL facilities were turned into state-sponsored drug detention or "custody and education" centers. NGOs and media report that detainees in drug detention centers are arbitrarily detained and some continued to be forced into labor. Women arrested for prostitution are detained for up to two years without due process in "custody and education" centers, and some are reportedly subjected to forced labor. These women are reportedly forced to perform manual labor—such as making tires, disposable chopsticks, or dog diapers—in "custody and education" centers throughout China.

Chinese women and girls are subjected to sex trafficking within China; they are typically recruited from rural areas and taken

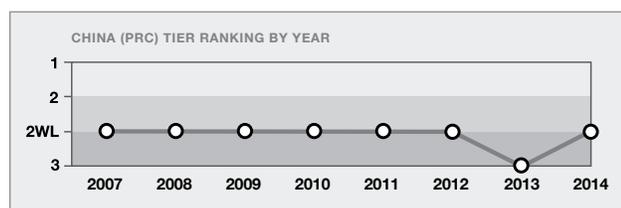
to urban centers. Well-organized criminal syndicates and local gangs play key roles in the trafficking of Chinese women and girls in China. Victims are recruited with fraudulent employment opportunities and subsequently forced into prostitution. Girls from the Tibet Autonomous Region are reportedly sent to other parts of China and subjected to forced marriage and domestic servitude.

While many instances of trafficking occur within China's borders, Chinese men, women, and children are also subjected to forced labor and sex trafficking in other countries. Chinese men and women are forced to labor in service sectors, such as restaurants and shops, in overseas Chinese communities. Chinese men experience abuse at construction sites and in coal and copper mines in Africa, and face conditions indicative of forced labor, such as withholding of passports, restrictions on movement, non-payment of wages, and physical abuse. High recruitment fees, sometimes as much as the equivalent of approximately \$70,000, compound Chinese migrant workers' vulnerability to debt bondage. Chinese women and girls are subjected to forced prostitution throughout the world, including in major cities, construction sites, remote mining and logging camps, and areas with high concentrations of Chinese migrant workers. Traffickers recruit girls and young women, often from rural areas of China, using a combination of fraudulent job offers and coercion; traffickers subsequently impose large travel fees, confiscate passports, confine, or physically and financially threaten victims to compel their engagement in prostitution.

Women and children from neighboring Asian countries, including Burma, Vietnam, Laos, Mongolia, and the Democratic People's Republic of Korea (DPRK), as well as from Africa, and the Americas, are subjected to forced labor and sex trafficking in China. During the year, Malagasy women and girls were recruited to work in domestic service in China; some of these women and girls were subsequently subjected to forced labor. Zimbabwean women also reported conditions indicative of labor trafficking in a hostess bar. North Korean women were subjected to forced labor in the agriculture and domestic service sectors. The Chinese government's birth limitation policy and a cultural preference for sons create a skewed sex ratio of 117 boys to 100 girls in China, which may serve to increase the demand for prostitution and for foreign women as brides for Chinese men—both of which may be procured by force or coercion. Women and girls from Burma, Vietnam, Mongolia, Cambodia, Laos, and North Korea are recruited through marriage brokers and transported to China, where some are subsequently subjected to forced prostitution or forced labor.

The Government of the People's Republic of China 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 PRC's National People's Congress ratified a decision to abolish RTL. Some media and NGOs indicate that the government released detainees from and ceased operations at many RTL camps; others indicate that the government has converted some RTL facilities into different types of detention centers, including state-sponsored drug detention and "custody and education" centers, some of which employ forced labor. The government provided limited information about its investigation, prosecution, and conviction of traffickers; the government's conflation of trafficking with other crimes made it difficult to accurately assess the government's law enforcement efforts to prosecute trafficking offenses. Similarly, the government did not provide sufficiently detailed data to ascertain the number of victims it identified or assisted. In

2013, the government arrested a significant number of women in police raids on prostitution rings; it was unclear whether the government screened these women for indicators of trafficking, whether potential trafficking victims were referred to shelters, or whether potential victims were punished for acts committed as a direct result of being trafficking victims. Chinese authorities continued to forcibly repatriate some North Korean refugees by treating them as illegal economic migrants—despite reports that many North Korean female refugees in China are trafficking victims.



RECOMMENDATIONS FOR CHINA:

Continue to update the legal framework to further refine the definitions of trafficking-related crimes in accordance with the 2000 UN TIP Protocol, including by separating out crimes such as abduction, illegal adoption, and smuggling and criminalizing the facilitation of prostitution involving children under the age of 18; end forced labor in state-sponsored drug detention and “custody and education” centers in China; investigate, prosecute, and impose prison sentences on government officials who facilitate or are complicit in trafficking; expand efforts to institute proactive, formal procedures to systematically identify victims of trafficking—including labor trafficking victims, Chinese victims abroad, and victims among vulnerable groups, such as migrant workers and foreign and local women and children arrested for prostitution; implement procedures to prevent victims from being punished for acts committed as a direct result of being trafficked; cease detention, punishment, and forcible repatriation of trafficking victims; expand victim protection services, including comprehensive counseling, medical, reintegration, and other rehabilitative assistance for male and female victims of sex and labor trafficking; provide legal alternatives to foreign victims’ removal to countries where they would face hardship or retribution; increase the transparency of government efforts to combat trafficking and provide disaggregated data on efforts to criminally investigate and prosecute sex and labor trafficking of adults and children; and provide data on the number of criminal investigations and prosecutions of cases identified as involving forced labor, including of recruiters and employers who facilitate forced labor and debt bondage, both within China and abroad.

PROSECUTION

The PRC government did not provide detailed data on law enforcement efforts to combat trafficking in persons. While the Chinese criminal code prohibits many forms of trafficking and prescribes harsh penalties, the code does not appear to provide an adequate basis to prosecute all forms of trafficking. Article 240 of China’s criminal code prohibits “abducting and trafficking of women or children,” which is defined as a series of acts (e.g., abduction, kidnapping, purchasing, selling, sending, receiving) for the purpose of selling the women and children, whereas international law defines the purpose of trafficking in persons as exploitation, primarily by forced labor or forced prostitution. The Chinese law appears not to criminalize the act of subjecting women or children to forced labor by fraud or

coercion or to forced prostitution unless they were also abducted, kidnapped, purchased, sold, received, or otherwise transferred for the purpose of being sold. In addition, Article 240 does not apply to men. Crimes under Article 240 are punishable by no less than ten years’ or life imprisonment and the death penalty is possible in particularly serious circumstances. Article 358 prohibits organizing prostitution and forced prostitution, which is punishable by five to 10 years’ imprisonment or, with aggravated circumstances, up to life imprisonment. Article 358 is overly broad in prohibiting both forced prostitution and prostitution. Article 359 makes it a crime to lure girls under the age of 14 into prostitution, but does not criminalize facilitating the prostitution of boys under 18 or girls between the ages of 14 and 18, although two provincial supreme courts have found Articles 358 and 359 to extend to men, women, and children, generally. Prescribed penalties under these statutes are sufficiently stringent and commensurate with those prescribed for other serious crimes, including rape. Article 244 of the Chinese criminal code prohibits “forcing workers to labor,” punishable by three to 10 years’ imprisonment and a fine, and expands culpability to those who recruit, transport, or assist in “forcing others to labor.” Prescribed penalties under these statutes are sufficiently stringent and commensurate with those prescribed for other serious crimes, including rape. It remains unclear whether, under Chinese law, all children under the age of 18 in prostitution are considered victims of trafficking regardless of whether force is involved.

In 2013, the government reported that police took law enforcement action against 5,000 alleged human trafficking organized crime groups and placed over 40,000 alleged suspects in criminal detention. Due to the government’s continued conflation of human smuggling, child abduction, and fraudulent adoptions with trafficking offenses—and its lack of judicial due process and transparency—it is impossible to ascertain from this data the number of trafficking cases the government investigated and prosecuted that were in accordance with international law. Several media reports indicated the government arrested suspects in cases involving deaf children subjected to forced begging as well as for other potential trafficking offenses. The government provided no additional information about the investigation or prosecution of these cases. The PRC government cooperated with the United States, Vietnam, Taiwan, Burma, Colombia, and Uganda on trafficking investigations, which reportedly led to the arrest and extradition of suspected traffickers and the repatriation of victims. During the reporting period, the government provided inadequate information on training for law enforcement officials, prosecutors, or judges on human trafficking issues. While PRC authorities participated in trainings with other countries and international organizations, it was unclear to what extent the Chinese government provided funding and support for these trainings. The Chinese government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking.

PROTECTION

The PRC government’s efforts to protect trafficking victims remained unclear. The government did not report the number of victims it identified or assisted or the services provided to victims. The government’s lack of transparency prevents an accurate assessment of its efforts. The government reported that out of 1,400 shelters serving a wide variety of people, including victims of crime and the homeless, seven were exclusively dedicated to care for victims of human trafficking; victims reportedly also had access to basic services at China’s general-purpose

shelter network. In 2013, the Ministry of Public Security (MPS) established its third anti-trafficking liaison office with Burma on the countries' border at the Nansan-Lougai port. The Lhasa Municipal Police Security Bureau reported establishing a hotline to receive information on suspected cases of trafficking and to advise victims on how to access medical and psychological services; the government did not report the number of trafficking cases investigated or victims assisted through this hotline. The Guizhou Provincial Public Security Bureau reported establishing a fund to provide monetary assistance to domestic trafficking victims and their families, but it is unclear if any victims received this benefit. The government reported operating a national hotline to receive information on suspected cases of trafficking and to refer victims to assistance providers, but it remained unclear if any trafficking victims received assistance through this referral mechanism.

Law enforcement and judicial officials continued to expel foreign trafficking victims. In 2013, the government arrested significant numbers of women in prostitution during police raids; some of these women were detained in "custody and education" centers and subjected to forced labor. In 2011, the Ministry of Public Security mandated all women arrested for prostitution be screened for indicators of trafficking; however, it is unclear if these women were in fact screened or, if screened, victims were referred to shelters or other care facilities. Victims of trafficking who faced hardships in their home country received vocational skills training, vocational guidance, and employment services. Chinese law provides victims the right to claim financial compensation by filing civil lawsuits and request criminal prosecution of traffickers; in an unknown number of cases, victims of trafficking were reportedly awarded monetary compensation from traffickers in 2013, in accordance with court rulings or through private settlements. It was unclear whether the government provided temporary or permanent residency visas to foreign trafficking victims as an incentive to cooperate in trafficking investigations or prosecutions.

Chinese authorities continued to forcibly repatriate some North Korean refugees by treating them as illegal economic migrants, despite reports that some North Korean female refugees in China are trafficking victims. The government detained and deported such refugees to North Korea, where they may face severe punishment, even death, including in North Korean forced labor camps. The Chinese government did not provide North Korean trafficking victims with legal alternatives to repatriation. The government continued to bar UNHCR access to North Koreans in northeast China; the lack of access to UNHCR assistance and forced repatriation by Chinese authorities left North Koreans vulnerable to traffickers. Chinese authorities sometimes detained and prosecuted citizens who assisted North Korean refugees and trafficking victims, as well as those who facilitated these illegal border crossings.

PREVENTION

The PRC government maintained efforts to prevent trafficking in persons. In November 2013, the government modified its birth limitation policy to allow families with one single-child parent to have a second child, a change that may affect future demand for prostitution and for foreign women as brides for Chinese men—both of which may be procured by force or coercion. The government implemented some steps to combat trafficking under its 2013-2020 National Action Plan. Through China's popular social media platforms, such as Sina Weibo, the MPS used its official microblog to raise awareness of trafficking

and receive information from the public regarding suspected trafficking cases. During peak traveling periods, the All-China Women's Federation and MPS launched national anti-trafficking publicity campaigns at train and bus stations, and on national radio. These campaigns largely targeted migrant workers, a group that is particularly vulnerable to trafficking. MPS officials participated in MTV Exit's production of a documentary on China's human trafficking problem, which was aired on the China Central Television (CCTV) network. MPS continued to coordinate the anti-trafficking interagency process, which met semi-annually to preview progress from each ministry with regard to the national action plan and budgetary concerns. MPS made efforts to clarify responsibilities and ensure accountability between the relevant departments charged with anti-trafficking activities by training representatives from the stakeholder ministries and by allocating sufficient funds to enable each department to fulfill its role under the national action plan. The All-China Women's Federation established new after-school programs that included a curriculum on anti-trafficking; in Yunnan province, these programs reached a significant number of students in more than 50 locations.

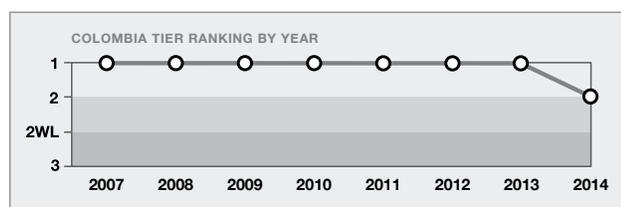
Several government policies continued to facilitate human trafficking. "Punishment clauses" within the Labor Contract Law allowed Chinese companies to impose steep fines or require substantial deposits from Chinese workers, rendering them vulnerable to forced labor. The government *hukou* (household registration) system continued to contribute to the vulnerability of internal migrants to trafficking. Chinese forces participating in peacekeeping initiatives abroad received anti-trafficking training from the Chinese government. The government conducted awareness-raising programs at schools to reduce the demand for commercial sex. Despite reports that Chinese nationals engaged in child sex tourism, the government made no efforts to prevent Chinese citizens from engaging in child sex tourism while abroad.

COLOMBIA (Tier 2)

Colombia is a source country for men, women, and children subjected to sex trafficking, and a source and destination country for men, women, and children subjected to forced labor. Groups at high risk for internal trafficking include internally displaced persons, Afro-Colombians, indigenous Colombians, Colombians with disabilities, and Colombians living in areas where armed criminal groups are active. Sex trafficking of Colombian women and children occurs within the country. Authorities reported high rates of child prostitution in areas with tourism and large extractive industries, and NGOs reported that sex trafficking in mining areas sometimes involves organized criminal groups. NGOs reported that transgender Colombians and Colombian men in prostitution are exploited in sex trafficking in Colombia. Colombian labor trafficking victims are found in mining, agriculture, and domestic service. Colombian children working in the informal sector, including as street vendors, are also vulnerable to labor trafficking. Colombian children and adults are exploited in forced begging in urban areas. Illegal armed groups forcibly recruit children to serve as combatants and informants, to cultivate illegal narcotics, or to be exploited in prostitution. Organized criminal groups force vulnerable Colombians, including displaced persons, into sex trafficking and forced criminal activity—particularly to sell and transport illegal narcotics and serve as lookouts or assassins.

Colombian women and children are found in sex trafficking around the world, particularly in Latin America, the Caribbean, Asia, and Western Europe. Colombian men and women are exploited in forced labor—including in domestic service—in Latin America and to a more limited extent, North Africa. During the year, Colombian men were identified in forced labor in Argentina in furniture and basket production and peddling. To a more limited extent, children from neighboring countries are subjected to sex and labor trafficking in Colombia. Colombia is a destination for foreign child sex tourists primarily from North America, Europe, and other Latin American countries.

The Government of Colombia 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 undertake awareness campaigns and investigate and prosecute transnational trafficking cases. Authorities increased the number of labor trafficking investigations and reported six convictions related to child recruitment by illegal armed groups in 2013, some of which may have involved forcible child recruitment. The government offered victims of transnational trafficking repatriation and short-term emergency assistance and provided services to child victims of sex trafficking and of forcible recruitment by illegal armed groups. The government did not demonstrate concrete progress in identifying victims from vulnerable populations, providing specialized services to victims, and prosecuting and convicting perpetrators of internal trafficking. Authorities did not treat all internal sex trafficking cases and recruitment of children by illegal armed groups as human trafficking, which hindered efforts to accurately assess government efforts to identify and assist victims and to investigate and prosecute trafficking cases. Departmental governments lacked sufficient funding, staff, or interagency coordination to provide adequate specialized services to victims of trafficking. The government's victim assistance decree, required by the 2005 trafficking law and initially drafted in 2008, remained pending.



