

punishment of seven years' imprisonment, a penalty that is sufficiently stringent though not commensurate with those prescribed for other serious crimes, such as rape. Activities by the Ministry of Interior's 200-person specialized anti-trafficking directorate were effectively suspended, despite its 2010 mandate to investigate cases, raise public awareness, cooperate with foreign entities, train law enforcement, and track and annually report on the government's anti-trafficking efforts. The directorate continued to lack a coordination role and provided no information on its investigations or prosecutions of suspected trafficking offenses. In previous reporting periods, there were reports of collusion between low-level police officers and traffickers, particularly regarding the trafficking of women in prostitution. During the last year, there was no evidence that the government addressed alleged complicity in trafficking-related offenses through investigations.

Protection

The government made no discernible efforts to identify and protect victims of trafficking during the reporting period. By the end of the reporting period, the Government of the Philippines reported that over 100 Filipinos were entering Syria each month, and many were trafficked to Homs and Hama, where they were then trapped by the ongoing siege. While the Philippine embassy continued its attempts from the previous reporting period to negotiate with the employers of at least 95 domestic workers for their release, there were no reports that the Government of Syria assisted the embassy in these efforts to identify and protect the workers, including possible victims of domestic servitude. As in the previous reporting period, the government did not refer any trafficking victims to NGO-operated shelters. The government also failed to institute any systematic procedures for the identification, interview, and referral of trafficking victims. As a result, victims of trafficking may have been arrested and charged with prostitution or violating immigration laws before being punished or deported. The government failed to take measures to protect children from being forcibly recruited as soldiers and human shields. The government neither encouraged victims to assist in investigations or prosecutions of their traffickers nor provided foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

Prevention

During the past year, the government made no observable efforts to prevent trafficking or to raise awareness among the general public or government officials. The Syrian government's anti-trafficking unit reportedly continued to operate a 2011-instituted hotline for reporting suspected cases of human trafficking, but made no efforts to raise public awareness of the service. The government provided no information on the number of calls the hotline received. The status of the government's national plan of action against trafficking, which was drafted in early 2010, is unknown. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Syria is not a party to the 2000 UN TIP Protocol.

TAIWAN (Tier 1)

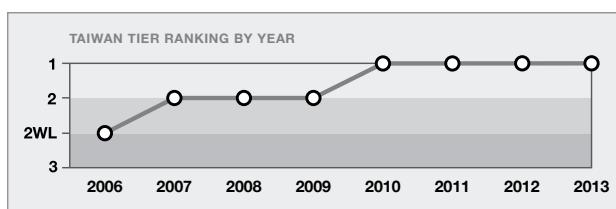
Taiwan is a destination and, to a much lesser extent, a source of and transit territory for men, women, and children subjected to sex trafficking and forced labor. Most trafficking victims in

Taiwan are migrant workers from Vietnam, Thailand, Indonesia, mainland China, Cambodia, the Philippines, Bangladesh, and India, employed through recruitment agencies and brokers to perform low-skilled work in Taiwan's manufacturing, construction, and fishing industries, and as home caregivers and domestic workers. Many of these workers fall victim to labor trafficking by unscrupulous brokers and employers who force workers to perform work outside the scope of their contract, often under exploitative conditions. Migrant workers are reportedly charged up to the equivalent of approximately \$7,700 in recruitment fees, typically in their home countries, resulting in substantial debts that may be used by brokers or employers in Taiwan as tools of coercion to obtain or retain a migrant's labor. Labor brokers in Taiwan often assist employers in forcibly deporting "problematic" foreign employees, thus allowing the broker to fill the empty quota with new foreign workers. Some employers of foreign domestic workers and home caregivers forbid their employees to leave their residences, making them unable to seek help, which could indicate that they are at risk of being subjected to forced labor. Although Taiwan is primarily a destination territory for labor trafficking victims, there are reports that Taiwan university students have fallen victim to forced labor while working in Australia.

Some women and girls from mainland China and southeast Asian countries are lured to Taiwan through fraudulent marriages and deceptive employment offers for purposes of sex trafficking and forced labor. Women from Taiwan are recruited through classified ads for employment in Japan, Australia, the United Kingdom, and the United States; after their arrival in these countries, some are forced into prostitution.

Taiwan authorities fully comply with the minimum standards for the elimination of trafficking. During the reporting period, Taiwan authorities continued robust and transparent prosecution of trafficking offenses, including both forced labor and forced prostitution. In addition, the authorities continued strong victim protection efforts, trained law enforcement and other officials, and raised public awareness on trafficking offenses.

During the reporting year, incidents of alleged labor abuse aboard a Taiwan-flagged fishing boat in international waters off the coast of Hawaii were reported. Following a distress call from crewmembers aboard the ship, which had caught fire on the open seas, the U.S. Coast Guard taxied 28 emaciated Indonesian, Chinese, and Burmese crewmembers to shore where they were interviewed and treated by authorities. During the interviews, the crewmembers claimed that they had been abused and their pay had been withheld while serving on the ship. The victims were eventually repatriated to their home countries. The alleged abuse was being investigated by Taiwan authorities as of the end of the reporting year.



Recommendations for Taiwan: Investigate and prosecute the owners of Taiwan-owned or -flagged fishing vessels who allegedly commit abuse and labor trafficking onboard long

haul fishing vessels; increase efforts to reduce exploitation of migrant workers by brokerage agencies and employers; sustain and improve efforts to investigate, prosecute, and convict trafficking offenders using the anti-trafficking law; ensure that convicted trafficking offenders receive sufficiently stringent sentences; continue to train law enforcement personnel, officials in the Council of Labor Affairs (CLA), labor inspectors, prosecutors, and judges on victim identification measures and the anti-trafficking law; continue to raise awareness among victims of the option to assist in prosecutions and ensure they understand the implications of their participation; increase efforts to investigate and prosecute child sex tourism offenses committed by Taiwan nationals; and continue efforts to increase public awareness of all forms of trafficking.

Prosecution

Taiwan authorities sustained their strong anti-trafficking law enforcement efforts, especially by vigorously prosecuting forced labor offenses during the reporting period. Taiwan's Human Trafficking Prevention and Control Act (HTPCA), combined with portions of the criminal code and the Labor Standards Law, prohibits forced prostitution and labor and prescribes penalties of up to seven years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2012, Taiwan authorities convicted 65 people for forced labor and 186 people for sex trafficking under the HTPCA, an increase from 51 labor and 113 sex trafficking convictions in 2011. Sentences imposed on trafficking offenders ranged from six months to less than seven years. Upon a formal inquiry, the authorities initiated an investigation of the owners and operators of a Taiwan-flagged vessel, the Chin Zue Yin, which was found off the coast of Hawaii, for physical abuse and salary disputes onboard. The investigation was ongoing at the end of the reporting year. Taiwan authorities continued to provide training for judges and prosecutors. Taiwan authorities, in partnership with a foreign government, conducted outreach and training events from January 2012 to February 2013 in which more than 750 law enforcement officers and government officials participated. Taiwan authorities reported one conviction and sentencing of a Taiwan official for complicity in trafficking-related offenses during the reporting period. The former director of the Taipei Economic and Cultural Office in Kansas City, who allegedly subjected two domestic workers to conditions of forced labor in the United States, received two years' suspension from official duty after pleading guilty to a trafficking-related offense and serving four months in jail in the United States before being deported.

Protection

During the reporting period, Taiwan authorities sustained their efforts to protect victims of trafficking. Authorities continued employing systematic procedures to proactively identify and assist victims of trafficking. The authorities distributed reference indicators with specific questions and a standardized evaluation form to law enforcement officials for use in interviewing potential victims of trafficking. Taiwan authorities identified and assisted 462 trafficking victims in 2012, of which 152 were victims of labor trafficking and 310 of sex trafficking, most of them Indonesian and Vietnamese; all 462 were referred to care facilities for assistance. The authorities maintained 21 shelters in Taiwan under the administration of two government agencies; three run by

the National Immigration Agency (NIA) are dedicated solely to victims of trafficking, while the other 18 are run by the Council for Labor Affairs (CLA) and are made available to victims of trafficking. All 21 shelters are administered by NGO partners with government funding and subject to government regulation. The dedicated NIA trafficking shelters provided victims of trafficking—both men and women—with medical and psychological services, legal counseling, vocational training, small stipends, and repatriation assistance. Taiwan authorities also reported providing social workers and interpreters to accompany victims during court proceedings. Taiwan authorities encouraged victims to participate in investigations against their traffickers by offering temporary residency and work permits. Foreign trafficking victims who faced retribution or hardship if returned to their country of origin were legally entitled to permanent residency in Taiwan, though to date Taiwan authorities have not granted such residency to any foreign victim. Authorities reported protecting victims' safety until their return to their home countries. In order to expedite trafficking cases, the authorities ordered the judiciary and protective services to communicate and ensure that these cases did not take longer than three months to adjudicate. While the HTPCA provides that human trafficking victims can receive immunity for crimes committed as a result of being trafficked, NGOs claimed that trafficking victims were occasionally treated as criminals in such cases.

Prevention

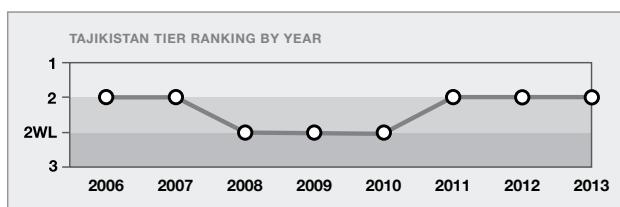
Taiwan authorities made progress in their efforts to prevent trafficking in persons during the reporting period. In October 2012, the NIA, with support from foreign and Taiwan government agencies, NGOs, and other media partners, launched MTV EXIT's film "Enslaved," which presented stories of victims of trafficking to more than 230 people at a launch event. The film was aired on MTV Taiwan and CTI TV over the following two weeks, reaching an estimated viewership of 200,000. The video is available online and in video for distribution. In November 2012, the NIA held an international trafficking seminar in Taipei that focused on the experiences of trafficking victims and NGO workers. The seminar was attended by 220 NGO workers, academics, and foreign and Taiwan officials. Throughout the year, foreign governments sought guidance from Taiwan's authorities in addressing human trafficking issues. The NIA continued to fund advertisements and public service announcements on human trafficking prevention in newspapers, magazines, and on the radio and distributed anti-trafficking posters and pocket cards, of which the latter featured information in seven different languages. The CLA continued to operate foreign-worker service stations and international airport service counters around Taiwan to assist migrant workers and educate them on their rights and the hotline number. Authorities continued to distribute handbooks detailing relevant laws and regulations pertaining to foreign workers to more than 200,000 employers and aired radio shows highlighting the rights of migrant workers. In an effort to strengthen cross-Strait cooperation, the ministry of justice invited prosecutors from mainland China to attend a seminar on trafficking case studies in May 2012. In addition, Taiwan authorities signed memoranda of understanding with the governments of Mongolia, Indonesia, and The Gambia to increase cooperation in combating human trafficking. Taiwan has laws with extraterritorial application that criminalize sexual exploitation of children by Taiwan passport holders traveling abroad. However, authorities have not prosecuted

any Taiwan passport holder for child sex tourism offenses committed abroad since 2006. The children's bureau, within the Ministry of Interior, launched a blog and several internet games, as well as posters and advertisements in popular areas, to increase awareness of and discourage participation in child sex tourism.

TAJIKISTAN (Tier 2)

Tajikistan is a source country for men, women, and children subjected to forced labor, and women and children subjected to sex trafficking. Some Tajik men and women are subjected to forced labor in agriculture and construction in Russia, the United Arab Emirates (UAE), and, to a lesser extent, in Kazakhstan, Afghanistan, and Saudi Arabia. Women and children from Tajikistan are subjected to forced prostitution primarily in the UAE and Russia, and also in Saudi Arabia, Kazakhstan, Afghanistan, and within Tajikistan. These women sometimes transit through Russia and Kyrgyzstan *en route* to their destination country. Tajikistan also has an internal trafficking problem. There are reports of Tajik children subjected to sex trafficking and forced labor, including forced begging, within Tajikistan and in Afghanistan. The forced prostitution and debt bondage of Tajik women and girls in Afghanistan sometimes occurs through forced marriages to Afghan men. Some Tajik children and possibly some adults were subjected to agricultural forced labor in Tajikistan – mainly during the fall 2012 cotton harvest – but this exploitation occurred to a lesser degree than in 2011. Seven Tajik trafficking victims were identified in Kyrgyzstan in 2012.

The Government of Tajikistan 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 make progress in further reducing the use of forced labor in the annual cotton harvest. However, the government continued to lack procedures to proactively identify trafficking victims among vulnerable populations and refer them to existing protective services. The lack of adequate victim protection remained a serious problem in the country.



Recommendations for Tajikistan: Continue to enforce prohibition against the forced labor of children in the annual cotton harvest by inspecting cotton fields during the harvest, in collaboration with local government officials and civil society organizations; include the monitoring of adult forced labor in the overall inspection of conditions during the cotton harvest, and expand the monitoring activities to all cotton growing districts; vigorously investigate and prosecute suspected trafficking offenses, respecting due process, especially those involving forced labor, and convict and punish trafficking offenders; develop a formal victim identification and referral mechanism; ensure that sex trafficking victims are not penalized for prostitution offenses; finalize, pass, and

implement draft anti-trafficking legislation to strengthen victim protection and clarify the definition of trafficking; strengthen the capacity and awareness of Tajik embassies and consulates to proactively identify victims and refer them to protective services, including via repatriation; work with international organizations and NGOs to develop comprehensive protection and rehabilitation programs for trafficking victims, including psychological care and economic and social reintegration; impose stricter, appropriate penalties on local officials who force individuals to participate in the cotton harvest; help develop and sponsor campaigns in rural areas to raise awareness about all forms of human trafficking; provide victim identification and victim sensitivity training to border guard and law enforcement authorities; provide financial or increased in-kind assistance to existing protection services for trafficking victims, including shelters; work to guarantee the safety of witnesses and victims during the investigation and prosecution of trafficking cases; and improve the collection of anti-trafficking law enforcement data.

Prosecution

The Government of Tajikistan continued limited anti-trafficking law enforcement efforts during the reporting period. Article 130.1 of the criminal code prohibits both forced sexual exploitation and forced labor, and prescribes penalties of five to 15 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Article 167 prohibits the buying and selling of children, prescribing five to 12 years' imprisonment. The government investigated and prosecuted three trafficking cases under Article 130.1 in 2012. The government did not report any convictions of trafficking offenders under Article 130.1 in 2012, compared with six convictions reported in 2011. The government reported that it took law enforcement action against trafficking crimes under other articles in the criminal code, but did not provide specific information on such cases. The Tajik government compiled law enforcement data across a variety of agencies and may count trafficking cases multiple times. In response to forced child labor cases in the 2012 cotton harvest that were identified through monitoring by IOM, the government levied fines against farms and schools. Officials referred 11 cases to the government's Inter-Ministerial Commission for Combating Trafficking in Persons (IMCCTP) for further investigation, but the disposition of these investigations is unknown. In partnership with international organizations, the government continued to conduct an anti-trafficking course as part of the Ministry of Interior Academy's training curriculum for police officials. In 2012, approximately 80 police academy students completed the training. The Government of Tajikistan did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The government continued limited efforts to identify and assist trafficking victims during the reporting period. Authorities did not have a systematic procedure for identifying and referring victims for assistance. The government did not formalize victim referral procedures through a working group established in 2010. Because Tajik law enforcement officials did not differentiate between women in prostitution and sex trafficking victims and did not attempt to identify trafficking victims among women found in prostitution, the government

likely penalized sex trafficking victims for prostitution crimes. During the reporting period, the government identified and referred eight victims to IOM in 2012, compared with six victims identified and referred in 2011. Civil society groups provided protective services to a total of 74 Tajik trafficking victims in 2012 – including 49 male labor trafficking victims – compared with 85 victims in 2011. Although the national government did not provide financial support to any NGOs or other organizations that assisted trafficking victims in 2012, the government continued to provide funding to cover utilities for two adjacent shelters in Dushanbe as well as a shelter in Khujand. Adult victims could leave the shelters voluntarily and unchaperoned. There was no information whether the government encouraged victims to participate in trafficking investigations and prosecutions.

Prevention

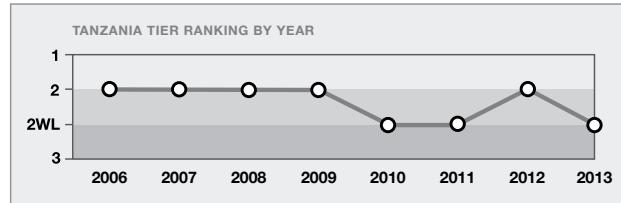
The Government of Tajikistan continued its efforts to prevent human trafficking during the reporting period, including efforts to raise awareness about forced child labor in the cotton harvest. The IMCCTP again disseminated a directive to local officials on the effective implementation of laws prohibiting the use of forced child labor. For the third year in a row, the government certified NGO representatives to monitor the cotton harvest and appointed a Ministry of Labor official to accompany IOM representatives during the fall cotton harvest to meet local officials in cotton-growing districts to reinforce the prohibition on forced child labor. The IMCCTP continued its quarterly anti-trafficking dialogue meetings attended by representatives of government ministries, international organizations, and local NGOs. However, a lack of communication between government agencies limited their ability to collect, consolidate, and disseminate information. The IMCCTP launched a website in Tajik and Russian intended to serve as an information clearinghouse on anti-trafficking activities. Government officials participated in a program where they met weekly with dozens of youth to discuss trafficking issues and distribute pamphlets. The government has an action plan to combat human trafficking for 2011-2013. The government provided hotlines, operated by civil society groups, that assist female victims of violence, including human trafficking. The government made efforts to reduce the demand for commercial sex acts by prosecuting clients of prostitution but those efforts were mitigated by the government's punishment of women in prostitution without ensuring that they were not victims of trafficking.

TANZANIA (Tier 2 Watch List)

Tanzania is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The incidence of internal trafficking is higher than that of transnational trafficking, and is usually facilitated by family members, friends, or intermediaries who offer assistance with education or finding lucrative employment in urban areas. The exploitation of young girls in domestic servitude continues to be Tanzania's largest human trafficking problem, though cases of child trafficking for commercial sexual exploitation are increasing along the Kenya-Tanzania border. Girls are exploited in sex trafficking in tourist areas within the country. Boys are subjected to forced labor, primarily on farms, but also in mines, in the informal commercial sector, in the sex trade, and possibly on small fishing boats. Smaller numbers of

Tanzanian children and adults are trafficked—often by other Tanzanians—into conditions of domestic servitude, other forms of forced labor, and sex trafficking in other countries, including Mozambique, Ethiopia, South Africa, Uganda, Yemen, Oman, the United Arab Emirates, Saudi Arabia, the United Kingdom, the United States, France, and possibly other African, Middle Eastern, and European countries. Trafficking victims from other countries—typically children from Burundi and Kenya, as well as adults from Bangladesh, Nepal, Yemen, and India—are forced to work in Tanzania's agricultural, mining, and domestic service sectors; some are also subjected to sex trafficking. Citizens of neighboring countries may voluntarily migrate through Tanzania before being forced into domestic service and prostitution in South Africa, Europe, and the Middle East.

The Government of Tanzania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government convicted four international labor traffickers and continued to refer identified child trafficking victims to NGOs to receive care. In one successful case, it awarded four adult victims financial compensation from fines imposed upon a convicted trafficker. However, it failed to adequately punish offenders with sentences commensurate to the seriousness of the crimes committed, and there were reports that Tanzanian diplomats failed to assist Tanzanian citizens exploited abroad. Insufficient overall efforts to protect victims limited the government's ability to pursue successful law enforcement action against traffickers, and front-line officials' inability to distinguish between trafficking and smuggling led to some victims being punished. The government did not provide services or referrals for any adult victims of trafficking. The government's anti-trafficking committee and anti-trafficking secretariat, which were established at the close of the previous reporting period, took few actions during the year to implement the national action plan; the promise of the coordinating bodies and action plan had gone unrealized. The government did not provide evidence of continued anti-trafficking training for new police officers or a coordinated public awareness campaign about the dangers of trafficking. For a fourth year, it failed to allocate funding to the victims' assistance fund established by the 2008 anti-trafficking act. The Government of Tanzania did not demonstrate evidence of overall increasing efforts to combat trafficking since the previous reporting period; therefore, Tanzania is placed on Tier 2 Watch List.



Recommendations for Tanzania: Increase efforts to enforce the 2008 Anti-Trafficking in Persons Act by prosecuting and convicting trafficking offenses, and applying stringent penalties—including jail time, as appropriate—to convicted trafficking offenders; implement the act's victim protection and prevention provisions, including by allocating resources to the victim assistance fund; establish policies and procedures for government officials to identify and interview potential trafficking victims—including adults—among vulnerable groups proactively and transfer them, as appropriate, to local

organizations providing care; begin compiling trafficking-specific law enforcement and victim protection data at the national level; provide training to judges, prosecutors, and police to clarify the difference between human trafficking and alien smuggling; allocate a budget for the anti-trafficking committee and anti-trafficking secretariat to implement the national action plan; provide additional training to law enforcement authorities on the detection and methods of investigating human trafficking crimes; and institute standard operating procedures for trafficking victim identification and victim care provision for labor officials and diplomatic personnel working at Tanzanian missions overseas.

Prosecution

The Tanzanian government made modest anti-trafficking law enforcement efforts during the reporting period. The 2008 Anti-Trafficking in Persons Act outlaws all forms of trafficking and prescribes punishments of one to 10 years' imprisonment, a fine, or both; penalties which are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. However, a provision allowing offenders to pay a fine in lieu of serving prison time allows for a penalty that is not proportionate to the crime and such a fine does not provide an adequate deterrent to potential perpetrators of trafficking offenses. Authorities reported initiating investigations into four cases under the 2008 Act over the last year. Seven trafficking cases were prosecuted, including two new cases and five which continued from the previous year. Three of these prosecutions were withdrawn or dismissed due to lack of victims' testimony, and three others resulted in convictions of four individuals for international labor trafficking. However, punishments imposed on the convicted offenders were inadequate for the serious nature of the crimes committed; all four received fines without jail time. One case, in which a group of children between the ages of eight and 15 were recruited from rural regions and rescued in Zanzibar while *en route* to the Middle East by boat, remained ongoing at the close of the reporting period. Despite the government's progress in holding some traffickers accountable, law enforcement and judicial officials' lack of understanding continued to create an environment in which trafficking occurred with impunity or was classified as a minor offense. The government did not allocate funding to provide specialized anti-trafficking training to officials during the year; as a result, training that had occurred in previous years for newly-hired officers was reportedly discontinued. The government made no progress in compiling trafficking-specific law enforcement and victim protection data at the national level, instead relying upon IOM's partial data for statistics about human trafficking. The Government of Tanzania did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offences during the reporting period.

Protection

The Tanzanian government's efforts to protect victims of trafficking were limited during the year. Key victim protection provisions of the 2008 anti-trafficking act, such as the establishment of a fund to support trafficking victims, remained unimplemented. The government continued to rely on NGOs to provide care for victims and NGO-run facilities were limited to urban areas. The sole government-run children's shelter was often filled to capacity; it is unknown whether it accommodated any trafficking victims during the

year. The Department of Social Welfare assisted in the family reunification of five trafficked children, though the majority of victim services were provided by NGOs. The government did not take measures to proactively identify victims among vulnerable groups, such as unaccompanied children crossing the border or individuals in prostitution. Public hospitals provided free treatment to victims from one NGO shelter, which also received modest in-kind contributions of medical supplies from the government. The government had in place a systematic referral method which specifies police, Department of Social Welfare, and NGOs be notified of all potential cases, but this often did not function effectively. During the year, observers did note an increase in registration of cases, indicating greater collaboration between law enforcement, the Department of Social Welfare, and NGO service providers. The government referred an unknown number of child victims to IOM and NGOs to receive care; it did not, however, have procedures in place for referral of adult victims, and there were no reports of adult victims receiving assistance or referral from the government during the year. NGOs reported providing services to 49 victims.

The government failed to ensure that victims were not punished for crimes committed as a result of their being trafficked; identified foreign victims were, at times, detained in prisons or deported, and victims not properly identified may have been convicted of immigration violations. Furthermore, the lack of national procedures for victim identification and law enforcement officers' failure to distinguish between smuggling and trafficking likely led to unidentified victims being treated as law violators. There are reports that some Tanzanian diplomatic missions did not provide protections to Tanzanian citizens exploited overseas. In one case, a mission failed to expeditiously process a victim's travel documents. In a separate case, an outstanding settlement from a U.S. court judgment levied against a Tanzanian diplomat who had been posted to Washington, D.C., was not paid during the reporting year. The government neither encouraged nor discouraged victims from participating in the investigation and prosecution of their traffickers, but many were reluctant to do so; three legal cases were withdrawn or dismissed due to lack of victims' testimony. In a positive development, the government for the first time awarded compensation to four victims, funded from the fine levied against one convicted trafficker. The victim assistance fund established by the Anti-Trafficking in Persons Act, however, continues to remain unfunded. The act provides foreign victims legal alternatives to their removal to countries where their safety or the safety of their families may be endangered; no victims received this immigration relief during the reporting period.

Prevention

The government made minimal efforts to prevent human trafficking during the year. The anti-trafficking committee and anti-trafficking secretariat established during the previous reporting year continued to operate, but they lacked budgets and took few actions. These bodies' presence outside any ministry's existing structure limited their ability to secure funding. In an indication of the relatively low priority placed on anti-trafficking efforts by the government, the government diverted resources designated for the committee and secretariat, such as office space, to various agencies for other purposes. The government failed to implement its national anti-trafficking action plan and, unlike previous years, did not conduct any public awareness campaigns about

the dangers of trafficking. The government included child trafficking victims in a five-year plan for vulnerable children. The government made no discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. The government did not report providing specialized anti-trafficking training to Tanzanian troops prior to their deployment abroad on international peacekeeping missions.

THAILAND (Tier 2 Watch List)

Thailand is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Victims from neighboring countries, China, Vietnam, Russia, Uzbekistan, and Fiji migrate willingly to Thailand for various reasons including to flee conditions of poverty. There are an estimated two to three million migrant workers in Thailand, the bulk of whom are from Burma. The majority of the trafficking victims identified within Thailand are migrants from Thailand's neighboring countries who are forced, coerced, or defrauded into labor or commercial sexual exploitation or children placed in the sex trade; conservative estimates put this population numbering in the tens of thousands of victims. A significant portion of labor trafficking victims within Thailand are exploited in commercial fishing, fishing-related industries, low-end garment production, factories, and domestic work, and some are forced to beg on the streets.

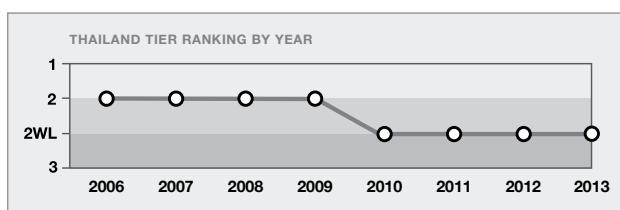
Research made available in 2010 indicated that 23 percent of all Cambodians deported by Thai authorities at the Poipet border were trafficking victims. A study done by the UN Inter-Agency Project on Human Trafficking (UNIAP) found that Thai authorities deport over 23,000 Cambodian trafficking victims per year. Corrupt officials on both sides of the border facilitate the smuggling of undocumented migrants between Cambodia and Thailand; many of these migrants subsequently become trafficking victims. Similarly, Lao authorities reported that groups of 50 to 100 Lao trafficking victims were among the thousands of Lao nationals deported by Thai authorities. An assessment of the cumulative risk of labor trafficking among Burmese migrant workers in the seafood industry in Samut Sakhon found that 57 percent of the 430 workers surveyed experienced conditions of forced labor. A report released by an international organization in January 2011 noted prevalent forced labor conditions, including debt bondage, among Cambodian and Burmese individuals recruited—some forcefully or through fraud—for work in the Thai fishing industry. According to the report, Burmese, Cambodian, and Thai men were trafficked onto Thai fishing boats that traveled throughout Southeast Asia and beyond, where they remained at sea for up to several years, not paid, forced to work 18 to 20 hours per day for seven days a week, and threatened and physically beaten. Similarly, an earlier UN survey found that 29 of 49 (58 percent) surveyed migrant fishermen trafficked aboard Thai fishing boats had reported witnessing a fellow fishermen killed by boat captains in instances when they were too weak or sick to work. As fishing is an unregulated industry region-wide, fishermen typically did not have written employment contracts with their employers. Men from Thailand, Burma, and Cambodia were forced to work on Thai-flagged fishing boats in Thai and international waters and were rescued from countries including Malaysia, Indonesia, Vietnam, and Timor-Leste. During the year, more

than 150 Cambodian and Burmese victims were rescued from Thai fishing vessels in countries around the world, though this represented only a fraction of the total number of Southeast Asian men believed to be trafficked onto fishing boats. In early 2013, an organization that assists victims in Cambodia assessed this form of trafficking was rising. Cambodian and Burmese workers are increasingly unwilling to work in the Thai fishing industry due to dangerous work conditions and isolation, which makes them more vulnerable to exploitation; the Government of Thailand announced plans during the year to import Bangladeshi workers to fill the labor shortage this has caused. During the year, there were reports that some Rohingya asylum seekers from Burma were smuggled into Thailand *en route* to Malaysia and ultimately sold into forced labor, allegedly with the assistance of Thai civilian and military officials.

Observers noted that traffickers (including labor brokers) who bring foreign victims into Thailand generally work as individuals or in unorganized groups, while those who exploit Thai victims abroad tend to be more organized. Labor brokers, largely unregulated, serve as intermediaries between job-seekers and employers; some facilitate or engage in human trafficking. Brokers are reportedly of both Thai and foreign origin and work in networks, collaborating with employers and at times with corrupt law enforcement officials. Foreign migrants, members of ethnic minorities, and stateless persons in Thailand are at the greatest risk of being trafficked, and they experience the withholding of travel documents, migrant registration cards, and work permits, as well as withholding of wages and illegal salary deductions by employers. Migrants remain particularly vulnerable to trafficking due to their lack of legal status, low economic position, lack of education, language barriers, and failure to understand Thai law. Lack of documentation continues to expose migrants to potential exploitation; in the northern areas of Thailand, lack of citizenship makes highland women and girls particularly vulnerable to being trafficked. Some children from neighboring countries are forced by their parents or brokers to sell flowers, beg, or work in domestic service in urban areas. Children were exploited in the sex trade using false identification in karaoke or massage parlors. The majority of Thai victims identified during the year were found in sex trafficking; sex trafficking of both Thai and migrant children remains a significant concern. Women and children from Thailand, Laos, Vietnam, and Burma are subjected to sex trafficking. Thai victims are recruited for employment opportunities abroad and deceived into incurring large debts on broker and recruitment fees, sometimes using family-owned land as collateral, making them vulnerable to exploitation at their destination. Thai nationals are known to be subjected to forced labor or sex trafficking in Australia, Bahrain, Brunei, Canada, China, Germany, India, Indonesia, Israel, Japan, Kuwait, Libya, Malaysia, the Maldives, Qatar, Russia, Saudi Arabia, Singapore, South Africa, South Korea, Sri Lanka, Taiwan, Timor-Leste, the United Arab Emirates, the United Kingdom, the United States, Vietnam, and Yemen. Some Thai men who migrate for low-skilled contract work and agricultural labor are subjected to conditions of forced labor and debt bondage. Sex trafficking generally involves women and girls as victims. Sex tourism continues to be a problem in Thailand, and this demand likely fuels trafficking for commercial sexual exploitation. Thailand is a transit country for victims from North Korea, China, Vietnam, Pakistan, Bangladesh, and Burma destined for third countries such as Malaysia, Indonesia, Singapore, Russia, South Korea, the United States, and countries in

Western Europe. There were reports that separatist groups in southern Thailand continued to recruit and use children to carry out attacks.

The Government of Thailand does not fully comply with the minimum standards for the elimination of trafficking. The government has not shown sufficient evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Thailand is placed on Tier 2 Watch List for a fourth consecutive year. Thailand 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 meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. The government disbursed the equivalent of approximately \$3.7 million for anti-trafficking efforts in 2012 and reported investigating 305 trafficking cases, versus 83 in 2011, but initiated prosecutions in only 27 cases during the year and obtained only 10 convictions. In order to incentivize victims to testify, the government issued more temporary work permits to victims who participated in prosecutions. The government registered more than 800,000 undocumented migrants over the course of the year, but it failed to adequately regulate brokers, reduce the high costs associated with registration, or allow registered migrants to change employers. Pervasive trafficking-related corruption and weak interagency coordination continued to impede progress in combating trafficking.



