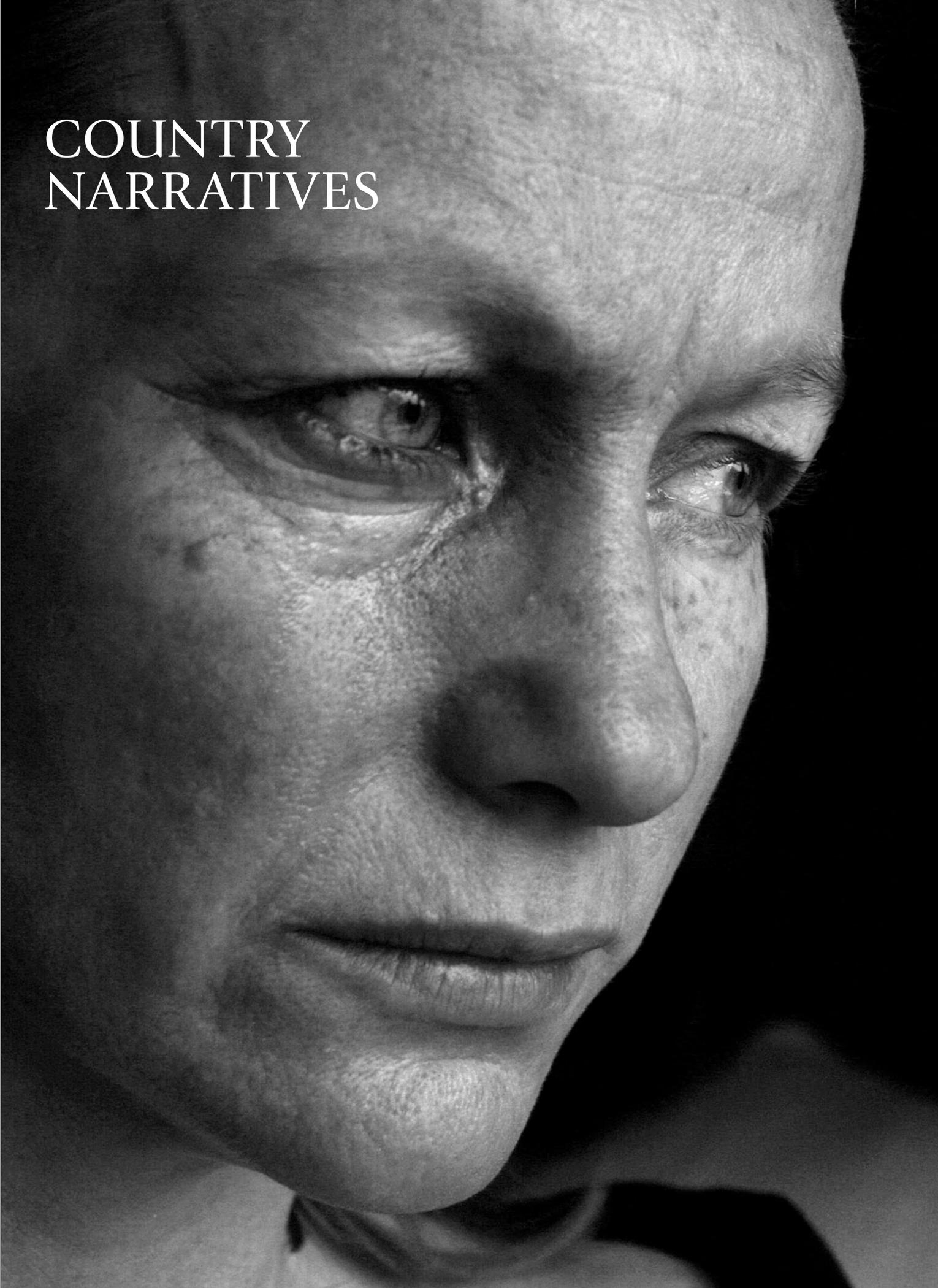


COUNTRY NARRATIVES



AFGHANISTAN (Tier 2)

Afghanistan is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation.

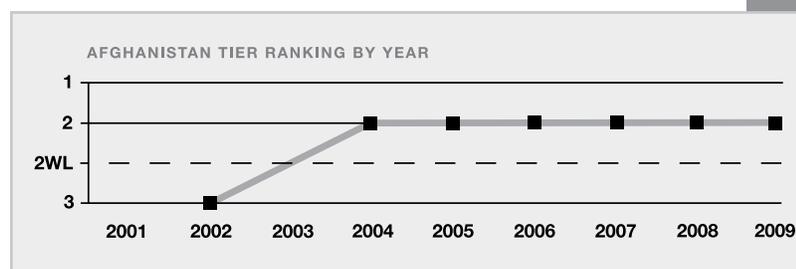
Afghan boys and girls are trafficked within the country for commercial sexual exploitation, forced marriage to settle debts or disputes, forced begging, as well as forced labor or debt bondage in brick kilns, carpet-making factories, and domestic service. Afghan children are also trafficked to Iran and Pakistan for forced labor, particularly in Pakistan's carpet factories, and forced marriage. Boys are promised enrollment in Islamic schools in Pakistan, but instead are trafficked to camps for paramilitary training by extremist groups. Afghan women and girls are trafficked within the country and to Pakistan and Iran for commercial sexual exploitation and temporary marriages. Some Afghan men force their wives or daughters into prostitution. Afghan men are trafficked to Iran and Pakistan for forced labor and debt bondage, as well as to Greece for forced labor in the agriculture or construction sectors. Afghanistan is also a destination for women and girls from Iran, Tajikistan, and possibly China trafficked for commercial sexual exploitation. Tajik women are also believed to be trafficked through Afghanistan to Pakistan and Iran for commercial sexual exploitation. Trafficked Iranian women transit Afghanistan en route to Pakistan.

The Government of Afghanistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Government actors continue to conflate the crimes of kidnapping and trafficking; this poor understanding of trafficking poses an impediment to targeted intervention. An undeveloped judicial and prosecutorial system, judicial delays, corruption, and weak coordination remain obstacles to effectively punishing trafficking offenses. In addition, Afghanistan punishes some victims of sex trafficking with imprisonment for adultery or prostitution, acts committed as a direct result of being trafficked. Although the government lacks resources to provide comprehensive victim protection services and did not adequately punish all identified acts of trafficking, its newly instituted victim referral process, launching of victim referral centers, and passage of anti-trafficking legislation demonstrate progress in providing increased protective services for trafficking victims and punishment of their exploiters.

Recommendations for Afghanistan: Increase law enforcement activities against trafficking, including prosecutions, convictions, and imprisonment for acts of trafficking for commercial sexual exploitation and forced labor, including debt bondage; ensure that victims of trafficking are not punished for acts committed as a direct result of being trafficked, such as prostitution or adultery; collaborate with NGOs to ensure that all children, including boys, victimized by sex and labor trafficking receive protective services; and undertake initiatives to prevent trafficking, such as instituting a public awareness campaign to warn at-risk populations of the dangers of trafficking.

Prosecution

Despite the enactment of anti-trafficking legislation, it is not clear whether the Government of Afghanistan adequately prosecuted or punished trafficking offenders over the reporting period. In July 2008, the government enacted an anti-trafficking law, the Law Countering Abduction and Human Trafficking, through presidential decree; the law prescribes penalties of life imprisonment for sex trafficking and "maximum term" imprisonment for labor trafficking, which, in practice, is between eight and 15 years. These penalties are sufficiently stringent and exceed those prescribed for other grave crimes, such as rape. According to government records, there were no prosecutions under the new anti-trafficking legislation. The government, however, reported the convictions of 62 trafficking offenders under statutes criminalizing kidnapping and rape; sentences reportedly ranged from five to 18 years' imprisonment. It is unknown how many cases may have been prosecuted that resulted in acquittals. As the government was unable to provide disaggregated data or specific case information, it is unclear if these offenses meet the definition of trafficking or whether they address labor trafficking offenses. The Ministry of Interior's (MOI) six-person counter-trafficking unit made some initial arrests and investigated an unknown number of these cases. The government reported difficulty engaging Pakistani authorities for joint investigation of transnational trafficking cases. In 2008, the MOI stationed personnel at airports and border crossings to detect trafficking cases. There was no evidence that the government made any efforts to investigate, arrest, or prosecute government officials facilitating trafficking offenses despite reports of widespread complicity among national and border police.



Protection

The government's protection of trafficking victims remained poor, but showed improvements during the reporting period. The government lacked resources to provide victims with protective services directly; NGOs operated the country's 18 shelters and provided the vast majority of victim assistance, but some faced hardships due to threats from the local community, particularly when assisting in cases that involved so-called "honor" crimes. Serious concerns remain regarding the government's punishment of victims of trafficking for acts committed as a direct result of being trafficked. Female trafficking victims continued to be arrested and imprisoned or otherwise punished for prostitution and fleeing forced marriages. However, NGOs noted a

decrease in arbitrary detentions after the late 2007 signing of a formalized referral agreement among the MOI, the Ministry of Woman's Affairs (MOWA), and various shelters, and the opening of two government-run referral centers. Under this new procedure, police refer women victimized by violence to MOWA which, in turn, refers the women, including trafficking victims, to appropriate NGO facilities. The MOI's referral center in Jalalabad assisted female victims of trafficking and other crimes with support from MOWA and UNIFEM. Its four MOI officers investigated cases and four MOWA paralegals provided support and legal advice to the women. A second referral center opened in April 2008 in Parwan. The government referred and transported victims to IOM and NGOs during the reporting period, but did not provide information on the number of victims assisted in this manner. An NGO reported that the police referred 23 victims and the MOWA referred four to its shelter in Kabul. The MOI referred the majority of the 40 victims assisted by IOM in 2008. There are no facilities in Afghanistan to provide shelter or specific protective services to male trafficking victims; during the reporting period, some trafficked boys were placed in government-run orphanages and a facility for juvenile criminals while their cases were being investigated. MOWA staff reportedly visited prisons during the reporting period to ensure women and girls in custody are not victims of sex crimes or sex trafficking; concrete results from these prison visits are unknown. There is no evidence that the government encouraged victims to assist in investigations of their traffickers during the reporting period. The new anti-trafficking law permits foreign victims to remain in Afghanistan for at least six months.