RECOMMENDATIONS FOR COLOMBIA:

Provide more trafficking victims access to protection and specialized services by increasing funding for shelter and reintegration assistance, including for departmental governments and civil society organizations, in part through enacting a victim-centered assistance decree and designating funding for its implementation; increase proactive identification, investigation, and prosecution of forced labor and internal sex trafficking cases; consider creating regional anti-trafficking prosecutorial units for the four administrative regions in the country to increase law enforcement capacity to investigate internal trafficking; create and implement formal mechanisms to identify trafficking victims among vulnerable populations within the country, including displaced Colombians; enhance coordination among labor officials, police, prosecutors, and social workers to ensure cases are identified and referred for criminal investigation and victims are provided comprehensive and timely assistance; strengthen the interagency working group's ability to collect accurate data

on all forms of trafficking and to coordinate national anti-trafficking efforts in partnership with civil society.

PROSECUTION

The Government of Colombia continued to prosecute transnational sex trafficking cases, but carried out limited law enforcement efforts against internal trafficking. Law 985 prohibits all forms of trafficking and prescribes punishments of 13 to 23 years' imprisonment plus fines, penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Internal child sex trafficking cases were usually investigated as induction into prostitution and pimping, and some of these crimes carried lower penalties than trafficking.

The Prosecutor General's Office maintained 143 open investigations for transnational trafficking, including 21 for labor trafficking. The total number of internal trafficking investigations and prosecutions initiated by the Colombian government in 2013 was unknown, as internal trafficking cases were sometimes investigated as other crimes. The government initiated 44 prosecutions for transnational trafficking, an increase from 18 known prosecutions in 2012. The government convicted 11 transnational sex traffickers and one internal sex trafficker in 2013, a small increase from 2012. Sentences ranged from eight to 10 years' imprisonment, with at least two convicted traffickers serving their sentences under house arrest and paying fines. The Prosecutor General's Office initiated 1,160 new investigations related to child recruitment by illegal armed groups; these cases involved 586 male victims and 257 female victims. Colombian courts issued six sentences for illegal recruitment of children by armed groups in 2013; the range of sentences was unknown, and it was unclear how many of these cases involved forcible recruitment or forcible use of children. It was unclear how many sentences were issued for forcible child recruitment in 2012. In March 2013, the Constitutional Court issued a directive ordering the government to increase law enforcement efforts against domestic servitude, but authorities did not report any investigations or prosecutions for that form of labor trafficking or any convictions for other forms of labor trafficking other than child recruitment by illegal armed groups. The Colombian National Police conducted two joint anti-trafficking law enforcement operations with a foreign government in which 11 arrests were made, and one cooperative transnational trafficking investigation, resulting in four arrests, two of which led to convictions.

While Colombian law penalizes all forms of trafficking, governmental structures and law enforcement practices did not reflect this comprehensive approach. Data collection remained strong on law enforcement efforts against transnational trafficking but was uneven on efforts against internal sex trafficking and forced labor. As in previous years, one prosecutor handled all transnational trafficking cases for the entire country and faced a significant caseload. The government assigned only one prosecutor in Bogota to oversee cases of internal trafficking in the city, with no reduction in prior workload. Outside of Bogota, local prosecutors handled internal trafficking cases as well as prosecutions for other crimes. Many of these prosecutors were overburdened, underfunded, and lacked trafficking expertise. Law enforcement officers reported that social workers and other officials interacting with potential trafficking victims, such as children in commercial sexual exploitation, did not always refer these cases for criminal investigation. In some cases, this was because officials inaccurately believed that it

was permissible under Colombian law for a child between 14 and 18 to engage independently in commercial sex; any minor engaging in prostitution for the benefit of a third-party, including a family member, is a trafficking victim. Colombian authorities did not consider forced child recruitment by illegal armed groups to be human trafficking, but rather a war crime. Children forced to engage in criminal activity by organized criminal groups, as well as former child soldiers who did not leave illegal armed groups before turning 18, were not explicitly included in the trafficking definition in the law, and authorities did not investigate these cases as human trafficking.

In 2013, hundreds of officials—including prosecutors, judicial officials, police, and labor inspectors—received some training on human trafficking, often through partnerships with international organizations. Authorities investigated a city councilman and municipal employee in the department of Antioquia for possible involvement in commercial sexual exploitation of minors; these officials continued to work while the investigation proceeded. The government did not report any prosecutions or convictions of government employees complicit in human trafficking.

PROTECTION

The Government of Colombia provided services to some trafficking victims, but long-term victim care was lacking and the government funded limited specialized services beyond emergency care. Some government officials, including Colombian consular officers abroad and immigration officials, reportedly used established protocols to identify trafficking victims. The government did not provide evidence of effectively employing formal procedures to identify trafficking victims among vulnerable populations within the country, such as displaced persons, child laborers, or people in prostitution.

Civil society organizations were critical of the government's ability to identify and assist trafficking victims within the country, in part due to frequent turnover in staff responsible for coordinating victim services. The Ministry of Foreign Affairs identified 60 Colombian trafficking victims abroad through its embassies and an international organization, compared to 38 victims identified the year before. Of these, 34 were exploited in sex trafficking, 23 in forced labor, and three cases were considered to be trafficking by the Colombian government in which women were in servile marriages and subjected to domestic servitude. Fourteen were male victims of labor trafficking and five were child victims of sex trafficking. Fifty-five of these 60 victims were repatriated in partnership with an international organization. The Colombian Child Welfare Institute (ICBF), a government institution, reported identifying 158 children in prostitution and nine children in forced labor; the government did not identify these children as trafficking victims. Authorities and an international organization identified 342 children who separated from illegal armed groups in 2013. Of this population, 228 were girls and 114 were boys, including 227 indigenous children and 33 Afro-Colombian children. The government did not report how many adult victims were identified within the country.

Officials noted that the lack of legal guidelines for the care and protection of victims remained a significant challenge. The anti-trafficking law of 2005 mandated a victim protection decree to formally assign responsibility for victim services and to allocate specific funding. This decree was first drafted in 2008 but remained pending at the end of the reporting period, although officials reported that it was in the process of being finalized and should provide a budget for victim services at

the local level and clear guidance for victim identification and assistance. Some local officials noted that in the absence of this decree, they did not have the legal mandate to provide dedicated trafficking victim services and could not include it in their budgets.

The government provided emergency services to Colombian trafficking victims exploited abroad as well as services for internal child trafficking victims, but funding for specialized assistance was limited. Colombian consular officials assisted 60 Colombian trafficking victims overseas during the reporting period, compared to 35 in 2012. An NGO operated a dedicated emergency shelter for adult male and female trafficking victims in the capital, and the Colombian government provided the equivalent of approximately \$74,000 in funding to support the shelter, which provided temporary shelter to 46 Colombian victims exploited abroad during the year. The government provided an international organization additional funding for repatriation and emergency victim services. Local governments were responsible for providing services beyond emergency care, but local officials and NGOs reported that local governments did not have dedicated or sufficient funding to provide specialized services. International organizations and NGOs provided the majority of specialized victim services in Colombia; two NGOs reported assisting a total of 46 domestic servitude victims throughout the country in 2013. Local officials, NGOs, and trafficking victims all asserted that government-funded victim assistance did not meet the needs of victims and that reintegration services, including employment assistance, were virtually nonexistent. Services for male victims were very limited, as were specialized services for victims of forced labor.

The ICBF operated centers that provided emergency psycho-social, medical, and legal services to child victims of sexual violence and reported that it assisted 158 children in prostitution, although it did not report how many of these victims received government-funded shelter during the year. Local officials reported that there was a lack of ongoing specialized care for child victims of commercial sexual exploitation beyond emergency care. In partnership with an international organization receiving foreign donor funding, the government assisted at least 342 children recruited by illegal armed groups and provided them with health, psychological, and education services. Of these victims, 107 children stayed in temporary shelters, 36 were put in foster care, 95 were referred to specialized centers for attention operated by NGOs and ICBF, 84 were assigned social workers, and 20 were referred to other protection institutions. Authorities reported a lack of funding and qualified personnel for assisting these children, and some officials and NGOs reported that tailored services, reintegration work with families, and vocational training were inadequate.

The government encouraged victims to assist in trafficking investigations and prosecutions, and 35 victims did so in 2013, compared to 21 in 2012. Some victims were reluctant to report their exploitation or testify against their traffickers due to fear of reprisals—including from organized criminal groups involved in human trafficking—or lack of trust in the government. The government did not provide adequate protection and security for victims participating in investigations in all cases. There were no reports of victims being jailed or otherwise penalized for unlawful acts committed as a direct result of being trafficked. However, press reports indicated that a former trafficking victim remained incarcerated as of February 2014 due to the testimony of another victim's father, who is now under investigation for fraudulent testimony against the imprisoned victim as well as for

having been involved in the sex trafficking of his daughter. There was no specialized legal mechanism whereby the government offered a visa or temporary residence status to foreign trafficking victims. Authorities reported that they could provide foreign trafficking victims with temporary permission to remain in the country during the investigative process on a case-by-case basis; however, authorities have never reported doing so and did not identify any foreign victims in 2013.

PREVENTION

The government maintained some prevention efforts during the year; the interagency anti-trafficking committee met on a monthly basis, but did not produce tangible results and did not finalize the 2013-2018 draft anti-trafficking strategy or victim protection decree initially drafted in 2008. The government allowed NGOs minimal opportunity to provide input to these draft policies. As the government treated different forms of trafficking as distinct crimes, and since different government entities were responsible for responding to these crimes, interagency coordination of anti-trafficking efforts was not always effective. The government also maintained an interagency commission for the prevention of child recruitment and sexual exploitation, which organized anti-recruitment projects and education campaigns targeted at children in high-risk areas. In partnership with an international organization, all 32 departments in Comoros had anti-trafficking committees, but these groups maintained varying degrees of activity and civil society actors noted that some existed in name only. The government continued to fund a trafficking hotline operated by the Ministry of Interior, which led to 14 investigations by police and 18 investigations by prosecutors. NGOs reported that the hotline was not always answered, and staff members were not adequately trained. Authorities conducted anti-trafficking awareness campaigns and events, often in partnership with international organizations and sometimes with foreign donor funding, in all 32 departments. The government continued to conduct workshops with civil society for hospitality and tourism industry representatives focused on preventing the sexual exploitation of children. The government did not report other efforts to reduce the demand for commercial sex acts or forced labor. Authorities investigated and prosecuted a Canadian citizen for commercial sexual exploitation of a child, but did not convict any child sex tourism offenders.

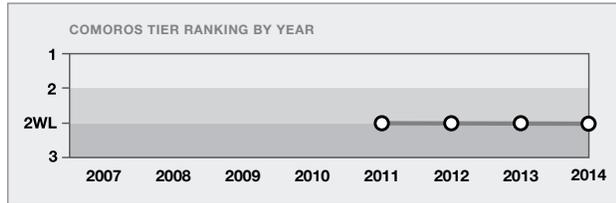
COMOROS (Tier 2 Watch List)

The Comoros is a source country for children subjected to forced labor and, reportedly, sex trafficking. Comoran children are subjected to forced labor within the country, mostly on the island of Anjouan, in domestic service, roadside and market vending, baking, fishing, and agriculture. On the islands of Anjouan and Moheli, it is commonplace for poor rural families to place their children with wealthier relatives or acquaintances in urban areas or on the island of Grande Comore for access to schooling and other benefits; however, some of these children become victims of domestic servitude. At times, local women serve to arrange the sending of children into these situations. Most Comoran boys and girls aged three to seven (but on occasion up to age 14) study at Koranic schools headed by private instructors, and some are exploited as field hands or domestic servants as payment for instruction; these Koranic students are sometimes subjected to physical and sexual abuse. According to some reports, children from Anjouan are coerced into criminal activities, such as drug

trafficking. Girls are reportedly exploited in prostitution in the Comoros; inducing children under 18 to perform commercial sex acts is a form of human trafficking. An NGO reported that tourists from the neighboring French island of Mayotte are among the clients of children in prostitution in Anjouan.

Comorans may be particularly vulnerable to transnational trafficking due to a lack of adequate border controls, corruption within the administration, and the existence of international criminal networks involved in human smuggling. Unaccompanied Comoran children become victims of domestic servitude and prostitution on the island of Mayotte, at times after the deportation of their parents; French officials have recognized the 3,000 unaccompanied children on the island—the majority of which are Comoran—as requiring urgent assistance. Illicit recruiting agencies based in Madagascar attempted to circumvent a ban by the Malagasy government on sending migrant workers to the Middle East by sending Malagasy women as tourists by air to the Comoros, then sending them illegally by boat to Mayotte, where they would board flights onward. Some of these women may become victims of trafficking upon reaching their destinations. The Comoros may be a destination for forced labor, as officials noted Malagasy women and girls and East African women in domestic service, with some reports of abuse and potential coercion.

The Government of the Comoros 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, the Comoros is placed on Tier 2 Watch List for a fourth consecutive year. The Comoros 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. Government officials, including the President, acknowledged the trafficking problem in the Comoros for the first time during the reporting period and developed a work plan to structure its national activities. The Ministry of Justice completed draft amendments to the penal code that include trafficking prohibitions; however, the National Assembly failed to enact this comprehensive set of amendments during the reporting period due to an unrelated debate about capital punishment in the penal code. Although the Morals and Minors Brigade investigated one trafficking case, leading to the dismissal of a high-level official, the government failed to prosecute or convict trafficking offenders during the year, including this and other officials complicit in trafficking crimes. The government increased the capacity of the Morals and Minors Brigade to fulfill its mandate to investigate child abuse and exploitation by establishing new brigades on the islands of Anjouan and Moheli, where the majority of trafficking cases reportedly occur. The government continued its support to NGO-run centers on each of the three islands; staff at the center in Grande Comore provided medical care to and coordinated one victim's return home in 2013. Officials lacked formal victim identification or referral procedures and the provision of protective services to victims was extremely modest. Official complicity in trafficking crimes continues to be a serious concern.



RECOMMENDATIONS FOR THE COMOROS:

Enact anti-trafficking legislation; increase the capacity of the Morals and Minors Brigade on all three islands to identify and respond to trafficking, including through investigation and prosecution of these crimes; develop procedures for the identification and referral of trafficking victims to care; end the practice of returning children to their exploiters through arbitration; increase the availability of and provide support for provision of counseling and psychological care, possibly within facilities already in existence for victims of other crimes; prosecute allegedly complicit officials; work with international partners to conduct a study on the forms and extent of the trafficking problem in the Comoros; continue anti-trafficking public awareness campaigns on each of the islands; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased its capacity to respond to trafficking crimes by establishing Morals and Minors Brigades on two additional islands, but failed to vigorously investigate and prosecute trafficking offenses. Comoran law does not prohibit all forms of human trafficking. Article 323 of the penal code prohibits the facilitation of child prostitution, prescribing sufficiently stringent punishments of two to five years' imprisonment and fines of between the equivalent of approximately \$460 and \$6,150; however, these penalties are not commensurate with those for other serious crimes, such as rape. Although prostitution is illegal in the Comoros, existing laws do not criminalize the forced prostitution of adults. Article 2 of the labor code prohibits forced and bonded labor, prescribing insufficiently stringent penalties of three months' to three years' imprisonment or fines from the equivalent of approximately \$310 to \$1,540. Article 333 of the penal code prohibits illegal restraint and prescribes penalties of 10 to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. The labor code, updated in 2012, prohibits, but does not prescribe penalties for child trafficking; this law is in effect, but the enhanced penalties await the parliamentary passage of the draft penal code. In December 2013, the Council of Ministers completed its review of amendments to the penal code, which incorporated prohibitions and penalties for human trafficking, and sent it to the National Assembly for debate and passage.