Recommendations for Thailand: Significantly improve efforts to proactively identify victims of trafficking among vulnerable populations, particularly undocumented migrants and deportees; recognizing the systematic disincentives that make victims hesitant to communicate with authorities, develop and implement victim identification procedures that prioritize the rights and safety of potential victims, and provide incentives for law enforcement officials to increase the numbers of victims identified; increase efforts to prosecute and convict sex and labor trafficking offenders; consider establishing a dedicated court division, or take other measures to expedite the prosecution of trafficking cases; increase efforts, particularly through the Department of Special Investigation and the Office of National Anti-Corruption Commission, to investigate, prosecute, and convict officials engaged in trafficking-related corruption; make public Thailand’s anti-trafficking action plan and data collection efforts to monitor implementation of the anti-trafficking law and the action plan; recognizing the serious nature of trafficking crimes, restrict bail to alleged trafficking offenders to prevent flight; ensure suspected perpetrators of trafficking—including those involved in practices internationally recognized as indicators of forced labor such as the confiscation of travel documents or imposition of significant debts by employers or labor brokers—are criminally investigated and convicted offenders receive stringent penalties; pursue criminal investigations of cases in which labor inspections reveal indicators of human trafficking, including debt bondage; continue and increase

efforts to allow all adult trafficking victims, including sex trafficking victims, to travel, work, and reside outside shelters in accordance with provisions in Thailand’s anti-trafficking law; employ a victim-centered approach to victim protection, including specialized services for child sex trafficking victims and labor trafficking victims, and increase incentives for victims to cooperate with law enforcement in the investigation and prosecution of trafficking cases; use multi-disciplinary groups including victim service organizations or social workers during victim screening interviews; provide legal alternatives to the removal of foreign trafficking victims to countries in which they would face retribution or hardship; make greater efforts to educate migrant workers on their rights, their employers’ obligations to them, legal recourse available to victims of trafficking, and ways to seek remedies against traffickers; improve law enforcement cooperation with source countries in the investigation of suspected trafficking cases; conduct outreach to vulnerable groups in the appropriate languages to encourage use of the government’s anti-trafficking hotline; recognizing the unique role of NGOs in uncovering the nature and scope of human trafficking in Thailand, maintain an environment conducive to robust civil society participation in all facets of understanding and combating human trafficking; improve efforts to regulate fees and brokers associated with the process of legalizing and importing migrant workers under existing bilateral agreements in order to reduce their vulnerability to human trafficking; increase anti-trafficking awareness efforts directed at employers and clients of the sex trade; make efforts to decrease the demand for exploitative labor; and accede to the 2000 UN TIP Protocol.

Prosecution

The Thai government prosecuted and convicted fewer trafficking offenders in 2012 than it did in the previous year. Thailand’s 2008 anti-trafficking law criminally prohibits all forms of trafficking and prescribes penalties ranging from four to 10 years’ imprisonment—penalties that are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. The government reported investigating 305 trafficking-related cases in 2012, an increase from 83 in 2011; similar to previous years, it did not provide sufficient information to determine how many of these cases actually constituted trafficking. Despite the increase in potential investigations, the number of prosecutions significantly decreased from 67 in 2011 to only 27 in 2012; the government convicted 10 offenders in four trafficking-related cases, compared with 12 convicted in 2011. Sentences for convicted offenders ranged from three to 19 years’ imprisonment. Four years after the enactment of the 2008 anti-trafficking law, which authorized a committee to approve the seizure of traffickers’ assets, the Anti-Money Laundering Office for the first time seized assets of two convicted offenders valued to the equivalent of approximately \$1.05 million. Despite the high prevalence of labor trafficking in Thailand, fewer than one quarter of investigations involved suspected cases of forced labor. Rather than confronting employers who subjected workers to forced labor and debt bondage with criminal prosecution, the government responded with worksite inspections, despite expert consensus that inspections are not effective in identifying forced labor.

Corruption remained widespread among Thai law enforcement personnel, creating an enabling environment for human trafficking to prosper. Allegations of trafficking-related corruption persisted during the year, including in cases

of sex trafficking and forced labor of migrants. There were credible reports that corrupt officials protected brothels, other commercial sex venues, and seafood and sweatshop facilities from raids and inspections, colluded with traffickers, used information from victim testimony to weaken cases, and engaged in commercial sex acts with child trafficking victims. In addition to the well known corruption of local-level police officers, there were also protective relationships between central-level specialist police officers and the trafficking hot-spot regions to which they were assigned. Thai police officers and immigration officials reportedly extorted money or sex from Burmese citizens detained in Thailand for immigration and sold Burmese migrants unable to pay labor brokers and sex traffickers. The government reported the ongoing investigation of a public official for human trafficking and the temporary transfer of a police superintendent for negligence in a human trafficking case, but it did not provide additional information about the details or the status of this case. One government official was reportedly convicted for charges related to forced labor. Media sources reported that the Thai army investigated two officers accused of smuggling Rohingya asylum seekers and suspended them pending the results of the investigation.

Throughout the year, the government provided training to thousands of police officers on trafficking victim identification and the provisions of the anti-trafficking law and specialized training for an additional 392 officers from the anti-trafficking unit. Interagency coordination was weakened by a rudimentary data collection system that made it difficult to share information across agencies. The justice system remained slow in its handling of criminal cases, including trafficking cases. Additionally, frequent personnel changes hampered the government's ability to make progress on anti-trafficking law enforcement efforts. Some suspected offenders fled the country or intimidated victims after judges decided to grant bail, further contributing to the government's already low conviction rates; in one severe case, in which a female child belonging to an ethnic minority was kidnapped, abused, and enslaved over the course of five years, a judge's misguided decision to grant bail allowed the suspected offenders to flee and escape prosecution. There were no reported developments in the Supreme Court's consideration of a 2009 conviction, upheld in 2011, of two offenders found guilty of trafficking 73 victims in a shrimp-peeling factory; both offenders remained free on bail during the reporting period.

Protection

The government's victim identification efforts remained inadequate. The government identified 594 victims during the year, an increase from the 279 victims identified by Thai authorities in 2011; 324 victims were Thai nationals and 270 were foreign migrants (primarily from Burma, Cambodia, and Laos), a decrease from 392 foreign victims identified in 2011. The Ministry of Social Development and Human Security (MSDHS) reported that it provided assistance to 271 victims at government shelters, a decrease from 392 victims assisted in 2011. In 2012, the Thai government disbursed the equivalent of approximately \$3.7 million for anti-trafficking activities, including the equivalent of approximately \$360,000 from its anti-trafficking fund. The Thai government continued to refer victims to one of nine regional trafficking shelters run by the MSDHS, where they reportedly received counseling, limited legal assistance, and medical care, although the shelters did not always have the human resource capacity to provide adequate assistance. Foreign adult female sex trafficking

victims identified by authorities were required to stay in government shelters and typically could not opt to reside outside a shelter or leave the premises unattended before Thai authorities were prepared to repatriate them; adult male labor trafficking victims who received work permits were increasingly permitted to reside outside government shelters. The government made progress in issuing permits to allow adult victims to work temporarily in Thailand during the course of legal proceedings as mandated in the 2008 anti-trafficking law; during the year it granted six-month work permits and visas (renewable for the duration of court cases) to 107 male labor trafficking victims, an increase from 30 victims granted work permits in 2011. Adult sex trafficking victims were not yet granted eligibility for work permits, and an overall lack of incentives to remain in Thailand during lengthy court proceedings left many victims unwilling to participate in legal proceedings. The government did not have specialized service provisions for child sex trafficking victims, and the forced repatriation of those unwilling to testify against their traffickers resulted in many of them being re-trafficked. The government did not ensure that child victims' rights were protected; in a highly-publicized case of a 12-year-old Karen girl who had been enslaved in a Thai couple's home for five years, police officials allowed media outlets to publish the girl's name and take semi-nude photos of her while in police custody. A number of victims opted not to seek designation as trafficking victims due to systemic disincentives and were returned to their countries of origin. Language, bureaucratic, and immigration barriers, fear of retribution by traffickers, distrust of Thai officials, slow legal processes, and the financial needs of victims effectively prevented most victims from participating in the Thai legal process. The government did not provide legal alternatives to victims who faced retribution or hardship upon return to their home countries; foreign victims were systematically repatriated through the government-to-government process following the conclusion of legal proceedings. A 2005 cabinet resolution established that foreign trafficking victims in Thailand who are stateless residents can be given residency status on a case-by-case basis; however, the Thai government has yet to report granting residency status to a foreign trafficking victim. Service providers in Burma confirmed reports that quarterly case management meetings between the two countries accelerated the nationality verification and repatriation process for Burmese victims.

The government reported the continued use of systematic procedures to screen for victims among vulnerable populations, such as undocumented migrants in detention; however, during the year the government did not address the serious deficiencies that leave many victims unidentified and vulnerable to punishment. The government provided some financial support to NGOs to assist in victim identifications efforts, and it trained 517 police and immigration officials on interviewing techniques for victim identification, but these efforts did not yield an increase in identifications among foreign migrants. In 2012, it identified only 57 victims among the 397,167 deportees in immigration detention—a population known to be at particular risk of trafficking. As further evidence of challenges in identifying victims, among 230 Cambodian migrants deported at the Poipet-Aranyaprathet border in 2012, Thai officials identified only 27 individuals as victims or persons vulnerable to trafficking, while authorities in Cambodia identified an additional 64 victims and classified the remaining deportees as vulnerable to trafficking. Civil society observers report that during screenings in detention facilities migrants were typically interviewed in public areas without

confidence and that translation services were not always available, severely limiting the effectiveness of these efforts.

Many victims, particularly undocumented migrants who feared legal consequences from interacting with authorities, were hesitant to identify themselves as victims, and front-line officials were not adequately trained to identify the essential elements of trafficking. Law enforcement officers often believed physical detention or confinement was the essential element to confirm trafficking, and failed to recognize exploitative debt or manipulation of irregular migrants' fear of deportation as non-physical forms of coercion in human trafficking. Only law enforcement officials were able to make a final determination to certify an individual as a trafficking victim; social workers and civil society representatives often disagreed with law enforcement officers' decisions, particularly in cases of debt bondage.

The government reported increasing labor inspection efforts as its primary method for detecting cases of forced labor within the country, though workplace inspections were not effective in identifying labor trafficking victims. Inspections of 54,090 workplaces revealed thousands of workplace violations indicative of trafficking—such as the illegal withholding of wages for recruitment fees and passport confiscation—but only two cases of forced labor appear to have been recognized. The two cases of labor trafficking were referred to the police, but the others were adjudicated under administrative labor laws; the government systematically failed to criminally investigate for possible trafficking violations uncovered through labor inspections of worksites.

Thai law protects victims from being prosecuted for acts committed as a result of being trafficked; however, the serious flaws in the Thai government's victim identification procedures and its aggressive efforts to arrest and deport immigration violators increased victims' risk of being re-victimized and treated as criminals. Unidentified victims were likely among the 32,095 migrant workers subjected to government lawsuits for lack of proper documentation during the year. Likewise, identified victims were punished rather than protected during the year. MSDHS continued to operate a toll-free hotline that receives calls regarding trafficking cases, but low numbers of calls from non-Thai speakers suggest foreign migrants were unaware of this resource or reluctant to use it to seek assistance, and efficient translation services were not always available for those who did place calls. The government did not report efforts to improve the hotline's decentralized call system in order to ensure that localities systematically and adequately responded to calls that were diverted to them, and it did not provide information on the number of victims identified or assisted through this channel. MSDHS continued to provide training on identifying and assisting victims, conducting three such trainings for multidisciplinary groups in three regions known to have significant human trafficking problems in January and February 2013.

Prevention

Prevention activities continued in Thailand. Senior officials regularly made public statements expressing their commitment to combating trafficking, though these efforts did not always yield concrete results. The government began implementation of its 2012-2013 national action plan and produced regular reports to assess its progress, and in February 2013 the cabinet approved a resolution on a master plan on prevention and

suppression of human trafficking. There are an estimated one to two million undocumented workers in Thailand. Observers remained concerned that the process to legalize migrant workers with its associated fees, as well as costs imposed by poorly regulated and unlicensed labor brokers, increased the vulnerability of migrant workers to trafficking and debt bondage. The government did not address the complex bureaucracy of the national verification system or the language barriers faced by migrants seeking verification, hindrances that led the majority of migrant workers to rely on unregulated brokers to access the program, leaving them vulnerable to exploitation and extortion by brokers.

Following an October 2012 cabinet meeting, the Ministries of Labor and Agriculture and Cooperatives forged an anti-trafficking action plan that contained plans to establish seven labor coordination centers—developed jointly by the National Fishing Association of Thailand and the Thai Department of Employment in the Ministry of Labor—to address labor shortages in the fishing industry and create a centralized hiring hall for prospective workers. Although it acknowledged the labor shortage was due in large part to some workers' unwillingness to work in the fishing industry due to exploitative conditions, the government did not make efforts to significantly improve these conditions during the year. The government announced plans during the year to import Bangladeshi workers to fill the labor shortage the exploitative conditions caused. The government characterized the labor coordination centers as an initiative to prevent human trafficking; it is unknown what impact, if any, this effort will have on human trafficking in the fishing industry if corresponding mechanisms to identify victims and prosecute suspected cases of forced labor are not implemented.

In November 2012, the Ministry of Labor issued a regulatory policy requiring provincial offices to inspect workplaces for indicators of trafficking or debt bondage including illegal withholding of wages or confiscation of passports; officials were not, however, instructed to refer a case to the police if one of these elements was discovered. There were no reports that any cases of trafficking have since been identified through this method. The government reported a series of efforts aimed at addressing child and forced labor in the fishing and seafood industries as part of the Ministries of Labor's and Agriculture's joint action plan, though it was unclear how these efforts would lead to increased criminal prosecutions of traffickers or identification of victims; there were no reported outcomes of this type during the reporting period. Weak law enforcement, inadequate human and financial resources, and fragmented coordination among regulatory agencies in the fishing industry contributed to overall impunity for exploitative labor practices in this sector. The Marine Department and the Thai Navy inspected 608 vessels during the year but did not identify any cases of trafficking; the government did not report how the tactics employed in such inspections checking on ownership and registration were designed to identify cases of trafficking.

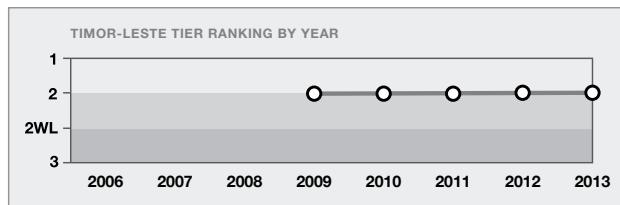
During the year, the government revoked the license of one labor recruitment agency and suspended the licenses of 43 agencies for illegal practices. No labor recruitment companies were punished for forced labor or trafficking-related allegations during the year. The government did not make efforts to decrease the demand for commercial sex acts or forced labor. Inadequate victim identification procedures may have resulted in some victims being treated as legal violators following police raids of brothels. The government did not provide Thai security

forces with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. Thailand is not a party to the 2000 UN TIP Protocol.

TIMOR-LESTE (Tier 2)

Timor-Leste is a destination country for women and girls from Indonesia, China, and the Philippines subjected to sex trafficking. In previous years, men and boys from Burma, Cambodia, and Thailand were forced to work on foreign fishing boats operating in Timorese waters where they faced conditions of confinement, no medical care, and poor food; some escaped and swam ashore to seek refuge in Timor-Leste. There was no evidence that the practice has occurred since 2010 despite increased maritime patrols. In three instances, Timorese family members may have placed children in bonded domestic and agricultural labor in order to pay off family debts. Timor-Leste may also be a source of women or girls sent to Singapore and elsewhere in Southeast Asia for domestic servitude. Some migrant women recruited for work in Dili report being locked up upon arrival, and forced by brothel "bosses" and clients to use drugs or alcohol while providing sexual services. Some women victims kept in brothels were allowed to leave the brothel only if they paid the equivalent of approximately \$20 per hour. Traffickers regularly retained the passports of victims, and reportedly rotated sex trafficking victims in and out of the country every few months. Transnational traffickers may be members of Indonesian or Chinese organized crime syndicates.

The Government of Timor-Leste 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 National Police reported three investigations involving Timorese underage children in domestic services and referred the cases to the prosecutor's office. However, the anti-trafficking legislation submitted to the Council of Ministers in early 2012 remained under review and government-allocated funding to an NGO shelter to assist trafficking victims was not expended because the government did not identify victims who needed the services. Victim identification remains weak in Timor-Leste, but law enforcement officials received limited training to address this gap.



Recommendations for Timor-Leste: Enact comprehensive anti-trafficking legislation; develop a national plan of action; continue efforts to investigate, prosecute, convict, and punish trafficking offenders; conduct additional training for judicial officials on investigation and prosecution methods, including how to integrate procedures for proper victim care throughout the duration of court proceedings; continue to implement procedures to proactively identify victims of trafficking among vulnerable populations, such as individuals in prostitution and workers on fishing vessels; develop and formally establish policies which clarify perceived inconsistencies in the country's

code of criminal procedure, thereby granting police the unambiguous authority to initiate investigations of crimes without the condition of having a victim self-identify; increase training for front-line law enforcement officers, especially in the vulnerable persons units and immigration police, on proper victim identification procedures and referral mechanisms, including recognition of trafficking victims who may possess their travel documents or may have entered the country legally; and develop and conduct public anti-trafficking information and education campaigns.

Prosecution

The Government of Timor-Leste demonstrated limited law enforcement efforts to combat trafficking during the reporting period. Comprehensive anti-trafficking legislation that had been submitted to the Council of Ministers in early 2012 remained under review at the close of this reporting period. Timor-Leste's penal code prohibits and punishes the crime of trafficking through Articles 163, 164, and 165; Articles 162 and 166 prohibit slavery and the sale of persons. These articles prescribe sufficiently stringent penalties ranging from eight to 25 years' imprisonment—penalties commensurate with those prescribed for other serious crimes, such as rape. During this reporting period, the government prosecuted only one alleged trafficker in a case involving seven alleged Indonesian victims. The Dili District Court acquitted the defendant, citing insufficient evidence. There were no trafficking convictions, compared to three from the previous reporting year. The National Police Vulnerable Persons Unit reported three investigations involving underage Timorese children in alleged domestic servitude; these cases have been referred to the Office of the Prosecutor General, where they remained at the end of this reporting period. Government officials, particularly law enforcement officers, received specialized training on investigating and prosecuting trafficking cases. In 2012, 236 government officials and civil society members attended IOM's training events on the standard operating procedures for handling trafficking cases and victim identification techniques. In July 2012, 15 members of the government's office of the Ombudsman for Human Rights and Justice attended a UNDP three-day "train-the-trainer" course on combating human trafficking. The Government of Timor-Leste did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The government demonstrated limited efforts to protect trafficking victims during the year. The aforementioned children found by the police in domestic service were returned home and did not receive government protection since they were not determined to be victims of trafficking until several months after their discovery. The government maintained a protocol of referring foreign victims to an international organization for care, though no such victims were identified during the year. The government did not operate any separate dedicated shelters for trafficking victims or provide victims with any protective services. During the year, the Ministry of Social Solidarity provided the equivalent of approximately \$15,000 to support a local NGO shelter for trafficking victims, though none were assisted because no victims were identified who needed such services. Police continued to interpret an article in the Code of Criminal Procedure as granting investigative authority only to public prosecutors, which

led to a general policy of only investigating cases in which persons identified themselves as victims. Additionally, the police often consider possession of a passport by a foreigner as an indication that he or she is not a victim of trafficking and further investigation of such cases was rare in the absence of self-identification. The government provides a temporary legal alternative to the removal of victims to countries where they may face retribution or hardship, allowing them to stay in Timor-Leste for two years. The government did not provide temporary or extended work visas to any trafficking victims during this reporting period because the government did not identify victims needing this assistance.

Prevention

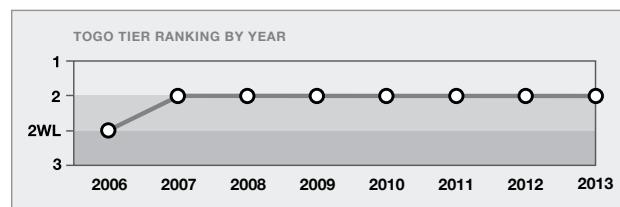
The Government of Timor-Leste made limited efforts to prevent incidents of trafficking during the reporting period. It increased patrols of its territorial waters to combat criminality, including forced labor on fishing vessels. These efforts did not, however, result in the identification of any trafficking cases during the year. During the two-day international conference hosted by the Timorese government, entitled “International Conference to Counter Trafficking in Women: Lessons for Timor Leste” in December 2012, President Taur Matan Ruak and Foreign Minister Jose Luis Guterres emphasized the need for comprehensive anti-trafficking efforts and promised to enact the anti-trafficking legislation and implement a national plan of action. A wide array of domestic and international participants shared information on trafficking-related issues and developed recommendations for future action. The government partially funded the UNDP “train-the-trainer” course and fully funded subsequent trainings for local officials. An NGO, in cooperation with the government, conducted over 1,000 pre-departure briefings for Timorese workers leaving to work abroad in government-sponsored programs, informing them of their labor rights and providing a point of contact if in trouble. The government’s inter-ministerial trafficking working group did not meet during 2012 and a draft national plan of action is on hold until parliament approves the pending legislation. Observers report that police raids on brothels in Dili have led to a decreased demand for commercial sex acts; however, due to a lack of proactive victim identification procedures, these anti-prostitution efforts may have led to some trafficking victims being punished for immigration violations.

TOGO (Tier 2)

Togo is a source and transit country for men, women, and children subjected to forced labor and sex trafficking. The majority of Togolese victims are exploited within the country; forced child labor occurs in the agricultural sector—particularly on coffee, cocoa, and cotton farms—as well as in stone and sand quarries. Children from rural areas are brought to the capital Lome and forced to work as domestic servants, roadside vendors, and porters, or are exploited in prostitution. Near the Togo-Burkina Faso border, Togolese boys are forced into begging by corrupt religious teachers, known as *marabouts*. Togolese girls and, to a lesser extent, boys are transported to Benin, Gabon, Nigeria, Ghana, Côte d’Ivoire, and the Democratic Republic of the Congo and forced to work in agriculture. Children from Benin and Ghana are recruited and transported to Togo for forced labor. Traffickers exploit Togolese men for forced labor in agriculture and

Togolese women as domestic servants in Nigeria. Togolese women are fraudulently recruited for employment in Saudi Arabia, Lebanon, the United States, and Europe, where they are subsequently subjected to domestic servitude or forced prostitution. In 2012, the United States government identified four Togolese children victimized in domestic servitude by a fellow Togolese national within the United States; the defendant was convicted in March 2013.

The Government of Togo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2012, the government convicted at least nine trafficking offenders, identified a significant number of potential child trafficking victims, and continued to operate two shelters. However, it neither made progress in enacting draft legislation to prohibit the trafficking of adults, nor in identifying adult trafficking victims. Furthermore, it made no efforts to accurately track prosecution or protection data and disseminate it among government ministries.



Recommendations for Togo: Increase efforts to prosecute and punish trafficking offenders, including by using existing statutes to prosecute trafficking crimes committed against adults; complete and enact the draft law prohibiting the forced labor and forced prostitution of adults; develop a formal system to identify trafficking victims proactively and train law enforcement, immigration, and social welfare officials to identify such victims, especially among vulnerable populations; begin tracking the number of trafficking victims referred to NGOs or returned to their families; develop a system among law enforcement and judicial officials to track suspected human trafficking cases and prosecution data; ensure sufficient funds are allocated to operate the Tokoin and Oasis centers; and increase efforts to raise public awareness about the dangers of human trafficking.

Prosecution

The Government of Togo increased its law enforcement efforts against child trafficking during the year, but failed to make commensurate efforts to address the trafficking of adults. Togolese law does not prohibit all forms of trafficking—it does not criminalize the sex trafficking of adults—and laws against forced labor are inadequate with regard to definitions and prescribed penalties. The 2007 child code prohibits all forms of child trafficking and prescribes penalties of two to five years’ imprisonment. These penalties are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. The 2005 Law Related to Child Smuggling prescribes prison sentences of three months to 10 years for abducting, transporting, or receiving children for the purposes of exploitation. Article 4 of the 2006 labor code prohibits forced and compulsory labor, though its prescribed penalties of three to six months’ imprisonment are not sufficiently stringent, and its definition of forced or compulsory labor includes some exceptions. Despite six years

of this Report recommending the enactment of legislation that criminalizes the trafficking of adults, the government has failed to do so; it did not take action during the reporting period to enact its draft legislation, which has remained pending since 2009.

The government reported its arrest of 290 suspected traffickers in 2012, a significant increase from the 23 arrested in 2011. This dramatic increase is likely due to the increased training of law enforcement officials in the previous reporting period, as well as training and raising the awareness of relevant transportation workers who, as a result, are better equipped to identify and report child trafficking. In Lome, the government prosecuted nine cases involving child trafficking and convicted nine trafficking offenders, with sentences ranging from one to 13 months' imprisonment; it did not provide comprehensive data for law enforcement efforts made in the rest of the country. It did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period.

Protection

During the past year, the government sustained efforts to provide modest protection to child trafficking victims, but showed no discernible efforts to protect adult victims. It did not put in place measures to identify trafficking victims among individuals in prostitution; however, it continued efforts to identify child victims of forced labor through increased education among immigration and law enforcement officials in border areas. As a result of these training efforts, during the reporting period, the government identified 717 potential victims of child trafficking; the majority of these children were intercepted and rescued prior to reaching their destinations, where they would likely face exploitation, typically as farms laborers or domestic servants. The government failed to identify any adult victims of trafficking. In Lome, the Ministry of Social Affairs (MSA) social workers continued to run a toll-free 24-hour helpline, Allo 10-11, which received an unknown number of calls regarding child trafficking and other forms of child abuse. The National Committee for the Reception and Social Reinsertion of Trafficked Children (CNARSEVT), Togo's national anti-trafficking committee comprised of government officials and NGOs, continued to operate jointly with the police an *ad hoc* referral system to respond to hotlines tips and transfer rescued victims to appropriate shelters using a government-run mobile response unit. The MSA continued to operate two shelters; the Tokoin Community Center served as an intermediary shelter for child victims before transfer to care facilities managed by NGOs, while the Oasis Center provided shelter, legal, medical, and social services to child victims up to age 14. Officials also referred victims to several NGO-run shelters. The government did not report the number of trafficking victims cared for by these shelters during the reporting period. The government, in collaboration with a local NGO, developed a set of standard operating procedures for all shelters to ensure the safety and security of child victims. CNARSEVT managed the return of an unknown number of Togolese trafficking victims from abroad and reported their referral to shelters for assistance; it does not, however, have procedures in place to facilitate the return and reintegration of Togolese nationals in a systematic fashion. The government did not offer temporary or permanent residency status to foreign victims facing hardship or retribution upon return to their country of origin. Although there were no reports of child victims being penalized for unlawful acts committed

as a direct result of being trafficked, the government does not consider adults as trafficking victims and, therefore, some adult victims may remain unidentified in the law enforcement system.

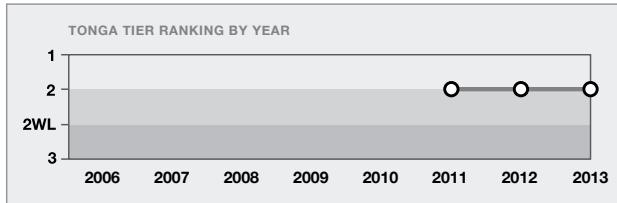
Prevention

The government sustained modest efforts to prevent trafficking during the year. In 2012, CNARSEVT received a budget allocation equivalent to approximately \$60,500—a decrease from last year's budget of \$101,000—which it used to fund administrative costs and victim protection efforts. The MSA continued to meet directly with village and regional committees, border guards, and inspectors across the country to raise trafficking awareness. The government also used radio broadcasts to educate the population on the issue of child trafficking in Togo. In November 2012, it hosted a three day convention run by the International Bureau of Children's Rights, which addressed law enforcement coordination on cases involving children, including trafficking cases. This training was attended by representatives from 24 countries across Africa, the Middle East, and Haiti. During the reporting period, the government collaborated with the ILO to develop a "Child Labor Monitoring System" (CLM), funded by a foreign donor, that trained regional teams comprised of labor inspectors, social workers, and education inspectors to monitor for vulnerable children and report any infractions of workplace regulations to the appropriate authorities. The implementation of the CLM resulted in the identification of 734 vulnerable children in 2012, some of whom were identified as trafficking victims. Despite a growing awareness of child sexual exploitation in Togo, the government did not take discernible measures to decrease the demand for commercial sex acts. However, the government acknowledged that child sex tourism is a problem in Togo and commissioned a study in 2012 on how to best combat it; the study had not been released at the close of the reporting period. The government provided anti-trafficking training to Togolese troops prior to their deployment abroad on international peacekeeping missions.

TONGA (Tier 2)

Tonga is a destination country for women subjected to sex trafficking and is, to a lesser extent, a source country for women and children subjected to domestic sex trafficking and forced labor. East Asian women, especially those from China, are prostituted in clandestine establishments operating as legitimate businesses; some East Asian women are recruited from their home countries for legitimate work in Tonga, paying large sums of money in recruitment fees, and upon arrival are forced into prostitution.

The Government of Tonga 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 acknowledged human trafficking as an issue of concern and funded two organizations that provide victim services, but could not report any anti-trafficking law enforcement actions or efforts to identify and protect victims of trafficking. The government showed no progress in developing a national coordinating body on human trafficking issues, nor did it develop or conduct anti-trafficking education campaigns.



Recommendations for Tonga: Adopt proactive procedures to identify victims of trafficking among vulnerable groups; increase training for law enforcement officials on human trafficking and how to identify and assist trafficking victims; show more vigorous efforts to investigate, prosecute, and punish trafficking offenders; develop strategies to penetrate insular communities with suspected ties to trafficking; enact a law or establish a policy that provides explicit protections for victims of trafficking, such as restitution, benefits, and immigration relief; develop and conduct anti-trafficking information and education campaigns; publicly recognize, investigate, prosecute, and punish incidences of child sex trafficking; develop a national action plan for countering trafficking in persons; and accede to the 2000 UNTIP Protocol.

Prosecution

The Government of Tonga made negligible progress in its law enforcement efforts to address human trafficking. Tonga prohibits all forms of human trafficking through its Revised Transnational Crimes Act of 2007, which defines human trafficking as including forced labor and forced prostitution. This law prescribes up to 25 years' imprisonment for these offenses, which is sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. Since the first trafficking case in April 2011, the government has not identified any victims of trafficking or investigated any trafficking cases. The government did not report funding any training for law enforcement during the reporting period. Corruption is a known problem in Tonga. The government, however, did not report any investigations, prosecutions, convictions, or punishments of officials for complicity in human trafficking during the reporting period, and there were no known allegations that officials had been complicit in such practices.

Protection

The Government of Tonga made limited progress in identifying trafficking victims or ensuring their access to protective services during the year. The government did not develop or employ systematic procedures for the identification of trafficking victims among at-risk groups such as undocumented migrants or women in prostitution, and no victims were identified during the reporting period. It continued to refer victims of general crimes to NGO providers of victim services and would have followed the same procedure if potential trafficked victims were identified. The government provided a total equivalent to approximately \$42,600 in funding from its national budget to two local NGOs during the reporting period for operations related to assisting women and children victims of crime.

Under the government's Immigration Act, the principal immigration officer holds broad discretionary authority in granting human trafficking victims permits to stay in the

country for any length of time necessary for the protection of victims. Trafficking victims could be granted asylum in Tonga if they fear retribution or hardship in their country of origin, though no trafficking victim has ever requested asylum. While victims have the ability to file civil charges for compensation against their traffickers, there were no such cases in which this occurred.

Prevention

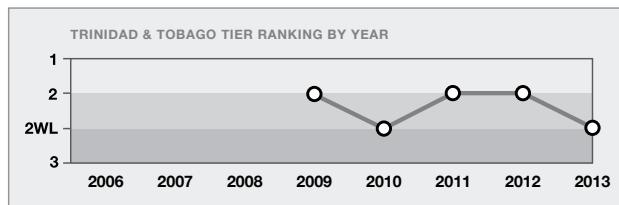
The Government of Tonga made limited efforts to prevent human trafficking during the reporting period. The government conducted routine law enforcement trainings that included elements of trafficking, and leveraged national media attention through the country's first trafficking case in 2011 to send a strong anti-trafficking message. The government did not take action to reduce the demand for commercial sex acts or forced labor during the reporting period. Tonga is not a party to the 2000 UN TIP Protocol.

TRINIDAD AND TOBAGO (Tier 2 Watch List)

Trinidad and Tobago is a destination and transit country for adults and children subjected to sex trafficking and adults subjected to forced labor. In previous years, Trinbagonian victims have been subjected to sex trafficking in the United States and the United Kingdom. Women and girls from South America and the Dominican Republic are subjected to sex trafficking in Trinbagonian brothels and clubs. Economic migrants from the Caribbean region and from Asia, including India and China, are vulnerable to forced labor. Some companies operating in Trinidad and Tobago reportedly hold the passports of foreign employees, a common indicator of human trafficking, until departure. There also have been anecdotal reports of migrants in forced domestic service. Country experts reported an increasing number of Nigerians working in security, who may be trafficking victims. Experts also report Trinbagonian children were vulnerable to forced labor, including forced scavenging of trash. As a hub for regional travel, Trinidad and Tobago is a potential transit point for trafficking victims traveling to Caribbean and South American destinations. An island-nation outside the hurricane belt, Trinidad and Tobago experiences a steady flow of vessels transiting its territorial waters, some of which may be engaged in illicit activities, including forced labor in the global fishing industry.