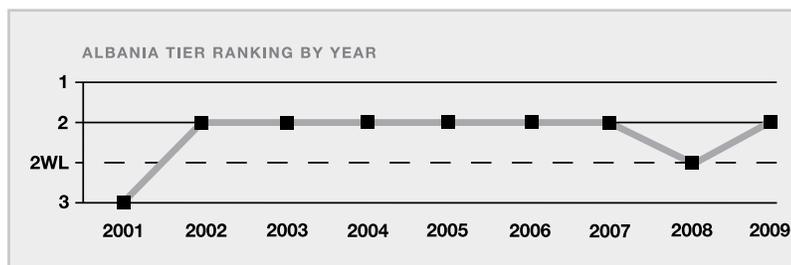
Prevention

During the reporting period, the Afghanistan government made negligible efforts to prevent human trafficking. The government did not carry out any public awareness campaigns to warn at-risk populations of the dangers of trafficking or potential traffickers of the consequences of trafficking. Ministry of Justice officials participated in a televised roundtable discussing the July 2008 anti-trafficking law. The government did not take steps to reduce the demand for commercial sex acts or forced labor during the reporting period. Afghanistan has not ratified the 2000 UN TIP Protocol.

ALBANIA (Tier 2)

Albania is a source country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor, including forced begging. Albanian victims are trafficked primarily to Greece, and also to Italy, Macedonia, Kosovo, Spain, France, the UK, and other Western European countries, as well as within Albania. Available data indicate that more than half the victims of

trafficking are under the age of 18. Most sex trafficking victims are women and girls between the ages of 15 and 25, and 90 percent are ethnic Albanian. Ethnic Roma children are most at risk for forced begging. There is evidence that Albanian men have been trafficked for forced labor to the agricultural sector of Greece and other neighboring countries.



The Government of Albania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increased political will to combat human trafficking over the last year, particularly through progress made in its efforts to identify victims of trafficking. Concerns remained regarding whether the government vigorously prosecuted labor trafficking offenders and public officials who participated in or facilitated human trafficking.

Recommendations for Albania: Vigorously investigate and prosecute law enforcement officials' complicity in trafficking; vigorously prosecute labor trafficking offenders; continue to work with NGOs and civil society to ensure full implementation of the national mechanism for referring victims to service providers; continue funding victim assistance and protection services, including shelters; and improve existing prevention programs in collaboration with NGOs, including joint activities targeted at reducing the demand for human trafficking.

Prosecution

The Government of Albania made some progress in its anti-trafficking law enforcement efforts during 2008. Albania criminally prohibits sex and labor trafficking through its penal code, which prescribes penalties of five to 15 years' imprisonment. These penalties are sufficiently stringent and exceed those prescribed for rape. In 2008, Albania prosecuted 22 trafficking cases, compared with 49 in 2007, and convicted 26 trafficking offenders, compared with seven in 2007. All of the prosecutions and convictions involved sex trafficking of women or children. In 2008, sentences for convicted trafficking offenders ranged from two to 25 years' imprisonment. The government instituted routine anti-trafficking training for police recruits and current police officers, and organized additional training for judges and social service providers. In an outreach effort to potential female victims, in 2008 the government assigned approximately 20 female anti-

trafficking police officers to organized crime police units throughout the country. Pervasive corruption at all levels and sectors of Albanian society remained an obstacle to reducing human trafficking in Albania. The government reported that the cases of official complicity referenced in the 2008 Report were determined to have involved smuggling, not human trafficking.

Protection

The Government of Albania boosted efforts to provide victims of trafficking with protection and assistance in 2008. Officials improved the functioning of the national victim referral mechanism and, as a result, identified 108 victims of trafficking in 2008, a five-fold increase from the previous year. The government provided approximately \$262,000 in funding to the government-operated victim care shelter, an increase of 16 percent over the previous year; it also provided occasional in-kind assistance, such as use of government buildings and land, to four additional NGO-managed shelters. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders; however, victims often refused to testify, or they changed their testimony as a result of intimidation from traffickers or fear of intimidation. Victims were not penalized in Albania for unlawful acts committed as a direct result of their being trafficked. Albanian law provides for legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

Prevention

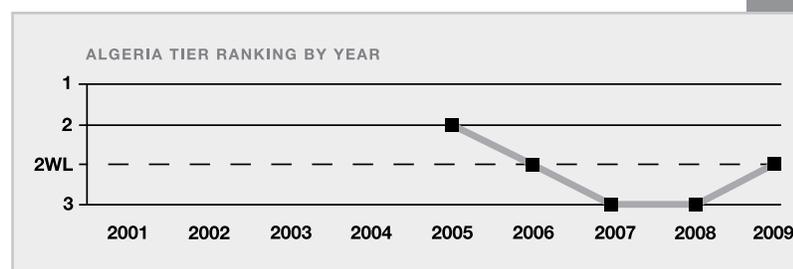
The Government of Albania implemented several anti-trafficking prevention activities during the reporting period. International organizations fund the majority of prevention campaigns, but the Ministry of Interior has funded the national toll-free, 24-hour hotline for victims and potential victims of trafficking since November 2007. The Ministry of Education includes in its high school curriculum awareness-raising of the dangers of trafficking. Senior government officials spoke out against human trafficking, and the government provided tax breaks to businesses that employ people at-risk for trafficking. In 2008, the government approved a new national action plan on combating trafficking, which specifically addressed issues related to child trafficking. The Ministry of Tourism took the lead in monitoring a code of conduct for the prevention of child sex tourism that 24 tourist agencies and hotels signed. There was no evidence that the government undertook prevention activities specifically targeted at reducing the demand for commercial sex acts or forced labor.

ALGERIA (Tier 2 Watch List)

Algeria is a transit country for men and women trafficked from sub-Saharan Africa to Europe for the purposes of commercial sexual exploitation and forced labor. These men and women enter Algeria, voluntarily but illegally, often with the assistance of smugglers. Some

of them become victims of trafficking; men are forced into unskilled labor and women into prostitution to pay smuggling debts. Criminal networks of sub-Saharan nationals in southern Algeria facilitate transit by arranging transportation, forged documents, and promises of employment. Among an estimated population of 5,000 to 9,000 illegal migrants, some 4,000 to 6,000 are believed to be victims of trafficking, of whom approximately 1,000 are women.

The Government of Algeria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In January 2009, the government approved new legislation that criminalizes trafficking in persons for the purposes of labor and sexual exploitation. The law will enter into force when published in the government's Official Journal. The new law represents an important step toward complying with international standards, though its implementation is as yet untested. Despite these efforts, the government did not show overall progress in punishing trafficking crimes and protecting trafficking victims and continued to lack adequate measures to protect victims and prevent trafficking; therefore, Algeria is placed on Tier 2 Watch List.



Recommendations for Algeria: Proactively implement the new anti-trafficking law by training law enforcement and judicial officials, investigating potential offenses, and prosecuting offenders; strengthen the institutional capacity to identify victims of trafficking among illegal migrants; improve services available to trafficking victims, such as shelter, medical, psychological, and legal aid; ensure victims are not punished for unlawful acts committed as a direct result of being trafficked; and undertake a campaign to increase public awareness of trafficking.

Prosecution

The Algerian government showed minimal progress in addressing human trafficking through law enforcement means during the reporting period. In January 2009, the government approved legislation that criminalizes all forms of human trafficking and prescribes penalties of three to 10 years' imprisonment for base offenses. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. As of this report's writing, the government had not used the new law to prosecute, convict, or punish

any trafficking offenders. Algerian law enforcement authorities could have investigated and prosecuted suspected trafficking crimes using trafficking-related statutes existing before the new law's enactment; however, no such law enforcement efforts were reported during the reporting period.

Protection

The Government of Algeria did not improve services or protections for victims during the reporting period. It did not employ any systematic procedures for the identification of trafficking victims among vulnerable populations, such as foreign women arrested for prostitution or illegal migrants. Because there were no procedures to identify victims, they remained at risk of detention for unlawful acts committed as a result of being trafficked. The government did not provide foreign victims with legal alternatives to their removal to countries where they faced hardship or retribution. According to local NGOs, the government does not provide specialized training to government officials to detect trafficking or assist victims. The government does not provide medical, counseling, or legal services to victims, nor is there any referral service to other providers. However, government-operated health clinics that provide emergency care to crime victims are available for foreign and Algerian victims of trafficking. A program run by an NGO to assist women who are victims of violence is available to women victims of trafficking. There is no formal program to encourage trafficking victims to assist with the investigation and prosecution of offenders.

Prevention

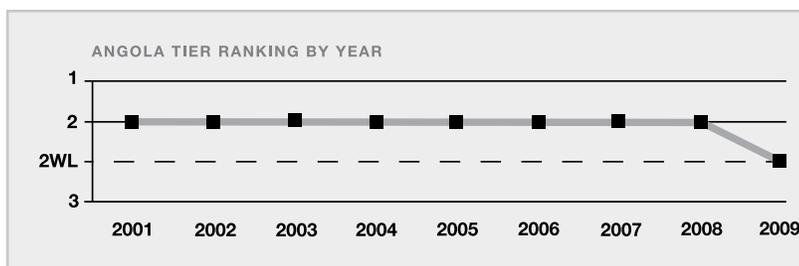
During the past year, the Algerian government did not conduct campaigns to raise public awareness of trafficking in persons. To date, the government has not developed a formal anti-trafficking policy or national plan of action that would complement its new law, nor has the government published a record or assessment of its anti-trafficking activities.

ANGOLA (Tier 2 Watch List)

Angola is a country of origin for women and children trafficked internally for the purpose of domestic servitude and young men trafficked for the purpose of forced agricultural labor. Women and children, primarily, are trafficked to South Africa, the Democratic Republic of the Congo, Namibia, and Portugal. Young boys are trafficked to Namibia to herd cattle. Children are also forced to act as couriers in cross-border trade between Namibia and Angola as part of a scheme to skirt import fees. Traffickers successfully targeted children and adults, usually women, from poorer families, who enter into work agreements with relatives or contacts in other cities or provinces

that subsequently prove to be coerced and exploitive. Unaccompanied migrant children are highly vulnerable to trafficking.