During the year, the government increased the capacity of the Morals and Minors Brigade to oversee the investigation of cases of child abuse and exploitation, including child trafficking, nationwide. Previously only present on the island of Grande Comore, in December 2013, the Ministry of the Interior established offices for the Brigade on the islands of Moheli or Anjouan, where the majority of trafficking crimes reportedly occur, and within the Gendarmerie on the island of Grande Comore. The government provided each office with computers and equipment; however, these offices remained without vehicles, and newly assigned staff did not receive anti-trafficking training before the close of the reporting period. The

police generally lacked resources, which stymied investigation of child abuse and exploitation cases.

The government failed to prosecute or convict trafficking offenders or independently train law enforcement officials on human trafficking during the year. Two police officers received training on combatting child trafficking from an international organization in Cote d'Ivoire in November 2013. The Brigade on the island of Grande Comoros investigated one case involving the domestic servitude of a 14-year-old girl in the home of a magistrate; the case remained under investigation at the close of the reporting period. Corruption remained endemic throughout the Comoros and hindered law enforcement efforts, including efforts to address trafficking. In the aforementioned case, 15 police officers, the Chief Prosecutor for the Comoros, and the Secretary General of the Government demanded a family assisting the victim return her to her exploiter; police arrested three daughters in this family as part of a sustained campaign to intimidate them. In addition, the Chief Prosecutor threatened to jail a reporter who broke the story in the press. Although the government dismissed the prosecutor general following his interference in this case, it did not initiate prosecution of the magistrate for her suspected exploitation of the child in forced labor and failed to investigate or prosecute other officials complicit in this case and others. Alleged perpetrators were sometimes released without prosecution after out-of-court settlements with victims' families. At times, judges renegotiated agreements between a child's parents and his or her trafficker, effectively re-trafficking the victim by returning the child to domestic servitude; officials reported at least two such cases in 2013.

PROTECTION

The government continued to provide extremely limited victim protection services and identified and assisted only one victim. In 2013, the government provided the equivalent of approximately \$7,200 in salary support for staff of three UNICEF-supported, NGO-run centers for abused children; the center in Grande Comore provided immediate medical care to one child trafficking victim, placed her within a foster family, and supported her return home to the island of Moheli in September 2013. The government failed to provide psycho-social services for victims and provided minimal support to NGOs doing so. Law enforcement's failure to fully protect children remained a concern; the Morals and Minors Brigade lacked adequate facilities to shelter child victims, even temporarily, and its staff remained without training for interviewing child victims of crime. The government did not develop or employ systematic procedures for identifying trafficking victims or for referring them to the limited care available; it pledged to develop such procedures and assess the sufficiency of services available at the centers as part of its current work plan. As government officials did not make systematic efforts to identify victims, victims may have remained unidentified in the law enforcement system. There were no reports of the government penalizing victims for crimes committed as a direct result of being trafficked.

PREVENTION

The Comoran government increased efforts to prevent trafficking by establishing a coordinating body and holding awareness-raising events. Following the government's development of a national action plan in May 2013, it established an anti-trafficking commission in July 2013 and composed a plan to implement specific items in the action plan. The commission

consists of representatives from the Ministries of Justice, Health, Education, Labor, Interior, and Policy and Planning, with the National Human Rights Commission serving as its secretariat and UNICEF providing technical assistance; the commission served to provide overall direction on official anti-trafficking efforts. In August 2013, the government established a working-level monitoring group to implement action items included in the work plan and ensure effective coordination among all stakeholders in doing so. The commission and monitoring group each met weekly, and the head of the monitoring group reported on its activities at weekly Council of Ministers meetings.

In November 2013, the government organized a national symposium and community awareness events to inform stakeholders about trafficking and its list of the worst forms of child labor, which it adopted in August 2012. The president opened this symposium, where several high-level officials condemned—for the first time publicly—the socially-accepted practice of sending children to work as domestic servants in the homes of richer families. The National Human Rights Commission organized awareness campaigns on child labor on all three islands in September 2013; these activities involved Koranic school teachers and imams. The government continued implementation of its 2010-2015 national action plan for the elimination of the worst forms of child labor, which includes activities to address child trafficking, including forced labor in Koranic schools and domestic servitude. The government continued to fund a toll-free emergency line for reporting crimes to assist in the identification of victims of child abuse and exploitation. Comoran officials in Anjouan intercepted Malagasy women intending to travel illegally to the French island of Mayotte to board flights to the Middle East—where they often endure domestic servitude—and coordinated their return to Madagascar. The government did not make efforts to reduce reported demand for commercial sex acts. The government attempted to reduce the demand for forced labor in domestic service by publicly denouncing the practice of sending poor children to richer families for educational opportunities. Despite one unconfirmed report of a Comoran child sex tourist in Madagascar, the government did not make efforts to address this phenomenon. The Comoros is not a party to the 2000 UN TIP Protocol.

CONGO, DEMOCRATIC REPUBLIC OF THE (Tier 3)

The Democratic Republic of the Congo (DRC) is a source, destination, and possibly a transit country for men, women, and children subjected to forced labor and sex trafficking. The majority of this trafficking is internal, and while much of it is perpetrated by armed groups and rogue elements of government forces outside government control in the country's unstable eastern provinces, incidents of trafficking likely occurred throughout all 11 provinces. A significant number of men and boys working as unlicensed Congolese artisanal miners are reported to be exploited in situations of debt bondage by businesspeople and supply dealers from whom they acquire cash advances, tools, food, and other provisions at inflated prices and excessively high interest rates. The miners are forced to continue working to pay off constantly accumulating debts that are virtually impossible to repay, and some miners inherit the debt of deceased family members. During the year, in North Kivu, South Kivu, Orientale, and Katanga provinces, armed groups

such as the Democratic Forces for the Liberation of Rwanda (FDLR), Mai Mai Kata Katanga and Mai Mai Morgan, and M23, as well as elements of the Congolese national army (FARDC), routinely used threats and coercion to force men and children to mine for minerals, turn over their mineral production, pay illegal "taxes," or carry looted goods from mining villages.

Children are engaged in forced and exploitative labor in agriculture, informal mining, and other informal sectors. A significant number of children in Katanga, Eastern Kasai, Western Kasai, North Kivu, South Kivu, and Orientale are exploited in artisanal mining. NGOs reported that in Nyamurhale (North Kivu), FARDC soldiers force children to transport or grind sand and rocks. Children living on the streets who engage in vending are vulnerable to forced labor, and many of the girls are exploited in sex trafficking. Children laboring as domestic servants work long hours and are vulnerable to abuse and exploitation. Some Congolese women are forcibly prostituted in brothels or informal camps, including in markets, bars, and bistros in mining areas by loosely organized networks, gangs, and brothel operators. Some girls in Bas-Congo province are coerced into prostitution by family members or transported to Angola and placed into the sex trade. Some Congolese women and girls are subjected to forced marriage by kidnapping or rape, or are sold by family members for a dowry or relief of a debt, which obligates the women against their will to provide labor without compensation and with no ability to leave.

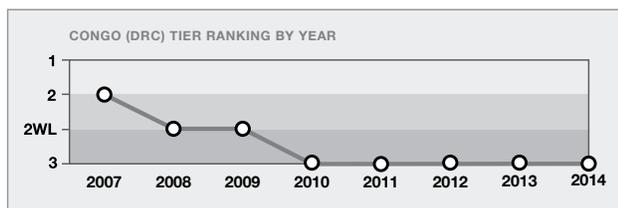
Congolese women and children migrate to Angola, South Africa, Republic of the Congo, and South Sudan, as well as East Africa, the Middle East, and Europe, where some are exploited in sex trafficking, domestic servitude, or forced labor in agriculture and diamond mines. Some Congolese migrants in Bandundu and Bas-Congo provinces are lured to Angola by the promise of employment and, upon arrival, subjected to forced labor in diamond mines or forced into prostitution. Children from the Republic of the Congo may transit through the DRC *en route* to Angola or South Africa, where they are subjected to domestic servitude. Local observers suspect that some homeless children known as *chegués* who act as beggars and thieves on the streets of Kinshasa are controlled by a third-party. In previous years, Chinese women and girls in Kinshasa were reportedly subjected to sex trafficking in Chinese-owned massage facilities. Some members of Batwa, or pygmy groups, are subjected to conditions of forced labor, most commonly in agriculture, but also in mining and domestic service in remote areas of the DRC. Some Angolans enter the DRC illegally to work in Bas Congo province and are vulnerable to forced labor and exploitation.

The UN reported that indigenous and foreign armed groups, such as the FDLR, various local militias (Mai-Mai), Nyatura, Force for the Defense of Human Rights (FDDH), the Allied Democratic Forces, M23, Bakata Katanga, and the Lord's Resistance Army (LRA), continued to abduct and forcibly recruit Congolese men, women, and children, as young as 8-years-old, to bolster their ranks and serve as bodyguards, laborers, porters, domestic workers, combatants, and sex slaves. Some children were also forced to commit crimes for their captors, such as looting. The LRA continued to abduct Congolese citizens, including children, in and near Orientale province; some of these abductees were later taken to Sudan, South Sudan, and the Central African Republic (CAR). Likewise, abducted South Sudanese, Ugandan, and CAR citizens experienced conditions of forced labor and sexual servitude at the hands of the LRA after being forcibly taken to the DRC. In part due to weak command and control structures, some FARDC elements have deviated from government policy

and recruited, at times through force, men and children for use as combatants, escorts, and porters. They reportedly pressed men, women, and children, including internally displaced persons and prisoners, into forced labor to carry supplies and looted goods, serve as guides and domestic laborers, mine for minerals, or construct military facilities. In addition, it was reported that, contrary to government policy, some FARDC commanders and troops provided logistical support, arms, and ammunition for armed groups, including FDLR, Mai Mai Morgan, and Mai Mai Kata Katanga, which routinely engaged in human trafficking. Due to the ongoing conflict, more than 2.9 million people were displaced in DRC, and displaced persons in Katanga, North Kivu, and South Kivu provinces are particularly vulnerable to abduction, forced conscription, and sexual violence by armed groups and government forces.

The UN documented 1,023 cases of children who were both recruited and separated from armed groups in 2013; 113 of these children were from the FARDC, 270 were from the Mai Mai Nyatura, 68 from the FDDH, 38 were from M23, and the remainder—including 355 from various Mai-Mai groups—were from other Congolese and foreign armed groups. Of these children, 299 were identified as combatants during their time with armed groups, and most children were used in multiple capacities such as cook, porter, sex slave, and/or laborer. Children recruited by armed groups have been identified from every province in DRC and neighboring countries, including Uganda, Rwanda, CAR, and Sudan. There were reports that police, Congolese military officers, and members of armed groups in eastern DRC arrested people arbitrarily to extort money and sometimes forced them into work if they could not otherwise pay.

The Government of the Democratic Republic of the Congo does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. During the year, the government took steps to implement a UN-backed action plan to end abuses against children by its armed forces, including the recruitment and use of child soldiers, by conducting national working group meetings to oversee implementation of the action plan, issuing two directives to military and intelligence commanders aimed at deterring the recruitment and use of child soldiers and transferring of identified child soldiers to social service organizations, and cooperating with international organizations in the demobilization of children from armed forces. The government investigated three cases of transnational sex trafficking and identified five victims in these cases, but did not report providing protection services or referring them to NGOs for assistance services. The government did not prosecute or convict anyone for committing any form of trafficking, including trafficking crimes involving child soldiers. At times, the government detained, mistreated, and interrogated children apprehended from armed groups.



RECOMMENDATIONS FOR THE DEMOCRATIC REPUBLIC OF THE CONGO:

Use existing legislation to investigate and prosecute military

personnel—including high ranking officers—accused of unlawful recruitment or use of child soldiers, as called for in the UN-sponsored action plan on child soldiers, or use of local populations to perform forced labor, including in the mining of minerals; increase efforts to prosecute and punish non-military trafficking offenders, including law enforcement personnel, who utilize forced labor or control women and children in prostitution; take steps to ensure the provision of short-term protective services in partnership with civil society to victims of forced labor and sex trafficking; adopt an action plan to combat all forms of trafficking; in partnership with local or international NGOs, provide training to law enforcement and judicial officials on the laws available to prosecute trafficking cases; take measures to end the unlawful recruitment and use of child soldiers by FARDC members acting contrary to government policy and inform all members of the FARDC of relevant government policies; adopt implementing regulations to effectively apply the previously passed Child Protection Code; continue to ensure any armed groups integrated into the FARDC are vetted for the presence of child soldiers and all associated children are removed, demobilized, provided appropriate services, and reintegrated into communities; ensure perpetrators of trafficking crimes within armed groups are not integrated into government forces and are held accountable; continue allowing unfettered access to military installations for all UN observers and child protection officers; develop a legislative proposal to comprehensively address all forms of trafficking, including labor trafficking; and take steps to raise awareness about all forms of human trafficking among the general population.

PROSECUTION

The government demonstrated progress in investigating human trafficking offenses but did not convict or punish any trafficking offenders. The July 2006 sexual violence statute (Law 6/018) specifically prohibits sexual slavery, sex trafficking, child and forced prostitution, and pimping, and prescribes penalties for these offenses ranging from three months to 20 years’ imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Adult forced labor is not criminalized. The Child Protection Code (Law 09/001) prohibits all forms of forced child labor and child prostitution, and prescribes penalties of 10 to 20 years’ imprisonment for sexual slavery. Cases of forced child labor, debt bondage, and child commercial sexual exploitation have penalties of one to three years’ imprisonment, which are not sufficiently stringent for the serious nature of the crime. The enlistment of children into the armed forces and the police has penalties of 10 to 20 years’ imprisonment, but the code cannot be fully implemented because necessary decrees from several ministries reportedly continue to be lacking.

The government’s ability to enforce its laws does not extend to many areas of the country in which human trafficking occurs. Judges, prosecutors, and investigators often lacked adequate training and resources to conduct investigations and try cases. The government reported investigating three cases of transnational sex trafficking to Lebanon involving five identified victims, and it reported charging two defendants with sexual slavery during the year. The investigation into the victimization of the Congolese women in Lebanon was referred by the police to INTERPOL-DRC; the investigations are reported to be ongoing. In response to these cases, the National Assembly formed an investigatory commission which is developing recommendations for government reforms and the prosecutor general’s office

directed prosecutors to focus more attention to these types of cases. An NGO operating in eastern DRC reported that the government investigated one case of forced labor. Impunity for trafficking crimes by the security forces remained acute; the government did not report taking disciplinary action against or investigating, prosecuting, or convicting members of the security forces or other government employees complicit in exploiting civilians in forced labor or sex trafficking, or unlawfully recruiting and using child soldiers.

Bedi Mubuli Engangela (also known as Colonel 106), a former Mai-Mai commander suspected of insurrection and war crimes, including the conscription of children, remained in detention for a fifth year; a date for his trial was not set before the close of the reporting period. Lieutenant Colonel Jean-Pierre Biyoyo, formerly of the Mudundu-40 armed group and the first person convicted by Congolese courts of conscripting children, escaped from prison in 2006, but has reportedly been re-incarcerated and was in prison at the end of the reporting period. "Captain Gaston," an armed group commander allegedly responsible for the 2006 murder of an NGO child protection advocate attempting to identify and remove child soldiers, remained at large during the reporting period; his 2007 arrest warrant has not been executed and, after being promoted by the FARDC to the rank of major, he is leading a FARDC battalion. Bosco Ntaganda, the former commander of the armed group M23 and formerly a FARDC commander, surrendered in Kigali and was voluntarily transferred to the International Criminal Court for trial for crimes against humanity and war crimes, including the recruitment and use of children under the age of 15 and sexual slavery. A diplomat serving at the DRC embassy in Bujumbura was allegedly involved in trafficking of young girls; he was expelled from Burundi and was reportedly fired from his post at the Ministry of Foreign Affairs. In March 2013, the government trained approximately 50 FARDC commanding officers on issues related to child recruitment and, in April 2013, conducted an awareness campaign on the subject for 3,450 new FARDC recruits. The government did not provide specialized training to officials on combating other forms of trafficking, but the Congolese National Police and other DRC law enforcement agencies have requested and received specialized training in human trafficking from international donors.