The Government of Trinidad and Tobago does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these significant efforts, the government did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous reporting period; therefore Trinidad and Tobago is placed on Tier 2 Watch List. During the reporting period, the government made progress by proclaiming its anti-trafficking law and establishing a counter-trafficking unit. These efforts, however, were overshadowed by the government's failure to properly screen and protect hundreds of potential trafficking victims, including the almost 200 victims in a significant forced labor case involving five fishing vessels stranded off the country's coast for the majority of the reporting period. In addition, after the proclamation of the anti-trafficking law and the establishment of the counter-

trafficking unit, authorities conducted a March 2013 raid that resulted in the arrest of approximately 75 foreign women. Despite having the infrastructure in place to screen the women, law enforcement charged the women with solicitation and did not screen them for trafficking indicators or refer them for care and assistance. Furthermore, experts reported that trafficking-related complicity of public officials significantly hampered the government's ability to effectively address the trafficking problem in Trinidad and Tobago.



Recommendations for Trinidad and Tobago: Fully implement the 2011 Trafficking in Persons Act to vigorously investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders, including any officials who are complicit in human trafficking; empower the anti-trafficking unit to be a central actor in both the investigation of trafficking crimes and the identification of victims; develop stand-alone procedures to guide all front-line officials in the identification and referral of potential victims of forced labor and sex trafficking; ensure implementation of these procedures to proactively identify trafficking victims among vulnerable groups, such as foreign women in prostitution, migrant workers, and homeless children in the country; ensure that suspected victims are taken to a safe location while conducting trafficking investigations and victim identification interviews, as victims of human trafficking often feel threatened and are reluctant to disclose details of their exploitation in a detention setting or post-raid environment; implement a national public awareness campaign in multiple languages that addresses all forms of trafficking, including the prostitution of Trinbagonian children and forced labor as well as the demand for commercial sex and forced labor.

Prosecution

The Government of Trinidad and Tobago demonstrated few tangible results in its law enforcement response to human trafficking in the country during the majority of the reporting period. Enacted in 2011, but officially "proclaimed" in January 2013, Trinidad and Tobago's Trafficking in Persons Act gives law enforcement the authority to hold offenders accountable for trafficking offenses, but authorities did not use the act to its full effect during the reporting period, nor did they use other trafficking-related laws to prosecute trafficking offenders. The government conducted some investigations into potential trafficking cases, but more rigorous investigations did not initiate until the end of the reporting period. The Act prohibits both sex trafficking and forced labor and contains extensive victim protections. The Act prescribes penalties of 15 years to life imprisonment with fines. These penalties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. In August, the government passed the Children Act (2012), which prescribes penalties of 10 years' to life imprisonment for subjecting a child to prostitution. Pursuant to its anti-trafficking law, the government established an anti-trafficking unit within the Ministry of National Security to handle trafficking cases. The

government reported ongoing sex trafficking investigations, but did not initiate prosecution until after the reporting period. During the year, several country sources alleged that police officers facilitated trafficking in the country. In one specific case, involving five Colombian women in prostitution, local sources alleged that police officers directly interfered in the case by not turning over the women to immigration authorities once they were in police custody. In addition, the government did not make full use of its anti-trafficking law during its March 2013 raid that resulted in the arrest of approximately 75 women, mostly from the Dominican Republic, on charges of soliciting. Instead of proactively referring them for assistance and screening the women for trafficking indicators, and involving the anti-trafficking unit, country sources report that police detained the women until they appeared in court. Subsequently, officials released most of the women on bail and did not provide them with assistance and screen them for trafficking indicators. Country sources also report that many off-duty police officers provide security for sex trade establishments, which experts note could inhibit law enforcement's willingness to investigate allegations of human trafficking in the sex trade.

Protection

The government took inadequate steps to proactively identify and protect trafficking victims during the majority of the reporting period. As a result, few victims were able to benefit from the extensive victim provisions codified in the country's anti-trafficking law. The government's trafficking law explicitly protects victims from punishment for crimes committed as a direct result of a trafficking situation, but police failed to proactively screen women detained in association with raids on brothels or clubs, instead charging the women with prostitution and other related offenses even in the face of trafficking indicators. For instance, authorities did not conduct victim identification interviews for any of the 75 women arrested during the March 2013 raid, but instead detained the women and charged them with solicitation. The government's lack of proactive identification efforts likely resulted in the deportation, criminalization, and re-trafficking of victims throughout the year.

In another significant case, the government provided only limited screening and protection to approximately 200 mostly Indonesian forced labor victims on five fishing vessels, who were discovered by authorities off the coast of Trinidad. Although the government conducted some limited screening of these fishermen in November 2012, officials did not identify any of these men as potential trafficking victims, despite claims from the men that they were beaten by their supervisors. The government reported that it initially transferred the men to a hotel for several days, but then returned the men to the boats.

In February and March 2012, the government identified three sex trafficking victims; it referred one of these victims for care and assistance to a local NGO. In March 2013, the government identified three additional sex trafficking victims and referred all three victims to a local NGO for care and assistance. Country experts reported that the officials lacked adequate stand-alone formalized procedures to guide them in the identification of suspected trafficking victims. The government did not identify any Trinbagonian children as trafficking victims during the reporting period. The government's trafficking law provides temporary legal alternatives to removal for foreign trafficking victims. While the government reported that it did not deport

any of the six trafficking victims it identified during the reporting period, it did not formally issue any temporary residency permits during the year.

Prevention

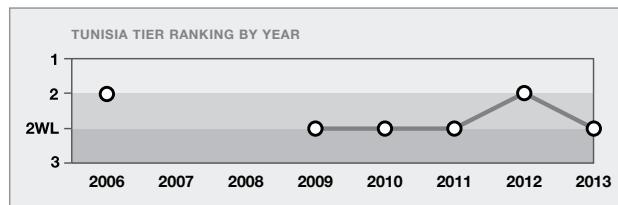
The government made limited progress in prevention in 2012. The government provided in-kind contributions for a number of anti-trafficking trainings conducted by international organizations throughout the year. During the year, the government's ministerial-level national task force made progress in establishing a counter-trafficking unit and carried out bureaucratic processes required in order to proclaim the anti-trafficking law, but did not carry out the mandate of the law to develop a national plan of action on trafficking. The Ministry of National Security and a partner NGO maintained a social media webpage on their joint counter-trafficking initiative. Operators trained in trafficking awareness ran NGO hotlines for child abuse and domestic violence. The 2011 law mandates that one of the functions of the ministerial task force is to monitor and evaluate the government's anti-trafficking efforts, although no such reporting was evident as of April 2013. The government did not undertake measures to reduce the demand for commercial sex acts, such as an awareness campaign targeted at clients of the sex trade. Authorities did not consider child sex tourism to be a problem in Trinidad and Tobago and no such cases were identified, investigated, or prosecuted during the reporting period.

TUNISIA (Tier 2 Watch List)

Tunisia is a source, destination, and possible transit country for men, women, and children subjected to forced labor and sex trafficking. During the reporting period, migrants who fled unrest in neighboring countries to Tunisia continue to be vulnerable to trafficking in Tunisia, including some unaccompanied minors identified in Camp Shousha at the Libyan border, according to UNHCR. According to international organizations, there was an increased presence of street children in Tunisia, and more rural children are working to support their families; these children are vulnerable to forced labor and sex trafficking. Tunisian women are recruited for work in Lebanon's entertainment industry through *artiste* visas and are forced into prostitution after arrival. Similarly, Tunisian women are found working in Jordanian nightclubs, where some are forced into prostitution. Reporting from previous years indicated that some Tunisian girls are employed in domestic work in Tunis and other governorates; some are reportedly held under conditions of forced labor.

The Government of Tunisia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Overall, the government did not demonstrate evidence of increasing efforts to address human trafficking since the previous reporting period; therefore, Tunisia is placed on Tier 2 Watch List. Prior commitments to enact draft anti-trafficking legislation were not fulfilled, and the government did not develop or implement procedures to identify proactively trafficking victims among vulnerable groups. Although the government assisted an unidentified number of trafficking victims in its shelters for vulnerable groups during the reporting period, the government continued to maintain, as it has done in previous reporting periods, that trafficking in persons is not a widespread problem

in Tunisia. In one instance, 85 women returning to Tunisia from forced prostitution in Lebanon were initially arrested and tried for prostitution offenses with no efforts by law enforcement officials to proactively identify them as victims of trafficking; however, 71 of the women were later identified by a judge as trafficking victims and were provided protection services. The government views human trafficking through a migration lens and does not differentiate migrant smuggling from human trafficking.



Recommendations for Tunisia: Urgently pass and enact the draft comprehensive anti-trafficking legislation that prohibits and adequately punishes all forms of human trafficking consistent with the 2000 UN TIP Protocol; use existing criminal statutes on forced labor and forced prostitution to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; urgently develop and implement formal procedures for government officials' proactive identification of victims of human trafficking (distinct from smuggling) among vulnerable groups, such as street children, undocumented migrants, girls in domestic service, and persons in prostitution; institute a formal victim referral mechanism to identify victims among undocumented migrants and offer them access to protection services; undertake a baseline assessment to better understand the scope and magnitude of the human trafficking problem in Tunisia; and continue implementing awareness campaigns about trafficking in persons and anti-trafficking trainings for all government officials.

Prosecution

The government made no discernible law enforcement effort to address human trafficking during the reporting period. The government did not enact its draft law addressing human trafficking. In various, disparate statutes, Tunisia's penal code prohibits some forms of human trafficking but prescribes penalties that are not sufficiently stringent or commensurate with penalties prescribed for other serious crimes, such as rape. For example, the penal code prescribes only one to two years' imprisonment for forced child begging. The penal code prescribes five years' imprisonment for forced prostitution of women and children and 10 years' imprisonment for capturing, detaining, or sequestering a person for forced labor, whereas the penalties prescribed for rape range from 5 years' imprisonment to the death penalty. During the reporting period, the government reported investigating two sex trafficking cases but did not report prosecuting or convicting any defendants or prosecuting any government employees for alleged complicity in trafficking-related offenses. In August 2012, the Ministry of Justice established a three-person anti-trafficking office, which is responsible for transmitting the draft anti-trafficking legislation to the two inter-ministerial anti-trafficking committees and collaborating on anti-trafficking efforts with the committees and international organizations. The government did not conduct anti-trafficking trainings for officials; however, it participated in a trafficking awareness

training conducted by an international organization for police and border security officials, as well as for law enforcement and military officials responsible for security at refugee camps. However, the government's continued official public insistence that human trafficking is not a significant problem in the country has created a disincentive for police and court officials to address trafficking cases.

Protection

The Government of Tunisia made limited efforts to protect victims of trafficking over the last year. Despite this Report's past recommendations, the government did not develop or employ procedures to guide officials in proactively identifying trafficking victims among vulnerable groups and referring them to available services, nor did it have policies to protect victims from punishment as a direct result of being trafficked. In August 2012, authorities arrested 85 Tunisian women on prostitution charges upon their return from being forced to work in Lebanon's sex trade. While the presiding judge dropped the charges for 71 of the women and ordered that they receive psychological counseling and social services after they testified they were in forced prostitution in Lebanon, an international organization reported that the rest of the women remained under arrest for illegal prostitution. An international organization identified seven Nigerian trafficking victims who had been in domestic servitude in Libya on a ship stopped and boarded by the Tunisian Coast Guard; however, the government did not provide the victims with protection or services, and the international organization repatriated them to Nigeria two weeks later. The government, in conjunction with international organizations, continued to offer temporary shelter and health, counseling, and educational services to Libyans, Syrians, and other third-country nationals fleeing political instability; however, the government did not make efforts to identify trafficking victims among this vulnerable group. The government reported that its 380 labor inspectors received training to identify abusive child labor and indicators of human trafficking, though the government failed to identify proactively any trafficking victims during the reporting period.

The government operated several shelters for marginalized and vulnerable groups, including unwed mothers, at-risk youth, and substance abusers, but there were no centers specifically for trafficking victims. International organizations reported that the Ministry of Social Services accepted referrals of foreign trafficking victims in its shelters and provided them with other social services before assisting with the repatriation process. The government did not have any policies in place to encourage trafficking victims to participate in the prosecution of trafficking offenders, nor did it offer foreign trafficking victims legal alternatives to their removal to countries where they might face hardship or retribution.

Prevention

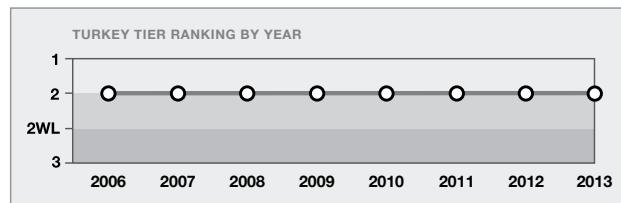
The government continued to make modest efforts to raise awareness about trafficking and to train government officials during the reporting period. The Tunisian Ministries of Social Affairs, Education, and Employment and Vocational Training maintained an anti-trafficking public awareness campaign aimed at teenagers and young adults traveling abroad, but the government's insistence that human trafficking is not a widespread domestic phenomenon undermined overall awareness efforts. The government continued to conduct background checks of all recruitment agencies operating in

Tunisia; agencies were required to sign contracts with the Ministry of Employment before recruiting workers to work in Gulf countries. The two inter-ministerial anti-trafficking committees, composed of representatives of the Ministries of Justice, Interior, Foreign Affairs, Social Affairs, Health, Finance, and Women's Affairs as well as members of civil society, met a total of nine times in this reporting period. The government did not report any awareness campaigns to reduce the demand for commercial sex acts.

TURKEY (Tier 2)

Turkey is a source, destination, and transit country for women, men, and children subjected to sex trafficking and forced labor. Trafficking victims identified in Turkey are from Azerbaijan, Kyrgyzstan, Turkmenistan, Uzbekistan, Tajikistan, Kazakhstan, Georgia, Bangladesh, Belarus, Moldova, Russia, and Ukraine. Foreign women are offered cleaning and childcare jobs in Turkey and, upon arrival, traffickers confiscate their passports and force them into prostitution in hotels, discos, and homes. Turkish women are also subjected to sex trafficking within the country. Traffickers increasingly use psychological coercion, threats, and debt bondage to compel victims into forced labor or sex trafficking. Lack of protection by authorities and allegations of police violence against transgender persons in prostitution leave them vulnerable to sex trafficking. Ethnic Roma children may be subjected to forced begging on the street. Displaced Syrian nationals may be vulnerable to trafficking around refugee camps and in cities in Turkey.

The Government of Turkey does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant improvements in its efforts to convict and sentence trafficking offenders under Turkey's anti-trafficking laws. Courts also reduced the rate of acquittals for trafficking defendants; however, many traffickers were ultimately convicted of lesser crimes with more lenient sentences. While the government identified several hundred trafficking victims, the protection it offered victims declined, in part because shelters were closed due to a lack of funding.



Recommendations for Turkey: Ratify comprehensive anti-trafficking legislation; establish a comprehensive, victim-centered framework for assistance to trafficking victims with stable funding and institutionalized partnerships with NGOs; increase incentives for victims to voluntarily assist in the investigation and prosecution of traffickers, including the use of victim advocates; ensure victims are provided adequate time to recover before having to decide whether to assist law enforcement; vigorously investigate and prosecute trafficking offenders, including complicit officials; increase the focus on training law enforcement to recognize signs of psychological coercion, document control, threats, and other non-physical methods of control employed by traffickers; increase

identification efforts and implement specialized care for child and male victims of labor trafficking.

Prosecution

The government made progress in convicting and sentencing more traffickers during the reporting period, but new prosecutions declined sharply. Article 80 of Turkey's penal code prohibits both sex trafficking and forced labor, and prescribes penalties of eight to 12 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The Ministry of Justice reported new investigations of 505 trafficking suspects during the period of January through September 2012, compared with 598 investigations during the same period in 2011. The government prosecuted 226 defendants under Article 80 in the first three quarters of 2012, compared with 409 during this period in 2011. Courts convicted 47 trafficking offenders under Article 80 and sentenced them to prison terms ranging from seven to 21 years, a significant increase compared with 16 offenders sentenced to up to eight years' imprisonment during the prior year. Sixteen offenders originally charged under Article 80 were convicted under Article 227 for "mediating for prostitution" or Article 109 for "forced imprisonment," charges that impose more lenient sentences that do not adequately deter traffickers. Eighty-four defendants charged under Article 80 were acquitted, a decrease in the rate of acquittals compared with the previous two years. The government did not disaggregate its anti-trafficking law enforcement data to demonstrate efforts against both sex trafficking and forced labor.

In 2012, authorities arrested and prosecuted a military officer, a police sergeant, and a police officer, all allegedly complicit in human trafficking. Turkish National Police and the Jandarma paramilitary police led multiple trafficking trainings for officers during the year. Law enforcement and social workers participated in additional trainings led and funded by NGOs and international organizations.

Protection

The government's efforts to protect trafficking victims resulted in hundreds of victims identified; however shelter and services for trafficking victims remained inadequate. The government identified 515 trafficking victims in 2012. The government provided the equivalent of approximately \$570,000 to fund NGOs but did not have a stable funding mechanism to support shelter and services to trafficking victims. Two of the three NGO-run shelters for trafficking victims closed during the reporting period as a result of insufficient funding, disrupting care and services for victims. NGOs served a total of 22 women in shelter care, a decrease from 39 served in 2011. One male victim was provided with specialized care. Experts noted the government was likely under-identifying male victims of labor trafficking. IOM assisted 18 trafficking victims with repatriation from Turkey to their countries of origin during the reporting period, of whom five were referred by law enforcement. Victims can access free health care and psychological services through the Ministry of Health. Foreign victims identified by Turkish authorities were able to apply for humanitarian visas valid for up to six months, and may obtain permission to work, with the option to extend their visas for an additional six months; however, only one victim remained in the country on this visa during the year. Observers reported that the separate process required for humanitarian

visa holders to apply for a work permit, which entails finding a business sponsor that is required to prove that no Turkish national is available for the job, is a substantial barrier to trafficking victims actually being authorized to work legally in the local economy. The government maintained that it encouraged victims to participate in criminal proceedings against their traffickers; however, observers report that courts did not allow victims to be accompanied by advocates and consequently victims faced intimidation by defendants. At the end of the reporting period, the Turkish Parliament passed Law No. 6458 on Foreigners and International Protection, which in Article 48 provides a 30-day residency permit for potential trafficking victims to allow time in which they may recover and decide whether to cooperate with law enforcement. A six-month residency permit, renewable up to three years, will also now be available to victims depending on the security, health, and particular situation of each victim. The 2013 law also establishes a new Department for the Protection of Victims of Human Trafficking.

Authorities and experts note that police and Jandarma officers are often unfamiliar with trafficking indicators and how to engage the national referral mechanism. The government distributed a trafficking identification form for law enforcement to use during operations and offered extensive training on identification procedures. However, inconsistent application of procedures for identifying trafficking victims continued to disrupt protection and services to victims of trafficking, particularly to victims of forced labor. NGOs reported turnover of police due to personnel rotations weakened the referral system between authorities and service providers who had built trust through working on cases together. Traffickers increasing use of non-physical forms of control such as psychological coercion, debt bondage, and threats against victims and their families compounded victim identification problems; law enforcement lacked training on how to identify these non-physical forms of control. There were no reports of victims being detained or fined for acts committed as a direct result of their trafficking, though weak victim protection mechanisms left potential victims at risk of deportation. The government periodically screened Turkish women engaged in regulated prostitution to determine whether they were trafficking victims.

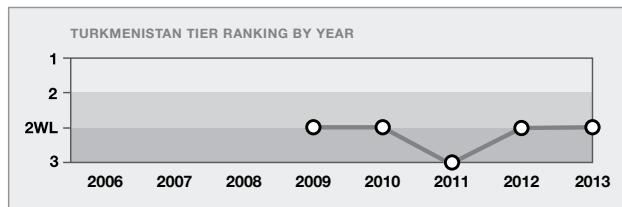
Prevention

The government maintained modest prevention efforts during the year. The government provided the equivalent of approximately \$150,000 to fund the 157 helpline for trafficking victims and continued to publicize the number on television, the internet, and posters in airports. With international funding, the government implemented software to collect data on potential and identified victims of trafficking as well as on perpetrators. Prostitution by women who are Turkish citizens is legal under restricted conditions and regulated by the government. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor, nor did it demonstrate efforts to prevent child sex tourism by Turkish nationals traveling abroad. Turkish armed forces participated in anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

TURKMENISTAN (Tier 2 Watch List)

Turkmenistan is a source, and to a much lesser extent, destination, country for men, women, and children subjected to forced labor and sex trafficking. Men and women from Turkmenistan are subjected to forced labor after migrating abroad in search of employment, including in textile sweatshops, construction sites, and domestic service. Some women and girls from Turkmenistan are subjected to sex trafficking abroad. Turkey remains the most frequent destination for identified Turkmen victims, followed by Russia, the United Arab Emirates and, to a lesser extent, the United Kingdom, Kazakhstan, and Cyprus. An international organization estimates that between 10 and 25 trafficking victims return to Turkmenistan each month. Those who work in the domestic construction industry are vulnerable to forced labor and some regional governors forced public sector employees to pick cotton during the annual cotton harvest. In recent years, trafficking victims were identified in Turkmenistan from Uzbekistan, Ukraine, and Azerbaijan.

The Government of Turkmenistan 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 convict trafficking offenders under its anti-trafficking statute and trained police, judges, and migration officials. The government, however, did not demonstrate overall increasing efforts to identify and protect victims, and its officials penalized some trafficking victims for acts committed as a result of being trafficked. The government also did not raise awareness of human trafficking or develop a national action plan. Therefore, Turkmenistan is placed on Tier 2 Watch List.



Recommendations for Turkmenistan: Develop systematic procedures to identify victims and refer them to protection services; train border guards, police, and other relevant government officials to use these victim referral procedures; establish safeguards and training procedures to ensure victims are not punished for unlawful acts committed as a direct result of being trafficked, such as migration violations and prostitution; continue to use Article 129 to investigate and prosecute suspected trafficking offenses, respecting due process, and convict and punish trafficking offenders; continue to provide training for relevant government authorities on the proper application of Article 129; improve implementation of the protection provisions in the 2007 Law on Combating Trafficking in Persons; provide financial or in-kind assistance to anti-trafficking organizations providing assistance to victims; develop a national action plan for countering trafficking in persons; provide free medical services in state clinics for trafficking victims; conduct a trafficking awareness campaign to inform the general public about the dangers of trafficking; and develop formal relationships with civil society groups to coordinate national anti-trafficking efforts.

Prosecution

The Government of Turkmenistan demonstrated some progress in anti-trafficking law enforcement efforts during the reporting period. The government prohibits all forms of trafficking in persons through Article 129 of its criminal code, which was adopted in May 2010 and came into effect in July 2010. It prescribes penalties ranging from four to 25 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, this law releases the trafficking offender from criminal penalty if he or she voluntarily frees the victim, unless certain aggravating circumstances are present. Turkmenistan's 2007 anti-trafficking law describes anti-trafficking responsibilities of government agencies, measures to protect trafficking victims, as well as prevention strategies. The government did not provide anti-trafficking law enforcement data for inclusion in this report; however, an international organization reported the government investigated and prosecuted seven trafficking cases in 2012 under Article 129, all of which resulted in convictions. At least five of these cases involved the forced prostitution of Turkmen women in Turkey. In 2011, Turkmen courts convicted an unknown number of trafficking offenders in three confirmed and one unconfirmed cases, all involving sex trafficking. The Turkmen government certified 50 law enforcement officers as anti-trafficking trainers upon their successful completion of trainings in July and August 2012, which were organized by an international organization and funded by a foreign government. The certified judges and migration officers subsequently conducted three training seminars for 100 police officers, judges, and migration officers. The Government of Turkmenistan did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Government of Turkmenistan demonstrated limited efforts to protect or assist victims during the reporting period. The government did not provide services to victims of trafficking, nor did it fund international organizations or NGOs to provide such services. In 2012, 232 victims were assisted by organizations that did not receive government funding, compared with at least 50 victims assisted by such organizations in 2011. Approximately 180 of these 232 victims were subjected to labor trafficking.

While the government employed no formal victim identification procedures and did not provide victim identification, referral, or sensitivity training to border guards or police, officials at the Ashgabat international airport informally referred some returning Turkmen victims to an international organization. Authorities punished trafficking victims for crimes committed as a result of being trafficked; reports continued that the State Migration Service fined trafficking victims upon return to Turkmenistan for visa violations. As a policy, Turkmen citizens deported from other countries—potentially including trafficking victims—are prohibited from leaving Turkmenistan for a period of up to five years. The government made no attempts to identify sex trafficking victims among women arrested for engaging in prostitution, and consequently sex trafficking victims may have been penalized for prostitution offenses. The government did not routinely encourage victims to assist in investigating and prosecuting potential trafficking cases. According to an international organization,

two trafficking victims provided information to the police, who in turn provided protection for the victims during court proceedings.

Prevention

The Government of Turkmenistan demonstrated limited efforts to prevent human trafficking during the reporting period. State Border Service and Ministry of Interior officers reported conducting outreach activities to raise awareness of human trafficking in schools. There continued to be no governmental coordinating body for anti-trafficking efforts or a national anti-trafficking plan. Transparency in anti-trafficking efforts was poor, as the government did not report publicly on its anti-trafficking policies or activities. The stateless population in Turkmenistan, comprised of former Soviet citizens, is vulnerable to trafficking. The State Migration Service, jointly with UNHCR, continued to register people over the age of 18 who are considered at risk of statelessness. The government's efforts to reduce the demand for commercial sex acts, such as prosecuting clients of prostitution, were mitigated by the government's punishing of women in prostitution without ensuring that they were not victims of trafficking.

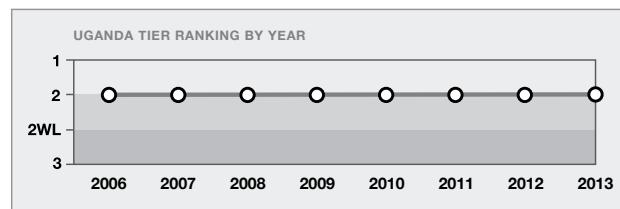
UGANDA (Tier 2)

Uganda is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Ugandan children as young as seven are exploited in forced labor within the country. Forced child labor occurs in agriculture, cattle herding, mining, stone quarrying, brick making, car washing, scrap metal collection, bars, restaurants, and the domestic service sector; girls and boys are also exploited in prostitution. Ugandan children are taken to other East African countries for similar purposes and are forced to engage in criminal activities. Women and children from Uganda's remote and underdeveloped Karamoja region are particularly vulnerable to domestic servitude, commercial sexual exploitation, and forced begging. Children from the Democratic Republic of the Congo (DRC), Rwanda, Burundi, Kenya, Tanzania, and South Sudan are subjected to forced agricultural labor and prostitution in Uganda. Children in Rwanda-based refugee camps are trafficked to Uganda at the hands of other refugees or Rwandan and Ugandan "sugar daddies" for use in the sex trade. During the year, potential trafficking victims from India and Pakistan were also identified in Uganda. Prisoners in pre-trial detention engage in forced labor alongside convicts. Until August 2006, the Lord's Resistance Army (LRA) abducted children and adults in northern Uganda to serve as soldiers, sex slaves, and porters. While there have been no LRA attacks in Uganda since that time, Ugandan children previously abducted remain unaccounted for, and some may remain captive with LRA elements currently located in the DRC, Central African Republic, and South Sudan.

Licensed Kampala-based security companies and employment agencies continued to recruit Ugandans to work as security guards, laborers, and drivers in the Middle East. Some workers recruited by these companies reported conditions indicative of forced labor while working overseas, including passport withholding, nonpayment of wages, and lack of food. In addition, Ugandan women are exploited into forced prostitution in Malaysia after being recruited for work as hair dressers, nannies, and hotel staff. Some of these women

transit through India, China, and Thailand—where they may also be subjected to forced prostitution—*en route* to Malaysia; Ugandan traffickers use voodoo rituals to coerce women into these trafficking schemes. Uganda's INTERPOL office reported that Ugandan women are trafficked to India, Afghanistan, Indonesia, and the United Arab Emirates. During the reporting period, Ugandan trafficking victims were identified in the United Kingdom, Greece, Poland, Iraq, Egypt, Qatar, South Sudan, Kenya, China, South Korea, Thailand, Malaysia, and the United States; in one case, four Ugandan men were taken to China, where they were forced into prostitution. A Ugandan was arrested in Spain in 2012 for allegedly trafficking Nigerian women into forced prostitution.

The Ugandan government does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Following creation of its counter-trafficking in persons office (CTIP) and anti-trafficking taskforce in early 2012, the government began drafting a national action plan and launched a nationwide awareness campaign. In addition, the government prosecuted an increased number of trafficking offenders during the year; however, for the third consecutive year, the government failed to convict a forced labor or sex trafficking offender under Uganda's 2009 Prevention of Trafficking in Persons (PTIP) Act. The government also significantly increased the number of trafficking victims identified; however, it did not devote sufficient resources or attention to victims of internal trafficking crimes, which constitute a significant portion of Ugandan victims. In addition, although the government provided modest assistance to a small number of internal trafficking victims and partnered with international organizations in the repatriation of Ugandan victims exploited in foreign countries, overall protection services offered to victims of trafficking remained modest. The government increased its screening of Ugandans traveling abroad for employment, began a quarterly review of all licensed labor recruitment agencies, and closed four unlicensed agencies. Although the Ugandan government increased efforts to improve its oversight of officially licensed agencies, this work continued to be hampered by a lack of financial and human resources.



Recommendations for Uganda: Continue to implement comprehensive anti-trafficking legislation and build the capacity of the CTIP office and other governmental and non-governmental stakeholders; increase efforts to prosecute, convict, and punish trafficking offenders; institute a unified system of documenting and collecting data on human trafficking cases for use by law enforcement, labor, and social welfare officials; investigate and punish labor recruiters and criminal entities responsible for knowingly sending Ugandans into forced labor or prostitution abroad; ensure use of a definition of trafficking in persons consistent with the 2009 PTIP Act and 2000 UN TIP Protocol when implementing the act, identifying victims, and combating trafficking generally; finalize regulations to fully implement the protection and prevention provisions of the 2009 PTIP Act; expand the anti-

trafficking public awareness campaign with a particular focus on forced labor; establish policies and procedures for government officials to identify and interview potential trafficking victims proactively and transfer them to the care of local organizations when appropriate; train Ugandan officials serving in overseas postings in victim identification techniques; increase the number of staff and funding dedicated to the anti-trafficking efforts within the External Employment Unit (EEU), the Ministry of Gender, Labor, and Social Development (MGLSD), and the Ministry of Internal Affairs (MIA); and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Uganda increased its overall anti-trafficking law enforcement efforts from four prosecutions in 2011 to 28 prosecutions in 2012; however, Ugandan courts failed to move pending cases through the judicial process, and the government's last reported conviction of a forced labor or sex trafficking offender was in 2009. An additional 58 offenders remained under investigation. Four cases against trafficking defendants were either dismissed or withdrawn; however, the government did not provide extensive details about these cases. The 2009 PTIP Act prohibits all forms of trafficking, prescribing punishments of 15 years to life imprisonment, penalties which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The EEU proposed amendments to the existing regulations governing the recruitment of Ugandan workers for overseas employment and proposed changes to increase oversight of employment contracts and extend criminal liability for trafficking offenses to labor recruiters; the amendments awaited review by the minister at the close of the reporting period.

The government investigated several cases involving the trafficking of Ugandan women to China and Malaysia and cooperated with Egyptian, Saudi Arabian, Malaysian, and South Sudanese authorities to investigate trafficking offenses in 2012. Although the government investigated internal trafficking cases and provided assistance to internal trafficking victims, its overall efforts were insufficient to address internal trafficking crimes and identify Ugandan victims exploited within the country. The government trained 655 police and immigration officials in 2011 but only trained 64 immigration and law enforcement officials in 2012. Furthermore, it did not develop or institutionalize trainings for its law enforcement officials on the 2009 PTIP Act. The frequent transfer of officials previously trained to combat trafficking continued to inhibit progress in addressing the crime through law enforcement efforts. The Ministry of Foreign Affairs (MFA) did not provide training on victim identification to its consular staff; however, the MIA continued to train immigration officials in victim identification. In addition, the national taskforce conducted training for its members. Also, in May and August 2012, the government partnered with NGOs to organize trainings for 40 magistrates and 22 law enforcement officials, respectively, to familiarize them with their roles and responsibilities under the 2009 PTIP Act. There were no allegations of complicity of government officials during the reporting period.