The Government of Angola does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall significant efforts, the Government of Angola has not investigated, prosecuted, or convicted any trafficking offenders; therefore, Angola is placed on Tier 2 Watch List. Interagency cooperation on trafficking issues increased, however, as have the government's efforts to raise the public's awareness of the dangers of trafficking.



Recommendations for Angola: Enact laws to prohibit and punish all forms of trafficking in persons; increase the capacity of law enforcement officials to identify and protect victims; systematically collect data on offenses, victims, and prosecutions; and report on these activities.

Prosecution

The Government of Angola made inadequate efforts to address human trafficking through law enforcement means over the last year. Official data on criminal prosecutions and convictions during the last year was not made available, although information from other sources indicates that law enforcement agents arrested six people for suspected trafficking-related activity near the border. Angola does not have a comprehensive law that specifically prohibits trafficking in persons, which constrained its anti-trafficking efforts. Draft revisions to the Penal Code, which would criminalize trafficking of children for commercial sex or forced labor, were not finalized. No draft amendments would specifically prohibit trafficking adults. Provisions in the constitution and other laws prohibiting forced and bonded labor, rape, prostitution, pornography, kidnapping, and illegal entry could be used to prosecute trafficking cases. Penalties of up to eight years' imprisonment for such crimes are sufficiently stringent and commensurate with those prescribed for other serious crimes. In December 2008, the Ministry of Interior, in partnership with IOM, conducted several training seminars for counter-trafficking investigators and agents from the Directorate of National Criminal Investigations, the Frontier Guard, and the Migration and Immigrant Service. In consultation with NGOs, the government continued to work on an anti-trafficking National Action Plan.

Protection

The Angolan government continued to rely heavily upon religious, civil society, and international organizations to protect and assist victims of trafficking over the past year. The government's National Children's Council worked with UNICEF to develop Child Protection Networks (CPNs), which serve as "SOS Centers" for trafficking victims between the ages of 9 and 16. The CPNs offered rescue services, health, legal and social assistance, and family reunification. No information was available about the number of victims assisted at the CPNs. Government personnel refer victims over the age of 16 to shelters and services provided by the Angolan Association for Women, an NGO that receives government support. There is no formal system to identify victims of trafficking among high-risk populations. Past campaigns to raise awareness and periodic training by IOM improved officials' capacity to identify victims but was not effectively put into practice. Under Angolan law, victims of sex trafficking may bring criminal charges against their traffickers but may not seek compensation. The law did, however, provide for compensation to victims of forced or bonded labor. Current laws did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. Current laws also penalized victims for offenses committed as a direct result of being trafficked.

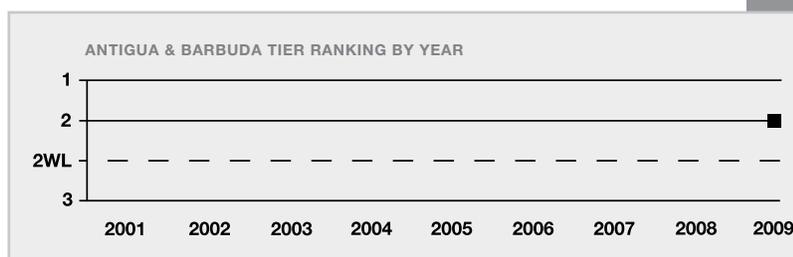
Prevention

The Angolan government made modest efforts to prevent trafficking during the past year. The government did not record data on trafficking, nor did it systemically monitor its anti-trafficking efforts. The government strengthened immigration controls at border posts, although restricted resources did not allow full implementation of planned border security improvements. To prevent child trafficking, the Immigration Service operated selected border and internal checkpoints to screen children for proper documentation. Six mobile provincial teams from the National Children's Council continued to conduct spot checks of suspected child trafficking routes by stopping vehicles transporting children to check identity cards, determine the adults' relationship to the children, and ascertain whether parents had given permission for the children to travel. Trafficking awareness was highlighted as part of a broad campaign to protect children. As part of this program, government statements against child prostitution and abuse of children's rights appeared frequently in national media. In partnership with IOM, the Ministry of the Interior organized a series of counter-trafficking training seminars that gained significant attention throughout the country. The government made no visible effort to reduce the demand for commercial sex acts. Angola has not ratified the 2000 UN TIP Protocol.

ANTIGUA AND BARBUDA (Tier 2)

Antigua and Barbuda is a destination country for women trafficked from Guyana, Haiti, Jamaica, and the Dominican Republic for the purposes of sexual exploitation; it may also be a destination country for women trafficked for the purposes of forced domestic servitude. Well-financed businessmen from the Dominican Republic and Antiguan citizens acting as pimps and brothel owners traffic women into the four main, illegal brothels that operate in Antigua, as well as to private residences that operate as brothels. Women voluntarily come to Antigua to engage in prostitution; brothel managers later confiscate their passports and threaten the women with deportation until they repay the brothel owner for travel and other expenses. Some victims trafficked for the purpose of sexual exploitation had been given work permits as "entertainers" to legally enter the country. Information on the full extent of the human trafficking problem in Antigua and Barbuda is not available; anecdotal reporting suggests, however, that no Antiguan citizens have been trafficked and the current number of foreign victims is comparatively small.

The Government of Antigua and Barbuda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite limited resources, competing priorities, and a relatively small number of victims, the government investigated identified incidences of trafficking, cooperated with other Caribbean governments on trafficking issues, ensured victims' access to social services, and conducted bilingual public awareness campaigns. No trafficking offenders, however, have been arrested or prosecuted, and law enforcement agencies continue to treat victims as criminals.



Recommendations for Antigua and Barbuda: Develop and implement a comprehensive anti-human trafficking law; arrest, prosecute, and punish trafficking offenders; proactively identify trafficking victims among vulnerable populations, such as foreign women in prostitution and as domestic servants; and provide foreign victims legal alternatives to removal to countries where they may face hardship and retribution.

Prosecution

The Government of Antigua and Barbuda did not make adequate progress in anti-trafficking law enforcement efforts over the last year. It has no specific or comprehensive laws prohibiting trafficking in persons. Trafficking offenders could be prosecuted under relevant provisions in immigration, prostitution, or labor laws, though there were no such reported efforts over the reporting period. Penalties prescribed for trafficking offenses of five years' imprisonment are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. Officials from the Ministry of Labor periodically inspect workplaces, and have reported no instances of forced labor of children or adults. Government agencies received two reports of victims trafficked for commercial sexual exploitation, yet made no efforts to proactively identify victims of trafficking among vulnerable populations, such as women in prostitution. In the two cases reported to the Gender Affairs Directorate, two women were granted work permits as "entertainers" and legally entered the country. They were later forced into prostitution by their employers. The Gender Affairs Directorate has requested a review of the immigration department to ascertain why officials issued work-permits to foreigners who were almost certain to engage in an illegal activity such as prostitution, whether forced or voluntary. Antigua and Barbuda contributes staff and other resources to the Regional Security Service (RSS), a coalition of top-level police, customs, immigration, military, and Coast Guard representatives from across the Caribbean addressing transnational crime, including human trafficking.

Protection

The Government of Antigua and Barbuda has made strong efforts to offer victims medical, psychological, legal, and social services, although law enforcement agents frequently treat unidentified victims as criminals. The Directorate of Gender Affairs receives funds to coordinate the work of the Anti-Trafficking in Persons Coalition and to provide legal, health, advocacy, and crisis services which all victims of trafficking, foreign or local, can access. The Directorate established "Emergency Safe Havens," where the location of any victims of violence can be hidden from their victimizers, and recruited Spanish-speaking volunteers to assist with several cases of suspected abuse of foreign nationals. Other NGOs provide services such as health screening and assistance in repatriation. Some foreigners detained for immigration violations are likely trafficking victims. There are no legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution. The government does not encourage victims to assist in the investigation and prosecution of trafficking crimes.

Prevention

Despite limited resources and competing priorities, the Government of Antigua and Barbuda has demonstrated strong efforts to prevent trafficking and increase the

public's awareness of trafficking. The government ran awareness campaigns, many in English and Spanish, in the form of anti-trafficking brochures and radio spots. The National Coalition Against Trafficking in Persons is made up of the Ministries of Social Welfare, Social Transformation, Health, Labor and Gender Affairs, Immigration, and the Royal Antigua and Barbuda Police Force, as well as various civil society groups, NGOs, and community activists and advocates. The Coalition, coordinated by the Directorate of Gender Affairs, meets at the end of every month to discuss suspected cases, formulate strategies to address them, and follow up with law enforcement to conduct investigations. The Coalition's national action plan focuses on educating immigrants, the general public, and front-line workers on human trafficking; establishes a spokesperson to represent the Coalition; combines outreach and protection efforts with the Gender Affairs crisis hotline; and creates a legislative review of anti-trafficking laws and statutory instruments in Antigua and Barbuda. There have been no government programs to reduce demand for commercial sex during the reporting period. The government cooperates with other Caribbean countries via the Gender Affairs Unit at the CARICOM Secretariat in Guyana, and contributes funds and personnel to the Advanced Passenger Information System, which allows law enforcement agencies to share information so suspected criminals, including human traffickers, will be investigated and detained at ports of entry. Antigua and Barbuda has not ratified the 2000 UN TIP Protocol.