PROTECTION

Although the government assisted in the identification and demobilization of child soldiers, it did not offer specific protections to other types of trafficking victims. It reported identifying five victims of transnational sex trafficking and no victims of forced labor. There was no information as to what, if any, services the sex trafficking victims received. The government lacked procedures for proactively identifying victims of trafficking among vulnerable groups and for referring victims to protective services.

NGOs continued to provide the vast majority of the limited shelter, legal, medical, and psychological services available to trafficking victims. An NGO working with trafficking victims in eastern DRC reported providing assistance to 121 victims of human trafficking, including 77 victims of forced labor, 38 victims of sex trafficking, and six children separated from armed groups. Under the government's new National Disarmament, Demobilization, and Reintegration Plan (DDR III), signed in December 2013, male and female child soldiers are to be transferred immediately to UNICEF for processing and services. During this process, the National Demobilization Agency, in

cooperation with United Nations Organization Stabilization Mission in the DR Congo (MONUSCO) and UNICEF, continued to separate and transport identified children to NGO-run centers for temporary housing, care, and vocational training prior to returning them to their home communities when it is deemed safe for reintegration. Reintegrated child soldiers remained vulnerable to re-recruitment, as adequate rehabilitation services did not exist for children suffering the most severe psychological trauma and several armed groups continued to recruit children. While the FARDC high command remained supportive of MONUSCO's efforts to remove children from its forces during the reporting period, it lacked sufficient command and control to compel some FARDC commanders to comply with directives to release child soldiers or to prevent ground troops from recruiting additional children or subjecting local populations to forced labor. UN monitors and civil society partners reported the government granted child protection workers improved access to military installations.

The FARDC arrested, detained, and sometimes mistreated, including with beatings and deprivation of food and medical care, children formerly associated with armed groups. Security forces reportedly performed regular sweeps to round up *chegués* in Kinshasa and expel them outside the city center. The government did not show evidence of encouraging victims to assist in investigations against their traffickers. While trafficking victims could file cases against their traffickers in civil courts, there is no evidence that any have done so; the public widely viewed civil courts as corrupt and believed outcomes were determined based on the relative financial means of the parties to the lawsuit. The government offered no legal alternatives to the removal of foreign victims to countries in which they may face hardship or retribution; however, besides child soldiers, there were no foreign trafficking victims identified within the DRC in 2013. The government has consistently allowed for the safe repatriation of foreign child soldiers in cooperation with MONUSCO.

PREVENTION

Despite lacking an overarching strategy or coordination mechanism, the government made modest efforts to prevent human trafficking. In 2013, the government demonstrated progress in implementing a UN-backed action plan to end recruitment and use of child soldiers, sexual violence, and other serious child rights violations in the armed forces signed by the Ministry of Defense in October 2012. The plan commits the government to a series of tasks, including to establish an inter-ministerial committee to monitor implementation, end underage recruitment and sexual violence against children, ensure reintegration of victims, provide unimpeded access to UN personnel for verification, combat impunity of perpetrators of child rights violations, and regularly report on progress in implementing the plan. A joint technical working group that oversees implementation of the plan held 18 meetings and workshops during the year, initiated steps to establish technical working groups at the provincial level, and appointed two FARDC officers to serve as child protection focal points in North Kivu.

In May 2013, the Ministry of Defense and the national intelligence agency issued two directives stating that severe sanctions would be levied against FARDC members found guilty of recruiting or using children; detaining, torturing, or mistreating children because of their involvement with an armed group; killing, engaging in sexual violence, including underage marriage;

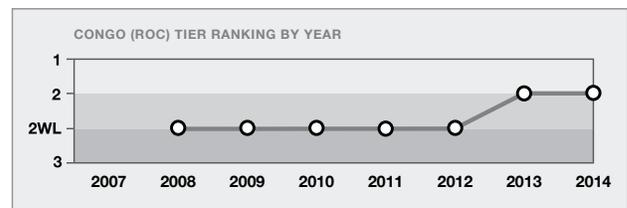
attacking schools or hospitals; kidnapping children, including for forced marriage; and impeding humanitarian access to children. The directives also require that children who escape from armed groups, whether national or foreign, and are in the custody of FARDC or have been detained, be immediately transferred to competent humanitarian agencies. MONUSCO reports that the directives have increased awareness among FARDC commanding officers and improved the access of UNICEF and other child protection personnel to troops, training facilities, and recruitment sites for screening and separation as child soldiers. Prior to launching its national military recruitment campaign, the government did not have adequate systems to ensure children were not registered, though it sought assistance from the UN and other child protection actors to screen for children. As a result of this collaboration, more than 300 underage applicants were identified and prevented from joining the FARDC.

In response to identified cases of transnational sex trafficking in the last year, immigration authorities increased efforts to implement existing policies requiring adults to show documentation related to their stay abroad and minors to show appropriate travel authorization. The government did not increase efforts to establish the identity of local populations, and low rates of birth registration continued to contribute to individuals' vulnerability to trafficking. Although the National Ministry of Labor remained responsible for inspecting worksites for child labor, the ministry did not identify any cases of forced child labor in 2013. Inspectors had limited presence outside Kinshasa and often lacked means of transportation or resources to carry out their work. The government took no discernible measures during the reporting period to reduce the demand for forced labor or commercial sex acts.

CONGO, REPUBLIC OF THE (Tier 2)

The Republic of the Congo is a source and destination country for children, men, and women subjected to forced labor and sex trafficking. According to a study released by IOM in 2013, most trafficking victims in the Congo originate from Benin and the Democratic Republic of the Congo (DRC), and to a lesser extent from the Central African Republic (CAR), Senegal, Cameroon, and Gabon. Trafficking victims are subjected to forced domestic service and market vending by other nationals of the West African community living in the Congo, as well as by Congolese nationals in the city of Pointe-Noire. Source countries for adult victims include the DRC, CAR, Cameroon, Benin, and Mali. During the year, the government identified 23 Beninese, and two Nigerian labor trafficking victims, including six Beninese adults. Both adults and children are victims of sex trafficking in the Congo, with the majority of such victims originating from the DRC and exploited in Brazzaville. The majority of children trafficked within the country migrate from rural to urban areas to serve as domestic workers for relatives or family friends. Some child trafficking victims are also subjected to forced labor in stone quarries, bakeries, and the fishing and agricultural sectors, including in cocoa fields in the Sangha Department. IOM reports nationals of the Congo are among both traffickers and victims, with 43 percent of traffickers, 28 percent of adult victims, and 14 percent of child victims reported as Congolese. Internal trafficking involves recruitment from rural areas for exploitation in cities. The Congo's indigenous population is especially vulnerable to forced labor in the agricultural sector.

The Government of the Republic of the Congo 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 continued to demonstrate political will to address trafficking in persons, such as by addressing official complicity and interference in trafficking cases in the city of Pointe-Noire—long-standing concerns which have inhibited the government from holding traffickers accountable. The government finalized draft anti-trafficking legislation and trained an estimated 1,000 police officers—a substantial increase from 56 trained in 2012. The government continued strong victim protection efforts in Pointe-Noire, providing support to NGOs and foster families that offered care to 25 identified victims—a decrease from 50 identified and assisted in 2012; some government and civil society advocates believe this reflects a decreased incidence of the crime, following amplified government attention and public awareness raising activities related to child trafficking. The government failed to take adequate law enforcement action to hold traffickers accountable by failing to charge suspected offenders in cases discovered during the year or convicting any of the 23 additional offenders currently involved in trafficking prosecutions. The government's lack of a national coordinating body hindered country-wide progress to address internal trafficking and sex trafficking from the DRC and other countries.



RECOMMENDATIONS FOR THE REPUBLIC OF THE CONGO:

Enact comprehensive anti-trafficking legislation, including provisions prohibiting the trafficking of adults; greatly increase efforts to investigate and prosecute trafficking offenses and to convict and punish trafficking offenders under the 2010 Child Protection Code; fund and hold a special session of the high court to hear the trafficking case backlog; increase outreach, victim identification, and law enforcement efforts on sex trafficking and internal trafficking beyond Pointe-Noire, with specific attention to trafficking of adults and indigenous populations; develop formal procedures to identify trafficking victims among child laborers, illegal immigrants, and women and girls in prostitution; provide adequate security and supervision for victims placed in foster families; conduct government-led training for social workers and law enforcement officials on the use of identification and referral procedures; establish a national body that includes all relevant ministries to increase coordination of country-wide anti-trafficking efforts; increase anti-trafficking law enforcement cooperation with other governments in the region, especially Benin and the DRC; and file ratification documents for the 2000 UN TIP Protocol with the United Nations.

PROSECUTION

The Government of the Republic of the Congo increased its anti-trafficking law enforcement efforts by addressing official complicity and completing draft anti-trafficking legislation; however, it made insufficient law enforcement efforts to address trafficking crimes—failing to charge, prosecute, or convict suspected offenders during the reporting period. Article 60,

Chapter 2, of the 2010 Child Protection Code prohibits the trafficking, sale, trading, and exploitation of children, for which Article 115 prescribes penalties of hard labor for an undefined period and fines. Article 68 prohibits the worst forms of child labor, including the forced labor and prostitution of children, for which Article 122 prescribes penalties of three months' to one year's imprisonment or fines between the equivalent of approximately \$110 and \$1,080. Article 4 of the country's labor code prohibits forced or compulsory labor, imposing fines the equivalent of approximately \$1,300 to \$1,900. None of these penalties are sufficiently stringent, and the penalties prescribed for sex trafficking are not commensurate with penalties prescribed for other serious crimes, such as rape. The penal code, which prohibits forced prostitution, may be used to prosecute sex trafficking offenses involving adults. Although Congolese law prohibits some forms of trafficking of adults, it does not outlaw bonded labor or the recruitment, harboring, transport, or provision of a person for the purposes of forced labor. Following its completion of draft anti-trafficking legislation in July 2013, the government's legislative drafting committee, in partnership with UNODC, held sessions to review and finalize the draft in July and August 2013; the legislation remained under review by parliamentary committee at the end of the reporting period.

Despite issuing January 2013 instructions directing officials to file criminal charges in all potential trafficking cases, the government failed to charge any suspected offenders with trafficking crimes during the reporting period. In May 2013, authorities arrested four suspected offenders in connection with the trafficking and subsequent kidnapping of four previously identified trafficking victims; however, officials later released the offenders without charge and failed to arrest or press charges against a prominent Beninese business man and court official who worked in collusion with him. Prosecutions involving at least 23 offenders, some charged nearly three years ago, remained pending at the end of the reporting period. For example, ten alleged trafficking offenders, arrested and charged with "trafficking and exploitation" under the Child Protection Code in January 2013, remained pending trial for the alleged labor trafficking of 14 children. In December 2012, the Juvenile Court of Pointe-Noire suspended its hearing of a civil case against eight alleged labor trafficking offenders and failed to open a criminal investigation in this case in 2013. The Ministry of Labor did not report investigating any cases of forced child labor in 2013. Local social affairs officials in Pointe-Noire filed civil cases against five suspected trafficking offenders as a means to acquire funding for victim repatriation.

During the year, the government took important steps to address official complicity. It replaced the leadership of the *gendarmerie* and several magistrates in Pointe-Noire—aiming to reduce the influence of traffickers on officials, who were often bribed or persuaded to interfere in the arrest and prosecution of trafficking offenders or rescue of victims. In an example of official interference in trafficking crimes in 2013, a court official issued a fraudulent custody order to substantiate the kidnapping of four trafficking victims from their place of safety; once informed of this, the Ministry of Justice recalled the official and forced him to retire. However, the government failed to carry out criminal prosecutions of this and other complicit officials. During the reporting period, the police and gendarme academies continued anti-trafficking trainings for their staff, reaching an estimated 1,000 police officers and an unknown number of gendarmerie officials in 2013.

Nonetheless, limited understanding of the child anti-trafficking law among law enforcement officials, judges, and labor inspectors continued to hinder the prosecution of trafficking crimes. As serious crimes, trafficking cases are to be heard at the high court, which did not meet in regular session during the reporting period; accordingly, cases continue to languish and a significant backlog persists.

PROTECTION

The Congolese government maintained efforts to protect trafficking victims, including partnerships with NGOs and foster families to enable trafficking victims in Pointe-Noire to receive access to care. The government, in partnership with an NGO, identified 25 foreign trafficking victims in Pointe-Noire in 2012. Ten minor female victims were repatriated to their countries of origin. The government gave adult foreign victims or victims who had reached the age of 18 while in the custody of the government the option of repatriation at the government's expense or local reintegration in the Congo. In 2013, the government paid three months' rent and provided assistance in finding an apprenticeship or job for 15 men as part of their local reintegration. Social workers temporarily placed 10 child trafficking victims with foster families during the year until they could be repatriated or reinserted. The government allocated foster families the equivalent of approximately \$10 per child per day to ensure the victims' basic needs were met. Due to inadequate precautions, in May 2013, four children placed with a foster family were kidnapped while out without a guardian present and returned to their traffickers; a week later an NGO identified them in forced labor in the market in Pointe-Noire. The Ministers of Interior and Social Affairs intervened to facilitate the subsequent rescue of three of the four children, with the fourth reportedly sent back to Benin by her traffickers.

As in 2012, the government again failed to identify and assist victims—including Congolese and DRC child victims—outside of Pointe-Noire in 2013. Law enforcement, immigration, and social services personnel did not employ systematic procedures proactively to identify victims among vulnerable groups, relying instead on NGOs and UNICEF to identify victims. During the year, there were no reports of victims jailed or prosecuted for crimes committed as a result of their trafficking; however, inadequate identification efforts may have left victims unidentified in the law enforcement system. Although officials interviewed victims after their rescue—encouraging their assistance in the prosecution of their traffickers—child victims were not expected to testify in court. The government did not deport rescued foreign victims, instead providing temporary or permanent residency status to foreign victims during the year. The Congolese government repatriated at least eight Beninese trafficking victims as part of its bilateral agreement with the Government of Benin; however, in 2013 as in 2012, the government failed to carry out joint investigations or extraditions of charged trafficking offenders—a critical part of this agreement.

PREVENTION

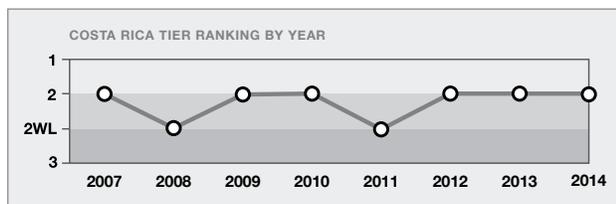
The government continued its efforts to prevent trafficking in 2013. Trafficking awareness campaigns organized by the government involved placement of public billboards and television programming, reaching an estimated one million people during the reporting period. In November 2013, the local coordinating committee—overseeing anti-trafficking efforts in Pointe-Noire—held a public information session on the identification and protection of trafficked children, which

reached several dozen community members. Although the Ministry of Social Affairs continued to lead anti-trafficking efforts and provide oversight in the implementation of the 2011-2013 Action Plan to Fight Child Trafficking, the government failed to establish a national coordinating body to guide its efforts. The government continued efforts to draft a 2014-2016 action plan based on the draft anti-trafficking legislation. The government did not take measures to reduce the domestic and transnational demand for commercial sex acts during the reporting period. The parliament ratified the 2000 UN TIP Protocol in May 2012, but the United Nations has not registered the Protocol as being in effect in the Congo because the government has not ratified the umbrella convention—the Convention Against Transnational Organized Crime.