Protection

The government made increased efforts to protect trafficking victims in 2012, including by identifying 417 trafficking victims. Although the government provided modest assistance

to 57 internal trafficking victims and cooperated with other organizations that provided victim assistance within Uganda during the year, it failed to provide protection services or support to victims repatriated following their trafficking abroad. In addition, the government did not complete the implementing regulations for the 2009 PTIP Act, allocate funding for the implementation of its victim protection provisions, or develop procedures for the systematic identification of victims among high-risk groups.

The Ugandan military continued its efforts to rescue and encourage the defection of Ugandan, Central African, Congolese, and South Sudanese non-combatants kidnapped by the LRA and forced to work as porters or sex slaves. In 2012, the Ugandan military assisted in the rescue of at least 42 individuals, including 10 children associated with the LRA, and coordinated with NGO and UN personnel to facilitate the transfer of individuals abducted by the LRA back to their countries of origin. During a May 2012 operation in the Central African Republic, the Ugandan military captured senior LRA commander Caeser Acclam, accused of recruiting and using children as soldiers and sex slaves, and it identified a 12-year-old trafficking victim and referred her to an international organization for protection. During the year, the Ugandan military hired two civilian female social workers to support women and children rescued from the LRA before their transfer to NGO and UN partners. Following the lapse of the Amnesty Act in May 2012, the Ugandan government's amnesty commission continued efforts to provide rehabilitation support to Ugandan returnees.

During the year, the government cooperated with Swazi authorities in the repatriation of five potential trafficking victims intercepted *en route* to South Africa, and Ugandan embassy officials in South Sudan worked with IOM to support the return of five Ugandan children. The Ugandan government identified 14 Ugandans trafficked abroad. In addition, during the year IOM coordinated the return of nine Ugandans from Malaysia, six from China, three from Iraq, and two from Thailand. Although the government provided travel documents to these victims, it did not fund return travel or provide medical care, shelter, counseling, or other assistance to these or other repatriated trafficking victims. The Ugandan Honorary Consul in Malaysia, in particular, investigated tips and identified nine victims, offering them shelter and assistance at the consulate and partnered with the IOM in their repatriation. In November and December 2012, a delegation of members of the parliament's equal opportunities committee visited China, Hong Kong, India, and the UAE as part of a fact-finding mission to establish mechanisms to improve the process of identifying and repatriating trafficking victims.

In Kampala, during a joint operation, the Ugandan police and the Kampala city council identified and transferred 57 street children to an under-resourced MGLSD juvenile detention center that provided food, medical treatment, counseling, basic education, and family-tracing services. Although children are permitted to spend up to three months at the center, the government transferred these children to the care of IOM, which subsequently provided them with shelter, food, and medical treatment. Though such children are routinely reunited with their families, the Ugandan government has not established appropriate systems to ensure that the children do not reappear on the streets. A Ugandan NGO provided counseling and vocational training to 140 children removed by the Ugandan police from domestic servitude and prostitution.

Although Ugandan law permits foreign trafficking victims to remain in Uganda during the investigation of their cases and to apply for residency and work permits, no foreign victims received such permits during the year. Nonetheless, the government encouraged trafficking victims to supply victim statements in order to facilitate the prosecution of their exploiters.

Prevention

The Ugandan government made continued efforts to prevent human trafficking during the year. In February 2013, following the death of the previous anti-trafficking coordinator, the MIA appointed an assistant police commissioner to coordinate government anti-trafficking efforts and oversee the work of the CTIP office. During the year, the government tripled the staffing of the CTIP office, although its budget remained flat. Although the office and its national taskforce, both established in early 2012, began to draft a national action plan, initial efforts to prevent trafficking were slowed by the death of the coordinator. During the reporting period, the Ugandan police's special investigation unit introduced additional screening for those attempting to emigrate for work abroad. Immigration officials are now required to scrutinize travel documents, passports, and reasons for travel before clearing travelers to depart Uganda for work in foreign countries, with suspect cases subject to additional interview. As a result, the MIA and its immigration department intercepted several hundred potential trafficking cases at border crossings and the international airport in Entebbe. Law enforcement officials also seized 900 passports from unlicensed labor recruitment firms and foreign embassies.

The government made efforts to raise awareness on the dangers of trafficking and how to report cases by arranging five radio and television shows during the year. For example, in April 2012, the former anti-trafficking coordinator and a female member of parliament conducted a television show in Luganda, the most widely spoken language in Uganda and the language used in central Uganda, including Kampala, which specifically targeted Uganda's business community. In July 2012, the anti-trafficking coordinator hosted a panel discussion on Urban TV, which broadcasts in English and targets youth in urban areas, to discuss the consequences of trafficking. As a result of these programs, media coverage of trafficking issues increased, and the Ugandan police noted an increase in reports of potential trafficking cases, leading to the initiation of several investigations.

In 2012, the MGLSD's EEU increased its monitoring and oversight of recruitment agencies from semiannual to quarterly visits. During the visits, the EEU interviewed staff and reviewed financial documents to ensure compliance with Ugandan law. The EEU also drafted specific guidelines recruitment agencies must follow and developed an orientation session for Ugandans departing for work abroad. The Ugandan police closed four unlicensed recruiting firms during the reporting period. Although the government investigated trafficking cases in Dubai, Abu Dhabi, and Kuwait and closed down four unlicensed recruitment agencies suspected of facilitating human trafficking, it did not pursue criminal prosecution of these or other agencies for their role in fraudulent recruitment of Ugandans for overseas employment. In November, the MGLSD and a local Ugandan NGO organized a workshop for 24 licensed recruitment agencies to raise awareness of the 2009

PTIP act and to increase cooperation between employment firms, the MGLSD, the MIA, and NGOs.

The number of plaintiffs in a lawsuit against the attorney general, the inspector general of police (IGP), the director of public prosecution (DPP), and a labor recruitment agency for allegedly trafficking 155 Ugandan women to Iraq, originally filed in March 2011, has increased to 19, and a hearing of the case is expected in early May 2013. The complaint alleges that the IGP knew the women would be exploited and failed to carry out his constitutional duty to protect them, and that the DPP subsequently failed to prosecute the recruitment agency. In February 2011, a member of parliament filed a petition on behalf of 16 women repatriated from Iraq attempting to task parliament's gender and social development committee with investigating the work of recruitment agencies; during the year, parliament heard testimony from the firm's manager, and the inquiry remains ongoing.

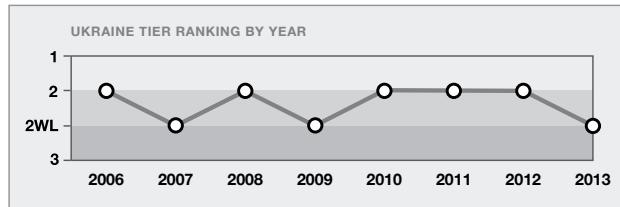
In 2012, the MGLSD's orphans and vulnerable children unit worked with civil society organizations to identify more than 8,500 children engaged in illegal child labor, such as petty trade, agriculture, and stone quarrying. The rescued children received Ugandan government-supported vocational training, health care, and psycho-social support. However, in 2012, the government failed to conduct child labor inspections or prosecute those in violation of child labor laws. During the year, the government arrested two foreign nationals for the alleged sexual abuse of Ugandan children, and both cases remained pending prosecution at the end of the reporting period. The government failed to significantly reduce the demand for commercial sex acts within the country and transnationally. Uganda is not a party to the 2000 UN TIP Protocol.

UKRAINE (Tier 2 Watch List)

Ukraine is a source, transit, and, increasingly, destination country for men, women, and children subjected to forced labor and sex trafficking. Ukrainian victims are subjected to trafficking in Ukraine as well as in Russia, Poland, Iraq, Spain, Turkey, Cyprus, Republic of Seychelles, Portugal, the Czech Republic, Israel, Italy, United Arab Emirates, Montenegro, the United Kingdom, Kazakhstan, and Tunisia. Foreign nationals, including from Moldova, Uzbekistan, Pakistan, Cameroon, and Azerbaijan, are subjected to forced labor in Ukraine. Ukrainians most at risk of trafficking are from rural areas with limited access to employment opportunities and are often targeted by Ukrainian recruiters using fraud, coercion, and debt bondage. Victims of labor trafficking are exploited in construction, agriculture, manufacturing, domestic work, the lumber industry, nursing, and forced begging. Children in orphanages and crisis centers continue to be particularly vulnerable to trafficking within Ukraine.

The Government of Ukraine does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these steps, the government did not demonstrate evidence of overall increasing efforts to address human trafficking – particularly in terms of devoting resources to investigating trafficking crimes and protecting trafficking victims; therefore, Ukraine is placed on Tier 2 Watch List. During the reporting period, the government issued several decrees and regulations in an effort to fully implement the comprehensive anti-trafficking law passed in 2011. Ukrainian courts sentenced more trafficking offenders

to prison than in the previous reporting period. However, the national referral mechanism (NRM) did not function effectively in many regions, resulting in very few identified victims being granted official victim status by the government. As a result of dismantling the specialized anti-trafficking police unit in 2011, the number of trafficking investigations, prosecutions, and convictions decreased in 2012 and the government did not proactively identify and refer victims to services. Moreover, the government did not allocate funds to anti-trafficking efforts in 2012.



Recommendations for Ukraine: Expand the NRM to all regions of the country and ensure effective implementation through systemic training of government officials and front-line responders on their respective roles and responsibilities to protect and assist victims of trafficking; ensure government officials are aware of the rights of victims under the anti-trafficking law and are prepared to provide assistance according to their respective responsibilities; dedicate more law enforcement resources to investigating human trafficking; ensure that victims of trafficking who come forward to obtain official status are not subjected to repeated interviews with multiple officials; harmonize migration and employment legislation to ensure foreign and stateless victims of trafficking are able to obtain temporary residency status and seek employment as permitted under the anti-trafficking law, and clarify procedures for doing so; formalize agreements with and fund NGOs providing case management services to victims of trafficking; ensure the full range of protective measures allowed under the witness protection law are consistently applied in practice for victims of trafficking; sufficiently fund full implementation of the national action plan; strengthen the NRM by building the capacity of officials to identify child trafficking victims and institute screening for trafficking in crisis centers and orphanages through child-friendly practices; and collect disaggregated data based on sex or labor trafficking.

Prosecution

The Government of Ukraine significantly reduced its anti-trafficking law enforcement efforts in 2012. Article 149 of the criminal code prohibits all forms of trafficking and prescribes penalties from three to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Ministry of Interior reported 162 criminal investigations into trafficking offenses in 2012, a significant decrease compared to 197 in 2011 and 257 in 2010. The government prosecuted 122 trafficking cases under article 149 in 2012, compared with 135 in 2011 and 111 in 2010. The government convicted 115 trafficking offenders in 2012, a decrease from 158 in 2011 and 120 in 2010. Of the 115 convicted trafficking offenders, 65 were sentenced to imprisonment terms ranging from less than one year, to between 10 and 15 years. Forty-two defendants were given suspended sentences and the assets of 32 defendants were confiscated. The government did not identify which

law enforcement efforts involved sex trafficking and which involved labor trafficking.

In its reorganization of the Ministry of Interior in 2011, the anti-trafficking police unit was subordinated to the General Crimes Department. Following this change, many detectives trained in specialized anti-trafficking investigation techniques left the unit; the majority of detectives in the regions were new and had little experience with trafficking crimes, and a reduced percentage of time was spent on investigating trafficking offenses. The number of detectives assigned to trafficking crimes at the ministry's headquarters was cut to 16 in 2012, from approximately 70 detectives in 2010. The number of detectives in the regions was cut on average by 50 percent. IOM trained 108 law enforcement officers from 27 regions' anti-trafficking units. NGOs reported that judges have not received adequate training and some did not appear to know how to properly adjudicate child trafficking cases. Ukrainian officials did not recognize some 16- and 17-year-old victims of commercial sexual exploitation as children and charged them as offenders.

During the reporting period, authorities uncovered a scheme in which Ukrainian women were transported to Germany and subjected to sex trafficking, facilitated by the use of fraudulent Ukrainian documents and Schengen visas from contacts at the Polish Consulate in Lutsk. As a result of this Ukrainian police investigation, the Polish government fired officials from the consulate. Different groups of Moldovan and Uzbek victims of trafficking were subjected to forced labor in agriculture in Ukraine. In both cases, the authorities opened criminal cases; however, the prosecutors charged defendants in the case of the Moldovans under a statute that punishes severe violations of labor law rather than under anti-trafficking statutes, which carry more stringent penalties.

The Government of Ukraine did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period, despite reports of widespread corruption in the government. For example, a Pakistani recruiter and Ukrainian factory owner were charged with trafficking in 2011—the Pakistani recruiter was sentenced to five years' imprisonment, while the Ukrainian factory owner with close relations with local authorities was found guilty of violating a lesser labor law and was simply fined. Upon appeal on behalf of the victims, the court vacated the verdict and sent the case of the Ukrainian factory owner back for a new trial, which is still pending.

Protection

The government did not expand its victim protection efforts during the reporting period, identified fewer trafficking victims, and officials were not trained on their responsibilities under the NRM. The government reported that 187 victims of trafficking were identified in 2012, a significant decrease compared to 294 in 2011 and 277 in 2010. Forty-seven of the victims identified in 2012 were men and 16 victims were children. Only 16 of the 187 victims identified by law enforcement in Ukraine were granted formal victim status by the government under the new procedures affording them the right to access legal, medical, and social assistance. In 2012, IOM reported assisting 139 Ukrainian, 46 Moldovan, and 10 Uzbekistani victims of trafficking in Ukraine, of whom 56 percent were men. Eighty percent of victims identified by IOM had been subjected to forced labor. The government did not fund any anti-trafficking

protection activities in 2012. Planned funding for 2013 to 2015 includes the equivalent of approximately \$120,000 annually from the central state budget to combat trafficking in persons. International donors continued to provide the majority of funding for anti-trafficking activities and assistance to victims. Government centers for socio-psychological assistance and centers for mothers and children accommodated 23 victims of trafficking during the reporting period. Government social workers responsible for assessing trafficking victims' needs and drafting rehabilitation plans had large caseloads and faced high turnover rates. For the first time, the government issued regulations with criteria by which identified victims of trafficking could be granted official status, receive financial assistance, and be provided with comprehensive assistance. In practice, however, government officials were unaware of the new regulations and their respective responsibilities to serve victims of trafficking who attempted to obtain assistance. None of the 16 officially recognized victims received the one-time payment of the equivalent of approximately \$135 afforded to them under a resolution adopted in 2012.

Under the anti-trafficking law, implementation of the NRM is the responsibility of local administrations. As a result, different regions have designated different local departments as coordinators responsible for identifying and assisting victims of trafficking. This created significant confusion among NGOs that previously functioned to serve victims of trafficking in coordination with prior, informal points of contact in the government, and procedures for granting official status to victims of trafficking did not work in some regions. The Ministry of Social Policy listed local administration points of contact on its website in an effort to address this problem. NGOs reported that local officials designated to grant formal victim status did not yet have the necessary assessment and interviewing skills or experience to carry out this duty effectively. NGOs reported concerns that victims who came forward to obtain official status as a victim of trafficking were subjected to multiple interviews and asked insensitive and invasive questions. Provisions in the NRM related to child victims of trafficking and how to provide services to this vulnerable group were unclear. Proactive victim status determination for victims who were not participating in active criminal proceedings was limited. NGOs reported that police, NGOs, and victims lacked trust in the abilities of government social service workers to properly determine and grant formal victim status, which prevented victims from obtaining services. There were no reports of victims being detained or punished for unlawful acts committed as a direct result of their being subjected to human trafficking in 2012. While the anti-trafficking law affords victims of trafficking the right to remain in the country, in practice, no such victims obtained temporary residence status; the migration service did not recognize trafficking victim status as a basis for protected status under the foreigner's law. As a result, victims officially recognized by the government remained without legal status in the country and in fear of deportation. Even though the anti-trafficking law affords victims two years of access to services, this was available in theory only, as foreign victims could not obtain legal status to remain in Ukraine. The government acknowledged this issue required a change in legislation. Four foreign victims with official victim status from the government were not issued temporary residency status or granted permission to seek legal employment. A range of protective measures are available under Ukrainian witness protection law. In practice, however, these measures were rarely applied by prosecutors

and victims of trafficking serving as witnesses were often not treated in a victim-sensitive manner.

Prevention

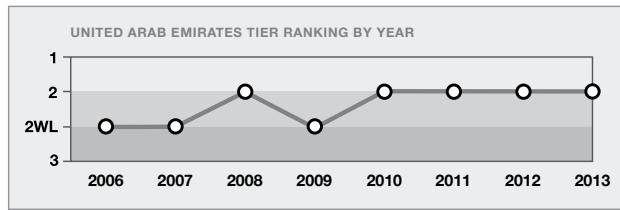
The Government of Ukraine continued limited trafficking prevention activities in 2012. The government, in cooperation with OSCE, conducted an anti-trafficking information campaign to raise awareness about all forms of trafficking reaching approximately 2.3 million people. The national action plan for 2012-2015, formally adopted by the government during the last reporting period, was not supported by any budget allocations at the national and local levels to ensure full implementation. The Ministry of Social Policy continued in its role as national anti-trafficking coordinator and an interagency council of ministries and NGOs was established. The government, in continued cooperation with IOM, conducted four counter-trafficking pre-deployment trainings for Ukrainian troops assigned to multinational missions. The government did not demonstrate specific efforts to reduce the demand for commercial sex acts and forced labor. The government did not report any efforts to reduce participation in international child sex tourism by Ukrainian nationals.

UNITED ARAB EMIRATES (Tier 2)

The United Arab Emirates (UAE) is a destination and transit country for men and women predominantly from South and Southeast Asia who are subjected to forced labor and forced prostitution. Migrant workers, who comprise more than 90 percent of the UAE's private sector workforce, are recruited primarily from India, Pakistan, Bangladesh, Nepal, Sri Lanka, Indonesia, Ethiopia, Eritrea, China, Thailand, Republic of Korea, Afghanistan, Iran, and the Philippines; some of these workers face conditions of forced labor in the UAE. Women from some of these countries travel willingly to the UAE to work as domestic servants, secretaries, beauticians, and hotel cleaners, but some are subsequently subjected to conditions indicative of forced labor, including unlawful withholding of passports, restrictions on movement, nonpayment of wages, threats, and physical or sexual abuse. Restrictive sponsorship laws for foreign domestic workers give employers power to control domestic workers' movements, threaten them with abuse of legal processes, and make them vulnerable to exploitation. Men from India, Sri Lanka, Bangladesh, Pakistan, and Nepal are recruited to work in the UAE in the construction sector; some are subjected to conditions of forced labor, including debt bondage as they struggle to pay off recruitment fees. In some cases, employers have declared bankruptcy and fled the country, effectively abandoning their employees in conditions vulnerable to further exploitation. Some women from Eastern Europe, Central Asia, Southeast Asia, East Asia, East Africa, Iraq, Iran, and Morocco are subjected to forced prostitution in the UAE.

The Government of the United Arab Emirates 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 punish sex trafficking offenders, though its efforts to prosecute forced labor offenders were unclear. For the first time, the Ministry of Labor reported statistics on the number of cases of labor complaints it referred for prosecution; however, the statistics

were not sufficiently detailed to ascertain whether these cases involved forced labor offenses. The government provided avenues for migrant workers' complaints through hotlines and mobile units; however, there were no shelters or other types of government services for male trafficking victims. During the reporting period, the government continued to implement victim identification procedures and refer sex trafficking victims to protection services, including government-funded shelters for trafficking victims. The government also continued to implement anti-trafficking awareness campaigns. Nonetheless, labor trafficking victims, especially male victims, remained largely unprotected; while the government made significant efforts in sex trafficking victim identification, it did not make equivalent efforts in identifying victims of forced labor among vulnerable populations. As a result, victims may have been punished for immigration and other violations.



Recommendations for the United Arab Emirates: Significantly increase efforts to investigate, prosecute, and punish labor trafficking offenses, and convict and punish trafficking offenders, including recruitment agents and employers who subject workers to forced labor; enact and implement the draft law addressing the protection of domestic workers' rights; increase victim identification efforts for workers subjected to forced labor, including those apprehended for violations of immigration laws and domestic workers who have fled their employers; provide protection services to all victims of trafficking, including by extending protection to victims of forced labor and male victims on par with victims of forced prostitution; ensure that forced labor trafficking victims are not incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being trafficked, and treat male and female victims equally; enforce the prohibitions on withholding workers' passports; reform the sponsorship system so it does not provide excessive power to sponsors or employers in granting and sustaining the legal status of workers; and disaggregate data on labor trafficking offenses from among data on general labor complaints the government receives, including those referred for prosecution.

Prosecution

The government sustained law enforcement efforts against sex trafficking during the reporting period, though it was unclear if it took measures to punish forced labor offenders. Though the Ministry of Labor reported statistics on cases of labor complaints it referred for prosecution, it was unclear whether the government investigated or prosecuted labor trafficking offenses. The UAE prohibits all forms of trafficking under federal law Number 51 of 2006, which prescribes penalties ranging from one year to life in prison as well as fines and deportation. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2012, the government referred 47 cases involving 149 alleged sex trafficking offenders for prosecution and convicted 91 sex trafficking offenders under the anti-trafficking law, with sentences ranging from one

year to life imprisonment. This is an increase from the 37 suspects prosecuted and 19 traffickers convicted in 2011. Despite continuing reports of forced labor in the construction sector and domestic service, the government did not provide sufficient evidence that it adequately prosecuted or convicted any forced labor offenders in 2012. The government did not proactively enforce a prohibition on the widespread withholding of workers' passports, which greatly contributes to forced labor. The government continued to respond to and investigate workers' complaints of unpaid wages through a dispute resolution process and the Wages Protection System (WPS), which has reportedly deterred some employers from withholding workers' wages, though this response was largely limited to administrative remedies, including fines or mediation to recover the wages. Seldom did the government criminally investigate or punish an employer for labor abuses, which could serve as a greater deterrent to these practices.

The government continued to train judicial, law enforcement, and labor officials on human trafficking issues. The Ministry of Interior (MOI) conducted 31 anti-trafficking training courses for over 1,000 police officials in 2012, while 68 officials also participated in multiple international anti-trafficking training courses. In addition, Dubai police held six training courses for its human trafficking unit in identifying victims of trafficking in accordance with international standards, which was attended by immigration officers and the Public Prosecutor's Office; the majority of courses focused on increasing awareness about labor restrictions and UAE labor laws. The inter-ministerial National Committee to Combat Human Trafficking (NCCHT) continued to use a central database for law enforcement officers working on trafficking cases. The government did not report efforts to investigate or prosecute public officials for alleged complicity in trafficking-related offenses; however, there was no evidence that public officials were complicit in trafficking-related offenses. The government reported actively cooperating with other countries and international agencies on international trafficking investigations during the year. In early 2013, the UAE extradited a suspected trafficker to his home country for prosecution.

Protection

The government sustained progress in providing protective services to sex trafficking victims, although it did not demonstrate that it made efforts to improve care for victims of forced labor other than providing avenues to report abuses and dispute-resolution options. Accordingly, the government's protection efforts failed to sufficiently address the needs of the largest group of trafficking victims within the country. The government continued to fund shelters for female and child victims of sex trafficking and abuse in Abu Dhabi, Dubai, Ras al Khaimah, and Sharjah; however, it did not provide shelter services for male victims of trafficking. Shelter facilities provided medical, psychological, legal, educational, and vocational assistance. These shelters assisted 68 female trafficking victims during the reporting period. In 2012, the government reportedly identified and referred 57 sex trafficking victims, including four underage victims, to care facilities. Authorities reported that government officials including the police, as well as houses of worship, community centers, source country embassies, hospitals, and NGO-operated hotlines referred victims to the government's shelters. Moreover, shelter personnel reported government officials improved their efforts to proactively identify female trafficking victims during the reporting period. Once identified, victims reportedly

were not punished for unlawful acts committed as a direct result of being trafficked, such as prostitution offenses. The MOI distributed a guidebook outlining standard operating procedures for law enforcement personnel to identify victims of both sex and labor trafficking. Despite having standard operating procedures in place, some unidentified victims of sex trafficking may have been penalized through incarceration, fines, or deportation for unlawful acts committed as a direct result of being trafficked. To attempt to remedy this problem, the government reportedly used a referral process to improve the identification of trafficking victims in detention or prison and referred them to a local shelter; NGOs reported the referral system worked well in practice for sex trafficking victims. Authorities, however, failed to identify any male trafficking victims. The MOI continued its implementation of a system to place suspected trafficking victims in a transitional social support center instead of a detention center until victim identification was completed. In an effort to avoid inflicting additional psychological trauma or making victims feel as if they were being detained, identified sex trafficking victims were assigned female and male police officers dressed in plain clothes and familiar with human trafficking cases when escorted to shelter services. In January 2013, the cabinet approved draft amendments to the 2006 anti-trafficking law, which would provide greater protection for trafficking victims. The amendments remained under review by the Federal National Council and were not enacted at the end of the reporting period. The amendments would provide security protection to victims and witnesses, as well as lawyers and psychotherapy for victims; specify investigation procedures for law enforcement agencies and prosecutors; and protect the privacy and identity of trafficking victims by making legal proceedings confidential and penalizing those who publicize victims' names or pictures.

While law enforcement officials were trained on victim identification, the government failed to identify potential cases of forced labor; instead, authorities recognized potential forced labor cases as labor violations particularly if potential victims were over the age of 18 and had entered the country voluntarily. As a result, victims of forced labor may have been punished for unlawful acts committed as a direct result of being trafficked, such as immigration violations. While the government exempted victims of trafficking who had a pending or ongoing court case against an employer for labor abuses from paying fines accrued for overstaying their visas, the government did not offer victims of labor trafficking—estimated to be the most prevalent form of trafficking in the UAE—shelter, counseling, or immigration relief. The government implemented a short-term amnesty program in December 2012, which allowed workers who overstayed their visas to renew their documents or return to their home countries without penalty; the government issued 61,800 exit permits, and 39,000 of those with exit permits departed the UAE as of February 2013. Domestic workers who fled from their employers often accessed limited assistance at their embassies and consulates, though UAE authorities generally presumed them to be violators of the law, raising concerns that victim identification procedures were not utilized in these cases, unlike in cases of suspected sex trafficking. The government did not actively encourage victims of labor trafficking to participate in investigations or prosecutions, and it typically initiated investigations of forced labor offenses committed against these victims only at victims' requests. The government encouraged identified victims of sex trafficking, however, to assist in the investigation and prosecution of traffickers

by providing victims with shelter, psycho-social services, vocational training, and employment. The government did not provide long-term legal alternatives to the removal of foreign trafficking victims to countries where they faced retribution or hardship. Victims had the option of obtaining work visas and remaining in the UAE by using the shelters' employment placement programs or completing voluntary vocational education programs.

Prevention

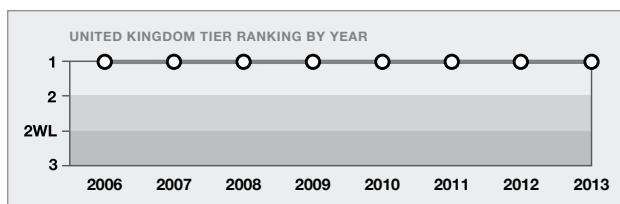
The government continued to make anti-trafficking prevention efforts a priority during the reporting period. The government and Dubai police conducted anti-trafficking information and education campaigns within the UAE and with source country embassies and consulates and expanded an awareness-raising advertisement campaign in international airports throughout the country. The federal news agency also raised the issue of human trafficking by frequently reporting on trafficking cases in the nation's top media outlets. The Ministry of Labor (MOL) educated supervisors, inspectors, and other government officials on forced labor indicators and held 180 seminars for foreign workers on labor rights and methods through which to address labor grievances; the ministry also ran a hotline for workers to report labor violations and operated a mobile unit through which officials inspected labor camps and work sites to address labor violations. The NCCHT advertised its anti-trafficking hotline in media outlets in 2012 and made an agreement with local newspapers to advertise trafficking awareness campaigns in 2013; the government promoted transparency in its anti-trafficking efforts by publishing its fifth annual public report on its anti-trafficking measures. Government authorities produced and translated into source country languages pamphlets on workers' rights and resources for assistance for distribution to migrant workers. A draft law protecting the rights of domestic workers, which the cabinet of ministers approved in January 2012, continued to await presidential approval and subsequent implementation at the end of the reporting period. Additionally, the government continued to regulate recruitment agencies, and the government reported that it did not approve any applications for new recruitment agencies during this reporting period; MOL inspectors made 1,070 follow-up visits to recruitment agencies in this reporting period. In 2012, the cabinet made amendments to the 2010 Cabinet Decision Number 27, which listed various administrative fines for employers violating the labor law, including employers who force workers to pay for recruitment fees without legal documentation. The government sustained its WPS electronic salary-monitoring system intended to ensure workers receive their salaries, with approximately 3.5 million workers and 234,459 companies enrolled at the end of 2012. MOL inspectors forwarded cases of 405 companies involved in violating the labor law for public prosecution. In September 2012, the government sentenced a businessman to pay the equivalent of approximately \$1 million in fines for paying his workers' salaries nine months late. Under the auspices of the Abu Dhabi Dialogue, which it chairs, the UAE government remained in negotiation with some labor source countries on the implementation of a system to verify contracts to protect workers from contract substitution and other fraudulent activities. In September 2012, various government departments adopted stricter visa rules, which followed the arrests of foreigners on tourist, visit, and conference visas who allegedly engaged in crimes including human trafficking. The government, however, did not take measures to reduce the demand for commercial sex acts in the

UAE or to investigate or prosecute acts of child sex tourism by UAE nationals abroad.

UNITED KINGDOM (Tier 1)

The United Kingdom (UK) is a source, transit, and destination country for men, women, and children who are subjected to sex trafficking and forced labor, including domestic servitude. Most foreign trafficking victims come from Africa, Asia, and Eastern Europe. According to 2012 government data, the top five countries of origin for trafficking victims are Nigeria, Vietnam, Albania, Romania, and China. During the year, stakeholders reported an increase in forced labor victims from Eastern Europe as well as an increase in identified Latvian sex trafficking victims. UK men continue to be subjected to forced labor within the UK and in other countries in Europe. UK children are subjected to sex trafficking within the country; one NGO reported an increase in internal sex trafficking of children in 2012. Authorities reported that victims continued to be forced into criminal behavior. Unaccompanied migrant children in the UK continued to represent a group vulnerable to trafficking. Migrant workers in the UK are subjected to forced labor in agriculture, construction, food processing, domestic service, nail salons, and food services. Domestic workers, including those in diplomatic households, are particularly vulnerable to trafficking and abuse. Children and men, mostly from Vietnam and China, continue to be compelled to work on cannabis farms.

The Government of the United Kingdom fully complies with the minimum standards for the elimination of trafficking. During the reporting period, the national government reported increased detection and prosecution of forced labor and sex trafficking offenders, and courts handed down significant penalties in some cases. In 2012, the government, in partnership with NGOs and other stakeholders, continued to review and assess its overall approach to combat trafficking. The national government improved its identification of trafficking victims in the country and increased the number of trafficking victims who received access to care. It implemented prevention programs in relevant source countries and continued to implement its 2011 anti-trafficking strategy. However, challenges remain: victim protection experts and international observers urged the UK government to implement additional victim-centered policies, such as a system of guardianship for child trafficking victims, in order to improve its anti-trafficking results. Some stakeholders continued to report that the UK government's victim identification and referral system fails to help many victims of trafficking. Country experts reported trafficking victims' penalization as offenders or their inadvertent deportation during the year. Local officials and international experts continued to report inadequate protections for child trafficking victims. Expert reports concluded that there was a need for a tailored anti-trafficking law to facilitate more effective prosecution of this crime.



Recommendations for the United Kingdom: Ensure that law enforcement priorities to combat organized crime are effectively balanced with a victim-centered response to protect trafficking victims; ensure that a greater number of victims of trafficking are identified and provided access to necessary services, including potential victims who are incarcerated or charged with immigration violations; consider introducing a "pre-reasonable grounds" decision period in which potential victims can access services before having to engage with police and immigration officers; ensure potential trafficking victims are provided with information about their rights in a language they can understand; ensure that appropriate government officials interview all incoming domestic workers in private so they are familiar with their rights and protections in the UK; develop secure accommodations for child trafficking victims and establish a system of guardianship for unaccompanied foreign children; allow trafficking victims the right to seek employment while cooperating in the prosecution of their traffickers; provide training and technical assistance to authorities in UK overseas territories to improve anti-trafficking law enforcement and victim protection results; and ensure assessments of UK anti-trafficking efforts are transparent and allow for NGO feedback to facilitate self-critical, comprehensive recommendations in each region.