ARGENTINA (Tier 2 Watch List)

Argentina is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Many victims are trafficked within the country, from rural areas to urban centers, for forced prostitution. Some Argentine women and girls are trafficked to neighboring countries, Mexico, and Western Europe for commercial sexual exploitation. Foreign women and children, primarily from Paraguay, Brazil, Peru, and the Dominican Republic, are trafficked to Argentina for the same purpose. A significant number of Bolivians, Paraguayans, and Peruvians are trafficked into the country for forced labor in sweatshops and agriculture. Some reporting suggests that Chinese migrants are trafficked for forced labor into Chinese-owned supermarkets. Child sex tourism is a problem, particularly in the tri-border area and in Buenos Aires. Argentina is a transit point for foreign women and girls trafficked into commercial sexual exploitation in Chile, Brazil, Mexico, and Western Europe. Argentina's long borders make the country an easy transit area for traffickers and their victims.

The Government of Argentina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the past year, the Government of Argentina approved national legislation to prohibit and punish all

forms of human trafficking, increased law enforcement efforts to arrest trafficking suspects and rescue victims, and improved government mechanisms for directing trafficking victims to shelter care and services. Despite such efforts, the government did not show evidence of progress in convicting and sentencing trafficking offenders and ensuring adequate victim assistance across the country; therefore, Argentina remains on Tier 2 Watch List.

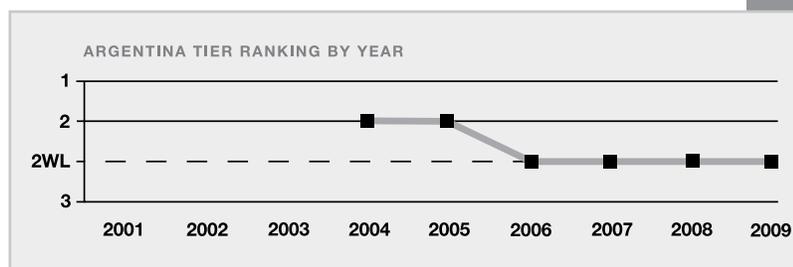
Recommendations for Argentina: Continue to implement the new anti-trafficking law vigorously; intensify law enforcement efforts to dismantle trafficking networks; increase judicial and prosecutorial efforts to investigate, prosecute, convict, and punish trafficking offenders, including corrupt public officials who may facilitate or be involved with trafficking activity; increase investigations of forced labor and domestic servitude crimes; dedicate more resources for victim assistance; sustain anti-trafficking training for law enforcement, judges, and other public officials, including labor inspectors; and improve data collection.

Prosecution

The government demonstrated some progress in anti-trafficking law enforcement efforts last year. Argentina prohibits all forms of trafficking pursuant to Law 26,364, enacted in April 2008, which prescribes penalties of three to 15 years' imprisonment. Such penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government conducted 169 raids on suspected commercial sex sites and sweatshops, rescued 181 trafficking victims, and arrested 196 suspects. Two-thirds of victims rescued by federal law enforcement agencies were adults. The Prosecutor General's specialized Unit to Assist Investigations into Kidnapping, Extortion Crimes, and Trafficking in Persons (UFASE) also conducted 35 trafficking investigations, and forwarded 10 trafficking cases to the courts for formal investigation. No anti-trafficking convictions or sentences were reported for 2008; provincial governments secured at least 10 trafficking-related convictions, with sentences ranging from four to 17 years' imprisonment, in 2007. A Buenos Aires city court began trial proceedings against a suspect accused of forcing eight Dominican women into prostitution in a private apartment after being promised jobs as waitresses. Since the case predates the new trafficking law, the suspect was indicted on forced servitude charges. In August 2008, a Chubut provincial judge set for trial a case against a suspected human trafficker in the province. Seven co-defendants were acquitted for lack of evidence, following a ruling that wiretap evidence had been gathered illegally. Last year, the government established a first-responder office to coordinate criminal investigations and direct assistance to trafficking victims, and sponsored basic anti-trafficking training for law enforcement personnel.

According to NGOs and international organizations,

some elements of the country's security forces are complicit with human trafficking activity. Most of these allegations are directed against provincial and local officials, though allegations relating to federal forces came to light during the past year. Senior Argentine officials have acknowledged these problems and are working to curb them by investigating allegations lodged against these officials. In addition, some local police officers and other public officials reportedly own brothels where trafficking is suspected to occur, or provide traffickers with protection in exchange for bribes, sexual services, food, and alcohol. Other police officers turn a blind eye to trafficking activity or tip off brothel owners about impending raids. In December 2008, a federal judge summoned police officials for deposition as part of an investigation into alleged police protection of a ring of brothels suspected of human trafficking in the city of Buenos Aires. No other government investigations or prosecutions of corrupt officials were reported last year.



Protection

The government made efforts to assist trafficking victims during the reporting period, though international organizations and NGOs provided most specialized assistance for trafficking victims. At the federal level, the Ministry of Justice's first-responder office coordinated victim assistance, offering access to medical and psychological treatment, as well as legal counseling. It also offered protection to victims who cooperated as witnesses with law enforcement investigators and prosecutors. Argentine authorities encouraged victims to assist with the investigation and prosecution of their traffickers. While the government did not operate shelters dedicated to trafficking victims, it referred trafficking victims to other public shelters operated by provincial governments or local NGOs. In some cases, they provided victims with housing subsidies. Most government-funded shelters, however, were oversubscribed and could not accommodate trafficking victims. The quality and level of victim care varied widely by province. The government did not employ formal procedures for identifying trafficking victims among vulnerable populations, such as prostituted women. There were no specific reports of victims being jailed or penalized for unlawful acts committed as a direct result of being trafficked. Although the government does not offer formal immigration status for foreign trafficking victims, they are not typically deported. Trafficking victims who are citizens

of Mercosur member or associate states, however, can obtain temporary residency in Argentina under Argentine immigration law. During the reporting period, the federal government continued modest funding for an anti-trafficking NGO providing shelter and assistance to victims.

Prevention

The government sustained prevention activities, and hosted two large anti-trafficking conferences with OAS and Mercosur member states. The government also funded anti-trafficking media campaigns, particularly in Misiones province. The federal government worked with international organizations and NGOs on additional prevention efforts. The city of Buenos Aires continued a prevention campaign against labor exploitation, which features a website and hotline through which citizens can report information on suspected sites of forced labor. The government provided anti-trafficking training to Argentine troops prior to their deployment on international peacekeeping operations. The government supported an anti-trafficking campaign – “Without Clients, There is No Trafficking” – and the president publicly called on regional governments to work to reduce demand for commercial sex acts.

ARMENIA (Tier 2)

Armenia is primarily a source country for women and girls trafficked to the United Arab Emirates (UAE) and Turkey for the purpose of commercial sexual exploitation. Armenian men and women are trafficked to Russia for the purpose of forced labor. NGOs reported that Armenian women were also trafficked to Turkey for the purpose of forced labor. Women from Ukraine and Russia are trafficked to Armenia for the purpose of forced labor. Victims trafficked to the UAE usually fly to Dubai from Yerevan or via cities in Russia; the trafficking route to Turkey is generally via bus through Georgia. A small number of Armenian girls and boys are trafficked internally for purposes of commercial sexual exploitation and forced begging.

which a convicted trafficker was released from prison and escaped the country allegedly with the assistance of various government officials; this was an important step forward and results of this investigation warrant future monitoring. The government also allocated \$55,000 to partially fund an NGO-run trafficking shelter in 2009. In November 2008, the government began implementing its national referral mechanism for victims. Although these efforts demonstrated genuine progress over the reporting period, victim assistance remained a challenge – especially in the provision of long-term assistance and social reintegration – and the number of traffickers convicted decreased.

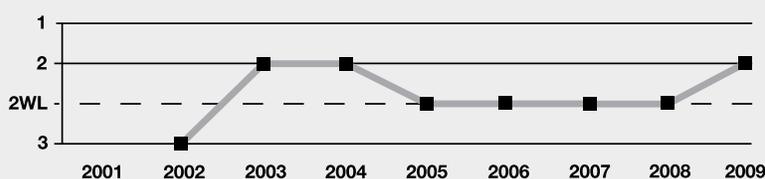
Recommendations for Armenia: Continue to address trafficking-related corruption through the vigorous investigation, prosecution, and conviction of complicit officials; improve the new national victim-referral mechanism, ensuring that victims are provided with legally mandated assistance (medical, legal, primary needs, and shelter) at all three stages of the victim assistance process that is not conditioned on victims’ cooperation with law enforcement investigations; ensure that police and law enforcement receive trafficking-specific investigative training to increase the number of traffickers who are prosecuted and successfully convicted; continue to ensure a majority of convicted traffickers serve time in prison; ensure that all funding allocated for anti-trafficking programs and victim assistance is spent on designated programs; increase the number of victims identified and referred for assistance; and continue efforts to raise awareness about both sex and labor trafficking.

Prosecution

The Armenian government continued its law enforcement efforts during the reporting period. Armenia prohibits trafficking in persons for both labor and sexual exploitation through Article 132 of its penal code, which prescribes penalties of three to 15 years’ imprisonment – penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes. The government investigated 13 cases of trafficking, compared to 14 investigations in 2007. Armenia prosecuted eight individuals for trafficking, the same number as in 2007. Authorities convicted only four traffickers in 2008, a decrease from 11 convictions in 2007. All traffickers convicted in 2008 were given prison sentences ranging from 2 to 7.5 years; no traffickers received suspended sentences. In addition to reopening the investigation into a well-documented 2006 corruption case, Armenia also investigated the deputy principal of a public school who forced two special needs students to beg on the street during the reporting period. The government did not report additional efforts to prosecute, convict, or sentence government officials complicit in trafficking.

A lack of diplomatic relations between Armenia and Turkey hampered Armenia’s ability to investigate the trafficking of Armenian nationals to Turkey; however, police were in contact with Turkish law enforcement

ARMENIA TIER RANKING BY YEAR



The Government of Armenia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In December 2008, the government reopened its investigation into a well-documented 2006 case in

through Interpol in an attempt to investigate trafficking from Armenia. During the reporting period, Armenia waited for Turkey to respond to a repatriation request for an identified Armenian trafficking victim in the Turkish region of Antalya.