COSTA RICA (Tier 2)

Costa Rica is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Costa Rican women and children are subjected to sex trafficking within the country; residents of the north and central Pacific coast zones are particularly vulnerable to internal sex trafficking. Authorities have identified cases of adults using children for drug trafficking; some of these children may be trafficking victims. There are a significant number of transgender Costa Ricans in the commercial sex industry who could be vulnerable to sex trafficking. Women and girls from Nicaragua, the Dominican Republic, and other Latin American countries have been identified in Costa Rica as victims of sex trafficking and domestic servitude. Child sex tourism is a serious problem, with child sex tourists arriving mostly from the United States and Europe. Men and children from other Central American countries and from Asian countries, including China, are subjected to conditions of forced labor in Costa Rica, particularly in the agriculture, construction, fishing, and commercial sectors. Nicaraguan sex and labor trafficking victims transit through Costa Rica *en route* to Panama. Indigenous Panamanians are also reportedly vulnerable to forced labor in agriculture in Costa Rica.

The Government of Costa Rica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2013, authorities convicted an increased number of trafficking offenders compared to the previous year and created a dedicated prosecutorial unit for human trafficking and smuggling. Victim services remained inadequate; however, the government budgeted funds for an NGO to build a dedicated shelter and established a fund that collected the equivalent of approximately \$1.4 million earmarked in part for assistance to trafficking victims. Government capacity to proactively identify and assist victims, particularly outside of the capital, remained weak. Authorities continued to lack adequate trafficking data collection and categorized cases of human trafficking that did not involve the displacement of the victim as other crimes.



RECOMMENDATIONS FOR COSTA RICA:

Use resources from the newly established fund to provide comprehensive services for trafficking victims, including child sex trafficking victims, in partnership with civil society organizations; intensify efforts to proactively investigate and prosecute human trafficking offenses, including forced labor, and convict and punish trafficking offenders; improve the efficacy and the implementation of Costa Rica's victim assistance protocol, particularly outside of the capital and for victims of labor trafficking; continue to strengthen dedicated prosecutorial and police units through increased resources and training, including on victim treatment; investigate and prosecute cases of trafficking not involving movement and provide appropriate services to Costa Rican victims; increase efforts to investigate and prosecute child sex tourists; and continue to improve data collection for law enforcement and victim protection efforts.

PROSECUTION

The Government of Costa Rica increased its law enforcement efforts during the reporting period by convicting an increased number of trafficking offenders and creating a dedicated prosecutorial unit for human trafficking and smuggling. Authorities often failed to proactively investigate cases and had a limited capacity to conduct investigations outside of the capital. The anti-trafficking law enacted in December 2012, Law 9095, came into effect in February 2013 and prohibits all forms of human trafficking and prescribes penalties of four to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with other serious crimes. The definition of trafficking in this law is in some respects too narrow—continuing to require the displacement of the victim—and in other respects too broad—penalizing non-trafficking crimes such as illegal adoption, sale of organs, moving persons for the purpose of prostitution, and labor exploitation that does not rise to the level of forced labor.

Data collection on human trafficking remained problematic. Authorities investigated 17 new cases and prosecuted seven defendants for movement-based human trafficking during the reporting period. In addition, prosecutors reported 18 new investigations for sex trafficking of minors under pimping statutes in 2013. The government convicted at least seven sex traffickers during the reporting period; six of these convictions were achieved under anti-trafficking statutes, with sentences ranging from five to 27 years' imprisonment. Authorities also reported three trafficking convictions in 2013 under aggravated procuring statutes, resulting in sentences ranging from seven to ten years' imprisonment. In comparison, there were two labor trafficking offenders convicted during the previous reporting period.

A dedicated anti-trafficking police unit investigated movement-based labor and sex trafficking cases, as well as smuggling cases; the majority of cases investigated involved sex trafficking. In August 2013, the government created a dedicated prosecutorial unit for human trafficking and smuggling with two prosecutors; this unit had no dedicated budget, but used human and financial resources from the organized crime prosecutor's office. The unit investigated trafficking cases involving displacement, while local prosecutors were responsible for prosecuting cases of trafficking without movement, making it difficult to assess fully the government's prosecution efforts. The effectiveness of police and prosecutors' anti-trafficking work was limited by inadequate staffing and resources, as well as frequent turnover of law enforcement officials in dedicated units. Some officials

conflated trafficking with smuggling. Government ministries provided training to prosecutors, police officers, and other public officials, often in partnership with civil society organizations receiving foreign government funding. Prosecutors worked with Nicaraguan, Panamanian, and Indonesian officials on an unspecified number of trafficking investigations in 2013. Authorities continued to investigate a mayor for possible trafficking crimes, but did not report any prosecutions or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The Costa Rican government maintained its protection efforts during the year. Although authorities assisted a limited number of victims and dedicated funds to an NGO to build a shelter for trafficking victims, specialized services remained inadequate, particularly outside of the capital. The government continued to implement its “immediate attention” protocol, which defines steps for government agencies that comprise the emergency response team to identify, protect, and provide integrated assistance to victims. Some officials, particularly outside of the capital, remained unaware of the protocol. NGOs and some officials asserted that victim identification was often reactive and referral mechanisms were not always implemented in an effective or timely manner. Authorities reported identifying and assisting 15 trafficking victims in 2013, all of whom were female and four of whom were Costa Rican. Eleven were adults and four were children. Of the 15, 11 were victims of sex trafficking and four were victims of labor trafficking. Authorities reported assisting 33 child victims of commercial sexual exploitation. Labor inspectors had a limited capacity to identify possible forced labor victims.

The government did not provide or fund specialized shelters or services for trafficking victims, and officials and NGOs noted that the lack of dedicated housing for victims was a significant challenge. The government relied on NGOs and religious organizations to provide specialized care for trafficking victims and provided the equivalent of approximately \$134,000 to one NGO to provide services to adults and children in prostitution. In October 2013, Costa Rica’s Congress approved an additional allocation of the equivalent of approximately \$230,000 to buy land for this NGO to build a dedicated trafficking shelter. Authorities maintained emergency government shelters for female victims of domestic violence, but staff members were reportedly reluctant to house trafficking victims there due to security concerns. Authorities used government and international organization funding to shelter an unspecified number of adult victims in hotels on a temporary basis. The government reported that all of the 33 child victims of commercial sexual exploitation identified in 2013 received psychological and social services and authorities coordinated shelter for at least two child trafficking victims. Police and NGOs noted that specialized victim services were virtually nonexistent outside of the capital.

The government granted temporary residency status, with permission to work, to five foreign victims in 2013. Costa Rican authorities encouraged victims to assist with the investigation and prosecution of trafficking offenders, and several victims did so during the reporting period. Other victims did not collaborate with investigations due to their lack of confidence in the judicial system. The government did not penalize identified victims for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The Government of Costa Rica maintained its prevention efforts during the year. The human trafficking and smuggling directorate continued to implement a national action plan on human trafficking and coordinate the national anti-trafficking coalition. The coalition met on a quarterly basis and included civil society actors. The fund to fight human trafficking and smuggling—financed primarily by the country departure tax equivalent of approximately \$1.00 per traveler—was established in 2013 and collected the equivalent of approximately \$1.5 million in revenue. The government did not use these funds during the reporting period, but earmarked these funds for future trafficking victim assistance efforts, as well as efforts against migrant smuggling. Authorities conducted public awareness campaigns, often in partnership with civil society organizations. The government continued to investigate and prosecute individuals that paid child trafficking victims for commercial sex, resulting in 37 investigations and at least five convictions in 2013. With information from U.S. authorities, Costa Rican police deported two American citizens in 2013 for alleged involvement in child sex tourism. Despite continued reports of child sex tourism, the government did not prosecute or convict any child sex tourists in 2013. The government took efforts to reduce the demand for commercial sex, but did not report efforts to reduce the demand for forced labor.

COTE D'IVOIRE (Tier 2)

Cote d’Ivoire is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Trafficking within the country is more prevalent than transnational trafficking, and the majority of victims that have been identified are children. Due to a stronger emphasis on monitoring and combating child trafficking within the country, the number of adults subjected to trafficking may be underreported. Within Cote d’Ivoire, Ivoirian women and girls are subjected primarily to forced labor in domestic service and restaurants, as well as to forced prostitution. Ivoirian boys are subjected to forced labor within the country in the agriculture and service sectors. Boys from other West African countries, including Ghana, Mali, Burkina Faso, Benin, and Togo, are found in Cote d’Ivoire in forced agricultural labor, including on cocoa, coffee, pineapple, and rubber plantations; in the mining sector; and in carpentry and construction. Girls recruited from Ghana, Togo, and Benin work as domestic servants, and street vendors often are subjected to forced labor. Some women and girls who are recruited from Ghana and Nigeria to work as waitresses in restaurants and bars are subsequently subjected to forced prostitution. Ivoirian women and girls have been subjected to forced domestic service in France and Saudi Arabia. During the reporting period, Ivoirian women were subjected to sex trafficking in Morocco.

The Government of Cote d’Ivoire 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 increased efforts to address child trafficking by increasing prosecutions of child trafficking offenses, increasing convictions of trafficking offenders, and identifying more child trafficking victims than in 2012. However, the government continued to fail to demonstrate any tangible efforts to address adult trafficking. It did not report any law enforcement efforts against adult trafficking cases, identify or provide any protection to adult victims, or finalize or adopt a

national action plan to combat adult trafficking for the third year in a row.



RECOMMENDATIONS FOR COTE D'IVOIRE:

Develop and enact legislation to criminalize all forms of adult trafficking, and use this and existing legislation to prosecute traffickers, particularly those who exploit women in prostitution and men in forced labor; train law enforcement officials to follow established procedures to identify potential trafficking victims and refer them to protective services; establish a formal victim referral mechanism between the government, NGOs, and international organizations providing care to trafficking victims; increase efforts to provide victims with appropriate services, including the dedication of specific funding for such services and the development of government-run shelters; improve efforts to collect law enforcement data on trafficking offenses, including cases involving the trafficking of adults who are prosecuted under separate statutes in the penal code, and make this data available to other government agencies and the general public; and finalize and begin implementation of a national action plan to address adult trafficking.

PROSECUTION

The Government of Cote d'Ivoire demonstrated increased anti-trafficking law enforcement efforts to combat child trafficking, but did not demonstrate tangible efforts to address adult trafficking. Law No. 2010-272 Pertaining to the Prohibition of Child Trafficking and the Worst Forms of Child Labor, enacted in September 2010, prescribes penalties for compelling children into or offering them for prostitution of five to 20 years' imprisonment and a fine; these penalties are sufficiently stringent, but not commensurate with penalties prescribed for other serious offenses, such as rape. The law's penalty for submitting a child to forced labor or situations akin to bondage or slavery is 10 to 20 years' imprisonment and a fine, punishments which are sufficiently stringent. Penal code Article 378 prohibits the forced labor of adults and children, prescribing a sufficiently stringent penalty of one to five years' imprisonment and a fine of the equivalent of approximately \$800 to \$2,200. Article 376 criminalizes entering into contracts that deny freedom to a third person, prescribing a punishment of five to 10 years' imprisonment and a fine. Pimping and exploitation of adults and children in prostitution by means of force, violence, or abuse are outlawed by Articles 335 and 336. In December 2011, the Labor Advisory Board received a draft decree prohibiting and prescribing punishments for involuntary domestic servitude; it did not finalize or issue the decree during the reporting period.

During the reporting period, the government reported nine investigations of trafficking offenses, 23 prosecutions, and 11 convictions; this represents an increase from 2012, when the government reported 15 investigations, eight prosecutions, and two convictions. All 23 prosecutions involved child trafficking. Nine of the convicted trafficking were sentenced under Cote d'Ivoire's anti-trafficking law to 12 months' imprisonment and

a fine of the equivalent of approximately \$1,000; sentencing information on the additional two traffickers was unavailable. However, no law enforcement efforts were taken to address adult trafficking during the reporting period.

The government, in collaboration with NGOs and international organizations, provided training for social workers, labor inspectors, police officers, and gendarmes. However, all training efforts focused on child trafficking and there remains a lack of knowledge and understanding of adult trafficking among government officials. The government did not report any investigations or prosecutions of officials for alleged complicity in trafficking-related offenses during the year; however, reports indicate that corruption among police and gendarme forces may have facilitated trafficking in 2013.

PROTECTION

The Ivoirian government sustained modest efforts to identify and protect child victims of trafficking, but did not demonstrate tangible efforts to identify or protect any adult victims. It reported the identification of 45 child trafficking victims in 2013; 28 of the children were foreign nationals and 17 were Ivoirian. NGOs and international organizations in Cote d'Ivoire identified an additional 156 child victims. The government did not provide adequate care to victims of trafficking and relied almost exclusively on services provided by NGOs and international partners; given the government's substantial dedication of resources to implement its anti-trafficking activities, the amount allocated to the protection of victims was severely inadequate. The government did not operate any formal care centers exclusively for victims of trafficking, nor did it have a formalized referral mechanism in place between itself and local NGOs. The government provided limited financial support to an NGO-run shelter for children in emergency situations; some trafficking victims may have used this shelter. During the reporting period, the Ministry of Solidarity, Family, Women, and Children identified, rescued, and provided repatriation assistance to twelve child trafficking victims from Benin, Burkina Faso, Guinea, and Mali.

The Government of Cote d'Ivoire did not have a formal policy in place to encourage victims' voluntary participation in investigations and prosecutions of their traffickers; however, some victims did participate in the investigations and prosecutions of their traffickers during the reporting period. While the government lacked a formal policy for repatriating foreign victims, it typically cooperated with the victim's embassy, consulate, or local community leaders of the same nationality regarding repatriation. There were no reports that victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked; however, the lack of formal identification procedures for adult trafficking victims likely resulted in some adult victims remaining unidentified in the law enforcement system.

PREVENTION

The Government of Cote d'Ivoire demonstrated sustained efforts to prevent child trafficking, but failed to demonstrate tangible efforts to prevent adult trafficking. The National Monitoring Committee (NMC) and the Inter-Ministerial Committee (IMC), established in 2011, continued to serve as the national coordinating bodies on trafficking in persons issues; however, both committees focused almost entirely on child trafficking. The committees continued to meet regularly to implement the

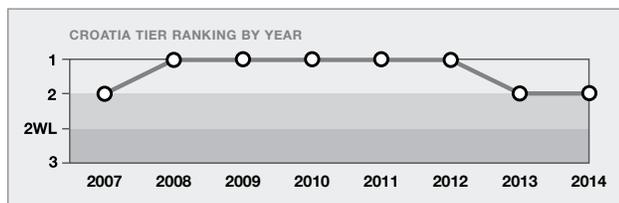
2012-2014 National Action Plan on Child Labor and Trafficking; the government provided the equivalent of approximately \$10.8 million for implementation of this action plan in 2013. A national action plan to address adult trafficking was not finalized during the reporting period.

The NMC completed the second phase of a nationwide awareness campaign, originally launched in September 2012, which included TV and local radio information spots, 100 billboards, and the distribution of illustrated pamphlets in French and five local languages to explain the new child anti-trafficking law and to educate the public on how to take action against the worst forms of child labor. Additionally, the governments of Cote d'Ivoire and Burkina Faso entered into a bilateral cooperative agreement against cross-border child trafficking in October 2013. The government launched a monitoring and evaluation system designed to collect and analyze statistical data on child trafficking and worst forms of child labor, coordinate the efforts of different actors involved in the fight against child labor, and provide regular reports. The government did not demonstrate efforts to address local demand for commercial sex acts during the reporting period.