Prosecution

The Government of the United Kingdom increased its prosecution of sex and labor trafficking offenders in 2012. During the reporting period, it convicted trafficking offenders under Section 71 of the 2009 Coroners and Justice Act, marking its first successful conviction under this act. The UK prohibits all forms of trafficking through Section 71 of the 2009 Coroners and Justice Act (slavery, servitude, and forced or compulsory labor), the 2003 Sexual Offenses Act, and the 2004 Asylum and Immigration Act, which prescribe penalties of a maximum of 10, 14, and 14 years' imprisonment, respectively. The acts' prescribed penalties for sex trafficking are commensurate with those prescribed by other laws, for other serious crimes, such as rape. The 2009 Coroners and Justice Act explicitly criminalizes slavery without a precondition of smuggling into the UK. Human trafficking offenses in England, Wales, and Northern Ireland are governed by the 2003 Sexual Offenses Act, the 2004 Asylum and Immigration Act, and the 2009 Coroners and Justice Act. Human trafficking offenses in Scotland are governed by the Criminal Justice (Scotland) Act of 2003, the equivalent of the UK's Sexual Offenses Act. The provisions of the UK's Asylum and Immigration Act 2004 extend to Scotland, and the Criminal Justice and Licensing (Scotland) Act of 2010 made it a statutory offence to hold anyone in slavery or servitude or require a person to perform forced or compulsory labor. The UK Home Office continued to lead the anti-trafficking response in England and Wales, while the Northern Ireland Department of Justice sustained the lead in Northern Ireland and the Scottish police's dedicated anti-trafficking team took the lead in Scotland. During the reporting period, the UK introduced new legislation in England and Wales to comply with the EU Directive on Trafficking. The 2012 Protection of Freedoms Act would extend jurisdiction to include UK nationals committing trafficking offenses abroad by broadening the definition of labor trafficking.

During the reporting period, the government successfully convicted trafficking offenders under Section 71 of the Coroners and Justice Act, the first convictions under its 2009 anti-slavery law. The case involved four family members in

Bedfordshire who recruited homeless men from soup kitchens and job centers, promising cash payments, food, and shelter but instead forcing them to work without payment through physical and verbal abuse. One defendant was sentenced to 11 years' imprisonment, another received four years' imprisonment, and the remaining defendants face a retrial in 2013.

In 2012, UK authorities reported prosecuting at least 148 sex and labor trafficking offenders with a conviction rate of 70 percent. Of that number, authorities initiated 69 prosecutions for sex trafficking and 29 for labor trafficking or other exploitative purposes in 2012. This compares with 106 prosecutions for sex trafficking offenders and 30 for labor or other exploitative purposes in 2011. During the year, the government reported it filed four prosecutions under the Coroners and Justice Act 2009, compared with 11 in 2011. The majority of prosecutions and convictions for trafficking offenders continued to take place in England. The government reported that trafficking offenders were also charged and prosecuted under other trafficking-related laws during the year.

The government did not provide comprehensive prosecution, conviction, and sentencing data for trafficking offenders in 2012; however, it did provide data for certain specific cases that demonstrate the government's vigorous prosecution, conviction, and sentencing of a significant number of trafficking offenders during the reporting period. On February 22, 2013, a court in Portsmouth convicted a trafficking offender and sentenced him to six years and three months' imprisonment for subjecting four Polish men to labor trafficking. The offender kept all of the workers' wages and kept them in small, crowded flats. On October 29, 2012, a convicted sex trafficking offender was sentenced to 20 years' imprisonment for sex trafficking of at least 25 Nigerian girls; the court found he used witchcraft rituals to ensure the victims' obedience. On April 27, 2012, another court sentenced a couple—one person to 13 and a half years' and the other to two and a half years' imprisonment—for subjecting women from Latvia and Lithuania to forced prostitution in massage parlors. On May 8, 2012, courts convicted nine British trafficking offenders—sentencing them to a total of 77 years' imprisonment—for sex trafficking of young girls, grooming for prostitution some as young as 13 years of age. In March 2013, another trafficking offender was convicted and sentenced to the maximum 14 years' imprisonment for sex trafficking of two Nigerian girls.

In its September 2012 report on the UK, the Council of Europe's GRETA noted, "the co-existence of several partially overlapping offenses relating to human trafficking undermines legal clarity and can be problematic in practice when it comes to prosecution and conviction." During the year, the government published a report on the results of its internal review of human trafficking legislation in the UK, in response to stakeholders' call for a tailored, comprehensive human trafficking law to address the various disparate offenses on trafficking throughout the UK. The government concluded that new legislation was not necessary, but did acknowledge the UK's "unduly lenient sentence regime" and the need for legislative changes that would allow the court of appeals to hear all cases in which a prosecutor wished to appeal a convicted trafficker's overly lenient sentence.

On November 12, 2012, the European Court of Human Rights cited the UK government for violating Article 4 (Prohibition of Slavery and Forced Labor) in a domestic servitude case. The court cited concern over the UK's lack of explicit legislation

criminalizing the specific offense of domestic servitude. In its judgment, the Court found "the investigation into the applicant's complaints of domestic servitude was ineffective due to the absence of specific legislation criminalizing such treatment."

Protection

In 2012 the UK government identified and referred to care an increased number of trafficking victims via its National Referral Mechanism (NRM). The NRM involves two findings: first a preliminary finding of "reasonable grounds" that an individual is a trafficking victim, and then a final determination of "positive grounds" for that conclusion, which triggers longer-term victim protection. The government reported that it proactively identified 1,186 potential trafficking victims from July through December 2012. Approximately 224 of these referrals involved labor trafficking or domestic servitude victims. This figure represents a 25 percent increase compared with overall NRM referrals in 2011. The government reported a preliminary figure of 415 trafficking victims who received a "positive grounds" decision in 2012, with significant number of outstanding decisions involving non-EU victims. Anti-trafficking experts, while commanding the government for establishing an identification and referral system for victims, observed that implementation of the NRM remains problematic and that, for a variety of reasons, many other victims were not referred through the NRM. In some cases, victims may not be properly recognized; others do not see the benefits of referral or are fearful of the consequences of being brought to the attention of authorities due to immigration status or fear of law enforcement agencies. During the reporting period, the Border Agency reported it updated guidelines for front-line responders to assist officials in the identification of trafficking victims, and it introduced an e-learning package as a training tool.

In another notable development, Scottish police announced a new policy in March 2013 mandating that future sex or labor trafficking victims be recognized first and foremost as victims and not penalized for crimes committed under coercion. However, problems persist. Anti-trafficking experts continued to report that border officials prioritized immigration control over the recognition of trafficking victims. The 2012 GRETA report for the UK called on the government not to punish potential victims of trafficking for immigration-related offenses while their identification procedure is ongoing. Furthermore, the GRETA report reinforced ongoing concerns that a number of potential victims continue to be detained in immigration detention centers, police cells, or prisons in the UK and were unable to access assistance. Some NGOs reported potential trafficking victims were interviewed by immigration authorities in detention facilities and may serve their recovery and reflection period in custody.

Despite the existence of guidance for prosecutors instructing them not to prosecute trafficking victims for crimes committed as a direct result of their being trafficked, stakeholders continued to report and document the punishment of trafficking victims. In August 2012 the University of Cambridge published a report on the criminalization of migrant women in the UK, noting that only 25 percent of victims of trafficking in the study were referred through the NRM. The study further noted that even in cases where the NRM referral resulted in a "positive grounds" conclusion, the victims spent an average of four months in custody. The government amended the regulations

for domestic workers in April 2012: the regulations for the "domestic worker in a private household" category now state that domestic workers must have worked for their employer for at least one year outside of the UK before applying for an UK work visa; they are not allowed to change employers while in the UK; and they can stay for a maximum of six months after which time they must return home. Permission to stay in the UK for longer than six months cannot be granted. An NGO noted serious concerns that this policy increased domestic workers' dependency on one employer, and facilitated domestic servitude. The UK Border Agency reported it provided incoming domestic workers with a letter in multiple languages informing them of their rights and where to get help if needed. NGOs, however, noted that domestic workers subsequently identified as trafficking victims reported never receiving such a letter and that their employers often accompanied them to the visa interview.

The government continued to provide the equivalent of approximately \$3.1 million to a central government contractor to coordinate provision of care for victims in England and Wales in 2012; this contractor reported it supported 378 victims between July 2011 and July 2012. The 2012 GRETA report on the UK praised the government for maintaining government funding levels for the support of trafficking victims despite difficult economic circumstances. Civil society organizations continued to express concerns that the UK's support model was inadequate to meet the comprehensive needs of trafficking victims, citing a lack of uniform standards of care for victims, and that some shelters housed men and women in mixed accommodations, which was inappropriate for some trafficking victims. NGOs also reported that the NRM's time-bound program only allows victims to receive support for 45 days, which they argue is insufficient time to allow for trafficking victims' adequate recovery. During the year, Scottish authorities provided funding to two NGOs for comprehensive services to trafficking victims identified in Scotland. The Northern Ireland department of justice continued to provide funding to two NGOs to provide assistance to victims in 2012.

The government continued to work in partnership with NGOs and other stakeholders to increase protection for child trafficking victims. The government reported a total of 372 potential child trafficking victims referred to the NRM in 2012. During the year, the joint agency team of police and border officials working on children's safety issues, known as the Paladin team, continued to advise on child protection matters at London's airports and investigated potential child trafficking cases in 2012. The Paladin team also trained airline staff during the year to recognize indicators of child trafficking.

The 2012 GRETA report reinforced ongoing international and local experts' concerns about an inadequate level of protection for child trafficking victims in the UK, noting that rescued children placed in the care of local authorities continued to go missing. NGOs reported the NRM had no child-specific mechanism and a lack of specialized facilitates for trafficked children, and the piecemeal nature of care resulted in children lost, dropped out of the system, or returned to their traffickers. Stakeholders reported the NRM's reliance on a centralized authority for victim identification resulted in marginalization of frontline responders' opinions on whether a child or individual had been trafficked. Local stakeholders and international experts continued to urge for a system of guardianship for child trafficking victims to avoid re-trafficking and further exploitation. One NGO argued against the need for a child-

specific NRM, and urged for more effective implementation of existing laws and policies.

The government encouraged victims to assist in trafficking investigations and prosecutions by offering renewable one-year residence permits to foreign victims who cooperate with law enforcement or have personal circumstances warranting it. The government reported it issued between January 1 and June 30, 2012, 128 one-year residency permits, humanitarian protection, or discretionary leave to individuals referred through the NRM who required immigration status to stay in the UK. The UK government continued to provide foreign victims with legal alternatives to removal to countries where they face hardship or retribution through asylum procedures.

Prevention

The government continued to initiate, support, and implement a wide range of anti-trafficking prevention programs in the UK during the reporting period. In January 2013, the government supported a new anti-trafficking campaign launched by an NGO to raise public awareness of signs of human trafficking and forced labor and to encourage citizens to report any potential cases they witnessed; the Police Service in Northern Ireland also supported the campaign and provided funding to help front-line police officers identify victims of trafficking. Furthermore, the Northern Ireland police created a database to serve as a knowledge-sharing forum on trafficking for its officers. During the year, the government partnered with the airline industry and launched an e-learning package to train airline staff on human trafficking and ways to report indicators of the crime. In September 2012 Parliament's Joint Committee on Human Rights launched an inquiry into the human rights of unaccompanied migrant children in the UK, who are vulnerable to trafficking. On December 20, 2012, a cross-party group of members of Parliament and Lords held the first human trafficking parliamentary debate to highlight their concerns about the government's response to trafficking. Some anti-trafficking experts in the UK continued to criticize the government's 2011 anti-trafficking strategy for its emphasis on border control. The United Kingdom Human Trafficking Center (UKHTC), under the direction of the Serious Organized Crime Agency, continued to serve as a multi-agency, centralized point for the development of expertise among governmental, inter-governmental, and nongovernmental stakeholders involved in anti-trafficking; however NGOs note the government has yet to appoint a single point of contact or national coordinator with whom to communicate. In August 2012 the UKHTC produced an assessment of trafficking in the UK. During the year, the government established a 15-member inter-departmental ministerial group on human trafficking to act in the role of national rapporteur; the group published its first report in October 2012. NGOs reported that the group's decisions were not transparent and that a 15-member group was inappropriate for this role. The government did not report providing anti-trafficking training to UK troops prior to their deployment abroad as part of international peacekeeping missions in 2012.

In 2012, the government continued to investigate and implement trafficking prevention programs in partnership with NGOs in source countries. Following a reported increase in trafficking from the Czech Republic, UKHTC staff engaged with police, officials, and British embassy staff in 2012 to raise awareness and encourage a multi-faceted approach to prevent

trafficking; authorities referred 18 potential trafficking victims from the Czech Republic in 2012.

Finally, in advance of the Olympic Games the government set up the London 2012 Network, comprising anti-trafficking NGOs, law enforcement, UKHTC, and the Mayor of London's office to raise awareness of human trafficking and to prevent it before and during the Olympics. The government reported there was no increase in trafficking during the Olympics, and the organizers of the Rio Olympics are studying the model.

Overseas Territories of the United Kingdom

Turks and Caicos

Turks and Caicos Islands (TCI) are a destination country for men, women, and children subjected to sex trafficking and forced labor. The large population of migrants from Haiti, the Dominican Republic, and Jamaica continue to be vulnerable to sex trafficking and forced labor, and the estimated 2,000 stateless children and adolescents in TCI are especially at risk, according to local experts. Local stakeholders including law enforcement officials reported specific knowledge of sex trafficking occurring in bars and brothels and noted that trafficking-related complicity by some local government officials was a problem. During the reporting period, anti-trafficking legislation that included measures to improve identification of and assistance for trafficking victims remained in draft form. The absence of specific legislation prohibiting trafficking as defined by the 2000 UN TIP Protocol, the absence of trafficking victim identification and protection procedures and policies, and little public awareness of human trafficking continued to hinder TCI authorities' ability to address trafficking.

Bermuda

Bermuda is a limited destination country for women subjected to domestic servitude. Stakeholders report that foreign migrant workers are vulnerable to conditions of forced labor. In a previous year, a Bermudan woman was subjected to sex trafficking in the United States. During the year, Bermudan authorities took some important positive steps to address domestic servitude involving victims from the Philippines and Ecuador. In one case, arbitration resulted in compensation for one victim who received back wages from her employers, though authorities did not prosecute or convict any trafficking offenders in 2012.

During the year, local stakeholders called on the government to introduce legislation to improve protections for, and prevent trafficking of, migrant workers in Bermuda, including domestic and hospitality workers. Stakeholders reported three cases of abuse of domestic workers from Latin America and Asia, including workers barred from leaving the home, forbidden from interacting with others, and receiving only a small portion of their promised wages. None of the cases resulted in an official complaint to Bermudan authorities. In previous years, there were some reported cases of employers confiscating passports and threatening migrant workers with having to repay the entire cost or the return portion of their airline tickets. Bermudan authorities and NGOs continued to report that victims rarely lodge formal complaints out of fear of retaliation. Migrant workers are employed in Bermuda under a strict system of government work permits obtained by employers on behalf

of foreign workers. The Bermuda Industrial Union in 2009 began offering union protection to some migrant workers, and in 2012 several NGOs offered meetings for migrant workers to help explain their rights and legal protections.

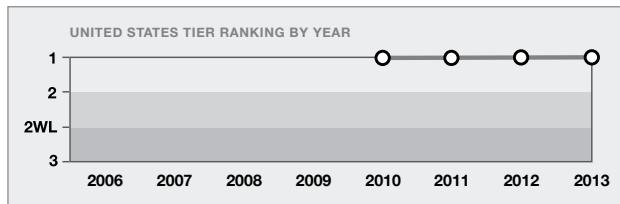
There were reports that some children in the British overseas territories of Anguilla and Montserrat were in commercial sexual exploitation.

UNITED STATES OF AMERICA (Tier 1)

The United States is a source, transit, and destination country for men, women, and children—both U.S. citizens and foreign nationals—subjected to forced labor, debt bondage, involuntary servitude, and sex trafficking. Trafficking can occur in many licit and illicit industries or markets, including in brothels, massage parlors, street prostitution, hotel services, hospitality, agriculture, manufacturing, janitorial services, construction, health and elder care, and domestic service. Individuals who entered the United States without legal status have been identified as trafficking victims, as have participants in visa programs for temporary workers who filled labor needs in many of the industries described above. There continue to be allegations of visa holders employed as domestic workers being subjected to forced labor by personnel of foreign diplomatic missions and international organizations posted to the United States. Abuse of third-country nationals providing services for overseas U.S. government contracts has also been noted by NGOs and government officials. NGOs reported that Native American girls had been trafficked for the purposes of prostitution, pornography, and strip clubs in the United States and Mexico. The top countries of origin identified for foreign victims of human trafficking in fiscal year (FY) 2012 were Mexico, Thailand, the Philippines, Honduras, Indonesia, and Guatemala. During this reporting period, a policy change at the Department of Justice (DOJ) allowed federal funding for victim services to support U.S. citizen victims of human trafficking as well as foreign national victims.

The U.S. government fully complies with the minimum standards for the elimination of trafficking. Federal law enforcement prosecuted more cases than in the previous reporting period, obtained convictions of sex and labor trafficking offenders, and strengthened training of government officials at the federal and state levels. Likewise, there were reports of increased prosecutions at the state level following the enactment of state anti-trafficking laws, which each of the 50 states has now adopted. The federal government continued to provide multi-faceted support for comprehensive victim services, including increased access to legal services. Greater numbers of trafficking victims and their immediate family members obtained immigration relief through T nonimmigrant status (referred to as a T visa), which can lead to lawful permanent residence and an opportunity to apply for citizenship after five years as a lawful permanent resident. Although the comprehensive nature of services was recognized by nongovernmental legal service providers, NGOs noted the critical need for an increase in the overall funding for comprehensive services. Some trafficking victims were reportedly detained and prosecuted during the reporting period. Federal procurement policies were modified to better address the risk of trafficking in persons occurring in the performance of government contracts, and the federal

government began efforts to collect data on state and local human trafficking cases.



Recommendations for the United States: Increase funding for relevant agencies to provide victim services both domestically and internationally, including legal services and long-term holistic care; improve methods of data collection and coordinate this effort across agencies; require foreign labor contractors and recruiters to disclose the terms and conditions of work to workers in a language they understand; pursue civil or criminal prosecutions or other sanctions against noncompliant employers and labor contractors, including barring noncompliant employers and labor contractors from U.S. programs; increase screening to better identify trafficked persons, including adults and children arrested or detained for criminal offenses frequently associated with human trafficking, youth served through the child welfare system, and runaway and homeless youth being served through programs funded by the Department of Health and Human Services (HHS); examine the impact of trafficking on American Indian and Alaskan Native communities, and develop strategies to train and ensure coordination with tribal justice systems and provide services to victims; provide trafficking victims with services and access to emergency, transitional, and long-term housing, regardless of gender, immigration status, or type of trafficking experienced; sustain support for victim family reunification efforts; ensure that prosecutors and law enforcement allow appropriate access to counsel for trafficking victims during investigatory interviews and that federal law enforcement officials apply in a timely and appropriate manner for Continued Presence, a temporary form of immigration relief provided to individuals identified by law enforcement as victims of human trafficking; ensure implementation of procedures for and appropriate training of consular officers to reduce vulnerabilities in the T visa (for family members of trafficking victims) and U visa programs; increase the role of survivors of human trafficking in informing policy, training, public awareness, outreach efforts, and victim care; increase training on indicators of human trafficking and the victim-centered approach for law enforcement, judges, public defenders, and others involved in the immigration, family court, and criminal justice systems; and incorporate human trafficking information in training and technical assistance projects for federal grantees working with crime victims, runaway and homeless youth, and immigrants.

Prosecution

The U.S. government demonstrated progress in federal anti-trafficking law enforcement efforts throughout the reporting period. U.S. law prohibits peonage, involuntary servitude, forced labor, and sex trafficking, as well as confiscation or destruction of documents such as passports in connection with trafficking. The Trafficking Victims Protection Act of 2000 (TVPA) and subsequent reauthorizations, including in March 2013, have refined the law governing the U.S. government's response to trafficking. In addition to criminalizing these acts,

U.S. law also prohibits conspiracy and attempts to violate these provisions, as well as obstructing their enforcement. Sex trafficking prosecutions involving children do not require a demonstration of the use of force, fraud, or coercion. During the reporting period, a criminal prohibition of fraud in foreign labor contracting was statutorily expanded to reach work performed outside the United States on a U.S. government contract or on U.S. property or military installations. Penalties prescribed under these statutes are sufficiently stringent and commensurate with penalties prescribed under U.S. law for other serious offenses; ranging from five to 20 years' imprisonment for peonage, involuntary servitude, forced labor, and domestic servitude or up to life imprisonment with aggravating factors; penalties for sex trafficking range up to life imprisonment with mandatory minimum sentences of 10 years' imprisonment for sex trafficking of children and 15 years' imprisonment for sex trafficking by force, fraud, or coercion, or sex trafficking of children under age 14.

Federal trafficking offenses are investigated by agencies such as the Federal Bureau of Investigation (FBI) and U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI), as well as the Department of State (DOS) Diplomatic Security Service (DSS) Human Trafficking Unit and field elements overseas. Federal human trafficking cases are prosecuted by DOJ's 93 U.S. Attorney's Offices (USAOs) around the country, as well as by two specialized units—the Civil Rights Division's Human Trafficking Prosecution Unit (HTPU), which oversees prosecutions involving labor trafficking and sex trafficking of adults, and the Criminal Division's Child Exploitation and Obscenity Section (CEOS), which specializes in prosecuting child sex trafficking and child sex tourism.

The federal government reports its law enforcement data by fiscal year, which runs from October 1 through September 30. During FY 2012, 26 DOJ-led taskforces reported over 753 investigations involving 736 suspects in human trafficking-related cases, a decrease from 29 taskforces and over 900 investigations involving 1,350 suspects in FY 2011. ICE HSI reported investigating 894 cases possibly involving human trafficking, an increase from 722 cases investigated in FY 2011. The FBI reported 306 pending human trafficking investigations with suspected adult and foreign child victims, a decrease from 337 in FY 2011, and 440 investigations initiated involving the sex trafficking of children, an increase from 352 in FY 2011. DSS had 95 cases open worldwide during FY 2012 that had a nexus to human trafficking. The Department of Defense (DOD) reported five investigations that included human trafficking crimes involving military personnel.

DOJ prosecutes human trafficking cases through its USAOs and the two specialized units that serve as DOJ's nationwide subject-matter experts and partner with USAOs around the country. Taken together, USAOs, HTPU, and CEOS initiated a total of 128 federal human trafficking prosecutions in FY 2012, charging 200 defendants. Of these, 162 defendants engaged predominately in sex trafficking and 38 engaged predominately in labor trafficking, although several defendants engaged in both. In FY 2012, DOJ's Civil Rights Division, in coordination with USAOs, initiated 55 prosecutions involving forced labor and sex trafficking of adults by force, fraud, or coercion. Of these, 34 were predominantly sex trafficking and 21 were predominantly labor trafficking; several cases involved both. In FY 2012, CEOS, in coordination with USAOs, initiated 18

prosecutions involving the sex trafficking of children and child sex tourism.

During FY 2012, DOJ convicted a total of 138 traffickers in cases involving forced labor, sex trafficking of adults, and sex trafficking of children, compared to 151 such convictions obtained in 2011. Of these, 105 were predominantly sex trafficking and 33 were predominantly labor trafficking, although some cases involved both. The average prison sentence imposed for federal trafficking crimes during FY 2012 was nine years, and terms imposed ranged from probation to life imprisonment. During the reporting period, federal prosecutors secured life sentences against both sex and labor traffickers in four cases, including a sentence of life plus 20 years, the longest sentence ever imposed in a labor trafficking case.

Notable prosecutions involved defendants who used violence and torture to hold U.S. citizen girls and women—including a pregnant woman—in prostitution in Tennessee; defendants who held four eastern European women in forced labor in massage parlors and forced prostitution in Illinois; a defendant who held four West African children in forced labor as domestic servants in Michigan; defendants who held Ukrainian men and women in forced labor on cleaning crews in Pennsylvania; and defendants who, in a 193-count indictment, are alleged to have held victims with serious mental disabilities in forced labor and forced prostitution in Florida and Pennsylvania.

All states and all but one territory have enacted modern anti-trafficking criminal statutes in recent years. All 50 states prohibit the prostitution of children under state and local laws that predate the TVPA; however, the application of these laws continues to result in some trafficked children being treated as criminal offenders. By the close of the reporting period, some states had passed additional protections such as asset-forfeiture provisions, access to civil remedies, and training for law enforcement; 14 states had enacted “safe harbor” laws to ensure that children are treated as victims and provided services rather than being prosecuted for prostitution; and eight states had enacted laws to allow trafficking victims to petition the court to vacate prostitution-related criminal convictions that result from trafficking. While these laws reflect an increased effort by state legislatures, observers report that state anti-trafficking laws generally lack uniformity and consistency across jurisdictions.

While media reports indicate an increase in state prosecutions, comprehensive data is not currently collected on state prosecutions and convictions; during the reporting period, the FBI began developing software to capture all human trafficking case data to ensure uniform reporting at federal and state levels. Reports indicated at least several dozen prosecutions at the state level involving forced prostitution of children and adults, including lesbian, gay, bisexual, and transgender youth, exploitation of individuals with mental illness for forced labor, and involuntary domestic servitude of both children and adults. During the reporting period, state prosecutors secured a range of sentences for sex and labor traffickers, including at least one life sentence for a sex trafficker. NGOs have expressed concern that state activities have focused almost exclusively on sex trafficking, with a heavy emphasis on child prostitution cases rather than addressing all forms of trafficking and all vulnerable populations.

During the reporting period, DOJ, in cooperation with the Department of Homeland Security (DHS) and the Department of Labor (DOL), continued to support six Anti-Trafficking Coordination Teams (ACTeams) in pilot districts around the country to streamline coordination among federal prosecutors and agents and enhance federal interagency investigations and prosecutions. DOJ continued to fund anti-trafficking taskforces nationwide, comprising federal, state, and local law enforcement investigators and prosecutors, labor enforcement officials, and victim service providers, but by the end of FY 2012, the number of these taskforces funded by DOJ’s Bureau of Justice Assistance (BJA) had been reduced to 16 from 26, as funding for several taskforces expired. Thirteen of the 16 taskforces were Enhanced Collaborative Model Task Forces, which aim to improve the cooperation of law enforcement agencies and victim service organizations. USAOs were required to establish or participate in a human trafficking taskforce, and at least 85 of the 93 offices had done so by the end of FY 2012. The FBI’s Violent Crimes Against Children Task Forces, which focus in part on the sex trafficking of children, increased from 26 in FY 2011 to 29 at the beginning of FY 2012 and expanded to 66 by December 2012. DOJ and DHS continued a bilateral initiative with Mexico to investigate and prosecute human trafficking networks operating across the U.S.-Mexico border, as well as to assist victims of these networks and recover victims’ children from the control of traffickers.

There were at least two instances of complicity of government officials in human trafficking cases during the reporting period. A local police officer was convicted of obstruction of a sex trafficking investigation in Pennsylvania and sentenced to 38 months in prison. Three police officers in Guam were charged with conspiracy and other related offenses in a local prosecution that arose out of a federal sex trafficking investigation.

The U.S. government increased its anti-trafficking law enforcement training efforts during the reporting period. DHS collaborated with DOJ, FBI, and DOL to create an advanced training program for its ACTeams; DOJ’s BJA collaborated with law enforcement, judicial, and legal educators to deliver trainings to state judges and prosecutors; the FBI provided training on both child forensic interviewing and child sex trafficking to 200 agents, taskforce officers, and federal, state, and local prosecutors; DOD continued to mandate online training for its personnel; DHS produced two “roll-call” videos for state and local law enforcement to explain how immigration relief for victims of human trafficking can be beneficial to investigations; and, through a partnership with DHS and the Department of Transportation (DOT), the national passenger rail system announced that all its employees, including police officers, will be trained on trafficking indicators and referral mechanisms.

Protection

The federal government enhanced its protection measures by continuing efforts to increase victim identification and provide services to identified victims by increasing the scope and availability of services, including access to legal services, and by developing its first-ever federal strategic action plan to strengthen services for trafficking victims in the United States under the direction of DOJ, HHS, and DHS. The government has formal procedures to guide officials in victim identification and referral to service providers, funds several federal tip lines

including an NGO-operated national hotline and referral service, and funds NGOs that provide trafficking-specific victim services. The government also supports foreign national and U.S. citizen victims during trafficking investigations and prosecutions by funding victim services providers and increasing the number of victim assistance coordinators in field offices to assist victims.

Federally-funded victim assistance included case management and referrals, medical care, dental care, mental health treatment, sustenance and shelter, translation and interpretation services, substance abuse treatment, immigration and legal assistance, employment and training services, transportation assistance, and other essential services. Federal funding for victim assistance generally remained static during the reporting period; funding is provided by HHS's Office of Refugee Resettlement on a per capita basis for foreign national victims and by DOJ's Office of Victims of Crime (OVC) through grants under four different program areas. Many of OVC's grantees are funded to support services for all victims of human trafficking that may be identified within a specific geographic area.

HHS issues a certification letter that enables a foreign national victim to receive federal and state benefits and services to the same extent as a refugee when Continued Presence is granted or when a victim of a severe form of trafficking has made a bona fide application for T nonimmigrant status. In FY 2012, HHS issued 366 such certifications to foreign national adults and 103 eligibility letters to foreign national children, compared to 463 adults and 101 children in FY 2011. During FY 2012, HHS supported 118 NGO service providers across the country that provided trafficking victim assistance to 252 potential foreign national victims and 224 certified foreign national victims. Combined with 172 family members who also received assistance, this represents a five percent increase compared with the total number served in FY 2011.

HHS awarded \$4.8 million in FY 2012 to three NGOs for the provision of case-management services to foreign national victims through a nationwide network of NGO sub-recipients. Under the HHS victim assistance program, there is a maximum reimbursement amount allowed per month for each victim for the 12 months during which that victim can be assisted, with some exceptions allowed. NGOs reported instances in which they reached these funding limits, were unable to provide services to victims waiting for their traffickers' cases to come to trial, and had to supplement government funds with private donations.

Unaccompanied alien children (UACs) who come to the attention of federal authorities are placed in the care and custody of HHS, which screens such children for trafficking victimization in the United States or abroad and, when appropriate, makes a determination of eligibility for benefits and services. During FY 2012, more than 13,625 UACs were referred to HHS for care and custody. Of those identified as victims of trafficking, 40 were placed in the Unaccompanied Refugee Minors Program, which establishes legal responsibility under state law for such children to ensure that they receive the full range of assistance, care, and services available to foster children in the state. ICE HSI victim assistance specialists coordinated with ICE Enforcement and Removal Operations' juvenile coordinators to ensure that UACs identified by ICE agents during a trafficking investigation were placed with HHS. Customs and Border Protection (CBP) screens UACs

encountered at the border or at, and between, ports of entry for potential indicators of human trafficking.

OVC continued to administer grant funding and oversee special initiatives, including comprehensive services. From July 1, 2011 to June 30, 2012, OVC grantees reported more than 1,300 open client cases, including 775 new victims enrolled in the program as well as existing clients from previous report periods who required ongoing services. During FY 2012, DOJ competitively awarded new funding to 14 victim service organizations across the United States totaling approximately \$5.7 million, a decrease from \$6.7 million granted in FY 2011. OVC grant programs provided funding to victim service organizations providing trauma-informed, culturally-competent services to victims of sex trafficking and labor trafficking. In FY 2012, DOJ made four grant awards specifically for the provision of legal services for victims of human trafficking.

Federal funding streams and grants for victim services remained inadequately structured for providing comprehensive care options for all types of trafficking victims, resulting in disparate treatment of victims, including turning some away. Some foreign national victims were assisted with funding from both DOJ and HHS. Record-keeping systems used by DOJ and HHS do not allow for cross-referencing to determine which victims were served by both agencies. NGOs reported the need for increased funding for victim services, including legal services and housing for survivors, family reunification programs, and training for the legal community about civil legal remedies. HHS changed its policy to allow for the provision of legal representation with funds allocated for victim services, but the overall funds in this allocation did not increase and several NGOs reported the funds were insufficient.

The TVPA authorizes DHS to provide two principal types of immigration relief to foreign trafficking victims: Continued Presence, which is sponsored by federal law enforcement, and T nonimmigrant status, which is requested directly by the victim. In the case of T nonimmigrant status, trafficking victims are generally required to cooperate with reasonable requests from law enforcement in an investigation or prosecution related to their victimization, but a trauma exception exists that permits certain victims to be eligible for T nonimmigrant status without meeting the law enforcement requirement if they are unable to cooperate due to physical or psychological trauma. Victims under the age of 18 are not required to assist law enforcement. A victim may also explain his or her reasons for not cooperating with requests if the victim found the request to be unreasonable. Victims may also include certain family members in their application for T nonimmigrant status; recipients and their derivative family members are authorized to work and are eligible for federal public benefits and services. During this reporting period, the types of family members eligible for T nonimmigrant status were expanded to include certain extended family members of the principal who face a present danger of retaliation. After three years, or upon the completion of the investigation or prosecution, victims with T nonimmigrant status are eligible to apply for permanent resident status and may be eligible for citizenship.