Protection

The Government of Armenia demonstrated modest progress to protect and assist victims of trafficking during the reporting period. The government allocated \$55,000 to support an NGO-run trafficking shelter and \$7,000 to fund medical care for trafficking victims. In November 2008, the government began implementing its national referral mechanism; however, the fact that all intermediate and long-term assistance provided by the government is conditioned upon victims' cooperation with law enforcement investigations is an issue of concern that should be revisited. The government identified 34 victims in 2008 and police referred 20 victims for assistance, an increase from 17 victims referred in 2007. Foreign-funded NGOs assisted 24 victims in 2008. Victims were encouraged to cooperate with law enforcement bodies; in 2008, all 34 victims assisted police with trafficking investigations. The government did not penalize victims for unlawful acts committed as a direct result of being trafficked. The lack of appropriate victim witness protection continued to be an issue of concern; this may have hampered Armenia's prosecution efforts.

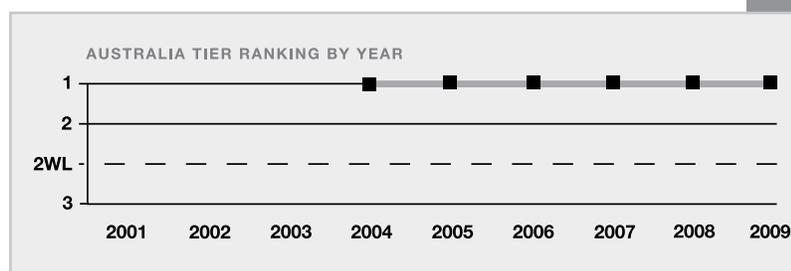
Prevention

Armenia demonstrated improved efforts to raise awareness about trafficking during the reporting period. The government conducted an awareness campaign targeted at adolescents, helping to encourage discussion among peers about the dangers of trafficking. The government allocated \$53,000 for trafficking prevention efforts, compared to \$33,000 allocated in 2007. Border officials did not specifically monitor emigration and immigration patterns for evidence of trafficking, and the government made no discernable efforts to reduce demand for commercial sex acts.

AUSTRALIA (Tier 1)

Australia is a destination country for women from Southeast Asia, South Korea, Taiwan, the People's Republic of China (PRC), and reportedly Eastern Europe trafficked for the purpose of commercial sexual exploitation. Some men and women from several Pacific islands, India, the PRC, South Korea, the Philippines, and Ireland are fraudulently recruited to work temporarily in Australia, but subsequently are subjected to conditions of forced labor, including confiscation of travel documents, confinement, and threats of serious harm. Some indigenous teenage girls are subjected to forced prostitution at rural truck stops. Some women who migrated to Australia voluntarily to work illegally in licensed or illegal brothels were subsequently subjected

to debt bondage or involuntary servitude. Although most operate through a network of informal contacts in their native countries, experienced and increasingly sophisticated traffickers are adjusting their methods to try to sidestep provisions of anti-trafficking laws. There are traffickers who file asylum claims in the false names victims use to enter the country; victims who later go to the police for help appear unreliable and are at risk of deportation because of their false asylum claim. Unscrupulous recruiters entice undocumented foreign women into prostitution, coaching them to apply for student visas in real or false names, as students may legally work 20 hours a week. Men with legal residence in Australia marry foreign women whom they coerce into prostitution or force into domestic servitude. Some of the civil complaints to authorities about labor violations were noted to contain elements indicative of the crime of trafficking.



The Government of Australia fully complies with the minimum standards for the elimination of trafficking. During the year, three offenders were convicted specifically for slavery and trafficking offenses. The courts set out the elements of the crimes and a roadmap for the successful prosecution of the crimes of slavery, sexual servitude, debt bondage, and trafficking. A court also established that a woman who agreed to work either legally or illegally in prostitution had in no way also agreed to her enslavement or to working in conditions of slavery. A government study recommended changes to the 457 temporary worker visa program to halt the exploitation of foreign workers.

Recommendations for Australia: Continue to conduct systematic efforts to proactively identify trafficking victims in the legalized sex trade; criminally prosecute employers who subject migrant workers to debt bondage and involuntary servitude; implement recommended changes to the 457 temporary employment visa program; and continue to implement or support a visible anti-trafficking awareness campaign directed at clients of the sex trade.

Prosecution

The Government of Australia demonstrated increasing anti-trafficking law enforcement efforts over the last year. Australia prohibits sex and labor trafficking and trafficking-related offenses in Divisions 270 and 271 of the Commonwealth Criminal Code, which

prescribe maximum penalties from 12 to 25 years' imprisonment and/or fines of up to \$140,000. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes. In 2008, the government obtained significant convictions for sexual slavery and trafficking under its most recent laws. The two defendants in *R vs Wei Tang*, a trial that began in 2005, were convicted of slavery in 2007; after a retrial and conviction in 2008, they await sentencing. Keith William Dobie was convicted of trafficking in persons offenses pursuant to section 271.2(2B) of the Criminal Code and sentenced in December 2008 to five years' imprisonment. In March 2009, five more prosecutions were before the courts, involving 11 defendants. The Australian Federal Police (AFP) established an additional Trafficking and Sexual Exploitation Task Team (TSETT) in Brisbane in November 2008. The AFP, as of September 2008, had trained 132 specialist investigators on relevant legislation, investigative methodologies, trafficking trends, intelligence targeting, and victim liaison. The Commonwealth Director of Public Prosecutions (CDPP) trained prosecutors on cross-cultural issues in trafficking cases, child eyewitness testimony, and interviewing. As part of its pilot Witness Assistance Service, the CDPP developed materials explaining the criminal justice system to trafficking victims and witnesses. Since November 2008, a Witness Assistance Officer worked with prosecutors on trafficking cases. There were no reports of official involvement in trafficking. There were no cases of sexual exploitation involving Australian troops or peacekeeping officers deployed abroad.

Protection

The Government of Australia continued to provide comprehensive assistance for victims of trafficking willing to aid in criminal prosecutions and their family members. The government encouraged victims and witnesses to participate in trafficking investigations, and directly linked continued assistance to victims' role in a viable prosecution. Those victims who do not receive a trafficking visa generally qualify for a protection visa as a refugee, which they can apply for independently. Victims are not inappropriately incarcerated, fined, or penalized for unlawful acts committed as a direct result of being trafficked. The government is considering reforms recommended by officials and NGOs who reviewed the trafficking visa system. In collaboration with NGOs, the government developed detailed guidelines for assisting trafficking victims, which were published on its website in December 2008. The Office of Women managed the Support for Victims of People Trafficking Program. As of January 22, 2009, their program supported 44 victims. The average length of time spent in the Victim Support Program was 12.5 months.

Prevention

The Government of Australia demonstrated efforts to prevent trafficking in persons during the year. The Australian Government published the "Travel

Smart: Hints for Australian Travellers," brochure, which highlights Australian trafficking and child sex crime laws, noting they "also prohibit the incitement, encouragement of, or gaining benefit from such activities." It provides details for reporting a possible violation of Australia's child sex laws to the AFP. From July to December 2008, the Australian Passports Office distributed over 700,000 Travel Smart brochures, one with every passport renewal. In March 2008, a two-year international investigation led by Queensland Police Task Force "Argos" dismantled a criminal ring which arranged and provided live video feeds of the sexual and physical abuse of children to paying customers around the world via the Internet. Australian courts convicted two men of commercial sexual exploitation of a child, including the man responsible for the website's security. Australia's extra-territorial law on child sex tourism provides penalties of up to 17 years' imprisonment for Australians convicted of sexually exploiting children under the age of 16. Two prosecutions under this law were begun in 2008. The Australian government bolstered its communications strategy to increase awareness about trafficking within the sex industry in October 2008 when it announced \$680,000 in funding for four Australian NGO's efforts to provide outreach for trafficking victims and conduct education and awareness initiatives on human trafficking. There were no other visible measures to reduce the demand for forced labor or commercial sex acts in Australia during the reporting period. The government released a report of an experts' review on the 457 temporary worker visa program, which proposed 66 changes to protect migrants from exploitation by employers, such as more closely screening and monitoring employers. Changes to the scheme are scheduled to be included in the next budget. Twenty-eight specialist overseas immigration officers and 18 overseas Airport Liaison Officers are working to stop trafficking at its source. In addition, the government provides substantial funding for law enforcement training, victim assistance programs, and prevention activities throughout Southeast Asia. The Australian government ensured that troops and police officers preparing to deploy with UN peacekeeping missions were made aware of trafficking issues and instructed as to the legal ramifications in Australia of engaging in or facilitating trafficking, or exploiting trafficking victims while deployed.

AUSTRIA (Tier 1)

Austria is a transit and destination country for women and children trafficked from Romania, Bulgaria, Hungary, Moldova, Belarus, Ukraine, Slovakia, Nigeria, and sub-Saharan Africa for the purposes of commercial sexual exploitation and forced labor. Some of these women are trafficked through Austria to Italy, France, and Spain. Women from Africa are trafficked through Spain and Italy to Austria for the purpose of sexual exploitation. There are reports of some trafficking of foreign women and

children for the purpose of forced domestic servitude and forced begging within Austria.

The Government of Austria fully complies with the minimum standards for the elimination of trafficking. The government convicted an increased number of trafficking offenders, improved its funding for victim protection, and continued to undertake proactive prevention campaigns in 2008.

Recommendations for Austria: Ensure that a majority of convicted traffickers serve adequate time in prison; continue to improve victim identification and protection by establishing a formal and systematic identification and referral process; establish systematic care and support for children who are victims of trafficking; improve identification and services for men who are potential victims of forced labor trafficking; continue to collect comprehensive national law enforcement data on trafficking and improve the collection of victim assistance statistics; and take measures to reduce domestic demand for commercial sex acts.