CROATIA (Tier 2)

Croatia is a destination, source, and transit country for men, women, and children subjected to sex trafficking and forced labor. Croatian women and girls, some of whom respond to false job offers online, fall victim to sex trafficking within the country and throughout Europe. Women and girls from Macedonia, Serbia, Bosnia and Herzegovina, and other parts of Eastern Europe are subjected to sex trafficking in Croatia. Children are exploited in prostitution. Roma children from Croatia are of particular risk of forced begging in Croatia and throughout Europe. Women and men, including victims from Romania and Bosnia and Herzegovina, are subjected to forced labor in agricultural sectors. A March 2013 report from the European Commission highlighted Croatia's low number of identified trafficking victims.

The Government of Croatia 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 increased the number of times the Committee for the Suppression of Trafficking in Persons met, increased criminal investigations and prosecutions, and mandated that children in prostitution be treated as victims, not criminals. While the government has an adequate formal anti-trafficking structure, significant gaps in implementation remain. The number of criminal prosecutions of traffickers remains low, and sentences for trafficking offenses were too low to deter criminals from human trafficking. Further, the government provided little specific information about the care provided to the minor victims identified during the reporting period, and experts still believe the true extent of trafficking in Croatia remains considerably higher than that identified by the government.



RECOMMENDATIONS FOR CROATIA:

Continue to strengthen trafficking victim identification, particularly of female minors who are victims of sex trafficking; enhance training methods for collecting evidence against suspected traffickers to increase convictions; continue to train prosecutors on best practices for prosecuting trafficking cases; ensure trafficking offenders are punished with sentences commensurate with the gravity of the crime committed; sensitize judges about secondary trauma in sex trafficking testimony; conduct a comprehensive assessment of Croatia's trafficking problem; and strengthen partnerships with NGOs to enlist their help in identifying victims during authorities' initial contact with potential victims among women and children detained for prostitution offenses.

PROSECUTION

The Government of Croatia displayed mixed law enforcement efforts. Croatia prohibits all forms of both sex and labor trafficking through two laws: Slavery, Article 105, and Trafficking in Persons, Article 106, which prescribe penalties of one to 10 years' imprisonment for sex or labor trafficking and up to 15 years' imprisonment for the trafficking of a child. These penalties are sufficiently stringent and are commensurate with those prescribed for rape. During the year, the government investigated 39 trafficking suspects, an increase from 30 in 2012, and prosecuted 15 defendants in 2013, in contrast to nine prosecuted in 2012. Of the 39 persons investigated in 2013, 20 were investigated under Article 106; 10 were investigated for Child Pandering under Article 162; six were investigated for slavery under Article 105; and two were investigated for international prostitution, prohibited by Article 178. Outcomes, however, did not reflect this increased activity, with six defendants acquitted in three cases and only one conviction in 2013. The one defendant who was convicted for child pandering was sentenced to six years and eight months' imprisonment. This was a sharp decrease in convictions from previous reporting periods: in 2012, the government convicted eight trafficking offenders; in 2011, the government convicted seven.

The European Commission, in a monitoring report for Croatia's EU accession, noted that Croatia's sentencing for trafficking crimes remains lower than sentencing for other organized crimes, and thus was an insufficient deterrent. It urged increased training for judges, prosecutors, and civil servants on the identification of trafficking victims and investigation and prosecution of trafficking cases. These issues, and others, were closely monitored by the Committee for the Suppression of Trafficking in Persons, which was chaired by the Deputy Prime Minister and made up of other senior-level officials. In January 2014, the Government of Croatia outlined steps it had taken to address shortcomings, including enhanced methods of victim identification. Prosecutors must now inform the Croatian Chief State Prosecutor's Office when they open a potential trafficking case, report on the status of the case monthly, and justify a decision to charge defendants under a non-trafficking statute rather than a trafficking statute. The government reportedly made staffing changes to increase attention to trafficking, including by assigning more operationally-oriented police officers to the issue and appointing a senior prosecutor with significant experience working on trafficking to coordinate the State Attorney's Office anti-trafficking cases and activities nationwide.

The Government of Croatia sponsored a variety of anti-trafficking training for law enforcement during the reporting period. The Office for Human Rights and National Minorities organized

and funded trafficking-related training for approximately 100 participants, including police officers, prosecutors, judges, social workers, labor inspectors, and diplomats preparing for assignments abroad. The training included two workshops for Croatian judges and prosecutors on secondary trauma of trafficking victims. The Croatian Border Police reported that 252 new Border Police Officers underwent three hours of trafficking-related training. The State Attorney's Office reported that up to 60 Croatian prosecutors attended Croatian government-funded trafficking-specific workshops and seminars in 2013 as either participants or lecturers. The government conducted cooperative international investigations with Bosnia and Herzegovina, Serbia, and Romania. The Government of Croatia did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The Croatian government sustained its victim protection efforts, but failed to screen vulnerable populations effectively for trafficking victims, particularly female minors who were victims of sex trafficking. The government funded three NGO-run trafficking shelters: one for adults, one for minors, and one alternate shelter that also houses victims of other forms of abuse. The government also provided three reception centers to provide victims with care before they could be transported to the shelters. Adult victims were allowed to leave shelters without chaperones after informing staff and completing a risk assessment. The Croatian government provided the equivalent of approximately \$73,000 to fund the shelters in 2013, level with the amount it provided for shelter care in 2012. Foreign victims were offered the same standard of care as domestic victims, including shelter, medical care, education, legal assistance, psychological care, and assistance finding employment. The government's Office for Human Rights provided the equivalent of approximately \$48,000 for victim assistance, professional training, and the anti-trafficking hotline.

Experts and government officials reported victim identification was inadequate in light of the suspected magnitude of the trafficking problem in Croatia. To remedy this, they suggested a comprehensive assessment of Croatia's trafficking problem. During the reporting period, the government identified 32 victims of trafficking, up from 13 victims identified during the previous reporting period; these figures included six women and 12 minor females who were sex trafficking victims; and nine adult males, four minor females, and one woman who were victims of forced labor, including forced begging. Government-funded NGOs offered care to 12 of these victims during the reporting period, with six of them receiving accommodation in shelters. At least some of the female minors were not initially identified as victims of trafficking and were released to their families without treatment or counselling.

The Ministry of Interior issued a standard operating procedure to guide police officers in identifying and transferring victims, which includes instructions on activating the national referral system when indicators of trafficking are present. Experts reported that the procedures themselves are effective, but that police officers, in particular, need to do a better job in identifying victims. According to the Ministry of Social Policy and Youth, there was a specially-designated social worker in each county responsible for providing initial victim care and coordinating further assistance. However, experts reported that the actual assistance provided in reintegrating trafficking victims was arranged on an *ad hoc* basis, and remained limited due to lack of funding.

Croatian law stipulates that foreign trafficking victims must not be deported, and are to be issued temporary residency permits for six months to one year, which can be periodically renewed based on subsequent needs assessments. Foreign victims also are entitled to employment assistance, skill development training, and adult classroom education. Alternatively, Croatian authorities and the Croatian Red Cross assist foreign trafficking victims with voluntary repatriation to their country of origin. The government encouraged victims to assist in investigating and prosecuting traffickers, but as a matter of policy did not force them to do so. Victims are entitled to assistance, including temporary residence permits for foreigners, regardless of whether they testify in trials. Victims also have the right to free legal representation, can file criminal charges and civil suits against their traffickers, and are entitled to seek financial compensation from the traffickers under a new law. Experts reported judges are sometimes overly aggressive when questioning trafficking victims on the witness stand, especially in cases where the victim has changed his or her story between talking to the police and testifying. Experts reported that trafficking victims were sometimes initially detained by police, but were usually released immediately upon being recognized as a trafficking victim. The State Attorney issued written instructions in June 2013 that victims must not be prosecuted for crimes committed as a result of being trafficked.

PREVENTION

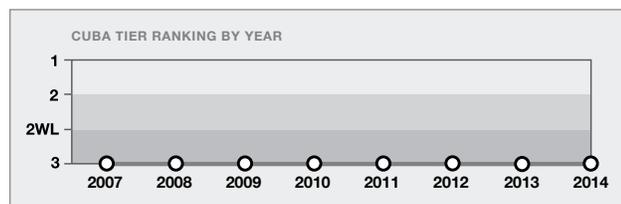
The Croatian government continued efforts to prevent trafficking in persons, partnering with NGOs in the creation of a national action plan. The government continued to broadcast trafficking awareness public service announcements on public television. The Office for Human Rights and National Minorities also funded a new year-long public information campaign aimed at reducing the demand for women and girls trafficked for sexual exploitation, consisting of leaflets, billboards, and posters on public transportation, taxis, and bus and train stations, sensitizing potential customers to the reality that many persons engaged in prostitution may be trafficking victims. The Office for Human Rights also funded the development of new anti-trafficking pamphlets detailing indicators, prevention, and reporting guidance that are being distributed to border crossing checkpoints, illegal migrants, and asylum seekers. The government's efforts to reduce the demand for commercial sex continued to focus on Zagreb and the popular tourist destinations along the Adriatic coast, particularly during the summer tourism season. The government reported no prosecution of Croatian nationals traveling abroad for the purposes of international sex tourism during 2013. All Croatian diplomats and personnel deploying overseas undergo mandatory anti-trafficking training before they depart for their posting.

CUBA (Tier 3)

Cuba is a source country for adults and children subjected to sex trafficking, and possibly forced labor. Child prostitution and child sex tourism occur within Cuba. Cuban authorities report that young people from ages 13 to 20 are most vulnerable to human trafficking in Cuba. Cuban citizens have been subjected to forced prostitution outside of Cuba. There have been allegations of coerced labor with Cuban government work missions abroad; the Cuban government denies these allegations. Some Cubans participating in the work missions have stated that the postings are voluntary, and positions are well

paid compared to jobs within Cuba. Others have claimed that Cuban authorities have coerced them, including by withholding their passports and restricting their movement. Some medical professionals participating in the missions have been able to take advantage of U.S. visas or immigration benefits, applying for those benefits and arriving in the United States in possession of their passports—an indication that at least some medical professionals retain possession of their passports. Reports of coercion by Cuban authorities in this program do not appear to reflect a uniform government policy of coercion; however, information is lacking. The government arranges for high school students in rural areas to harvest crops, but claims that this work is not coerced. The scope of trafficking involving Cuban citizens is difficult to verify because of sparse independent reporting, but in 2013 the Cuban government, for the first time, provided information to U.S. authorities regarding human trafficking in Cuba.

The Government of Cuba does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While the government has yet to establish a legal and policy framework prohibiting all forms of human trafficking and providing explicit victim protections, the government advised that it intends to amend its criminal code to ensure that it is in conformity with the requirements of the 2000 UN TIP Protocol, to which it acceded in July 2013. For the first time, the government released and reported concrete action against sex trafficking, including 10 prosecutions and corresponding convictions of sex traffickers in 2012 and the provision of services to the victims. Also, the Cuban government launched a media campaign to educate the Cuban public about trafficking and publicized its anti-trafficking services.



RECOMMENDATIONS FOR CUBA:

Revise existing anti-trafficking laws to incorporate a definition of trafficking that is consistent with the 2000 UN TIP Protocol; adopt a definition of a minor for the purposes of human trafficking consistent with the Protocol (under 18 years); continue and strengthen efforts, in partnership with international organizations, to provide specialized training for police, labor inspectors, social workers, and child protection specialists in identifying and protecting victims of sex trafficking and forced labor, including by having in place clear written policies and procedures to guide officials in the identification of trafficking victims, regardless of age or gender, and their referral to appropriate services; adopt policies that provide trafficking-specific, specialized assistance for male and female trafficking victims, including measures to ensure identified sex and labor trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to sex trafficking or forced labor; enact and implement policies to ensure no use of coercion in Cuban work-abroad missions; provide specialized training for managers of work-abroad missions in identifying and protecting victims of forced labor; criminally prosecute both sex trafficking and forced labor; and continue funding and expand the victim-centered practices of three government

facilities for collection of testimony of young children.

PROSECUTION

The Government of Cuba prosecuted and convicted sex trafficking cases, but its overall effort was hampered by the absence of a comprehensive legal framework that criminalizes all forms of human trafficking. Cuba prohibits some forms of human trafficking through the following laws: Article 299.1 (pederasty with violence); Article 300.1 (lascivious abuse); Article 302 (procuring and trafficking in persons); Article 303 (sexual assault); Article 310.1 (corruption of minors for sexual purposes); Article 312.1 (corruption of minors for begging); and Article 316.1 (sale and trafficking of a child under 16). The Cuban penal code's definition of sex trafficking appears to conflate sex trafficking with prostitution and pimping. The law criminalizes adult sex trafficking achieved through force, coercion, or abuse of power or a position of vulnerability, although the use of such means is considered an aggravating factor (to a crime of inducing or benefitting from prostitution), not an integral part of the crime. It does not explicitly include the use of fraud and physical force within the list of aggravating factors that make coercion of prostitution a crime. The provision addressing corruption of minors encompasses many of the forms of child sex trafficking, but its definition of a minor as a child under 16 years old is inconsistent with the definition under the 2000 UN TIP Protocol, which defines a child as any person under the age of 18; this means 16- and 17-year-olds engaged in prostitution for the benefit of a third party would not necessarily be identified as trafficking victims. Although anyone inducing children between the ages of 16 and 18 to engage in prostitution would not be identified as traffickers under Cuban law, forced prostitution is illegal irrespective of age of the victim, and the government has prosecuted individuals benefitting from the prostitution of children. Victims under 18 were clearly identified by the Cuban government in 2012 as trafficking victims, and the perpetrators of these crimes were punished more severely in some cases when the victim was younger than 16. Both adult and child sex trafficking provisions fail explicitly to criminalize recruitment, transport, and receipt of persons for these purposes. Cuba became a party to the 2000 UN TIP Protocol during the reporting period and has indicated that it is engaged in the process of generally revising its criminal code, including so that it will meet its obligations as a State Party.

In a positive step toward greater transparency, in 2013, the government presented official data on investigations and prosecutions of sex trafficking offenses and convictions of sex trafficking offenders. In 2012, the year covered by the most recent official Cuban report, the government reported 10 prosecutions and corresponding convictions of sex traffickers. At least six of the convictions involved nine child sex trafficking victims within Cuba, including the facilitation of child sex tourism in Cuba. The average sentence was nine years' imprisonment. The government reported that a government employee (a teacher) was investigated, prosecuted, and convicted of a sex trafficking offense. There were no reported forced labor prosecutions or convictions. Child protection specialists reportedly provided training to police academy students. Students at the Ministry of Interior academy and police who were assigned to tourist centers reportedly received specific anti-trafficking training. The government reported that employees of the Ministries of Tourism and Education received training to spot indicators of trafficking, particularly among children engaged in commercial sex. The government demonstrated its willingness to cooperate with other governments on investigations of possible traffickers.

PROTECTION

The government made efforts to protect victims during the reporting period. Authorities reported that they identified nine child sex trafficking victims and four adult sex trafficking victims linked to the 2012 convictions; authorities reported no identified labor trafficking victims or male victims. Though the government had systems in place to identify and assist a broader group of vulnerable women and children, including trafficking victims, the government did not share any documentation of trafficking-specific procedures to guide officials in proactively identifying trafficking victims among vulnerable groups and referring them to available services. For example, the Federation of Cuban Women, a government entity that also receives funding from international organizations, operates 173 Guidance Centers for Women and Families nationwide and reported that these centers provided assistance to 2,480 women and families harmed by violence, including victims of trafficking. These centers assisted the women from their initial contact with law enforcement through prosecution of the offenders. Social workers at the Guidance Centers provided services for victims of trafficking and other crimes such as psychological treatment, health care, skills training, and assistance in finding employment. The four adult trafficking victims identified by the Cuban government reportedly received services at these Guidance Centers. Authorities reported that the Ministry of Education identified other sex trafficking cases while addressing school truancy incidents. The government did not operate any shelters or services specifically for adult trafficking victims.