In FY 2012, Continued Presence was issued to 199 trafficking victims, who may be potential witnesses, a decrease from 283 in FY 2011. T nonimmigrant status was granted to 674 victims and 758 immediate family members of victims, representing an increase from 557 and 722, respectively, from the previous

period. NGOs reported that lengthy wait times for the issuance of Continued Presence impaired their ability to protect victims.

Another immigration benefit available to victims of trafficking is the self-petitioning U nonimmigrant status (referred to as the U visa) for victims of certain qualifying crimes who cooperate with law enforcement. During the reporting period, the qualifying crimes were expanded by statute to include fraud in foreign labor contracting. The number of petitions for U nonimmigrant status granted where human trafficking is the qualifying crime is currently not available.

In 2012, the DOS Return, Reintegration, and Family Reunification program for Victims of Trafficking reunited 209 family members with trafficked persons in the United States and provided two victims with return assistance. The DOS Bureau of Population, Refugees, and Migration provided \$285,000 in 2013 to continue this program.

The federal government continued to provide victim-protection training to federal, state, and local law enforcement as well as to NGO service providers and the general public. DHS conducted training focused on victim identification and established referral mechanisms for new asylum officers; trained federal, state, and local law enforcement on Continued Presence, T visas, and U visas; and required ICE's Enforcement and Removal Operations to screen for human trafficking indicators among the detainee population. DOL developed guidance to enhance efforts to provide employment and training services to trafficking victims; and the Department of Education built a more comprehensive program to educate school districts about human trafficking and commercial sexual exploitation of children, and awarded funding for the development of an anti-trafficking guide for schools. NGOs reported that additional training is still needed, especially in law enforcement field offices, to ensure that officers understand how to identify victims and the nuanced aspects of victimization, including psychological coercion and the "traumatic bonding" that occurs between victims of trafficking and their abusers.

NGOs noted that inconsistent screening by law enforcement and other government officials of vulnerable populations often resulted in failure to identify trafficked persons. Existing services for victims are often disproportionately available to female and child survivors of sex trafficking. Shelter and housing for all trafficking victims, especially male and labor trafficking victims, were insufficient. NGOs reported that additional training and official guidance for employees at public benefits offices and child welfare agencies were needed to ensure that critical services were readily available to victims of trafficking. NGOs indicated that immigrant communities are hesitant to contact police or to report crimes because of state immigration laws and programs that forward arrestees' immigration status to federal officials, further isolating victims of trafficking from those who could help them obtain services.

While federal, state, and local grant programs exist for vulnerable children and at-risk youth, including the homeless, NGOs reported that identified child trafficking victims, especially boys and transgender youth, face difficulties obtaining needed services. In particular, NGOs stated that child victims are in need of emergency, transitional, and long-term housing services, as well as age- and culturally-appropriate shelter. HHS increased efforts during the reporting period to train service providers for runaway and homeless youth; however, NGOs reported that formal guidance is

needed for child welfare agencies on the prevention of and response to child trafficking. DOJ's OVC continued to support a demonstration project that provided comprehensive services to U.S. citizen child victims of both sex and labor trafficking.

Some trafficking victims, including children, were reportedly detained and prosecuted during the reporting period. In 2011, the most recent year for which data are available, 190 males and 581 females under 18 years of age were reported to the FBI by state and local authorities as having been arrested for prostitution and commercialized vice, compared to 149 males and 677 females in 2010. NGOs noted that victim-centered anti-trafficking policies for both children and adults adopted at federal agency headquarters in Washington were not always reflected in implementation and practice, especially in field offices; areas of particular concern included interview techniques that did not take into account the effects of trauma, the application of incorrect standards for victim identification, and a hesitancy to grant Continued Presence or refer victims for services without higher-level or prosecutorial direction. During the reporting period, ICE expanded its forensic interviewing and victim assistance programs and also deployed a nationwide automated system to screen for indicators of human trafficking among the detainee population.

Prevention

The U.S. government made significant progress on efforts to prevent trafficking. President Obama directed the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF), an interagency coordinating body, to strengthen its work and expand partnerships with civil society and signed an Executive Order mandating anti-trafficking prohibitions for all federal contractors and subcontractors, compliance measures for large overseas contracts and subcontracts, and additional tools for federal agencies to foster compliance. The U.S. government annually reports on its activities to combat human trafficking in a report compiled and published by DOJ, and the PITF compiles and makes public annually a compilation of agency accomplishments in combating human trafficking.

There were reports of abuses, including allegations of human trafficking, of workers in the United States on work-based or other nonimmigrant visas. Some reported that recruiters charged fees related to workers obtaining their visas and also that workers fear seeking assistance because of blacklisting and other retaliation methods, including inciting fear of deportation. U.S. Citizenship and Immigration Services rules for both the H-2A and H-2B programs prohibit employers, recruiters, and other persons from either directly or indirectly charging foreign workers job placement, recruitment, or other fees related to employment. DOL rules for H-2A and H-2B programs prohibit employers and agents from seeking or receiving payments of any kind (including recruitment fees) in connection with obtaining the labor certification. DOL published a final rule under the H-2B program that included anti-retaliation and recruitment transparency provisions, as well as provisions requiring employers to pay any fees related to workers obtaining their visas. As a result of a lawsuit by a group of employers and their representatives, however, that DOL rule has been preliminarily enjoined by a federal court, and DOL is continuing to enforce H-2 worker protections under prior rules.

NGOs noted vulnerabilities in the J-1 Summer Work Travel Program that can potentially facilitate human trafficking, including reports of fraudulent job offers, inappropriate employment, job cancellations on arrival, and housing and transportation problems. DOS took action in 2012 to address weaknesses in this cultural exchange program, including publishing an Interim Final Rule to implement safeguards that expand the list of ineligible positions, enhance oversight and vetting of sponsors and third parties, and better define cultural activities. During the reporting period, DOS conducted more than 800 site visits, required comprehensive orientation materials for participants, made available a 24-hour toll free helpline, and led interagency efforts to prevent criminal abuse or misuse of the program.

The government continued prevention efforts within its A-3 and G-5 visa categories, which allow persons to enter the United States as domestic workers employed by foreign diplomatic or consular personnel or by foreign employees of international organizations. DOS sustained its work to help protect these workers by separately briefing the deputy chiefs of mission of foreign embassies in Washington, D.C., on the requirements relevant to mission personnel employing such domestic workers. It also held its first ever separate meeting for domestic workers employed by foreign diplomats in Washington, D.C., to apprise them of their rights and responsibilities and to provide them with information to report abuse or exploitation. During the reporting period, there were allegations of various forms of abuse and exploitation of these foreign domestic workers; some resulted in civil lawsuits against and criminal investigations of foreign mission personnel. DOS procedures, which were implemented during the reporting period, provided for non-issuance of A-3 and G-5 visas when individuals abroad requested them to work for foreign mission personnel in the United States against whom serious allegations of abuse had been lodged. A-3 and G-5 visa holders who filed civil lawsuits against their former employers were eligible for temporary immigration relief and work authorization under U.S. law. A civil lawsuit against a former U.S. Foreign Service Officer and her spouse for activities in a previous reporting period prompted DOS to revise its guidance concerning the employment of domestic workers while overseas.

The government continued measures to inform and educate the public, including potential victims, about the causes and consequences of human trafficking. HHS funded 11 projects to conduct outreach, public awareness, and identification efforts. HHS continued to fund an NGO to operate a national human trafficking hotline that received over 21,000 phone calls in FY 2012. DOS, through U.S. embassies and consulates worldwide, distributed a "Know Your Rights" pamphlet and provided verbal briefings for approved student or work-based visa applicants. NGOs urged the expansion of this type of prevention effort. DHS continued international and domestic awareness campaigns, including through multilingual radio announcements, newspaper advertisements, online resources, victim assistance materials, and indicator cards for law enforcement and first responders. DOT and DHS's CBP partnered to offer training to U.S. commercial airlines on human trafficking and methods to alert federal law enforcement. The Department of Education provided technical assistance and access to resources on human trafficking and the commercial sexual exploitation of children to the education community, funded the development of a prevention toolkit for schools, and convened a briefing session to educate federal

and non-federal partners on these efforts. The FBI coordinated community awareness events, including a nationwide public service announcement. The U.S. Agency for International Development (USAID) launched a Campus Challenge that engaged over 2,300 students and scholars representing more than 100 countries, including the United States, in a global online community and supported a contest for the best use of technology to prevent trafficking and assist trafficking victims. The Equal Employment Opportunity Commission (EEOC) conducted almost 200 outreach events including media interviews, oral presentations, stakeholder input meetings, and training sessions.

The government also conducted a number of internally-focused awareness activities for its own personnel. For example, DOS approved the creation of an online awareness training available to all employees, reinforced its policy prohibiting the procurement of commercial sex by employees, and issued a second procurement bulletin dealing specifically with the recruitment of third-country nationals abroad. DHS and DOS offered an online, interactive training for the entire federal acquisitions workforce on combating human trafficking, including reducing the demand for commercial sex. DHS has trained its entire contracting workforce. USAID conducted agency-wide training to implement its Code of Conduct and prohibitions on USAID employees, contractors, sub-contractors, grantees, and sub-grantees from engaging in behaviors that facilitate or support trafficking; released a field guide to educate USAID field personnel and implementing partners on the issue; adopted a standard operating procedure to prevent and respond to trafficking abuses by contractors, sub-contractors, assistance recipients, and sub-recipients; and released a procurement executive bulletin to all USAID contracting personnel with guidance on compliance with federal trafficking statutes.

DOL carries out civil law worksite enforcement, and its field investigators are often the first government authorities to detect exploitative labor practices. DOL's Wage and Hour Division (WHD) targets industries employing vulnerable workers, such as the agriculture, garment, janitorial, restaurant, and hospitality industries. DOL trained WHD investigators on human trafficking and began modifying that training for other enforcement agency staff. NGOs urged DOL to develop a consistent protocol so that WHD can certify for T nonimmigrant status. EEOC, which investigates discrimination charges against employers, litigated three cases involving human trafficking issues in FY 2012, on behalf of Thai agricultural workers in Washington and Hawaii, Indians employed at a large fabrication company in Mississippi, and persons with intellectual disabilities working at a turkey processing plant in Iowa. In the Iowa case, EEOC obtained the largest jury verdict in agency history, and the victims are expected to recover a total of approximately \$3 million. EEOC also developed training for EEOC attorneys and investigators on victim identification, immigration issues, and remedies and conducted off-site intake and counseling sessions.

U.S. laws provide extraterritorial jurisdiction over child sex tourism offenses perpetrated overseas by U.S. citizens. DHS, working with federal prosecutors at DOJ, made 27 criminal arrests resulting in 33 indictments and 22 convictions in child sex tourism cases in FY 2012. In 2012, FBI Violent Crimes Against Children Task Forces made seven criminal arrests resulting in two indictments and two convictions. The U.S. government undertook efforts to reduce the demand for

commercial sex and forced labor in the reporting period. DOD implemented new measures to strengthen compliance with its zero tolerance policy, including a compliance checklist to be used in overseas contracting and took disciplinary actions against 12 service members for violating DOD's prohibition relating to the procurement of commercial sex. DOL released updates to three reports on child and forced labor, including proposed revisions to the list of products produced, mined, or manufactured with forced or indentured child labor, which requires any contractor to the federal government that supplies products on the list to certify they have made a "good faith effort" to determine that the products supplied were not made under conditions involving forced or indentured child labor. DOL also published a free online resource that provides guidance and shares case studies of effective business practices for reducing child labor and forced labor in global supply chains.

The Department of the Interior's (DOI) Bureau of Indian Affairs provides services directly or through contracts, grants, or compacts to 564 federally recognized tribes with a service population of about 1.9 million American Indian and Alaskan Natives, known to include populations vulnerable to human trafficking. BJA awarded a grant to develop and pilot training to build awareness of the existence of human trafficking in Indian Country, provide law enforcement and community stakeholders with tools to identify and assist victims, and hold perpetrators accountable. DHS conducted targeted outreach and training to tribal and territorial law enforcement agencies to raise awareness and to cultivate partnerships. In response to law enforcement concerns about possible human trafficking on the Fort Berthold Reservation in western North Dakota, the USAO in North Dakota, the FBI, and multiple tribal organizations created a Human Trafficking Working Group to address the abuse of women and children through prostitution on reservations, which resulted in the conviction of a North Dakota man for sex trafficking and other crimes. NGOs noted the need for funding for relevant services for American Indian women and increased training for service providers.

U.S. Insular Areas

The U.S. insular areas consist of American Samoa, the Commonwealth of the Northern Mariana Islands (CNMI), Guam, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands (USVI). Federal authority over these areas resides with DOI. While the U.S. government has compacts of free association with Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands, they are independent of the United States and thus are discussed and ranked in separate narratives.

The territory of American Samoa is believed to be a transit and destination location for human trafficking. In FY 2012, there were no known human trafficking cases. The legislature in American Samoa introduced a bill to amend the existing anti-trafficking law on March 6, 2013, which would criminalize human trafficking as a felony offense.

CNMI is a destination and transit location for men, women, and children subjected to forced labor and sex trafficking. During the reporting period, DOI's Office of Insular Affairs' Federal Ombudsman's Office reopened an investigation of a case of fraud in foreign labor contracting from 2009 and identified 10 more human trafficking cases; the victims have filed applications for T nonimmigrant status. Federal

authorities charged two men with conspiracy to commit sex trafficking and financially benefitting from a sex trafficking venture involving Chinese women; both defendants pleaded guilty and sentencing was pending at the close of the reporting period.

The territory of Guam is a source and transit location for men, women, and children subjected to forced labor and sex trafficking. During the reporting period, a defendant was sentenced in federal court to life imprisonment on 20 counts, including sex trafficking by force, fraud, or coercion and sex trafficking of a minor for recruiting and defrauding nine Chuukese women and one girl and forcing them to engage in commercial sex acts. Since 1950, a dual judicial structure has existed in Guam, with an independent local judicial system taking responsibility for cases arising under Guam's criminal statutes. As a result of the federal sex trafficking investigation, three Guam police officers were charged by local authorities for their involvement in the scheme, and one officer pleaded guilty to felonious restraint and official misconduct.

The Commonwealth of Puerto Rico is a source, transit, and destination location for men, women, and children subjected to forced labor and sex trafficking. During the reporting period, the USAO indicted a Puerto Rican woman on prostitution and sex trafficking charges for recruiting, enticing, and harboring a 14-year-old female to engage in commercial sex acts. While three sections of Puerto Rico's penal code address human trafficking and slavery, it has not been updated to reflect modern anti-trafficking laws.

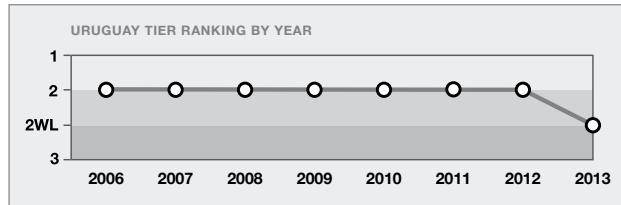
USVI is a transit location for human trafficking. The Virgin Islands Code prohibits trafficking in persons, but prosecutors report that traffickers are prosecuted under other offenses such as false imprisonment and sexual assault rather than the "trafficking of persons" offense. An anti-trafficking bill has been drafted and includes criminal offenses for labor and sex trafficking, victim services, restitution, and asset forfeiture. In March 2013, with DOJ support, the USVI Attorney General held a series of training workshops on human trafficking.

URUGUAY (Tier 2 Watch List)

Uruguay is a source country for women and children subjected to sex trafficking and to a lesser extent a destination country for men, women, and children exploited in forced labor. Most victims are women and girls exploited in sex trafficking, including as "bar girls," within the country, particularly in urban and tourist areas. Lured by fraudulent employment offers, some Uruguayan women are forced into prostitution in Spain, Italy, and Argentina. Foreign workers in domestic service and in agriculture are vulnerable to forced labor. Authorities continued to report that some cases of human trafficking were linked to local and international crime rings that smuggle narcotics and other contraband.

The Government of Uruguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite providing an increase in resources for the national women's institute's office for gender-based violence and sex trafficking and investigating several potential sex and labor trafficking cases, authorities convicted no trafficking offenders during the year. In addition, officials lacked formal procedures for identifying trafficking victims and specialized services were inadequate and almost

exclusively targeted sex trafficking victims. Therefore, Uruguay is placed on Tier 2 Watch List.



Recommendations for Uruguay: Intensify efforts to investigate and prosecute all forms of trafficking and convict and sentence trafficking offenders; fund specialized services for trafficking victims, particularly outside the capital; increase training for law enforcement officials, labor inspectors, prosecutors, judges, and social workers on how to identify and assist victims of sex and labor trafficking; establish a formal mechanism to identify trafficking victims among vulnerable populations, including people in prostitution and migrant workers; implement a data collection system to maintain official statistics on trafficking cases; consider passing and enacting a comprehensive trafficking law that prohibits all forms of trafficking; enhance law enforcement and victim service coordination at the local level; and incorporate measures against forced labor into guidelines governing the employment of foreign workers in Uruguay.

Prosecution

The Government of Uruguay made progress by investigating and prosecuting several trafficking cases during the year. However, data collection on law enforcement efforts was weak, and there were no public reports of convictions for trafficking offenders. Article 78 of the immigration law, enacted in 2008, prohibits all transnational forms of trafficking, prescribing penalties of four to 16 years' imprisonment; these penalties are increased if the victim is a child or if the trafficker uses violence, intimidation, or deceit, and are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. The government has never achieved a conviction under this law. For forced labor offenses occurring within Uruguay's borders, authorities can use penal code articles prescribing sentences ranging from two to 12 years' imprisonment for reducing a person to slavery or for imprisonment for the purposes of profiting from the coercive use of the victim's services, but the government did not report doing so during the year. Prosecutors have relied on sexual exploitation or pimping statutes to prosecute domestic sex trafficking cases; these statutes prescribe lesser sentences, some of which can be commuted to community service or fines. Until July 2012, two judges in the specialized court on organized crime in Montevideo had jurisdiction over all trafficking cases in Uruguay, as well as other cases involving sexual exploitation and organized crime. This court lacked sufficient human and material resources to handle these cases. Rather than increasing resources for this court, new legislation enacted in 2012 limited the court's jurisdiction to crimes performed by an organized criminal group of three or more individuals, shifting responsibility for all other trafficking cases to local courts with limited knowledge of human trafficking. There was no specialized law enforcement unit dealing with human trafficking crimes, and local police lacked adequate training on how to identify human trafficking cases.

There was no systematic data collection on trafficking offenses. According to press reports and authorities, Uruguayan officials investigated at least three possible sex trafficking and two possible labor trafficking cases in 2012; authorities also identified 40 cases of children in prostitution during the year, but it was unclear how many of these cases were investigated or prosecuted. Press reports and officials indicated that the government initiated prosecutions of at least 10 trafficking offenders during the reporting period. There were no reported convictions during the year; during the previous reporting period, the Government of Uruguay convicted one sex trafficking offender under statutes prohibiting the exploitation of a minor. The government did not report the investigation or prosecution of any government employee for alleged trafficking-related offenses. Most specialized training for Uruguayan officials was provided by international organizations with foreign government funding. Authorities also partnered with other governments on human trafficking investigations during the year.

Protection

The Uruguayan government continued to provide some services to female trafficking victims, including food, shelter, and legal and psychological services, but specialized services remained inadequate, particularly for minor sex trafficking victims. The government did not maintain formal, written procedures for identifying trafficking victims among vulnerable populations, such as adults in prostitution or undocumented migrants. There were no comprehensive statistics on trafficking victims identified or assisted. Authorities reported assisting civil society organizations receiving international funding to provide psychological care and other services to 13 child sex trafficking victims, one Ecuadorian girl exploited in forced labor, and 45 women in sex trafficking in 2012. When international donor funding for these services ended, officials took over support of the psychological assistance program but did not provide funding to the NGO that had previously provided these services. During the year authorities increased funding and staffing for the national women's institute unit focused on sex trafficking and domestic violence, which was composed of seven staff members. There were no specialized shelters for trafficking victims in the country. Uruguayan authorities referred child victims of trafficking to shelters for at-risk youth operated by the National Institute for Children and Adolescent Affairs (INAU); however, these shelters were not always prepared to provide specialized services needed for trafficking victims, authorities did not report how many child trafficking victims received services in these shelters during the year, and in one case, three child sex trafficking victims were recruited from an INAU shelter. INAU reported training 240 social workers on commercial sexual exploitation of children in 2012. The government operated shelters accessible to adult female victims of abuse, including trafficking victims, and sought to provide them with legal, medical, and psychological care, though authorities did not report how many adult trafficking victims received services at these shelters. Victim care services were uneven outside the capital. There were no specialized services for male trafficking victims. The government encouraged, but did not require, victims to assist in the investigation and prosecution of trafficking offenders. During the year, there were no reports of identified trafficking victims being jailed, deported, or otherwise penalized for acts committed as a direct result of their being subjected to human trafficking. While the government did not offer trafficking-specific legal alternatives to victims' removal to countries where they faced retribution or

hardship, authorities did offer general asylum and residential work permits to foreign trafficking victims during the year.

Prevention

The Uruguayan government maintained prevention efforts during the year, and most activities were focused on sex trafficking. The national women's institute continued to chair an interagency committee that coordinated government anti-trafficking efforts; it met on a monthly basis in 2012. This committee focused almost exclusively on sex trafficking of adult women, while a separate interagency committee met more frequently and focused on commercial sexual exploitation of children. The government continued awareness campaigns at border crossings and the airport. Addressing the demand for commercial sex acts and forced labor, authorities prosecuted some citizens for paying children for commercial sexual acts and enforced labor laws in cases involving Bolivian domestic workers working irregularly in Montevideo. There were no reports of Uruguayan citizens engaged in child sex tourism. Authorities provided anti-trafficking training to Uruguayan troops prior to their deployment on international peacekeeping missions during the year.

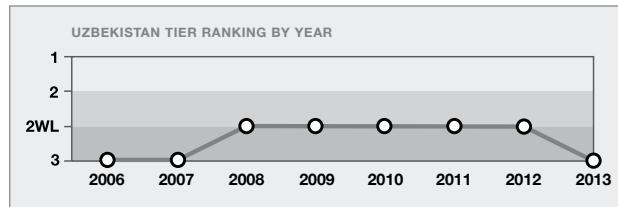
UZBEKISTAN (Tier 3*)

Uzbekistan is a source country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Internal labor trafficking remains prevalent during the annual cotton harvest, in which children and adults are victims of government-organized forced labor. There were reports that working conditions in some fields during the cotton harvest included verbal and physical abuse and lack of freedom of movement. According to a variety of sources, the Government of Uzbekistan enforced a decree resulting in a sweeping reduction of the number of children under 15 years of age in the 2012 cotton harvest, but the government continued to subject older children and adult laborers to forced labor in that harvest. Some reports contend that the numbers of older children and adults subjected to forced labor in the harvest were higher than in previous years in several of Uzbekistan's regions. Some activists allege that children were forced to weed cotton fields in the spring of 2012. One activist reported at least one case of a mental hospital subjecting its patients to domestic servitude. In addition, there are recent reports that teachers, students (including children), employees in private businesses, and others have been forced by the government to work in construction, agriculture, and in cleaning parks.

Some Uzbekistani men and women are subjected to forced labor in Kazakhstan, Russia, and—to a much lesser extent—Ukraine in domestic service, agriculture, and the construction and oil industries. Uzbekistani women and children are subjected to sex trafficking, often through fraudulent offers of employment, in the United Arab Emirates, Bahrain, India, Georgia, Kazakhstan, Russia, Turkey, Thailand, Lebanon, Ukraine, Greece, Pakistan, Malaysia, the Republic of Korea, Japan, China, Indonesia, Kyrgyzstan, and within Uzbekistan. Small numbers of Tajikistani and Kyrgyzstani victims have been identified in Uzbekistan. NGO and government officials continued to express concern that Uzbekistani women and girls raised in orphanages were particularly vulnerable to human trafficking. In 2012, civil society groups reported a growth

in the number of Uzbekistani transnational labor trafficking victims, including an increasing number of women.

The Government of Uzbekistan does not fully comply with the minimum standards for the elimination of trafficking and has been placed on Tier 2 Watch List for the last six consecutive years. In the 2011 and 2012 TIP Reports, Uzbekistan was granted consecutive waivers from an otherwise required downgrade to Tier 3 on the basis of a written plan to bring itself into compliance with the minimum standards for the elimination of trafficking. The Trafficking Victims Protection Act (TVPA) authorizes a maximum of two consecutive waivers; a waiver is no longer available to Uzbekistan, which is therefore deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3. The Government of Uzbekistan remains one of only a handful of governments around the world that subjects its citizens to forced labor through implementation of state policy. According to a variety of sources, including UNICEF, the government vigorously implemented for the first time a decree banning the use of labor by school children up to 15 years of age in the annual cotton harvest; however, the government continued to force older children and adults to harvest cotton. As in previous years, the government set a quota for national cotton production and paid farmers artificially low prices for the cotton produced, making it almost impossible for farmers to pay wages that would attract a voluntary workforce. Provincial mayors and governors were held personally responsible for ensuring the quota was met; they, in turn, passed along this pressure to local officials, who organized and forced Uzbekistani citizens to pick cotton. The government continued to refuse to allow the ILO to monitor the cotton harvest and denied the existence in Uzbekistan of forced labor of children or adults in the cotton sector. There were reports of government-organized forced labor in other sectors, as well. The government identified an increased number of sex trafficking and transnational labor trafficking victims in 2012, compared with 2011.



Recommendations for Uzbekistan: Take substantive action to end the use of forced child and adult labor during the annual cotton harvest; allow international experts, such as the ILO, to conduct an independent assessment of the use of forced labor during the annual cotton harvest; reissue and enforce the prime minister's decree to ban child labor in the cotton harvest for 2013, and extend the decree to ban the mobilization of all children and adults in the cotton sector; advertise this decree widely, including in local papers; investigate and prosecute government officials suspected of being complicit in human trafficking, and convict and punish complicit officials; in order to better identify trafficking victims, train border guards and police officials to understand that some trafficking victims without documents may claim to cross the border individually, rather than with a group, to avoid the higher penalties of illegal border crossing with a group; work to ensure unidentified victims are not punished for acts committed as a result of being trafficked; develop formal procedures to identify trafficking victims and refer

them to protection services; continue to provide in-kind support to anti-trafficking NGOs to assist and shelter victims; continue efforts to investigate and prosecute suspected trafficking offenses and convict and punish trafficking offenders; encourage long-term victim rehabilitation by reserving state employment positions for qualified rescued trafficking victims where practicable; and include in the anti-trafficking interagency commission a government official who works on cotton harvest and agricultural issues, as well as a registered NGO that works on labor rights issues in the cotton sector.

Prosecution

The Government of Uzbekistan demonstrated mixed law enforcement efforts; although there were efforts to combat sex and transnational labor trafficking, there were no efforts to address forced labor in the country's own cotton harvest. Article 135 of the criminal code prohibits both forced prostitution and forced labor and prescribes penalties of three to 12 years' imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. Uzbekistani law enforcement data are opaque and unable to be verified. In 2012, law enforcement agencies reported conducting 1,013 trafficking investigations, compared with 951 investigations in 2011. Authorities reported prosecuting 531 trafficking cases in 2012, compared with 444 in 2011, and reported that 626 people were convicted on trafficking-related offences in 2012, compared with 636 in 2011. The government reported that 357 convicted offenders were sentenced to time in prison and 34 traffickers were sentenced to correctional labor, compared with 434 convicted offenders sentenced to time in prison in 2011. The government reported that it held four seminars, two roundtables, two conferences and 16 trainings for national and local law enforcement personnel in 2012. The government reportedly shared data with several foreign law enforcement agencies to assist in criminal cases against suspected traffickers.

Government officials' widespread complicity in human trafficking in the cotton harvest persisted. Authorities applied varying amounts of pressure on government institutions, universities, and businesses to organize high school and university students, teachers, medical workers, government personnel, military personnel, private sector employees, and local residents to pick cotton in the 2012 cotton harvest. There were several reports of children and adults subjected to physical abuse and threatened with retaliation—such as expulsion from school, loss of student housing, termination of employment, or denial of critical social benefits—if they refused to pick cotton, and authorities threatened some families who protested with police visits. The government exerted pressure on private companies to mobilize their employees for the harvest and threatened private sector workers with "taxes" and fines to compel their service. Furthermore, some who were unable to meet their quotas or who left the cotton fields without permission were reportedly physically abused by police or school officials, or financially penalized. Sources, including UNICEF, noted the government decree banning the labor of young children in the cotton harvest was effective; however, there were isolated instances of local government officials closing rural schools and forcing children to go to the fields to pick cotton. School administrators and local officials closed schools for those aged 15 to 17 to subject those children to forced labor. The government did not investigate, prosecute,

or convict government officials complicit in the use of forced labor during the 2012 cotton harvest.

There were also reports of government officials' complicity in other forms of trafficking. Border guards and low-level police officers were allegedly involved in falsifying or selling travel documents or exit visas, and there have been allegations of individual police officers accepting bribes from traffickers. In at least one highly publicized case, allegations by an Uzbekistani citizen that several law enforcement and local officials were involved in facilitating the labor trafficking of her two brothers in 2011 to Kazakhstan resulted in what appeared to be an effort to silence her. In 2012, she was convicted of extortion and sentenced to seven years' imprisonment. She was released under the government's annual amnesty after serving seven months of her sentence. The government reported it convicted and sentenced eight officials in 2012, including a former head of the Fergana regional foreign labor bureau, to five and a half years' imprisonment for complicity in sex or transnational labor trafficking, but the government did not provide further case details confirming these were trafficking offenses.

Protection

The Government of Uzbekistan demonstrated mixed efforts to identify, assist, and protect victims of trafficking—including efforts to assist victims of sex and international labor trafficking—though it demonstrated no efforts to assist victims of forced labor in the cotton harvest. The government does not have a systematic process to proactively identify victims and refer those victims to protective services. The government reported it recognized 1,647 people as trafficking victims in 2012, compared with 1,635 in 2011. Of these 1,647 victims, 114 were exploited within the country, while the remaining victims were Uzbekistani citizens subjected to human trafficking in other countries. Civil society groups identified over 1,200 trafficking victims in 2012. Police, consular officials, and border guards referred potential female trafficking victims returning from abroad to an NGO for services; the NGO noted improvements in the referral system in 2012. Government-provided protection services were contingent on victims assisting in investigations. The Ministry of Labor operated and funded a shelter for trafficking victims, the majority of whom were adult males, but did not provide data on how many victims it assisted in 2012. The shelter provided medical, psychological, legal, and other services as well as vocational training and, when necessary, continued to assist victims once they left the shelter. Adult victims were required to inform shelter staff to temporarily leave the premises. The government continued to provide shelter and office space to two NGO-run shelters. Trafficking victims were eligible for medical assistance from the government; in 2012, 872 trafficking victims received medical examinations and follow up care, if needed. Uzbekistani diplomatic missions abroad helped repatriate 80 victims: 22 from the UAE, 17 each from Russia and Kazakhstan, 14 from Ukraine, seven from Turkey, six from Thailand, four from Pakistan, and two each from India and China. An NGO also reported the Uzbekistani embassy in Indonesia provided temporary shelter to Uzbekistani trafficking victims prior to their repatriation. NGOs reported victims who cooperate with law enforcement receive some informal protection during the trial process.

Some unidentified trafficking victims were penalized for acts committed as a result of being trafficked; internal sex trafficking victims were charged with administrative prostitution offenses,

which are penalized by a fine and up to 15 days' imprisonment, and transnational sex and labor trafficking victims who had illegally crossed the Uzbekistani border faced a criminal penalty of a substantial fine and imprisonment. Only formally recognized victims were exempt from prosecution for acts committed as a result of being trafficked.

Prevention

The government continued public awareness efforts on transnational sex and labor trafficking. The government vigorously implemented a decree banning the use of labor by school children up to 15 years of age in the cotton harvest; however, the government did not invite any international organizations to independently assess the use of forced adult and forced child labor during the 2012 cotton harvest and continued to deny the existence of those crimes. It again welcomed UNICEF's observations of labor practices during the harvest. UNICEF consistently maintained that its observations cannot substitute a potential assessment mission by the ILO. There were reports that at least two human rights activists who independently monitored the cotton harvest were harassed, arrested, physically abused, and detained by government officials.