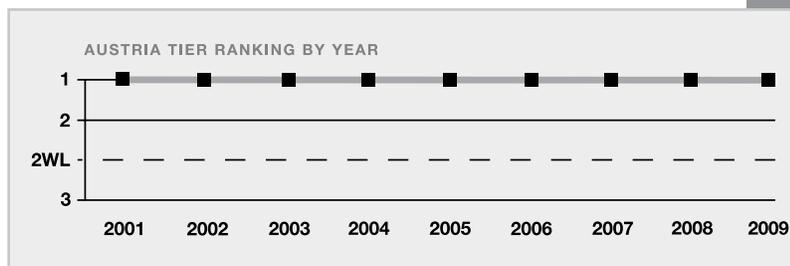
Prosecution

The Austrian government demonstrated adequate anti-trafficking law enforcement efforts over the reporting period. Article 104(a) of the Austrian Criminal Code prohibits trafficking for both sexual exploitation and forced labor. Prosecutors typically use Articles 104(a) and 217 of the criminal code as well as Article 114 of the Aliens Police Act to prosecute traffickers. Penalties prescribed in Article 104(a) and Article 114 range up to 10 years' imprisonment while penalties prescribed in Article 217 range from six months' to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In 2008, police conducted 50 trafficking investigations, compared to 89 investigations conducted in 2007. Prosecution and conviction data for 2008 were unavailable at the time of this Report; however, in 2007, 30 trafficking offenders for whom trafficking was the leading charge were convicted, an increase from 18 such convictions in 2006. Also in 2007, there were fewer suspended sentences for those convicted of trafficking, and some sentences slightly increased. In 2007, 14 convicted traffickers did not receive suspended sentences. Two of these traffickers received three to five years' imprisonment, eight received one to three years' imprisonment, two received six to 12 months' imprisonment, and two received three to six months' imprisonment. Three traffickers received suspended sentences and one received a suspended fine in 2007.

Protection

The Government of Austria demonstrated some improvement in its victim assistance efforts in 2008 by increasing funding to a key anti-trafficking NGO that provided shelter and assistance to victims in Vienna. In 2008, it provided \$542,700 to this NGO, compared to \$436,800 provided in 2007. Federal and local

governments continued to fund seven immigration and domestic abuse centers that assisted victims outside of Vienna. Police and NGOs identified a combined total of 203 trafficking victims in 2008, up from 170 in 2007. All of the foreign victims were provided with counseling; however, only 37 of these identified victims received shelter from the government-funded NGO. The remaining 166 victims received assistance in the form of social and legal counseling in their native language, German-language classes, computer courses, and health prevention. Police referred 60 of these victims to the Vienna-based NGO for assistance; however, the government does not have formal and systematic procedures for the identification and referral of victims. The government encouraged victims to assist with investigations and prosecutions of traffickers. Austrian authorities provided victims with a 30-day reflection period, a time for victims to receive immediate care and assistance while they consider whether to assist law enforcement. Victims who agreed to cooperate with law enforcement qualified for temporary residence.



The government reported that it made proactive efforts to identify trafficking victims among Austria's sizable, legal commercial sex sector. The government reportedly ensured that victims were not penalized for unlawful acts committed as a direct result of being trafficked. The government provided foreign victims of trafficking with legal alternatives to their removal through a temporary resident permit of at least six months.

Prevention

Austria continued its proactive efforts to prevent trafficking through public awareness-raising activities in 2008. It subsidized several TV programs about trafficking throughout the reporting period and hosted a number of conferences aimed at raising awareness of child trafficking and improving data collection on this issue throughout the EU. In April 2008, the government staged an event commemorating the 10th anniversary of its key anti-trafficking NGO, which included panel discussions and lectures on trafficking. In conjunction with the European Soccer Championship, in June 2008, the government subsidized and widely distributed a brochure to inform women in prostitution about their rights and to sensitize the public. The brochure sensitized soccer championship visitors to the fact that women in prostitution may be trafficking victims. However, domestic awareness efforts

continued to be largely directed at victims of trafficking rather than “clients” of Austria’s legal and regulated sex trade. There were approximately 2,800 legal and illegal brothels operating in Austria during the reporting period. The government published a brochure on child trafficking in 2008 to raise awareness and provide advice on assisting this population of victims. The government funded an NGO-provided course to sensitize Austrian troops on human trafficking before they were deployed on international peacekeeping missions. The Austrian government reportedly monitored its borders for signs of trafficking and border officials screened travelers to identify potential trafficking victims. Austrian law allows the extraterritorial prosecution of Austrian nationals who travel abroad to engage in child commercial sexual exploitation. In 2008, it continued a campaign to encourage tourists and travel agencies to report cases of child sex tourism. It did not report any investigations or prosecutions of such activity.

AZERBAIJAN (Tier 2 Watch List)

Azerbaijan is a source, transit, and limited destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Women and children from Azerbaijan are trafficked to Turkey and the United Arab Emirates (UAE) for the purpose of commercial sexual exploitation. Men and boys are trafficked to Russia for the purpose of forced labor. Men and women are also trafficked to Iran, Pakistan, and the UAE for purposes of sexual exploitation and forced labor. Some men are trafficked within Azerbaijan for the purpose of forced labor and women and children are trafficked internally for forced prostitution and forced labor, including forced begging. Azerbaijan serves as a transit country for victims trafficked from Moldova, Uzbekistan, and Kazakhstan to Turkey and the UAE for commercial sexual exploitation. The Azerbaijani exclave of Nakhchivan serves as a transit point for women trafficked to Turkey. A small number of men and women from Ukraine, Moldova, Uzbekistan, Kazakhstan, and Russia were trafficked to Azerbaijan for the purpose of commercial sexual exploitation.

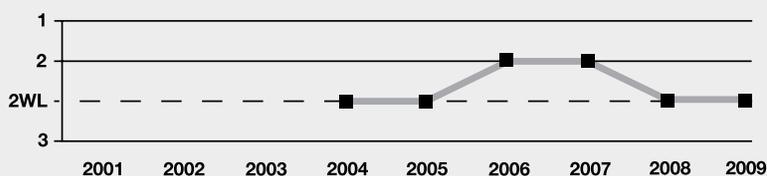
show evidence of progress in investigating, prosecuting, convicting, and punishing trafficking offenders, including complicit officials; therefore, Azerbaijan is placed on Tier 2 Watch List. Although the government made modest improvements, victim identification and access to victim assistance remained limited during the reporting period. The government adopted a new national action plan on trafficking in February 2009; however, it did not allocate funding to implement the programs and policies in the plan, and funding for anti-trafficking efforts remained low and inconsistent throughout the reporting period. The new action plan included a draft national victim referral mechanism, though the mechanism was not formally adopted or implemented during the reporting period. Azerbaijan demonstrated improved awareness efforts.

Recommendations for Azerbaijan: Increase law enforcement efforts to prosecute and convict traffickers, including government officials complicit in trafficking, and ensure that a majority of convicted traffickers serve some time in prison; vet members of the anti-trafficking unit for human rights abuses; implement the national victim referral mechanism; increase inter-agency coordination of anti-trafficking efforts; improve victim assistance and protection for child victims of trafficking; provide initial assistance to domestic victims without requiring them to file a formal complaint with police; and conduct awareness and victim treatment training for law enforcement and judges.

Prosecution

The Government of Azerbaijan conducted fewer trafficking investigations and prosecutions and convicted fewer traffickers than in 2007. Azerbaijan’s 2005 Law on the Fight Against Trafficking in Persons prohibits trafficking for both sexual exploitation and forced labor, and prescribes from five to 15 years’ imprisonment, punishments which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In 2008, the government reported conducting 66 trafficking investigations and prosecuted 61 trafficking cases, down from 75 cases in 2007. The government secured the convictions of 61 traffickers, down from 85 convictions in 2007. Some convicted traffickers received sentences of from one to eight years’ imprisonment. According to most civil society groups in Azerbaijan, corruption and lack of training among low-level law enforcement impeded overall anti-trafficking efforts. There were unconfirmed reports that convicted traffickers bribed some judges to grant suspended sentences. There were also unconfirmed reports that police officers controlled saunas, motels, and massage parlors where forced prostitution occurred. During the reporting period, some victims claimed they were kidnapped by police and forced into prostitution and were later threatened by police not to file charges against the officials responsible for trafficking them. The government failed to vigorously investigate trafficking-related

AZERBAIJAN TIER RANKING BY YEAR



The Government of Azerbaijan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall efforts, the government did not

corruption during the reporting period. The government has yet to vet members of its anti-trafficking unit for human rights abuses, a recommendation since the 2005 Trafficking in Persons Report.

Protection

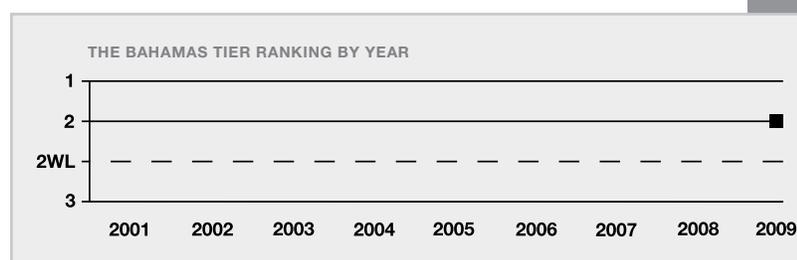
The Government of Azerbaijan demonstrated mixed progress in assisting victims during the reporting period. It did not employ a system to proactively identify victims of trafficking among vulnerable populations, including labor migrants; some NGOs suspect that labor trafficking may be more significant than sex trafficking. Coordination among the government agencies assigned to combat trafficking and assist victims was infrequent; most agencies did not have a dedicated office or point of contact responsible for coordinating with other agencies to effectively combat trafficking. In 2008, NGOs and law enforcement identified 121 victims; the government-funded shelter assisted 55 of these victims, up from 29 in 2007. Victims were only eligible for government-funded assistance, however, if they were an adult, female, and participated in a formal criminal case. Law enforcement referred 52 victims to the government-funded shelter in 2008. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders; however, victims reported that some corrupt police officers discouraged them from filing criminal complaints through threats of physical violence. There were no reports that victims were penalized for unlawful acts committed as a direct result of being trafficked. Generally, identified foreign victims of trafficking who cooperate with law enforcement were permitted to remain in Azerbaijan until the completion of their court case; however, six foreign victims were deported prior to the completion of their court case during the reporting period. There were no child trafficking shelters operating during the reporting period. Some child victims received shelter at a government-run child homeless center for a maximum of 30 days and then were returned to the streets.