The police encouraged child trafficking victims under the age of 17 to assist in prosecutions of traffickers by operating three facilities where law enforcement and social workers worked together to support the collection of testimony and the treatment of sexually and physically abused children. These victim-centered facilities gathered children's testimony through psychologist-led videotaped interviewing, usually removing the need for children to appear in court. In addition to collecting testimony, government social workers developed a specific plan for the provision of follow-on services. The facilities assisted the nine identified child trafficking victims and reportedly referred them to longer term psychological care, shelter, and other services as needed.

The government asserted that none of the identified victims were punished, and authorities reported having policies that ensured identified victims were not punished for crimes committed as a direct result of being subjected to human trafficking. There were no reports of foreign trafficking victims in Cuba.

PREVENTION

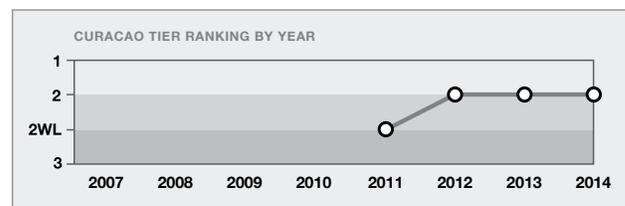
The government reported on its anti-trafficking prevention efforts. During the year, state media produced newspaper articles and television and radio programs to raise public awareness about trafficking. Senior public officials, including the Minister of Justice, publicly raised the problem of trafficking. The government maintained an Office of Security and Protection within the Ministry of Tourism charged with monitoring Cuba's image as a tourism destination and combating sex tourism. The government did not report the existence of an established anti-trafficking taskforce or structured monitoring mechanism.

A formal, written report on the government's anti-trafficking efforts was released to the public in October 2013.

CURACAO (Tier 2)*

Curacao is a source, transit, and destination country for women, children, and men who are subjected to sex trafficking and forced labor. Police arrested a suspected Colombian trafficker in Curacao in April 2013; authorities indicated the suspect used debt bondage, withheld sex trafficking victims' personal documents, held them against their will, and subjected them to physical and psychological abuse in public establishments in Curacao. It is unclear how the recruitment process works for Curacao's walled, legal brothel that offers "24/7 access to more than 120" foreign women in prostitution. Local authorities believe that migrant workers have been subjected to forced domestic service and forced labor in construction, landscaping, and retail. Some migrants in restaurants and local businesses are vulnerable to debt bondage. Officials reported undocumented Cuban nationals were vulnerable to trafficking in Curacao given their lack of travel documents and inability to work legally in the country. Authorities also reported Indian and Chinese nationals remained vulnerable to forced labor in the country. Foreign trafficking victims originate predominantly from Colombia, the Dominican Republic, Haiti, and Asia. Organizations in Venezuela have also reported assisting trafficking victims who were exploited in Curacao. A 2013 UN Report on Curacao cited a UN Committee recommendation to strengthen its efforts to address child sexual exploitation and trafficking.

The Government of Curacao 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 initiated new trafficking investigations, continued to investigate a high-profile sex trafficking case involving a police officer, and established a multi-disciplinary anti-trafficking taskforce. However, it did not identify any trafficking victims nor convict any traffickers in 2013. The lack of standard operating procedures on victim identification for all front-line responders, including immigration officers and health workers, hindered the government's ability to identify trafficking victims and increased the risk of victims' inadvertent arrest and deportation.



RECOMMENDATIONS FOR CURACAO:

Make a robust and transparent effort to identify and assist potential victims of sex trafficking and forced labor by implementing formal proactive victim protection measures to guide officials, including health workers, on how to identify victims and how to assist victims of forced labor and sex trafficking in the legal and illegal sex trade; vigorously prosecute trafficking offenses and convict and punish trafficking offenders, including any

* Curacao is a semi-autonomous entity within the Kingdom of the Netherlands. The Kingdom Charter divides responsibility among the co-equal parts of the Kingdom based on jurisdiction. For the purpose of this report, Curacao is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how Curacao would be assessed if it were a separate, independent country.

government officials complicit in human trafficking; provide targeted training and resources to local officials to conduct outreach in migrant communities throughout the island to uncover potential trafficking victims; use a Spanish-speaking victim advocate trained in human trafficking indicators to assist in routine health inspections at the legal brothel to ensure the rights of women in the brothel are protected, and coordinate with law enforcement if signs of trafficking are present; continue to consult with the Dutch government on how it proactively identifies victims of labor trafficking and sex trafficking; ensure adequate resources for the new anti-trafficking taskforce to carry out its work; and implement a multilingual public awareness campaign directed at potential victims, the general public, and potential clients of the sex trade.

PROSECUTION

The government sustained its anti-trafficking law enforcement response. Curacao prohibits all forms of trafficking in persons through the November 2011 Article 2:239 of its criminal code, which prescribe penalties ranging from nine to 24 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. During the year, the government initiated three new sex trafficking investigations. It continued its investigation of four alleged trafficking offenders, including a police officer, after their arrest in January 2013 for subjecting foreign women to sex trafficking in a club. In March 2014, officials investigating the case traveled to the Dominican Republic to gather evidence and interview witnesses. All suspects in this case, including the club owner, were released from pre-trial detention in May 2013; the club was immediately closed and prosecution of the alleged offenders is scheduled for May 2014. The government has yet to convict a trafficking offender.

In April 2013, Curacao police cooperated with Colombian authorities to arrest and extradite to Colombia a Colombian trafficker subjecting women to forced prostitution in Curacao. The government did not report initiating trafficking investigations in response to two incidents from 2012; one included the death of a foreign woman in prostitution within the brothel compound and the other involved a foreign woman missing from the compound. An ad placed in a local newspaper by brothel management indicated the missing woman would be deported upon discovery. During the year, the Minister of Social Development hosted a training session on labor exploitation for approximately 50 participants, including government officials and NGOs. The government incorporated anti-trafficking training into police academy curriculum during the reporting period. In October 2013, police officers provided anti-trafficking training to police from Curacao, St. Maarten, Bonaire, Saba, St. Eustatius, Aruba, and Suriname. Also in 2013, the Police Academy of Curacao conducted anti-trafficking workshop for 23 officials from the Curacao Security Services.

PROTECTION

The Government of Curacao increased its capacity to identify trafficking victims through increased law enforcement training; however, it did not identify any new trafficking victims. This is a decrease from seven sex trafficking victims identified in 2012. The government's Victim Assistance Bureau partnered with an NGO to provide victims with care and assistance, which included medical care and counseling. The government operated no shelters specifically for trafficking victims in the country. Although the government has identified some sex trafficking

victims in bars and other public establishments, it has yet to identify any trafficking victims within Curacao's walled, legal brothel. The government did not report whether health officials charged with regulating this brothel employed any measures to identify human trafficking victims or refer suspected victims for assistance.

The government reported it had a policy to provide foreign victims with legal alternatives to their removal to countries where they may face retribution or hardship, but did not report whether it provided any to trafficking victims in 2013. The government reported that it encouraged victims to cooperate in investigations of their traffickers but did not report granting temporary residency status to any foreign victims of trafficking during the year. The government did not report it had a policy to protect identified victims from being punished for crimes committed as a direct result of being trafficked. The lack of standard operating procedures on victim identification for all front-line responders, including immigration officers, hindered the government's ability to identify trafficking victims and increased the risk of their inadvertent arrest and deportation.

PREVENTION

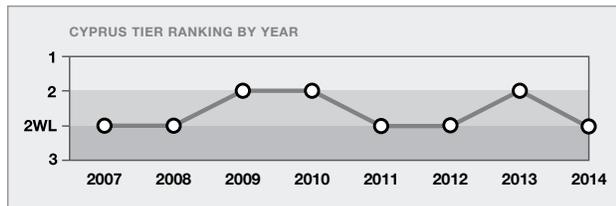
The government made limited progress in its efforts to prevent trafficking. It did not initiate any trafficking awareness campaigns to educate the public or officials about trafficking in 2013. However, in October 2013, the government formally established an anti-trafficking multi-disciplinary taskforce, chaired by a national trafficking coordinator; this group met regularly throughout the reporting period. During the year, the government initiated a study on crime in Curacao to include trends on human trafficking to help inform its anti-trafficking response. As part of Curacao's memorandum of understanding with the Government of the Netherlands, Curacao continued its ongoing cross-training to exchange best practices with other anti-trafficking officials in the Kingdom. This training included victim identification training for 10 officials in November 2013. The government did not have any awareness campaigns specifically targeting the demand for forced labor, nor did it have a campaign aimed at potential clients of the sex trade in Curacao in an effort to reduce the demand for commercial sex acts.

CYPRUS (Tier 2 Watch List)

Cyprus is a source and destination country for men and women subjected to forced labor and sex trafficking. In previous years, victims of trafficking identified in Cyprus were primarily from Cyprus, Bangladesh, Bulgaria, Cameroon, Dominican Republic, Georgia, India, Kenya, Latvia, Nigeria, the Philippines, Romania, Russia, Sri Lanka, Turkey, and Ukraine. Women, primarily from Eastern Europe, Vietnam, India, and sub-Saharan Africa, are subjected to sex trafficking. Sex trafficking occurs in private apartments and hotels, and within commercial sex trade outlets in Cyprus, including bars, pubs, coffee shops, and cabarets. Some victims of sex trafficking were recruited with promises of marriage or employment as barmaids and hostesses in cafeterias. Victims are often subjected to debt bondage, withholding of pay and documents, and threats against their families. Foreign migrant workers—primarily Indian and Romanian nationals—are subjected to forced labor in agriculture. Migrant workers subjected to labor trafficking are recruited by employment agencies and enter the country on short-term work permits, after which they are often subjected to debt bondage, threats,

and withholding of pay and documents once the work permit expires. In 2013, there was an increase in identified victims of labor trafficking from India. Asylum seekers from Southeast Asia, Africa, and Eastern Europe are subjected to forced labor within construction, agriculture, and domestic work. Unaccompanied children, children of migrants, and asylum seekers remain especially vulnerable to sex trafficking and forced labor.

The Government of Cyprus 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 overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Cyprus is placed on Tier 2 Watch List. In April 2014, the government enacted a law implementing EU Directive 2011/36/EU, strengthening the legal framework for combating trafficking. The government adopted a new national action plan to combat trafficking for 2013-15. The government expanded the anti-trafficking police unit to eight persons by adding a forensic psychologist, a psychologist, a criminologist, and a social worker. Nevertheless, there was a significant decrease in all law enforcement efforts; investigations decreased by 68 percent, prosecutions decreased by 70 percent, and convictions decreased by 55 percent. The majority of offenders continued to be convicted under statutes that prescribe penalties less stringent than those prescribed by the anti-trafficking law. The government identified fewer victims of trafficking, and one victim was deported not in accordance with law.



RECOMMENDATIONS FOR CYPRUS:

Improve efforts to vigorously prosecute trafficking offenses and convict and punish trafficking offenders, including officials who are complicit in trafficking; strengthen procedures to prevent trafficking; increase efforts to provide specialized and systematic training to government officials to improve identification of victims of labor trafficking; improve assistance and support for trafficking victims; ensure that victims of trafficking are adequately informed of their rights, protected against intimidation and deportation, and assisted during lengthy criminal proceedings; coordinate efforts and measures among government and civil society members to address the support for victims of trafficking; leverage the existing network of health workers to identify possible victims of trafficking by providing specialized training; further train judges and prosecutors to ensure robust application of the anti-trafficking law and to encourage punishments commensurate with the seriousness of the crime; continue increasing use of expert witness testimony in prosecutions of trafficking offenses and ensure victims are adequately protected during court proceedings; formalize the national referral mechanism to provide a practical guide that clearly outlines the roles and responsibilities of front-line responders, respective ministries, and NGOs; raise awareness of trafficking and victim identification to police and migration authorities and provide training on victim identification; continue to monitor visa regimes for performing artists, students, bar-maids, domestic and agricultural workers, and other categories that present potential misuse by traffickers

and increase screening for trafficking victimization among visa holders in vulnerable sectors and appoint an external evaluator.

PROSECUTION

The Government of Cyprus demonstrated decreased efforts to investigate, prosecute, and convict trafficking offenders, and the punishments imposed on convicted trafficking offenders remained weak; all efforts decreased by more than half compared to 2012. Cyprus prohibits all forms of sex and labor trafficking through its Law 87(I) of 2007, which also contains protection measures for victims. Prescribed penalties for trafficking of adults are up to 10 years' imprisonment, and up to 20 years' imprisonment for trafficking of children, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as abduction. In April 2014, the government enacted Law 60(I) of 2014, implementing EU Directive 2011/36/EU. The government investigated 15 new cases of suspected trafficking in persons in 2013, a significant decrease compared to 47 investigations in 2012; 13 involved sex trafficking and two involved forced labor. The government prosecuted seven trafficking cases in 2013, involving 22 individual defendants. Six cases remain under investigation, and two were classified as "otherwise disposed of" and were not prosecuted. These prosecutions represent a sharp decrease from 2012, when the government prosecuted 29 cases involving 60 defendants. Nine traffickers were convicted in 2013, a decrease from 20 convictions in 2012. Of the nine traffickers, two were convicted under the trafficking law for labor exploitation; the remaining seven were ultimately convicted under non-trafficking statutes. Offenders received lenient sentences ranging from fines up to 18 months' imprisonment. The anti-trafficking police unit provided oversight throughout the course of an investigation; however, the court system's mistreatment of victim witnesses, and lengthy trial procedures resulted in limited numbers of convictions. The government lacked coordination of tracking trafficking cases as they move through the judicial system. It established a mechanism through which labor complaints were reviewed and potential forced labor cases were forwarded to the police and the social welfare department for further action; however, NGOs reported that labor complaints were rarely treated as potential trafficking cases. The anti-trafficking police unit maintained an up-to-date database with comprehensive information on all cases investigated and prosecuted.

In 2013, the government co-funded training for members of the Attorney General's Office, police, social workers, and psychologists regarding best practices in trafficking investigations and prosecutions, use of expert witness testimony, and victim support and assistance. It also co-organized a workshop for multiple government departments, including prosecutors, migration, and social welfare service officers on a taskforce approach to human trafficking. Authorities provided training to Cypriot consular staff on identifying trafficking indicators during the visa application process. The police responded to a request from the Hungarian government concerning a trafficking case. The Government of Cyprus did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during this reporting period. The government reported that the 2011 case reported in previous TIP Reports involving a special police constable charged for sexual exploitation, procurement, and living on the earnings of prostitution was still pending trial.

PROTECTION

The government maintained efforts to protect victims of trafficking during the reporting period. The government provided benefits and assistance services to trafficking victims despite the economic crisis and cuts in benefits in other categories. There was no specific case management or assistance provided for victims to identify appropriate, affordable housing or employment. The government identified 25 victims of trafficking in 2013, a decrease from 34 in 2012. Eight of the 25 victims identified were men; 12 of the 25 identified victims were subjected to labor trafficking. Although the police, in cooperation with NGOs and the asylum service, interviewed 14 unaccompanied minors who were potential trafficking victims, authorities did not identify any child victims in 2013. Most victims of forced labor were referred to the police by NGOs. The government referred all identified victims to the social welfare office for assistance. Female victims of sex trafficking were accommodated at the government-operated shelter in Nicosia. Victims were permitted to stay for up to one month in the shelter for a reflection period—time in which victims can recover before deciding whether to cooperate with law enforcement—and were allowed to leave the shelter unchaperoned and at will. Authorities accommodated male sex trafficking victims in hotels paid for by the government; male and female victims of labor trafficking stayed in apartments provided by an NGO and received rent subsidy from the government.