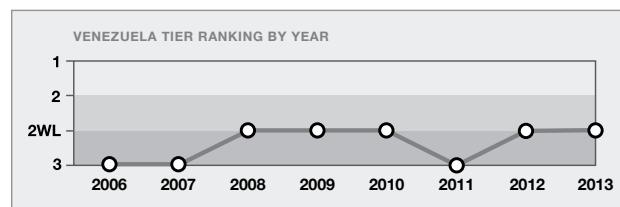
An interagency commission chaired by the prosecutor general coordinated government efforts against sex trafficking and transnational labor trafficking. The government had a national anti-trafficking action plan. State media continued to broadcast programs on transnational sex and labor trafficking. The government reported that through its local neighborhood committees, it held over 72,000 events dedicated to raising awareness of human trafficking in 2012, reaching over 2.5 million Uzbekistani citizens. The government continued to provide venues for NGO training programs and awareness-raising activities as well as free billboard advertising space. Ostensibly in an effort to combat human trafficking, the government required male relatives of women aged 18 to 35 to submit a statement if they were departing the country pledging the women would not engage in illegal behavior, including prostitution, while abroad. The government reported conducting a vigorous campaign to reduce the demand for commercial sex acts; however, media reports and local activists have accused some police of facilitating prostitution.

VENEZUELA (Tier 2 Watch List)

Venezuela is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Venezuelan women and girls are found in conditions of sex trafficking within the country, lured from poor interior regions to urban and tourist centers, such as Caracas, Maracaibo, and Margarita Island. Victims are often recruited through false job offers. In the past, Venezuelan officials reported identifying trafficking victims from Colombia, Peru, Haiti, China, and South Africa in Venezuela. Some Venezuelan children are forced to work as street beggars or as domestic servants, and Ecuadorian children, often from indigenous communities, are subjected to forced labor, particularly in Caracas. Some Venezuelan women are transported from coastal areas by small boats to Caribbean islands, particularly Aruba, Curacao, and Trinidad and Tobago, where they are subjected to forced prostitution. Organized crime is widely believed to be involved in facilitating sex trafficking in Venezuela. There were

reports that Cuban citizens, particularly doctors, working in Venezuela on government social programs in exchange for the Venezuelan government's provision of resources, including oil, to the Cuban government, experience forced labor. Indicators of forced labor include chronic underpayment of wages, mandatory long hours, and threats of retaliatory actions to the citizens and their families if they leave the program.

The Government of Venezuela 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 strengthened its anti-trafficking legal framework, increased investigation of forced labor crimes, and continued to train government officials. However, the government did not publicly document progress on prosecutions and convictions of trafficking offenders or on victim identification and assistance. Victim services appeared to remain inadequate, and the extent of efforts to investigate internal sex trafficking or to assist children in prostitution was unclear. Therefore, Venezuela is placed on Tier 2 Watch List for a second consecutive year.



Recommendations for Venezuela: Intensify efforts to investigate and prosecute cases of sex trafficking and forced labor, and convict and punish trafficking offenders; fund specialized services for trafficking victims, in partnership with civil society organizations; implement formal and proactive procedures for identifying trafficking victims among vulnerable populations, such as people in prostitution, and for referring victims to care services; enhance interagency cooperation, perhaps through forming a permanent anti-trafficking working group; provide publicly available information regarding government efforts to combat human trafficking; and improve data collection for trafficking.

Prosecution

The Government of Venezuela strengthened its anti-trafficking laws during the year and increased investigations of forced labor cases. The lack of comprehensive public data on investigations, prosecutions, and convictions made law enforcement efforts difficult to assess. Venezuelan law prohibits most forms of human trafficking through a 2007 law on women's rights and the 2005 law on organized crime; these laws prescribe punishments of 10 to 20 years' imprisonment for trafficking of women and girls and for transnational trafficking of men and boys. In April 2012, amendments to the law against organized crime took effect, expanding the definition of human trafficking to include internal trafficking of men and boys when carried out by a member of an organized criminal group of three or more individuals. The revised law also increased penalties for trafficking to 20 to 25 years' imprisonment and 25 to 30 years' imprisonment in cases with child victims. In cases of internal trafficking involving male victims, prosecutors could rely on other statutes, though there were no reports they did so during the year. A separate draft anti-trafficking law remained before the legislature during the year.

According to government and media websites, the government reportedly investigated and arrested individuals in several transnational sex trafficking cases and in at least three transnational forced labor cases during the year, reflecting an apparent increase in investigations of forced labor, particularly domestic servitude. Due to a lack of comprehensive public statistics on human trafficking, it was unclear how many trafficking prosecutions the government initiated or how many traffickers it convicted in 2012. According to a government press release, authorities prosecuted and convicted at least one woman for forced prostitution and sentenced her to 11 years in prison. In comparison, in 2011 Venezuelan courts convicted two women of sex trafficking crimes, but their five-year sentences were commuted to parole. The Ministry of Interior and Justice's directorate of crime prevention, sometimes in collaboration with international organizations, provided anti-trafficking training for various government officials, including law enforcement officers, in 2012. There appeared to be no public allegations that Venezuelan government officials were complicit in human trafficking-related offenses, and the Venezuelan government did not report any investigations or prosecutions of such government employees.

Protection

The government provided minimal information about trafficking victim identification or assistance in 2012, and victim services remained limited. The government did not report information on the existence of formal procedures for identifying trafficking victims among vulnerable populations, including people in prostitution, and referring them to victim services. Authorities did not report operating specialized shelters or services specifically for trafficking victims, but the government provided limited funding to some NGOs providing such services. Government shelters for victims of domestic violence or at-risk youth reportedly were accessible to trafficking victims, though services for male victims were virtually nonexistent. NGOs provided the majority of services. There were no dedicated shelters for trafficking victims in the country. Authorities did not report the number of trafficking victims identified or assisted in 2012, although press and government websites reported the identification of at least three forced-labor victims—two from Peru and one from Ecuador—as well as one potential sex trafficking victim from the Dominican Republic. In comparison, the government reported assisting 38 trafficking victims in 2011. Government-provided psychological and medical examinations reportedly were available to all victims of violent crime, including trafficking victims, but according to NGOs, additional victim services—such as follow-up medical aid, legal assistance with filing a complaint, job training, and reintegration assistance—remained lacking.

There was no information made publicly available about whether the government encouraged victims to assist in the investigation and prosecution of trafficking offenders. Similarly, there were no publicly available reports of victims being jailed or penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Foreign victims who faced retribution if returned to their country of origin could apply for refugee status, and, according to an international organization, some victims did so during the reporting period. There were no publicly available reports of government assistance to repatriated Venezuelan trafficking victims during the reporting period.

Prevention

The Venezuelan government continued to raise awareness of human trafficking through public service announcements and an awareness campaign. The Interior and Justice Ministry's directorate of crime prevention was responsible for coordinating government anti-trafficking efforts; there was no permanent anti-trafficking interagency body. Officials reported on anti-trafficking efforts to the media on an *ad hoc* basis. While authorities reported conducting anti-trafficking seminars in tourism destinations for tourism service providers and government officials, there appeared to be no publicly available reports of new investigations, prosecutions, or convictions for child sex tourism in 2012. The government did not report any specific activities to reduce the demand for commercial sex acts or forced labor during the year.

VIETNAM (Tier 2)

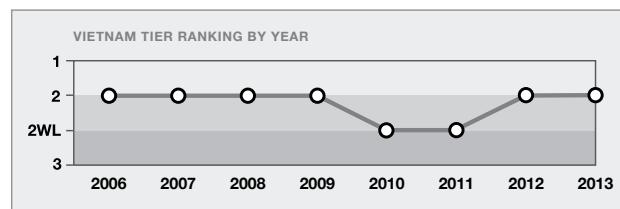
Vietnam is a source and, to a lesser extent, a destination country for men, women, and children subjected to sex trafficking and forced labor. Vietnam is a source country for men and women who migrate abroad for work either on their own or through state-owned, private, and joint-stock labor export recruitment companies. Vietnamese men and women also migrate through informal labor recruitment companies in the construction, fishing, agriculture, mining, logging, and manufacturing sectors primarily to Taiwan, Malaysia, the Republic of Korea (South Korea), Laos, the United Arab Emirates, and Japan, and also to a lesser extent to China, Thailand, Cambodia, Indonesia, the United Kingdom, the Czech Republic, Cyprus, France, Sweden, Trinidad and Tobago, Costa Rica, Russia, Libya, Saudi Arabia, Jordan, and elsewhere in the Middle East and North Africa. Some of these workers subsequently face conditions of forced labor. Vietnamese women and children subjected to sex trafficking throughout Asia are often misled by fraudulent labor opportunities and sold to brothels on the borders of Cambodia, China, and Laos, with some eventually sent to third countries, including Thailand and Malaysia. Some Vietnamese women and children are forced into prostitution in South Korea, Indonesia, Taiwan, Thailand, Malaysia, Singapore, and Russia.

Vietnam's labor export companies, most of which are affiliated with state-owned enterprises, and unlicensed intermediary brokers have been known to charge workers in excess of the fees allowed by law for the opportunity to work abroad. As a result, Vietnamese workers incur some of the highest debts among Asian expatriate workers, making them highly vulnerable to forced labor, including debt bondage. Studies have found that many Vietnamese migrants who go abroad for work face high recruitment fees that put them in a state of debt bondage for years; the majority of those who return to Vietnam early—after one to two years—are unable to earn enough to pay off those debts. Upon arrival in destination countries, some workers find themselves compelled to work in substandard conditions for little or no pay despite large debts and with no credible avenues of legal recourse. Some recruitment companies reportedly did not allow workers to read their contracts until the day before they were scheduled to depart the country, and workers also reportedly signed contracts in languages they could not read. There also have been documented cases of recruitment companies being unresponsive to workers' requests for assistance in situations of exploitation.

Vietnamese and Chinese organized crime groups are involved in the forced labor of Vietnamese children on cannabis farms in the UK, where they are subject to debts up to the equivalent of approximately \$32,000 each. Reports indicate that many of these Vietnamese victims fly with an agent to Russia and then are transported via trucks through Ukraine, Poland, the Czech Republic, Germany, and France before arriving in the UK. There are also reports of some Vietnamese men, women, and children subjected to forced labor within Vietnam as well as abroad. Most northern and central trafficking victims are trafficked to China for sexual exploitation or forced labor; victims in southern Vietnam are primarily trafficked to Cambodia and forced into prostitution, sometimes subsequently sent to third countries in Southeast Asia. In both sex and labor trafficking, debt bondage, confiscation of identity and travel documents, and threats of deportation are commonly used to intimidate victims. Some Vietnamese women moving to China, Taiwan, Hong Kong, Macau, Singapore, and South Korea as part of internationally brokered marriages are subsequently subjected to conditions of forced labor (including as domestic servants), forced prostitution, or both. There are reports of trafficking of Vietnamese people, particularly women and girls, from poor, rural provinces to urban areas, including Hanoi, Ho Chi Minh City, and newly developed urban zones such as Binh Duong. While some individuals migrate willingly, they may subsequently be sold into forced labor or commercial sexual exploitation.

Vietnamese children from rural areas are subjected to commercial sexual exploitation. Children also are subjected to forced street hawking, forced begging, or forced labor in restaurants in major urban centers of Vietnam, though some sources report the problem is less severe than in years past. Some Vietnamese children are victims of forced and bonded labor in factories run in urban family houses and in privately run rural gold mines. NGOs report that traffickers' increasing use of the Internet to lure victims has led to a rising number of middle-class and urban-dwelling Vietnamese falling prey to human trafficking. According to a 2012 UNICEF-funded survey on the commercial sexual exploitation of children, Vietnam is a destination for child sex tourism with perpetrators reportedly coming from Japan, South Korea, China, Taiwan, the UK, Australia, Europe, and the United States.

The Government of Vietnam does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During 2012, the government used existing laws to criminally prosecute some labor trafficking offenses; in many cases prosecutors relied on Article 139, "Appropriating Properties Through Swindling." Additionally, two separate decrees were issued during the reporting period on victim identification and victim shelters. Rehabilitation centers for drug users and people in prostitution, run by the Vietnamese government, continued to subject residents to forced labor in agriculture, construction, and manufacturing despite continued international criticism. The Government of Vietnam failed to provide adequate remedies to overseas workers who experienced debt bondage or other forms of forced labor.



Recommendations for Vietnam: Issue necessary decrees or other official guidance to fully implement the new anti-trafficking law, including through the application of stringent criminal penalties for all forms of trafficking; train front-line officers and judicial officials on the provisions of the anti-trafficking law, with a specific focus on recognizing victim exploitation as the essential element of trafficking crimes; criminally prosecute those involved in forced labor, the recruitment of persons for the purpose of forced labor, or fraudulent labor recruitment, and apply stringent penalties to convicted offenders; immediately cease the practice of forcing Vietnamese citizens into commercial labor in government-run drug rehabilitation centers; adopt policies for the proactive identification of victims among vulnerable groups, such as Vietnamese migrant workers who have been subjected to forced labor, and ensure they are provided with victim services; develop formal procedures for identification, using internationally recognized indicators of forced labor such as the confiscation of travel documents by employers or labor brokers, and train relevant officials in the use of such procedures; continue efforts to protect Vietnamese workers going abroad through memoranda of understanding and agreements with additional destination countries; take measures to protect victims of labor trafficking to ensure workers are not threatened or otherwise punished for protesting labor conditions or for leaving their place of employment; improve interagency cooperation on anti-trafficking efforts in order to monitor and evaluate efforts in the implementation of the national plan of action; improve data collection and data sharing at the national level on trafficking prosecutions, particularly labor-related prosecutions; promote primary and secondary school education for youth populations at risk of trafficking; support awareness-raising programs that reduce stigma and promote reintegration of trafficking returnees; and implement and support a visible anti-trafficking awareness campaign directed at those who solicit adults and children in the sex trade.

Prosecution

The Government of Vietnam sustained its law enforcement efforts to combat trafficking in 2012. Despite Vietnam's comprehensive anti-trafficking law, which went into effect in January 2012, criminal penalties have not yet been established; this has to be done by the issuance of guidance by the Supreme People's Court. The expanded definition of trafficking in persons in the new law was not applied during the reporting period because the government has not yet issued necessary guidance to law enforcement personnel.

As the new law had not yet been implemented, the majority of traffickers were prosecuted under pre-existing articles of the penal code, which are vague in scope but could potentially be used to prosecute some forms of trafficking. Article 119 of the penal code criminalizes trafficking in women but does not appear to define "trafficking." Article 120 prohibits "trading

in, appropriating, or exchanging children," which are also not defined. These articles prescribe sufficiently stringent punishments of two to seven years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Judicial officials have interpreted these provisions to apply only to cases that involve a third-party exchange of payment. Other cases were administratively punished under the country's labor laws, which do not provide criminal penalties.

Vietnam's central data collection systems remained inadequate to provide law enforcement statistics on trafficking prosecutions and convictions during the year segregated by type of trafficking. Statistics provided on prosecution, convictions, and victims identified did not correspond between the Supreme People's Procuracy and the Supreme People's Court. The Supreme People's Procuracy reported that authorities prosecuted 232 cases of trafficking and related offenses in 2012 under Articles 119 and 120. The government reported that in calendar year 2012 the Supreme People's Court brought to trial, convicted, and sentenced 490 defendants. Of these, seven defendants received sentences between 20 and 30 years in jail, 38 between 15 and 20 years, 137 between seven and 15 years, 265 less than seven years', 48 defendants were put on probation, and one was fined. Three hundred and ninety-one defendants were tried under Article 119 and 85 under Article 120. The government continued to pursue prosecutions primarily in transnational sex trafficking cases, and overall law enforcement efforts were inadequate to address all forms of human trafficking in Vietnam. The government began sending Ministry of Public Security (MPS) officials on short-term assignments to Cambodia, China, and Laos to lead Vietnam's cooperation efforts in joint trafficking investigations. Although Vietnam does not track the number of cooperative international investigations on trafficking in which it participated, it was reported that there were several instances of MPS officials traveling to China for rescue operations of trafficking victims that led to the arrest of over 200 traffickers and the rescue of 216 trafficking victims in China.

Contract disputes between Vietnamese workers and their Vietnam-based labor recruitment companies or companies overseas—including for fraudulent recruitment and conditions indicative of forced labor—were left largely to the companies to resolve. Although workers have the legal right to take cases to court, in practice few have the resources to do so, and there is no known record of a Vietnamese labor trafficking victim successfully achieving compensation in court; thus, in practice, workers are left without reasonable legal recourse in such cases. Through a regular inspection program, the government monitored and punished fraudulent labor recruiters for not adhering to labor recruiting regulations, including offenses considered to be contributing factors to human trafficking.

Many NGOs indicated that trafficking-related corruption continued to occur at the local level, including officials at border crossings and checkpoints accepting bribes from traffickers and officials opting not to intervene on victims' behalf when family relationships existed between traffickers and victims. The government reported two cases of public officials' complicity in human trafficking during the reporting period that led to convictions. In December 2012, the appellate court in Ho Chi Minh City upheld the life sentence given to a Can Tho City Department of justice official for receiving a total of more than approximately the equivalent of \$195,000 in bribes between May 2009 and October 2010 to conduct

marriage registrations involving foreigners that facilitated trafficking. The second conviction was in January 2013; the Nghe An Supreme People's Court sentenced a former deputy chief of Bao Thang commune police to three years in prison for trafficking adults and six years for trafficking children.

Protection

The Vietnamese government made some progress in its efforts to protect victims, primarily those subjected to transnational sex trafficking, but it did not make efforts to adequately identify victims among vulnerable populations or protect victims of labor trafficking or trafficking that occurred wholly within the country. Two decrees drafted to guide the implementation of the trafficking in persons law concerning victim protection were completed and issued during the reporting year: Decree No. 62/2012/NĐ-CP on the grounds for victim identification and protection of victims and their relatives and Decree No. 09/2013/NĐ-CP detailing the implementation of articles in the trafficking in persons law regarding victim support facilities, mechanisms, procedures, and proceedings. The government did not develop or employ systematic nationwide procedures to proactively and effectively identify victims of trafficking among vulnerable populations, such as women arrested for prostitution and migrant workers returning from abroad, and victim identification efforts remained poor across all identified migration and trafficking streams.

MPS reported that 883 Vietnamese trafficking victims were identified by authorities between January and December 2012. During this period, border guards coordinated with other government agencies to rescue and receive 201 victims of trafficking; of these victims, 119 were identified and repatriated by foreign governments or NGOs and 38 self-identified. There were no specific protections from deportation in Vietnam's law and no provisions for granting residency status for foreign nationals who are victims of trafficking. When Vietnam is a transit or destination country for foreign victims, the government liaises with the sending country for the victims' safe return to Vietnam.

The Law on Administrative Sanctions was adopted in June 2012 and will come into effect July 1, 2013. This new law will ensure that drug users are not automatically referred to a detention facility where they have in the past routinely been subjected to forced labor. Media reports during the reporting period indicated, however, that the government continued to perpetrate forced labor of drug users under current regulations. Authorities have formal procedures for receiving trafficking victims and referring them to care, although the referral system has some significant deficiencies, such as failing to identify victims who do not return via official border crossings or who do not want to be identified by authorities due to social stigma or other reasons. The government did not provide adequate legal protection from forced labor or assistance to victims in Vietnam or abroad. In September 2012, the media reported that a Vietnamese-owned factory in Russia had kept Vietnamese workers in slave-like conditions and that Vietnamese diplomats had visited the site and failed to offer assistance. Vietnam maintains labor attachés in the nine countries receiving the largest number of documented Vietnamese migrant workers; however, it does not maintain embassies in some countries to which there are reports of Vietnamese nationals having been trafficked. In some places where there are embassies, diplomatic personnel responded inadequately to protect migrant workers, and the government

acknowledged that its diplomats lacked sufficient training and oversight. The government did not publish data about individual cases in which diplomatic or consular officials identified or assisted Vietnamese workers subjected to forced labor abroad. Government regulations do not prohibit private employers from withholding the passports of workers in destination countries, and Vietnamese companies withheld workers' travel documents, a known indicator of trafficking. Although workers have the right in principle to sue labor export companies, there has been no indication of victims receiving legal redress in Vietnamese courts for such claims.

The government's Vietnamese Women's Union (VWU), in partnership with NGOs and with foreign donor funding, continued to operate three trafficking shelters in Vietnam's largest urban areas; the shelters provided counseling and vocational training to female sex trafficking victims. The VWU and border guards also operate smaller shelters that provide temporary assistance to migrants in need at some of the most heavily used crossing points. At times victims were housed in Ministry of Labor, Invalids, and Social Affairs (MOLISA) social protection centers that provide services to a wide range of vulnerable groups, although officials acknowledged that victims were better served in trafficking-specific shelters. In many areas shelters are rudimentary, underfunded, and lack appropriately trained personnel. There are no shelters or services specifically dedicated to assisting male victims, child victims, or victims of labor trafficking, although existing shelters reportedly provided services to some male and child victims. NGOs report some victims opt not to stay at a victim support facility or receive social services due to a fear of social stigma from identifying as a trafficking victim. Trafficking victims are eligible for a cash subsidy up to the equivalent of approximately \$50, paid through local authorities; the government did not provide statistics on the number of victims who received this benefit. The government continued to provide contributions of office space and personnel to international organizations conducting anti-trafficking projects.

The government reportedly encourages victims to assist in the prosecution of their traffickers, although the Vietnamese government generally does not provide police-assisted witness protection to victims of crime. Victims were often reluctant to participate in investigations or trials due to social stigma particularly as it relates to prostitution, fear of retribution in their local communities, and lack of incentives for participation. Vietnamese law protects trafficking victims from facing criminal charges for actions taken as a direct consequence of being trafficked; however, inadequate efforts to identify victims among vulnerable populations may have led to some victims being treated as law violators. The government did not offer foreign victims legal alternatives to their removal to countries where they faced retribution or hardship.

Prevention

The Government of Vietnam made some efforts to prevent human trafficking during the reporting period. Under the prime minister's Decree 1427, the Ministry of Information and Communication (MIC) and VWU maintained anti-trafficking campaigns through online media, community based anti-trafficking posters, workshops, billboards, art performances, pamphlets, school programs, and neighborhood meetings. Of the two decrees issued during the reporting year, the first, Decree No 62/2012/ND-CP provided guidance in victim

identification under the trafficking in persons law. The decree provides a formal legal procedure for victim identification but does not specify its proactive application to high-risk populations. In addition, the decree states that in the absence of conclusive documentation or evidence of a victim's exploitation or trafficking, identification can be made based upon a victim's discovery or known overlapping presence with other identified victims, physical and psychological traits showing signs of sexual abuse or forced labor, reports made by relatives made to the authorities, or other information contributing to a reasonable belief the person may be a victim of trafficking. A key change in the identification procedures under the trafficking in persons law is the expansion in the number of government agencies authorized to verify the status of a trafficking victim.

The Ministry of Foreign Affairs maintained its online migration website providing prospective migrants with access to information about the legal guidelines governing recruitment companies; however, the government did not increase efforts to enforce these regulations, and overall efforts to regulate recruitment companies and marriage brokers remained weak. With assistance and cooperation from international organizations, governments, NGOs, and foreign donors, the Vietnamese government increased efforts to prevent trafficking in persons. In September 2012, the Vietnamese and Cambodian governments agreed to implement a memorandum of understanding on combating trafficking for the period 2013-2015. The government has a five year national action plan on human trafficking active until 2015 and has allocated the equivalent of approximately \$15 million to implement the plan, which covers all forms of trafficking and coordinates the government's anti-trafficking responses through the National Steering Committee on Human Trafficking chaired by the deputy prime minister.

YEMEN (Tier 3)

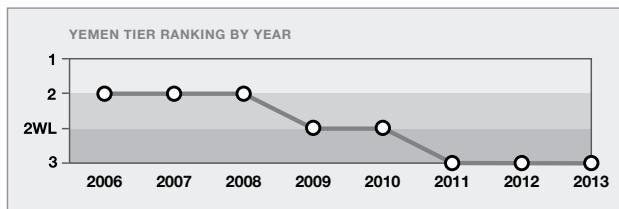
Yemen is a country of origin and, to a lesser extent, a transit and destination country for men, women, and children subjected to forced labor and sex trafficking. Some Yemeni children, mostly boys, migrate to the Yemeni cities of Aden and Sanaa, or travel across the northern border to Saudi Arabia and, to a lesser extent, to Oman where they are subjected to forced labor in domestic service, small shops, or as beggars. Some of these children are forced into prostitution by traffickers, border patrols, other security officials, and their employers once they arrive in Saudi Arabia; some children are forced to smuggle drugs to Saudi Arabia. Some families supportive of ethnic Houthi rebels, including those residing in Sanaa and other locations outside Houthi control, send their children to Saada to be trained by the Houthis in the use of arms to serve in Houthi militias. A Saudi study conducted in 2011 reported that most beggars in Saudi Arabia are Yemenis between the ages of 16 and 25. The Yemeni government and international NGOs estimate that there are approximately 935,000 child laborers under the age of 15 in Yemen, some of whom are subjected to conditions of forced labor. In addition, some sources report that the practice of chattel slavery still exists in Yemen; while no official statistics exist detailing this practice, unconfirmed sources report that there could be 300 to 500 men, women, and children sold or inherited as slaves in Yemen, including in the Al-Zohrah district of Al-Hudaydah Governorate, west of

Sanaa, and the Kuaidinah and Khairan Al-Muharraq districts of the Hajjah Governorate, north of the capital.

Yemen is also a source country for girls subjected to sex trafficking within the country and in Saudi Arabia. Girls as young as 15 years old are exploited for commercial sex in hotels and clubs in the governorates of Sanaa, Aden, and Taiz. The majority of child sex tourists in Yemen are from Saudi Arabia, with a smaller number possibly originating from other Gulf nations. Yemeni girls who marry Saudi tourists often do not realize the temporary and exploitative nature of these agreements; some are subjected to sex trafficking or abandoned on the streets of Saudi Arabia. Yemen is a transit and destination country for women and children from the Horn of Africa. An international organization estimated that 107,000 migrants and refugees from the Horn of Africa—primarily Ethiopia and, to a lesser extent, Somalia and Eritrea—reached Yemen in 2012, which was double that reported in 2010. According to UNHCR, 74 percent of the migrants reportedly crossed the Red Sea via Obock, Djibouti. Ethiopian and Somali women and children travel voluntarily to Yemen with the hope of working in other Gulf countries, but some are subjected to sex trafficking or domestic servitude in Yemen. Others migrate based on fraudulent offers of employment as domestic servants in Yemen, but upon arrival are subjected to sex trafficking or forced labor. Some female Somali refugees are forced into prostitution in Aden and Lahj governorates, and Yemeni and Saudi gangs traffic African children to Saudi Arabia. Smugglers capitalize on the instability in the Horn of Africa to subject Africans to forced labor and prostitution in Yemen. Some refugees and migrants from the Horn of Africa that voluntarily transit Yemen *en route* to Saudi Arabia and other Gulf countries are abandoned in Yemen and abused by traffickers; some were reportedly forced to embark boats headed to Yemen.

Despite a 1991 law requiring that members of the armed forces be at least 18 years of age, credible reports indicated that many children under 18 joined the official government armed forces—as well as tribal militias and militias of Houthi rebels—during the country-wide civil unrest in 2011. Local NGOs also report that many children, some as young as 11, remain in tribal and Houthi militias. However, the number of child soldiers in the armed forces reportedly declined in 2012.

The Government of Yemen does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Yemen was in the midst of a two-year Gulf Cooperation Council (GCC)-brokered political transition, which included security sector reform. Throughout 2012, Yemen faced prolonged political, economic, and security challenges, including weak government institutions, widespread corruption, and poor law enforcement capabilities, which severely impeded the government's modest anti-trafficking efforts. The government did not institute formal procedures to identify and protect victims of trafficking or investigate or prosecute government officials complicit in trafficking-related crimes. The government did not make efforts to address trafficking for commercial sexual exploitation nor to implement anti-trafficking awareness campaigns; however, it took some steps to prevent the recruitment of children in the armed forces.



Recommendations for Yemen: Significantly increase law enforcement efforts against trafficking in persons, including sex and labor trafficking of women, men, and children; investigate and prosecute government employees complicit in trafficking-related offenses; take measures to investigate and eradicate the practice of chattel slavery in Yemen, including by enforcing the prohibition against slavery, including against slave "owners;" expand victim protection services, including rehabilitation of victims of forced prostitution; make greater efforts to stop the forcible recruitment of child soldiers and provide protection and rehabilitation services to demobilized children; institute a formal victim identification mechanism to identify and refer trafficking victims to protection services; implement educational and public awareness campaigns on trafficking to include information on the sex trafficking of children and adults; adopt and dedicate resources to a national plan of action to combat trafficking; and accede to the 2000 UN TIP Protocol.

Prosecution

The government made no discernible progress in enforcing laws against human trafficking during the reporting period. Article 248 of Yemen's penal code prescribes up to 10 years' imprisonment for any person who "buys, sells, or gives as a present, or deals in human beings; and anyone who brings into the country or exports from it a human being with the intent of taking advantage of him." Although this statute's prescribed penalty is commensurate with that prescribed for other serious crimes, such as rape, its narrow focus on transactions and movement means that many forms of forced labor and forced prostitution are not criminalized. Article 161 of the Child Rights Law specifically criminalizes the prostitution of children. Although the government reported that it convicted and sentenced 17 trafficking offenders in 2012, the details of these cases were unknown. The government did not report efforts to investigate or punish government employees complicit in trafficking-related offenses despite allegations that local government and security officials willfully ignored trafficking crimes taking place in their areas of responsibility. The government made no known efforts to investigate or punish the practice of chattel slavery. The Ministry of Interior operated family protection units that could be used to investigate trafficking offenses; however, none of the unit's personnel received specialized anti-trafficking training.

Protection

The government's efforts to protect victims were negligible during the reporting period. The government continued to lack formal victim identification procedures to proactively identify and assist victims of trafficking among vulnerable groups, such as women arrested for prostitution or individuals detained for illegal immigration. As a result, the government did not ensure that victims of trafficking were not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed

as a direct result of being trafficked. Though an international organization identified over 2,000 trafficking victims in 2012, the government did not report how many trafficking victims it identified—if any—in this reporting period. The government did not operate shelters for trafficking victims, nor did it provide protective services to adult victims of either forced prostitution or forced labor. The government operated two juvenile detention centers in Sanaa and Haradh, which were not dedicated to providing adequate protective services to child trafficking victims. The government did not encourage victims to assist in investigations or prosecutions of their traffickers. The government did not provide assistance to its nationals who were repatriated as victims of trafficking. While the government acknowledged the use of child soldiers, it was unclear how the government made efforts to remove child soldiers from the military and provide them with protective or rehabilitation services.

Prevention

The government made no efforts generally to prevent trafficking during the reporting period; however, it took some steps to address the recruitment of children in the armed forces. The government did not fund anti-trafficking public awareness or education campaigns, and it made no progress implementing its 2008 national action plan on trafficking. It was not clear whether the government's inter-ministerial anti-trafficking committee met during the year. Moreover, the government did not take any measures to reduce the demand for commercial sex acts or address the problem of child sex tourism. The government did not report efforts to enforce its 2009 decree aimed at preventing trafficking through "temporary marriages." The government did not develop a universal birth registration system and many children, especially in rural areas, were never registered or registered only after several years, depriving them of a key identity document and consequently increasing their vulnerability to trafficking.

The government made efforts to eliminate the recruitment and use of child soldiers in the military as part of the government's broader measures to reform and restructure the military and security forces. In November 2012, the senior military command issued new orders to strictly enforce its policy against the recruitment of children into the armed forces; it also publicized this policy at military installations and in major cities. The government also created an inter-ministerial taskforce to address the issue of child soldiers. The peacekeeping unit in the Yemeni armed forces received regular pre-deployment training on severe forms of human trafficking. Yemen is not a party to the 2000 UN TIP Protocol.

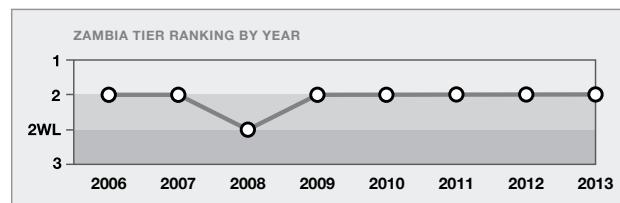
ZAMBIA (Tier 2)

Zambia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most trafficking occurred within the country's borders and involved women and children from rural areas exploited in cities in domestic servitude or other types of forced labor in the agriculture, textile, mining, and construction sectors, as well as in small businesses such as bakeries. Zambian children may be forced by *jerabo* gangs, who work in the illegal mining sector, to load stolen copper ore onto trucks in the Copperbelt Province. Children are also recruited and transported from villages, brought to cities, and made to

serve as guides for groups of blind beggars. While orphans and street children are the most vulnerable, children of affluent village families are also vulnerable to trafficking because sending children to the city for work is perceived to confer status. Zambian boys and girls are recruited into prostitution by women formerly engaged in prostitution. Zambian boys are taken to Zimbabwe for prostitution, and women and girls are exploited in forced prostitution by truck drivers in towns along the Zimbabwean border. Zambian victims of sex trafficking were identified in the United States and South Africa.