Prevention

The government improved its prevention efforts during the reporting period. The government conducted a general trafficking-awareness campaign, advertising in both newspapers and on television. The government also funded and produced a documentary, in part, about sex trafficking called "Protect Me," which aired on several television stations during the reporting period. The government-funded trafficking hotline appeared more effective and identified at least eight trafficking victims during the reporting period. Although the government appointed a national anti-trafficking coordinator in 2004, the individual is a known human rights violator, a problematic obstacle to it achieving a truly victim-centered approach to its anti-trafficking efforts. The government made no effort to reduce demand for commercial sex acts.

THE BAHAMAS (Tier 2)

The Bahamas is a destination country for men and women trafficked from Haiti and other Caribbean countries primarily for the purpose of forced labor, and women from Jamaica and other countries trafficked for the purpose of commercial sexual exploitation. In situations that, for some workers, may constitute forced labor, employers coerce migrant or temporary workers – legal and illegal – to work longer hours, at lower pay, and in conditions not permitted under local labor law by changing the terms of contracts, withholding travel documents, refusing transportation back home, threatening to withdraw the employer-specific and employer-held permits, or to turn the employee over to immigration. For the past three years, The Bahamas was included in the Report as a Special Case due to limited data.



The Government of The Bahamas does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government enacted comprehensive anti-trafficking legislation, added skilled personnel to anti-trafficking agencies and offices, consulted with other governments about trafficking issues and assistance, and continued to train government personnel on trafficking issues. The government did not, however, make noticeable efforts to proactively identify victims among vulnerable populations, such as foreign women and girls engaged in illegal prostitution or women and girls intercepted at its borders who may be attempting to enter The Bahamas to engage in illegal prostitution.

Recommendations for The Bahamas: Take steps to identify trafficking victims among migrants attempting to enter The Bahamas illegally; investigate, prosecute, and punish suspected human trafficking offenders; create and implement a national trafficking public awareness and prevention program; and allocate resources for the victim assistance measures mandated by the new anti-trafficking law.

Prosecution

While the Government of The Bahamas made minimal efforts to prosecute trafficking offenders, it lacked a comprehensive anti-trafficking law for most of the reporting period, faced relevant resource and capacity constraints, and confronted multiple competing law

enforcement priorities. The Government of The Bahamas prohibited all forms of trafficking through its Trafficking in Persons Prevention and Suppression Act of 2008. Although previously enacted laws prohibit trafficking-related offenses, the government did not arrest or prosecute any trafficking offenders during the reporting period. The penalties for trafficking in persons in the 2008 Act, ranging from three years' to life imprisonment, are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The Bahamian government provided law enforcement personnel with anti-trafficking training, and some personnel participated in training with NGOs and international organizations. Historically, government personnel have conflated human trafficking and human smuggling.

Protection

The Bahamian government showed minimal efforts to protect victims of trafficking over the last year. The government continued to rely on NGOs and international organizations for the provision of services to victims. The Bahamas operates no specialized trafficking shelters, although services to victims of domestic violence would be offered to women and child trafficking victims. No organizations currently provide protective services for men. Agencies and officials followed no formal procedures for screening or referring victims to NGOs; potential victims are referred as they are identified. The new anti-trafficking law requires ministers responsible for national security and social services to implement a plan to provide appropriate services to victims, in cooperation with NGOs. Bahamian authorities encourage victims to participate in investigations and prosecutions of trafficking offenders. The newly enacted law requires convicted traffickers to financially compensate their victims. Although the government ensured that victims, once identified, were not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked, some victims were not properly identified. Law enforcement personnel generally deported foreign women found working in the Bahamian sex industry without first attempting to determine if any were victims of trafficking. The Bahamas' new law includes provisions for victims' immunity from prosecution, the protection of victims and witnesses with special considerations for the age and extent of trauma suffered by the victim, and relief from the removal of foreign victims to countries where they may face hardship or retribution regardless of their participation in the investigation or prosecution of their traffickers.

Prevention

The government demonstrated limited efforts to prevent trafficking over the reporting period. It strongly promoted official awareness of, and coordination on, trafficking issues within the country through mechanisms such as the multi-agency Trafficking in Persons Working Group. The government made no visible effort to reduce the

demand for commercial sex acts, and it did not engage in any other awareness-raising efforts directed at Bahamian citizens.

BAHRAIN (Tier 2 Watch List)

Bahrain is a destination country for men and women trafficked for the purposes of forced labor and commercial sexual exploitation. Men and women from India, Pakistan, Nepal, Sri Lanka, Bangladesh, Indonesia, Thailand, the Philippines, Ethiopia, and Eritrea migrate voluntarily to Bahrain to work as formal sector laborers or domestic workers. Some, however, face conditions of involuntary servitude after arriving in Bahrain, such as unlawful withholding of passports, restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. In addition, women from Thailand, the Philippines, China, Vietnam, Russia, Ukraine, Morocco, Jordan, Syria, and Lebanon are trafficked to Bahrain for the purpose of commercial sexual exploitation.

The Government of Bahrain does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government achieved its first trafficking conviction in late 2008 – a conviction for sex trafficking – and instituted a new visa regime in July 2008 allowing migrant workers to change employers. Despite these significant overall efforts, the government did not show evidence of progress in providing protective services to victims or prosecuting offenses relating to labor trafficking – the most prevalent form of trafficking in Bahrain; therefore, Bahrain is placed on Tier 2 Watch List.

Recommendations for Bahrain: Significantly increase the investigation and prosecution of trafficking offenses – particularly those involving forced labor – and conviction and punishment of trafficking offenders; institute and apply formal procedures to identify victims of trafficking among vulnerable groups, such as domestic workers who have fled from abusive employers and prostituted women, and refer identified victims to protective services; and ensure that victims of trafficking are not punished for acts committed as a direct result of being trafficked, such as illegal migration or prostitution.

Prosecution

The Government of Bahrain made modest progress in conducting anti-trafficking law enforcement efforts during the year, prosecuting its first case under its January 2008 anti-trafficking statute. The Law to Combat Trafficking in Persons prohibits all forms of trafficking in persons and prescribes penalties ranging from three to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. The Ministry of Interior's 10-person specialized unit investigated trafficking crimes, particularly those involving sex trafficking. It claimed to have disbanded a prostitution ring and rescued 43 Chinese women believed to be trafficking victims, but

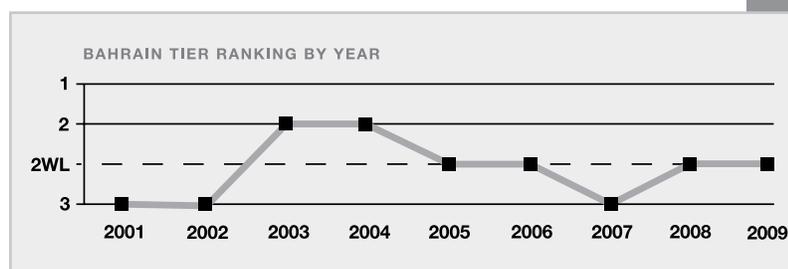
prosecutors reportedly viewed the evidence as insufficient to pursue legal action. In December 2008, the Public Prosecutor obtained the conviction of a Thai woman who was sentenced to three and a half years' imprisonment and a \$13,250 fine for trafficking three other Thai women into commercial sexual exploitation in Bahrain. During the reporting period, the government reportedly closed several manpower agencies alleged to have confiscated workers' passports, switched contracts, or withheld payment of salaries. The government also ordered 12 employers to pay back and release their workers. It did not criminally prosecute any employers or labor agents for forced labor of migrant laborers, including domestic workers, under its new anti-trafficking law. The law against withholding workers' passports – a common practice that restricts the mobility of migrant workers and contributes to forced labor – was not enforced effectively, and the practice remained widespread. The Royal Police Academy provided new police recruits with specific instruction on identifying trafficking victims during the reporting period.

Protection

The Government of Bahrain did little to improve protective services available to trafficking victims over the last year, though it issued new policy guidance on the employment conditions of migrant workers. The government maintains one floor of its shelter for female migrant workers, but did not provide information regarding the number of foreign workers assisted or the types of care the shelter provided to trafficking victims. The majority of victims continued to seek shelter at their embassies or through the Migrant Workers Protection Society, which in April and July 2008 received a project grant of \$15,900 from the Bahraini government to operate its shelter. The government did not have a referral process to transfer trafficking victims detained, arrested, or placed in protective custody to institutions that provide short- and long-term care. There are no shelter facilities or protective services for male trafficking victims in Bahrain.

In August 2008, the Ministry of Social Development established a committee to protect trafficking victims as part of its obligation under the anti-Trafficking in Persons law. One of the responsibilities of this committee, as part of the new law, is its approval for trafficking victims to remain in Bahrain pending their traffickers' prosecution; in the aforementioned case, the Thai victims were offered the option of remaining in Bahrain to work, but all three chose to repatriate to Thailand instead. To address vulnerabilities to trafficking arising from the migrant labor sponsorship system, the government launched a new migrant labor visa regime in July 2008 that allows for workers to change employers and criminalizes the use of "free visas" that often leave workers stranded in Bahrain without a job. These regulations do not, however, apply to domestic workers, which are the migrant workers most vulnerable to forced labor in Bahrain. The government continued to lack a formal procedure to identify victims

among vulnerable groups, such as domestic workers who have left their employers or women arrested for prostitution. As a result, potential trafficking victims may have been charged with employment or immigration violations, detained, and deported without adequate protection. Most migrant workers who were able to flee their abusive employers were frequently charged as "runaways," sentenced to two weeks' detention, and deported. Employers also sometimes filed police reports against their runaway workers. The government encouraged victims to assist in the investigation and prosecution of their traffickers; however, long and indefinite delays in legal cases, as well as a perceived bias against foreign workers by judges and prosecutors, discouraged workers from such involvement in criminal proceedings against their traffickers.