Case management and benefit services to victims of trafficking did not improve. Victims were denied access to health care due to the government not renewing visas in a timely manner. NGOs reported substantial delays in issuance of monthly public allowance checks to some victims, which left victims unable to cover basic needs. There was no specific assistance provided for victims to identify appropriate, affordable housing.

The government spent the equivalent of approximately \$275,000 to operate the trafficking shelter, compared with the equivalent of approximately \$353,700 in 2012. The government provided the equivalent of approximately \$358,400 in public assistance to victims of trafficking who chose to stay in private apartments and were entitled to a rent subsidy and monthly allowance, compared with the equivalent of approximately \$318,600 in 2012. NGOs reported insensitive treatment of victims by shelter staff, insufficient vocational training, and inadequately furnished apartments. One victim was separated from her baby in accordance with shelter regulations. Victims had the right to work, medical, legal, and psychological care, police protection, free translation and interpretation services, and protection from deportation. They also had eligibility for state vocational and other training programs, the ability to change sectors of employment, and the right to receive public allowances. These protections are provided in practice, but a lack of directives on coordination between ministries and specific responsibilities of officials to identify and assist victims of trafficking led reportedly to gaps and delays in services and support provided.

The government gave all 23 victims who cooperated with law enforcement renewable temporary residence permits of six months, with the right to work in Cyprus. The government reported that, although legislation stipulates that victims be repatriated at the completion of legal proceedings, the police conducted a risk assessment for each victim prior to repatriation. Two victims whose safety was assessed to be at risk were issued residence permits on humanitarian grounds and remained in Cyprus. Two victims were granted refugee status, and one victim applied for asylum. The government extended the residence and

work permit of three victims after the completion or interruption of court proceedings. In July 2013, the government arrested and deported an identified victim of trafficking for remaining in Cyprus after her residence permit expired. Contrary to law, the victim was deported without the mandatory risk assessment conducted. The government has since allowed for her return. During the reporting period, 23 victims assisted law enforcement. Nine victims visited their home countries and returned to Cyprus to testify in judicial proceedings during the reporting period. There were no reports of victims being prosecuted for unlawful acts committed as a direct result of their being subjected to human trafficking in 2013.

PREVENTION

The Government of Cyprus improved efforts to prevent trafficking in 2013. It established a working group to monitor and evaluate the implementation of the action plan and an independent external evaluator position to monitor and evaluate all anti-trafficking actions, a mechanism equivalent to a national rapporteur. During the reporting period, the government approved a new National Anti-Trafficking Action Plan for 2013 to 2015; the multidisciplinary coordinating group to combat trafficking is responsible for overseeing and coordinating the implementation of this plan. NGOs reported that cooperation between NGOs and the coordinating group for the implementation of the action plan improved with the inclusion of two additional NGOs. Despite these mechanisms, the government agencies charged with implementing anti-trafficking programs need better coordination with regard to identifying victims, providing victim services, and tracking trafficking cases as they move through the judicial system. The government sponsored a radio campaign targeting the demand for both sex and labor trafficking. In cooperation with NGOs, the government continued to conduct anti-trafficking presentations for health educators and the military. It also included a segment on trafficking in the curriculum for students aged 15-18 years. The government continued to print and distribute booklets aimed at potential trafficking victims on the assistance available to them. It collaborated with NGOs to update the national referral mechanism.

AREA ADMINISTERED BY TURKISH CYPRIOTS

The northern area of Cyprus is administered by Turkish Cypriots. In 1983, the Turkish Cypriots proclaimed the area the independent "Turkish Republic of Northern Cyprus" ("TRNC"). The United States does not recognize the "TRNC," nor does any other country except Turkey. The area administered by Turkish Cypriots continues to be a zone of impunity for human trafficking. The area is increasingly a destination for women from Central Asia, Eastern Europe, and Africa who are subjected to forced prostitution in night clubs that are licensed and regulated by Turkish Cypriots. Men and women are subjected to forced labor in industrial, construction, agriculture, domestic work, restaurant, and retail sectors. Victims of labor trafficking are controlled through debt bondage, threats of deportation, restriction of movement, and inhumane living and working conditions. Women who are issued permits for domestic work are vulnerable to forced labor. A number of women enter the "TRNC" from Turkey on three-month tourist or student visas and engage in prostitution in apartments in north Nicosia, Kyrenia, and Famagusta. Migrants, refugees, and their children are also at risk for sexual exploitation. An NGO reported that the entry upon arrival in the north of some women permitted to work in night clubs is not always recorded.

In 2013, 39 night clubs and two pubs operated in the north for which authorities issued 1,284 hostess and 33 barmaid six-month work permits. The majority of permit holders came from Moldova and Ukraine, while others came from Morocco, Kenya, Uzbekistan, Turkmenistan, Belarus, Russia, Kyrgyzstan, Kazakhstan, Paraguay, Georgia, Tunisia, Romania, Nigeria, Latvia, Egypt, Armenia, and Tanzania. Women were not permitted to change location once under contract with a night club and Turkish Cypriots deported 495 women who curtailed their contracts without screening for trafficking. While prostitution is illegal, female night club employees are required to submit to biweekly health checks for sexually transmitted infection screening, suggesting tacit approval of the prostitution industry. Turkish Cypriots made no efforts to reduce demand for commercial sex acts. Local observers report that authorities are complicit in facilitating trafficking and police continue to retain passports upon arrival of women working in night clubs. The “law” that governs night clubs prohibits foreign women from living at their place of employment; however, most women live in group dormitories adjacent to the night clubs, or in other accommodations arranged by the establishment owner. The night clubs operated as “legal” businesses that provided revenue to the “government.”

There is no “law” that prohibits human trafficking in the north. An anti-trafficking amendment to the “criminal code” was tabled, pending expert advice. Turkish Cypriots did not provide any specialized training on how to identify or investigate human trafficking. Turkish Cypriots did not keep statistics on law enforcement efforts against trafficking offenders. The “attorney general’s office,” however, reported it prosecuted 15 trafficking-related cases involving falsified passports and illegal entry. Sex trafficking offenders could be prosecuted under non-trafficking “statutes” for “living off the earnings of prostitution of women” or “encouraging prostitution of women.” A misdemeanor offense of “compelling a person to labor against their will” is punishable by one year of imprisonment. Turkish Cypriots did not enforce the “law” stipulating that night clubs may only provide entertainment such as dance performances. During the reporting period, police conducted several raids of night clubs resulting in the arrest of possible victims of trafficking. Authorities do not acknowledge the existence of forced labor. There is no “law” that punishes traffickers who confiscate workers’ passports or documents, change contracts, or withhold wages to subject workers to servitude.

Turkish Cypriot authorities did not allocate funding to anti-trafficking efforts. Police were not trained to identify victims of trafficking, and authorities provided no protection to victims. The lack of anti-trafficking “legislation” and lack of efforts to identify and protect victims indicated that Turkish Cypriot authorities tolerated human trafficking. An NGO that runs a shelter for victims of domestic violence, with no financial support from the authorities, reported helping two potential trafficking victims during the reporting period. Turkish Cypriot authorities do not acknowledge a need for care or shelter for victims of trafficking because police claim to immediately deport foreign women who wish to leave their employer. Some foreign women arrested for prostitution were immediately detained and deported to Turkey, regardless of their country of origin. An NGO reported that victims were interviewed by an attorney at the police station to determine if their request for deportation was valid. Victims of trafficking serving as material witnesses against a former employer are not entitled to find new employment and reside in temporary accommodation arranged by the police. There is no specific shelter for trafficking victims. The Turkish Cypriot

authorities do not encourage victims to assist in prosecutions against traffickers, and almost all foreign victims are deported. If a victim is a material witness in a court case against a former employer, they would not be entitled to find other employment, but would be provided with temporary accommodation under police auspices. If a victim requests to return to their home country during that interview, they are required to return to and lodge at the night club until air tickets are purchased. According to a human rights NGO, women awaiting trial are accommodated at nightclubs. Witnesses are not allowed to leave the “TRNC” pending trial and are deported at the conclusion of “legal” proceedings. Turkish Cypriot authorities did not conduct any anti-trafficking awareness activities during the reporting period. Turkish Cypriot authorities made no efforts to reduce demand for forced labor.

Turkish Cypriot authorities do not fully comply with the minimum standards for the elimination of trafficking and are not making significant efforts to do so. If the “TRNC” were assigned a formal ranking in this report, it would be Tier 3.

RECOMMENDATIONS FOR TURKISH CYPRIOT AUTHORITIES:

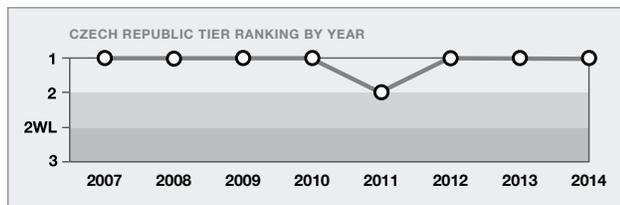
Enact “legislation” prohibiting all forms of human trafficking; screen for human trafficking victims within nightclubs and pubs; increase transparency in the regulation of nightclubs and promote awareness among clients and the public about force, fraud, and coercion used to compel prostitution; provide funding to NGO shelters and care services for the protection of victims; provide alternatives to deportation for victims of trafficking; and acknowledge and take steps to address conditions of forced labor.

CZECH REPUBLIC (Tier 1)

The Czech Republic is a source, transit, and destination country for women and girls who are subjected to forced prostitution, and a source, transit, and destination country for men and women subjected to forced labor. Women from many countries, including the Czech Republic, Bulgaria, Moldova, Nigeria, the Philippines, Romania, Slovakia, Ukraine, and Vietnam are subjected to forced prostitution in the Czech Republic and also transit through the Czech Republic *en route* to Western European countries where they are subjected to forced prostitution. Men and women from the Czech Republic, Bulgaria, Moldova, the Philippines, Romania, Ukraine, and Vietnam are subjected to forced labor in the construction, agricultural, forestry, manufacturing, and service sectors in the Czech Republic and also transit through the Czech Republic to other countries in the European Union, including Austria, Cyprus, Germany, Ireland, the Netherlands, and the United Kingdom (UK). Roma women from the Czech Republic are subjected to forced prostitution and forced labor internally and in destination countries, including the UK.

The Government of the Czech Republic fully complies with the minimum standards for the elimination of trafficking. The government enrolled substantially more victims into its program to protect individuals assisting law enforcement, due in part to a new law that provided legal representation to participating victims. Authorities convicted more traffickers during the reporting period, and appellate courts continued to issue final decisions in forced labor cases. The government reestablished funding for NGOs to run awareness campaigns in 2013 after eliminating such funding in 2012, but the government

did not provide targeted outreach to vulnerable groups, such as Roma communities.



RECOMMENDATIONS FOR CZECH REPUBLIC:

Continue to vigorously investigate and prosecute both sex and labor trafficking offenders using the Czech anti-trafficking statute; ensure convicted traffickers receive sentences commensurate with the gravity of this serious crime; increase training opportunities for prosecutors and judges on anti-trafficking legislation; ensure trafficking victims are thoroughly explained their rights at the outset of identification and encouraged to cooperate with law enforcement; integrate representatives from the Roma community into national coordination processes; fund prevention campaigns specifically targeting vulnerable groups, including Roma communities; disaggregate data on the type of trafficking involved in law enforcement and victim protection efforts; continue to strengthen bilateral coordination on trafficking with source countries, including neighboring EU countries; conduct large-scale public awareness-raising campaigns, particularly on labor trafficking; continue to train first responders, including labor inspectors, police, and state contracting officers, on labor trafficking victim identification criteria and evolving trends in labor trafficking; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The Government of the Czech Republic demonstrated strengthened anti-trafficking law enforcement efforts. The government prohibits all forms of trafficking under Section 168 of its criminal code, revised in 2010, prescribing punishments of up to 15 years' imprisonment. These punishments are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Czech government did not disaggregate sex and labor trafficking data. In 2013, the police conducted 18 investigations under Section 168, compared with 24 investigations in 2012. Czech authorities prosecuted 30 alleged traffickers under Section 168 in 2013, compared to 28 in 2012. During 2013, Czech courts convicted 16 defendants under Section 168, an increase from five convictions in 2012. The government continued to prosecute some older trafficking cases under Section 232a of the criminal code, which prohibited human trafficking prior to enactment of Section 168. Three defendants were convicted under Section 232a in 2013, compared with six in 2012. Sixteen of the 19 defendants convicted in 2013 received prison terms ranging between one to five years' and five to 15 years' imprisonment; three received suspended sentences. Forced labor prosecutions were hampered by judges' inability to differentiate between fraud cases and trafficking involving psychological coercion. Courts continued to affirm post-appeal convictions on labor trafficking cases in 2013, consistent with the country's first post-appeal labor trafficking decisions in 2012: an appellate court affirmed the convictions of four defendants for labor trafficking, sentencing the perpetrators to five to nine years' imprisonment, and another appellate court affirmed the labor trafficking convictions of two

defendants, who received suspended sentences.

The organized crime branch of the Czech police maintained a specialized anti-trafficking unit that offered trainings for investigators in different departments. During the year, the Czech judicial academy offered two anti-trafficking courses specifically for prosecutors and judges. Czech authorities collaborated with foreign governments on trafficking investigations, including France and the UK. The government did not report any prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

PROTECTION

The Czech government demonstrated strengthened victim protection efforts, enrolling more victims in its witness protection program. The Ministry of Labor and Social Affairs (MLSA) provided the equivalent of approximately \$245,900 in 2013 to NGOs providing care for trafficking victims, about the same amount as 2012. Government-funded NGOs provided shelter and care to approximately 62 victims in 2013, of whom at least 37 were newly identified during the year, compared to at least 22 newly identified victims in 2012. Authorities provided both foreign and Czech victims with a 60-day reflection period, in which victims received care and determined whether to cooperate with law enforcement. The Ministry of Interior (MOI) continued to fund its witness support program, which provided funding to NGOs caring for adult victims willing to cooperate with law enforcement. During 2013, the government expanded the services available through this program to include legal representation, which contributed to an increase in the number of victims who chose to enroll in the program; in 2013, 23 victims entered the program, compared to one in 2012 and 10 in 2011. As in 2012, the MOI allocated the equivalent of approximately \$101,500 to NGOs for victim assistance and trafficking prevention projects. Identified child victims were provided care outside of the MOI's program through publicly funded NGOs that provided shelter, food, clothing, and medical and psychological counseling. The police employed child psychologists to assist in cases involving children.

Law enforcement authorities continued to employ formal victim identification procedures and a victim referral mechanism, though experts suggested police could improve their identification and referral of victims. Police reported identifying 57 victims in 2013, compared to 52 in 2012. Foreign victims who cooperated with investigators received temporary residence, work visas, and support for the duration of the relevant legal proceedings. Upon conclusion of the court proceedings, victims could apply for permanent residency; two victims received permanent residency in 2013, compared to zero in 2012. Victims were eligible to seek compensation from their traffickers, though there were no reports of victims receiving such compensation through Czech courts in 2013. 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

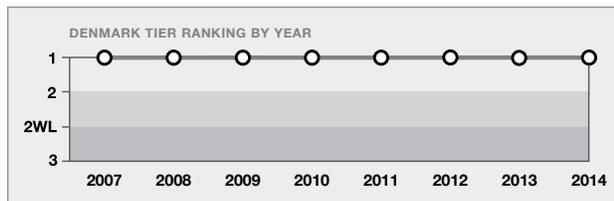
The Czech government demonstrated improved prevention efforts by providing funding to NGOs for prevention activities. The government, however, did not provide targeted outreach to vulnerable groups, such as Roma communities. The government provided trafficking-specific training for approximately 45 consular officers. The MLSA trained approximately 50 labor inspectors on identifying trafficking victims. The MLSA inspected

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.