In 2012, Zambia continued to be a transit and destination country for many nationalities. Women and children from Malawi and Mozambique are forced into labor or prostitution after arriving in Zambia. Chinese, Indian, and Lebanese nationals are exploited in forced labor in textile factories and bakeries. Chinese and Indian men are recruited to work in Chinese-owned mines in Zambia's Copperbelt Province, where they are reportedly kept in conditions of forced labor by mining companies. In 2012, victims from China, Zimbabwe, the Democratic Republic of the Congo (DRC), Tanzania, Uganda, and South Africa were also identified in Zambia. The transnational labor trafficking of Indians and Bangladeshis through Zambia for use in construction in South Africa continued and was linked to criminal groups based there. Congolese and Somali nationals, including children, are also smuggled through Zambia; some may become victims of trafficking upon reaching South Africa.

The Government of Zambia 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 prosecution of five suspected trafficking offenders and continued institutional training which reached 119 officials. It doubled its anti-trafficking budget to the equivalent of approximately \$72,000, tripled the number of labor inspectors, revised police intake forms to include human trafficking, and convened a long-awaited national committee on human trafficking. The government completed shelter upgrades and provided counseling, paralegal assistance, and regularization of immigration status for victims. It developed a national referral mechanism, finalized guidelines for the protection of trafficking victims, and is piloting a counter-trafficking manual for prosecutors which should be in effect this year. In addition, the government reported its conviction of an offender in a potential trafficking case. Although the Zambian government revoked the licenses and took control of a Chinese-owned mine for violations of safety and other statutory regulations, it failed to criminally investigate or prosecute companies responsible for forced labor in the mining and agricultural sectors. The failure to seriously address internal trafficking—including forced labor in the mining and agricultural sectors, child prostitution, and domestic servitude—stymied anti-trafficking progress in the country.



Recommendations for Zambia: Implement the 2008 anti-trafficking act by ensuring the use of a broad definition of

human trafficking that does not rely on evidence of movement but rather focuses on exploitation, consistent with the 2000 UN TIP Protocol; amend the trafficking law so that force, fraud, or coercion are not required for cases involving children under the age of 18 to be considered sex trafficking crimes; investigate and prosecute internal trafficking cases, including forced child labor and forced labor in the mining and agricultural sectors; continue to train police, immigration officials, prosecutors, and judges on investigating and prosecuting trafficking crimes; differentiate the process of victim identification from the prosecution of cases, delinking the identification and protection of trafficking victims from the successful prosecution of a trafficker; develop bilateral cooperation agreements with additional governments in the region, including the DRC and South Africa; formalize and implement victim identification and referral procedures; screen children accused of crimes for evidence of coercion by traffickers; continue to improve government services for trafficking victims through the establishment of additional shelters; begin use of the new database to compile information on human trafficking cases and trends for use by all stakeholders; and continue to conduct public awareness campaigns.

Prosecution

The Government of Zambia maintained anti-trafficking law enforcement efforts, initiating five prosecutions during the reporting period and obtaining one conviction of a trafficking offender. Although the anti-trafficking act of 2008 criminalizes some forms of human trafficking, it requires the use of threat, force, intimidation, or other forms of coercion for a child to be considered a sex trafficking victim. The act prescribes penalties ranging from 20 years' to life imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated approximately 14 potential trafficking cases and initiated the prosecution of five trafficking suspects; four of these prosecutions remained ongoing at the close of the reporting period. The status of three cases pending at the close of the previous reporting period was unknown. In August 2012, the government sentenced a convicted offender under the anti-trafficking act to 25 years' imprisonment for her role in transporting a child to the DRC for the purposes of exploitation. In September 2012, the Lusaka Magistrate's Court began hearing a potential trafficking case involving a Turkish man charged with aiding the commission of a trafficking crime; the suspect promised five Syrian men employment in the Netherlands but instead brought them to Zambia and, at times, withheld their passports. Two additional cases under prosecution involved women and girls from neighboring countries brought to Zambia for domestic servitude and sexual exploitation, with the remaining two prosecutions involving Zambian children intercepted *en route* to South Africa or Europe for similar purposes.

The government failed to dedicate adequate attention to internal trafficking cases, including Zambian children in prostitution and domestic servitude, as well as forced labor in the mining and agricultural sectors. As in 2011, the government investigated only one potential case of internal trafficking in 2012, in which authorities arrested *jerabo* miners for forcing children with threats of beatings or death to load trucks with copper ore from an illegal mining site. Following a police investigation, authorities concluded that the teenage children who were the subject of the investigation were not

trafficking victims but instead were likely complicit in illegal mining activities. However, criminal investigations of children for either labor offenses or cases in which victims were not moved across borders were rare; the Ministry of Labor and Social Security (MLSS) Child Labor Unit cited mediation with parents as the usual process for handling child labor cases. Despite revoking the licenses of a Chinese-owned mine for safety and other violations, the government failed to criminally investigate or prosecute companies responsible for labor trafficking in the mining and agricultural sectors.

With the assistance of a donor-funded program, the government completed development of a database to track trafficking case data in July 2012; in order to facilitate the accurate collection of such data, Zambian police intake forms were revised for the first time since 1972 to include human trafficking and gender-based violence and were distributed to all police stations in Zambia. Specific anti-trafficking training is included in all law enforcement courses at the police training academy covering the 2008 anti-trafficking act, investigation techniques, identification of victims, and protection of victims and witnesses; during the year, new immigration officials attended this training for the first time. Building on a foreign donor-funded training-of-trainers program, Zambian officials led trainings for 109 law enforcement officers. The government increased its partnerships in the region, concluding an anti-trafficking memorandum of understanding (MOU) with Zimbabwe and Botswana, and anticipated signing MOUs with the DRC, Malawi, and Mozambique in 2013. In 2012 the government doubled its anti-trafficking budget to the equivalent of approximately \$72,000, which included allocation of trafficking-specific funding to the Zambia Police Service's Victims Support Unit (VSU) for training and raising awareness.

Protection

The government increased its capacity to provide victim protection during the reporting period through the completion of upgrades to one shelter and the development of guidelines for victim protection. It continued, however, to rely on international organizations and local NGOs to provide the majority of victim care, without affording any direct financial assistance to such entities. During the year, officials identified at least 32 potential victims. IOM assisted 11 victims, the majority of whom were referred by officials; government officials provided routine assistance in these cases, including counseling, court preparation, or regularization of immigration status for victims. For example, the Ministry of Community Development, Mother and Child Health (MCDMH) provided counseling to eight victims and drew on existing social assistance programs to assist four children. Officials encouraged victims to assist in the investigation and prosecution of traffickers; during the year, the government, through its VSU, provided paralegal assistance to at least six. The government provided some direct services, including medical care and counseling, to an unknown number of trafficking victims through both the government-run university teaching hospital in Lusaka and NGO-run community response centers, which were staffed by VSU officials. The government offered legal alternatives to the removal of victims to countries where they may face hardship or retribution; during the year, Zambia immigration authorities issued renewable temporary residency permits to at least two victims. The government partnered with IOM to repatriate three victims; Zambia immigration provided exit

permits and social welfare staff in coordination with officials in countries of origin to ensure continued protection for such victims.

The government continued to increase the availability of shelter options for victims by completing repairs to a shelter in Luapula Province, operated by the MCDMCH, which now has the capacity to provide counseling and rehabilitative services to 40 victims at a time. The government provided land, infrastructure, and staff to the center, while the UN Joint Program on Human Trafficking (UNJPHT) supported the renovation of buildings. While the shelter staff is currently in place, unanticipated infrastructure issues have delayed the opening of the shelter to victims. NGO shelters currently do not provide accommodation for male victims over the age of 14; they are accommodated only on an *ad hoc* basis and are sometimes jailed alongside their traffickers for months at a time. Nonetheless, during the year, a joint MCDMCH-NGO shelter acquired land rights for the construction of a third shelter that will accommodate male victims.

Following consultation with 60 stakeholders the government, in partnership with the UNJPHT, launched the Minimum Standard Guidelines on Protection of Victims of Trafficking in October 2012; the guidelines establish the minimum care provisions to be provided to victims in line with the anti-trafficking act. The government distributed the manual in all provinces by early 2013 and trained 148 service providers, including social welfare and immigration officials, on its provisions. In 2012, the government also finalized its national referral mechanism. The implementation of the formal procedures for victim identification, however, remains lacking. With inadequate shelter space, the government may have arrested, jailed, and penalized victims for unlawful acts committed as a direct result of being trafficked, including children accused of crimes.

Prevention

The Zambian government maintained its strong efforts to prevent trafficking during the reporting period. It continued implementation of its 2012-2015 national action plan to combat trafficking, which was finalized in March 2012. The government's efforts are coordinated through the national secretariat, which met weekly in 2012, and the national committee, a higher-level policy-making body; in March 2013, the deputy minister of home affairs inaugurated the national committee, whose formation was mandated by the 2008 anti-trafficking act. In August 2012, the government co-hosted with UNJPHT its third annual national symposium, which was attended by over 100 representatives from government and civil society. Also through the UNJPHT, the government continued strong partnerships with IOM, the ILO, and UNICEF, which enabled the launch of targeted prevention activities during the year, including the "Break the Chain of Human Trafficking" campaign that brought trafficking awareness to urban centers and rural areas.

During the year, MLSS increased its number of labor officers from 13 to 48 but did not provide them with training on trafficking. MLSS failed to develop a systematic means to monitor and investigate agencies allegedly responsible for fraudulent recruitment. MLSS-sponsored district-level labor networks—comprised of labor, immigration, police, and social welfare officers—conducted awareness campaigns, tracked information on cases of labor trafficking, and referred

victims to services. In February 2013, the government revoked the mining licenses and seized control of a Chinese-owned mine after several years of safety concerns, accidents, and assaults on workers by management. However, large companies and foreign governments reportedly exerted influence over Zambian officials when labor exploitation was alleged. In September 2012, two Chinese labor trafficking victims working at a Chinese-owned agricultural firm reported exploitation, including nonpayment of wages, passport confiscation, and confinement, to a labor officer; although the deputy ministers of labor and social security and foreign affairs advocated for the payment of salary in arrears and return of immigration documentation, the government failed to criminally investigate or prosecute the alleged perpetrators. The workers were ultimately fired and returned to China.

The government did not make efforts to reduce the demand for commercial sex acts during the reporting period. In 2012, the government failed to provide anti-trafficking training to Zambian troops prior to their deployment abroad on international peacekeeping missions.

ZIMBABWE (Tier 3)

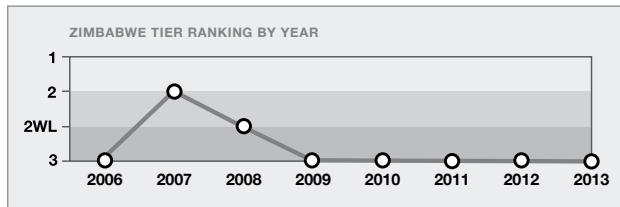
Zimbabwe is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Women and girls from Zimbabwean towns bordering South Africa, Mozambique, and Zambia are subjected to prostitution in brothels that cater to long-distance truck drivers on both sides of the borders. The number of prostitution rings in Zimbabwe continued to rise, with many young women and girls sold into prostitution by their parents. Zimbabwean men, women, and children are subjected to forced labor in agriculture and domestic service in the country's rural areas, as well as domestic servitude and sex trafficking in cities and towns. Family members recruit children and other relatives to travel from rural areas to cities, where they are subjected to domestic servitude or other forms of forced labor after arrival; some children, particularly orphans, are lured with promises of education or adoption. Children are forced to labor in the agricultural and mining sectors, or to carry out illegal activities, including drug smuggling. Additionally, the practice of *ngozis*, or giving of a family member to another family to avenge the spirits of a murdered relative, creates a vulnerability to trafficking. The individuals given to the wronged family, often girls, are sometimes forced to labor or to marry a member of the new family.

Zimbabwean men, women, and children migrate illegally to South Africa, where some are forced to labor for months on farms, construction sites, or in mines without pay before their employers report them to authorities for deportation. Reports indicate employers use the pretense of regularizing the workers' immigration status to withhold passports. Many Zimbabwean women and some children willingly migrate to South Africa, often with the assistance of taxi drivers who transport them to the border at Beitbridge or nearby. Some of the migrants are then transferred to criminal gangs that subject them to violent attacks, rape, deception, and, in some cases, forced prostitution in Musina, Pretoria, Johannesburg, or Durban. Zimbabwean women and men are lured into exploitative labor situations in Angola, Botswana, Mozambique, the United Arab Emirates, Malaysia, Nigeria, and South Africa with false offers of employment in agriculture, construction, information

technology, and hospitality; some subsequently become victims of forced labor or forced prostitution. Women and girls are also lured to China, Egypt, the United Kingdom, and Canada under false pretenses, where they are subjected to forced prostitution.

Men, women, and children from Bangladesh, Somalia, India, Pakistan, the Democratic Republic of the Congo, Malawi, Mozambique, and Zambia are transported through Zimbabwe *en route* to South Africa; some of these migrants are trafficking victims. Women and children from border communities in neighboring countries are trafficked to Zimbabwe for forced labor, including domestic servitude, and prostitution. Zambian boys are subjected to prostitution in Zimbabwe. South Asians are victims of forced labor in Zimbabwe and South Africa, following fraudulent recruitment as part of mining investment schemes, through which they become indebted to a trafficking ring. Chinese nationals reportedly are forced to labor in restaurants in Zimbabwe. Chinese construction and mining companies reportedly employ practices indicative of forced labor, including verbal, physical, and sexual abuse and various means of coercion to induce work in unsafe or otherwise undesirable conditions.

The Government of Zimbabwe does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Although senior government officials continued to voice interest in trafficking issues, including the deputy prime minister who launched a national awareness campaign on trafficking in November 2012, tangible efforts to investigate and prosecute trafficking offenses, including those allegedly involving government officials, and to protect victims remained minimal. The Ministry of Home Affairs (MHA) advocated for the ratification of the 2000 UN TIP Protocol and convened stakeholders to develop an updated version of draft anti-trafficking legislation and began inter-ministerial coordination. Law enforcement training and victim identification and protection efforts were conducted by an international organization.



Recommendations for Zimbabwe: Finalize and pass draft anti-trafficking legislation consistent with the 2000 UN TIP Protocol; investigate and prosecute trafficking offenses; convict and punish trafficking offenders using existing legislation; formalize procedures for identifying victims and transferring them to the care of appropriate governmental or non-governmental service providers; train officials on victim identification and referral procedures, as well as relevant legislation; provide financial or in-kind support to NGOs and international organizations offering victim services; incorporate trafficking crimes into police procedures for recording and reporting crime data; continue the broad awareness-raising campaign on the nature of trafficking and the availability of assistance for victims; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Zimbabwe made minimal anti-trafficking law enforcement efforts during the year. It did not investigate or prosecute trafficking offenses, and neither finalized nor introduced a comprehensive anti-trafficking bill to the cabinet. Zimbabwean law does not prohibit all forms of trafficking in persons. The Labor Relations Amendment Act prohibits forced labor and prescribes punishments of up to two years' imprisonment; these penalties are not sufficiently stringent. The Criminal Law (Codification and Reform) Act prohibits procuring a person for unlawful sexual conduct, inside or outside of Zimbabwe, but prescribes less than stringent penalties of up to two years' imprisonment. The Act also prohibits coercing or inducing anyone to engage in unlawful sexual conduct with another person by threat or intimidation, prescribing sufficiently stringent penalties of one to five years' imprisonment. Pledging a female for forced marriage or to compensate for the death of a relative or any debt or obligation is punishable under the Act, with penalties of up to two years' imprisonment. None of these penalties, however, are commensurate with penalties prescribed for other serious crimes, such as rape. The MHA made efforts to engage various government stakeholders in developing an updated draft anti-trafficking bill.

The government failed to vigorously investigate and prosecute trafficking offenses during the reporting period, but did undertake some law enforcement efforts in potential trafficking cases. For example, officials in Beitbridge reported several convictions of mini-bus drivers involved in the illegal transport of children across the border into South Africa, and increased border patrols for criminal gangs, some of which are responsible for transporting persons to South Africa for the purpose of sex trafficking. In one case, the government convicted and fined a man on migration charges for his transport of 19 potential trafficking victims into South Africa. It is unclear whether these children were intended for exploitation upon arrival there. The Zimbabwe Republic Police's ZRP Victim Friendly Unit has responsibility for investigating cases involving women and children and referring victims to support services; however, the VFU did not report investigating any trafficking cases or identifying trafficking victims during the year. In May 2012, the Ministry of Labor and Social Security established a taskforce to investigate Chinese construction companies suspected of abusive employment practices—possibly including forced labor—and to ensure overall compliance with Zimbabwean labor law; however, the government did not report its investigation or prosecution of labor trafficking offenses in 2012. In addition, several Zimbabwean security sector officials served on the managing board of a Chinese-owned company accused of using physical and sexual abuse and other forms of coercion—factors indicative of forced labor—against its workers. At times, police and military officials, part of the company management, instructed the police not to respond to abuse cases. In July 2012, the company fired 1,500 striking workers; 1,000 of those workers filed a lawsuit alleging labor and human rights violations, but lost the case in what may have been a politically motivated decision. Overall corruption in law enforcement and the judiciary remained a serious and unaddressed problem. Victims reportedly refused to report or pursue cases of trafficking out of fear that their traffickers could bribe police or judges. There was anecdotal evidence of limited government involvement in, and tolerance of, trafficking on a local level and at border crossing points. The government did not provide funding or in-kind support for anti-trafficking trainings held by international donors and made minimal efforts to

train independently its staff. The government supported an IOM-sponsored trip for parliamentarians to Zambia to study its anti-trafficking efforts and successes, to help prepare Zimbabwe for similar legislative efforts.

Protection

The Zimbabwean government made minimal efforts to protect trafficking victims during the year, continuing to rely on NGOs and IOM to identify and assist victims without support for such work. In 2012, IOM and NGOs identified and assisted trafficking victims, providing them initial shelter and resources as well as counseling about options for further assistance. Government-run shelters and programs were in place to offer counseling and long-term shelter to vulnerable and orphaned children, including child trafficking victims. The government reported its provision of shelter to four child trafficking victims in 2012. At its centers at Beitbridge and Plumtree border crossings, trained Department of Social Services (DSS) staff worked closely with IOM and NGOs to ensure the protection of vulnerable children. Immigration officers reportedly referred 19 potential child trafficking victims—intercepted by South African authorities after crossing the border at Beitbridge—to DSS staff, who assisted the children in returning to their families. However, it is unknown whether the government referred these or other potential victims for additional care and longer-term assistance. The Department of Immigration continued to encourage deportees from South Africa and Botswana to attend an IOM briefing on safe migration, which includes a discussion of trafficking. With the exception of deportees from South Africa and Botswana, the government's law enforcement, immigration, and social services authorities did not have formal procedures with which to proactively identify victims of trafficking among vulnerable populations, such as women in prostitution and irregular migrants. As a result, potential adult trafficking victims were often briefly detained and deported. For instance, in August 2012, following its failure to screen for trafficking victimization, the government sentenced 16 Bangladeshi nationals to 30 days' imprisonment, in advance of their deportation, for entering Zimbabwe with forged documents.

Prevention

The government modestly increased its efforts to prevent trafficking during the reporting period. In March 2013, the Permanent Secretary of the MHA, in partnership with UNODC, organized a workshop to increase the understanding of trafficking and coordination among the inter-ministerial working group, established in March 2013. In November 2012, the deputy prime minister launched an anti-trafficking awareness campaign in cooperation with IOM, through a donor-funded project; attended by the deputy minister of justice, the minister of labor and social services, immigration and police officers, NGOs, and international organizations, the launch event allowed officials and NGO-stakeholders to jointly discuss the trafficking problem affecting Zimbabwe and served to raise awareness among Zimbabweans. The government did not provide information on any efforts it may have made to ensure that its military personnel deployed abroad on international peacekeeping missions did not facilitate or engage in human trafficking. It did not make efforts to reduce the demand for commercial sex acts. Zimbabwe is not a party to the 2000 UN TIP Protocol.

SOMALIA (Special Case)

Somalia remains a Special Case for the eleventh consecutive year. During the reporting period, the Transitional Federal Government (TFG) and its successor as of August 2012, the Federal Government of Somalia, controlled Somalia's capital city Mogadishu, but had limited influence outside of Mogadishu. The self-declared independent Republic of Somaliland and Puntland State were in control of security and law enforcement in their respective regions. The new Somali federal government focused on capacity-building and securing Mogadishu and government facilities from attacks by the terrorist organization al-Shabaab. The government has minimal capacity to investigate and prosecute most crime, including human trafficking. Justice was primarily provided through military courts. Civilian courts were limited in number and capacity but functioned during the year. The respective authorities operating in Somalia's three regions struggled to address human trafficking, demonstrating weak efforts in prosecution, protection, and prevention in all regions.

Scope and Magnitude: Somalia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Information regarding trafficking in Somalia remains extremely difficult to obtain or verify. Victims are primarily trafficked within the country from Somalia's southern and central regions to the regions of Puntland and Somaliland in the north. In Somaliland, women act as recruiters and intermediaries to take victims to Puntland State, Djibouti, and Ethiopia for the purposes of domestic servitude or sex trafficking. Somali women and girls may be subjected to sex trafficking in Garowe, Las Anod (Sool region), and pirate towns such as Harardheere; girls are reportedly taken from coastal regions, particularly Bossaso, and placed in pirates' homes to be exploited in domestic and sexual servitude. Pirates also use children aged 15 to 17 to carry out their illegal activities. However, pirate groups continued to decline in numbers and influence in 2012 as international efforts to combat piracy gained steam, reducing the number of successful attacks. In Somali society, certain groups are traditionally viewed as inferior and are marginalized; Somali Bantus and Midgaan are sometimes kept in servitude by more powerful Somali clan members as domestic workers, farm laborers, and herders. Due to poverty and an inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share familial ties and clan linkages; some of these children may become victims of forced labor or sex trafficking. Most child laborers work within their own households or family businesses. Somalia remains a predominantly pastoral and nomadic society, with low rates of education. Children may be forced into labor in agriculture, herding livestock, crushing stones, or in the construction industry.

"Gatekeepers" in control of some internally displaced persons (IDP) camps reportedly forced girls and women to provide sex acts in exchange for food and services available within the camps. At times, they charge rent or fees for otherwise free basic services and sell the area they control within a camp to other "gatekeepers," establishing a cycle of debt for IDPs that makes them vulnerable to inherited bondage. Additionally, displaced persons in camps or congregated along coastal areas hoping to be smuggled to nearby African countries, Europe, or the Middle East remain particularly vulnerable to trafficking. There were reports of traffickers preying on young women and

children, mostly IDPs from southern and central Somalia, at marketplaces and in the streets, falsely promising them lucrative jobs outside Somalia.

Given Somalia's long coastline, reports of human smuggling are geographically widespread in Somalia, and evidence suggests that traffickers use the same networks and methods as those used by smugglers. Dubious employment agencies facilitate human trafficking by targeting individuals desiring to migrate to the Gulf states for employment. Somali women are smuggled, sometimes via Djibouti, to destinations in the Middle East, including Yemen and Syria, as well as to Sudan, Kenya, and South Africa, where they are frequently subjected to conditions of domestic servitude or forced prostitution. There are reports of forced labor or sexual exploitation of Somali children fleeing al-Shabaab and seeking refuge in Kenya; refugee children among the populations of Kenya-based Dadaab and Kakuma refugee camps may also encounter exploitation in prostitution and forced labor. Trucks used to transport goods from Kenya to Somalia return to Kenya with young girls and women who are placed in brothels in Nairobi or Mombasa, or are sent to destinations outside Kenya. Somali traffickers known as *makhalis* control the networks, but truck drivers also exploit these girls in prostitution. Somali men are subjected to conditions of forced labor as herdsmen and menial workers in the Gulf states, while children are reportedly smuggled to Saudi Arabia through Yemen and then placed into forced begging. Members of the Somali diaspora use fake offers of marriage to lure unsuspecting victims, many of whom are relatives, to Europe or the United States where they are forced into prostitution and domestic servitude. During the year, Somali sex trafficking and forced labor victims were identified in the United States; in one case, Somali nationals belonging to criminal gangs operating in the United States were convicted of trafficking by the U.S. government in 2012.

The estimated 20,000 undocumented Ethiopians in northern Somalia are vulnerable to trafficking as they seek out employment in Puntland and Somaliland to complete their journey to the Middle East, where they also are vulnerable to exploitation upon arrival. Ethiopian women are smuggled through Somalia to Yemen and onward to other destinations in the Middle East where they are subsequently forced into domestic servitude and prostitution. Ethiopian children travel to Somaliland seeking employment but may end up in forced begging or vulnerable to other forms of forced labor.

Child Soldiers: During the year, the Somalia National Army (SNA), anti-Shabaab militia, and African Union Mission in Somalia (AMISOM) forces continued their offensive against al-Shabaab. The UN reported identifying children associated with Somali National Armed Forces. It also reported that the Ahlu Sunnah Wal Jama'a (ASWJ) militia recruited children. Children were also used by Somalia's numerous clan and other militias. Screenings by international actors after transport to basic training in Uganda identified 15 individuals out of 581 new recruits in 2012 as too immature for training. Most Somalis lack birth certificates, and without an established birth registration system it remains difficult to determine the exact age of persons associated with armed groups.

During the reporting period, al-Shabaab sustained losses in numbers and financing, leading Shabaab leaders to rely more heavily on the systematic use of child soldiers as support staff and often as soldiers in the front lines. Throughout the areas under its control, al-Shabaab frequently recruited children

as young as eight years old for use by its militias through abduction or deception. It continued forced recruitment at both Koranic schools and other educational facilities, and punished teachers and parents who refused to send their children to its training camps. In August 2012, for instance, one girl and eight boys were taken from a Koranic school in Celbande District (Bakol region). In the El Bur, Galgadud region, press reporting indicated that al-Shabaab forcibly recruited over 100 children in response to an Ethiopian offensive. Recruitment also took place in IDP and Kenya-based refugee camps. Al-Shabaab continued to use children for direct participation in hostilities and other support functions in southern and central Somalia, including for planting roadside bombs and other explosive devices, carrying out assassinations, providing intelligence, portering, working in domestic service, and serving as human shields during incursions. The UN reported al-Shabaab's recruitment of over 542 boys and girls in March and April 2012, including through abduction; such activities continued throughout the year. Al-Shabaab also forcibly recruited young girls who were then "married" to its militia leaders and used for sexual servitude, logistical support, and intelligence gathering. In an April 2012 al-Shabaab attack on the Somali National Theater, a girl was used as a suicide bomber.

Government Efforts: Somaliland and Puntland authorities made efforts during the reporting period to combat trafficking. However, due to capacity constraints and the ongoing campaign to degrade al-Shabaab and secure Mogadishu, the Federal Government of Somalia lacked the resources and will to prosecute trafficking offenses, protect victims, or prevent the crime during the reporting period. Authorities within the three regions did not prosecute or convict any trafficking offenders. The pre-1991 penal code (applicable at the federal and regional levels) outlaws forced labor and other forms of trafficking of persons in servitude, but does not specifically prohibit sex trafficking. Article 455 prohibits and penalizes slavery, prescribing penalties of five to 20 years' imprisonment. Article 464 prohibits forced labor, prescribing penalties of six months' to five years' imprisonment. Article 457 prohibits the transferring, disposing, taking possession, or holding of a person, and prescribes penalties of three to 12 years' imprisonment. All such penalties are sufficiently stringent. Article 408(1) prohibits compelled prostitution of a person through violence or threats, prescribing penalties of two to six years' imprisonment, which are sufficiently stringent but not commensurate with those prescribed for other grave crimes, such as rape. In August 2012, a national constituent assembly adopted a constitution, which remains provisional until a national referendum is held. Its Article 14 prohibits slavery, servitude, trafficking, and forced labor, and Article 29(6) prohibits the use of children in armed conflict. The federal government lacks the police force and judicial system necessary to enforce effectively the provisions set out in its laws, but has modestly increased its capacity in recent months. In 2011, the TFG established a focal point for human rights to oversee efforts to address child soldiers and child labor; however, the succeeding permanent federal government stated its intent to establish a human rights commission and did not retain this specific position. Neither the TFG nor its successor government investigated or prosecuted trafficking crimes during the reporting period.

The Puntland State administration and Somaliland have functioning legal systems and some law enforcement capacity. In Puntland, the Ministry of Women Development and Family Affairs oversaw anti-trafficking efforts, and the police force

in Garowe had an anti-trafficking unit, though it lacked proper training. During the year, officials in Somaliland and Puntland intercepted potential trafficking cases, although limited information exists regarding these crimes or the status of specific cases. In November 2012, Puntland police intercepted a van carrying 10 girls in Garowe and arrested the suspected traffickers, who were later released on the grounds of it being considered a smuggling case. In December 2010, the Puntland Parliament enacted provisions under Islamic law prohibiting the death of smuggled or trafficked persons, prescribing sufficiently stringent penalties of between one and five years' imprisonment.

Local laws in Somaliland prohibit forced labor, involuntary servitude, and slavery. The Ministry of Labor and Social Affairs in Somaliland operated a specialized unit to respond to suspected trafficking cases, and police and immigration officers played an active role in anti-trafficking efforts. In June 2012, Somaliland immigration officials intercepted two men at Berbera Airport attempting to smuggle 12 girls aged 12 to 15 to Saudi Arabia via Djibouti and Yemen; it is unclear whether this case was investigated or prosecuted. In April 2012, Somaliland officials intercepted nine children at Berbera port, where they had arrived after being transported by ship from Yemen. While a Berbera court initiated prosecution of the two Ethiopians transporting the children, it did not investigate whether the children had been subjected to conditions of trafficking by these individuals.

No governmental entity provided protective services to victims of trafficking, although IOM and local organizations provided reintegration services to rescued trafficking victims in Puntland and Somaliland. There was an IOM facility in Puntland dedicated to trafficking victims and accessible to male and female Somali and foreign victims. These organizations also placed child victims with families for care. Neither the TFG, its successor government, nor the Somaliland administration provided financial or in-kind assistance to organizations assisting victims. The Ministry of Security in Puntland provided the equivalent of approximately \$700 to a temporary shelter for the care of 10 potential trafficking victims after their interception by police in Garowe in November 2012; however, they were housed alongside their suspected traffickers at the center due to a lack of other adequate space. No governmental entity utilized formal procedures for the proactive identification of victims; however, in the previous reporting period, officials from Puntland and Somaliland formalized a referral process to guide officials in transferring trafficking victims detained, arrested, or placed in protective custody to NGOs that provided care. During the year, Puntland police referred 15 potential trafficking victims to IOM for care. Somaliland immigration authorities transferred the 12 rescued girls to the IOM-run and donor-supported Migration Response Center in Hargeisa before officials organized their transport back to Mogadishu. After intercepting nine children at Berbera port in June 2012, Somaliland officials placed them in jail alongside their alleged traffickers; IOM later secured their release and transferred them to the Hargeisa Orphanage Center. Despite their efforts in these potential cases, Somaliland officials were overwhelmed with humanitarian cases and illegal immigration from Ethiopia, which often hindered identification and protection of potential trafficking victims. In addition, it is unclear whether children involved in prostitution or used in the commission of crimes across Somali territory would be protected from charges of crime

under Somali law, although no such cases have been reported to date.

Information on the Federal Government of Somalia's efforts to protect trafficking victims was limited; however, the Somali National Armed Forces reportedly arrested and detained children associated with al-Shabaab. During 2012, in conjunction with the UN, the Somali government began preparations for a comprehensive disengaged combatant program focused on former al-Shabaab members that includes a child soldier component overseen by UNICEF. The successor government has indicated that protection of child soldiers remains part of its national security vision. A donor-funded, NGO-operated camp in Mogadishu held some defectors from rebel groups, including families with children. There were no known foreign trafficking victims or legal alternatives to the removal of foreign trafficking victims from Somalia to countries where they may face hardship or retribution.

Authorities across Somalia made minimal efforts to prevent trafficking during the year. In February 2013, Puntland authorities partnered with IOM to develop an anti-trafficking action plan, though they did not undertake awareness-raising activities. In Somaliland, the Ministry of Labor and Social Affairs conducted awareness campaigns. In July 2012, the TFG signed a UN-sponsored action plan to address the recruitment and use of child soldiers. Implementation of this plan was limited. In October, the joint technical committee responsible for facilitating implementation of the action plan was established, though it did not advance significant action. The Somali National Security Forces (SNSF) failed to create child protection units, as called for in the action plan, due to lack of funding. SNSF officials and African Union doctors continued to use medical checks and interviews to screen for underage candidates during recruitment, though it continued to prove difficult to verify the age of some candidates lacking a birth certificate or other documentation. The Federal Government of Somalia, in partnership with UN agencies and AMISOM, began to develop a comprehensive strategy for the screening, rehabilitation, and reintegration of Shabaab defectors, including child soldiers. A team comprised of senior SNA generals, international military advisors, and a technical monitor vetted all ASWJ/Gedo forces for the presence of children as they integrated into the SNSF during 2012. In 2012, no funding was provided to agencies for labor inspections, and no inspectors were employed to enforce labor laws. Authorities across Somalia did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. Somalia is not a party to the 2000 UN TIP Protocol.