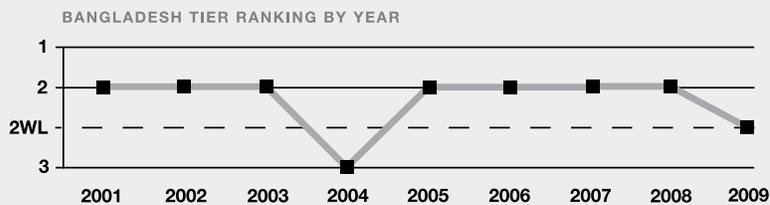
Prevention

The government's efforts to prevent trafficking increased during the reporting period. The Ministry of Interior's Human Trafficking Unit produced a brochure describing Bahrain's anti-trafficking law and soliciting complaints to its hotline for investigations; it distributed this brochure to at-risk groups upon arrival in the country. The Labor Market Regulatory Authority (LMRA) collaborated with IOM to produce a pamphlet explaining how to legally obtain a work visa, workers' rights, and how to report suspected violations. Throughout 2008, the CEO of LMRA and the Minister of Labor conducted press conferences to highlight illegal practices, particularly withholding of passports, relating to human trafficking. Despite the increased level of awareness fostered by these campaigns, understanding of what constitutes trafficking remained low. Many people, including courthouse clerks, continued to believe that it is legal to confiscate workers' passports, despite several instances over the course of the reporting period in which the Minister of Labor explicitly stated that withholding passports is illegal. In March 2009, the government hosted a two-day international conference on combating trafficking in persons. In April, June, and July 2008, the government provided services and support valued at more than \$60,000 that enabled IOM to train 315 civil society volunteers, journalists, foreign diplomats, and government officials in the LMRA and Ministries of Interior, Social Development, Culture and Information Affairs, Foreign Affairs, Labor, and Justice. In July, the government requested and supported a training and awareness program for its anti-trafficking

unit. Nonetheless, the government did not take any steps to reduce the demand for forced labor or the demand for commercial sex acts within the country.

BANGLADESH (Tier 2 Watch List)

Bangladesh is a source and transit country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. A significant share of Bangladesh's trafficking victims are men recruited for work overseas with fraudulent employment offers who are subsequently exploited under conditions of forced labor or debt bondage. Children – both boys and girls – are trafficked within Bangladesh for commercial sexual exploitation, bonded labor, and forced labor. Some children are sold into bondage by their parents, while others are induced into labor or commercial sexual exploitation through fraud and physical coercion. Women and children from Bangladesh are also trafficked to India and Pakistan for sexual exploitation.



Bangladeshi men and women migrate willingly to Saudi Arabia, Bahrain, Kuwait, the United Arab Emirates (UAE), Qatar, Iraq, Lebanon, and Malaysia for work, usually under legal and contractual terms. Most Bangladeshis seeking overseas employment through legal channels rely on the 700 recruiting agencies belonging to the Bangladesh Association of International Recruiting Agencies (BAIRA) which are legally permitted to charge workers up to \$1,235 – and often charge more unlawfully – for placing workers in low-skilled jobs that usually pay between \$100 and \$150 per month. Such fees have been reported by the ILO to contribute to the placement of some of these workers in debt bondage or forced labor once overseas. NGOs report that many Bangladeshi migrant laborers are victims of recruitment fraud, including fraudulent representation of the terms of employment; such victimization often results in situations of labor trafficking. Women typically work as domestic servants; some find themselves in situations of forced labor or debt bondage when faced with restrictions on their movements, non-payment of wages, threats, and physical or sexual abuse. Some Bangladeshi women working abroad are subsequently trafficked into commercial sexual exploitation. Bangladeshi adults are also trafficked internally for commercial sexual

exploitation, domestic servitude, and bonded labor.

Bangladesh 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, including some progress in addressing sex trafficking, the government did not demonstrate sufficient progress in criminally prosecuting and convicting labor trafficking offenders, particularly those responsible for the recruitment of Bangladeshi workers for the purpose of labor trafficking; therefore, Bangladesh is placed on Tier 2 Watch List. The practice of allowing labor recruiters to charge outbound migrants up to \$1,235, the equivalent of ten months' salary in some Gulf state destinations, may contribute to forced labor and debt bondage, as the ILO has concluded that such high recruitment costs increase workers' vulnerability to forced labor.

Recommendations for Bangladesh: Integrate anti-labor trafficking objectives into national anti-trafficking policies and programs; significantly increase criminal prosecutions and punishments for all forms of labor trafficking, including those involving fraudulent labor recruitment and forced child labor; continue to investigate and prosecute government officials who may be suspected of complicity in trafficking; greatly improve oversight of Bangladesh's 700 international recruiting agencies to ensure they are not promoting practices that contribute to labor trafficking; and provide protection services for adult male trafficking victims and victims of forced labor.

Prosecution

The Government of Bangladesh made inadequate overall anti-trafficking law enforcement efforts over the last year. Bangladesh prohibits the trafficking of women and children for the purpose of commercial sexual exploitation or involuntary servitude under the Repression of Women and Children Act of 2000 (amended in 2003), and prohibits the selling and buying of a child under the age of 18 for prostitution in Articles 372 and 373 of its penal code. Prescribed penalties under these sex trafficking statutes range from 10 years' imprisonment to the death sentence; the most common sentence imposed on convicted sex traffickers is life imprisonment. These penalties are very stringent and commensurate with those prescribed for other grave crimes, such as rape. Article 374 of Bangladesh's penal code prohibits forced labor, but the prescribed penalties of imprisonment for up to one year or a fine are not sufficiently stringent to deter the offense. During the reporting period, the government obtained the convictions of 37 sex trafficking offenders, with 26 of them sentenced to life imprisonment and 11 to lesser prison terms. This is an increase from the 20 convictions obtained in 2007. It also initiated 134 sex trafficking investigations and prosecuted 90 suspected sex trafficking cases. The Bangladeshi judicial system's handling of sex trafficking cases continued to be plagued by a large backlog and delays caused by procedural loopholes. Most sex trafficking cases are prosecuted by the 42 special

courts for the prosecution of crimes of violence against women and children spread throughout 32 districts of the country, which are generally more efficient than regular trial courts. During the reporting period, the Bureau of Manpower Employment and Training (BMET) reportedly shut down nine recruiting agencies, cancelled the licenses of 25 agencies, suspended seven agencies, fined six others, and initiated three new cases for their involvement in fraudulent recruitment practices that potentially facilitated human trafficking. Despite these administrative actions taken against labor recruitment agencies involved in fraudulent recruitment and possible human trafficking, the government did not report any criminal prosecutions or convictions for labor trafficking offenses. There were no reported prosecutions or convictions for forced child labor offenses. In mid-2008, the government created a 12-member police anti-trafficking investigative unit that complements an existing police anti-trafficking monitoring cell. The country's National Police Academy provided anti-trafficking training to 2,827 police officers during the year.

Protection

The Government of Bangladesh made limited efforts, within the scope of its resources, to protect victims of trafficking over the last year. While the government did not provide shelter or other services dedicated to trafficking victims, it continued to run six homes for women and child victims of violence, including trafficking, as well as a "one-stop crisis center" for women and children in the Dhaka general hospital. During the last year, Bangladeshi law enforcement officials identified 251 trafficking victims – believed to be victims of trafficking for commercial sexual exploitation – and referred 204 trafficking victims to care facilities run by the government or NGOs. The Ministry of Expatriate Welfare and Overseas Employments continued to operate shelters for female Bangladeshi victims of trafficking and exploitation in Riyadh, Jeddah, Abu Dhabi, and Dubai. The Ministry of Foreign Affairs produced and disseminated among Bangladeshi diplomatic missions abroad a new circular entitled "Guidelines for Bangladesh Missions Abroad to Combat Trafficking in Persons." Law enforcement personnel encouraged victims of trafficking, when identified, to participate in investigations and prosecutions of their traffickers and generally did not penalize victims for unlawful acts committed as a direct result of their being trafficked. The government's lack of efforts to protect victims of forced labor – who constitute a large share of victims in the country – as well as adult male victims of trafficking is a continuing concern.

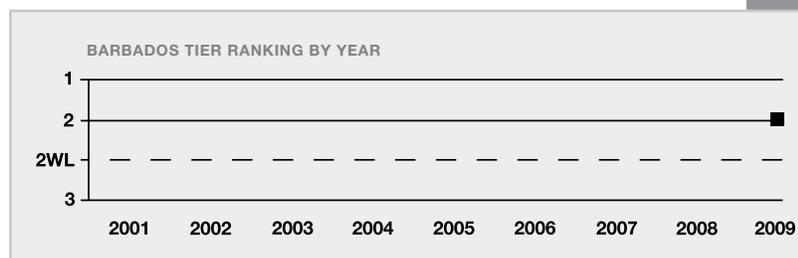
Prevention

The Bangladeshi government made modest efforts to prevent human trafficking over the reporting period. The government's inter-ministerial committee on human trafficking, chaired by the Home Minister, continued to meet monthly, though its work was largely confined to addressing sex trafficking. Throughout the year, the

government disseminated anti-trafficking messages in various forms, including public service announcements, dramas, public discussions, and songs, on the government-run television channel and radio network. The government failed, however, to take measures to prevent fraudulent recruitment that could lead to debt bondage. The government has allowed BAIIRA to set fees, license individual agencies, and certify workers for overseas labor, while not exercising adequate oversight over this consortium of labor recruiters to ensure that their practices do not facilitate debt bondage of foreign workers. During the year, the government did not demonstrate measures to reduce the demand for forced labor or for commercial sex acts. The Bangladeshi government provided anti-trafficking training to its troops being deployed for peacekeeping missions abroad. Bangladesh has not ratified the 2000 UN TIP Protocol.

BARBADOS (Tier 2)

Barbados is a destination country for women from the Dominican Republic, Guyana, and Jamaica trafficked for the purpose of sexual exploitation; it is also a destination for men from China, India, and Guyana trafficked for the purpose of labor exploitation in construction and other sectors. Reports from 2005 indicated that girls and women within Barbados and from other Caribbean countries were trafficked for the purpose of domestic servitude. Sex traffickers, primarily pimps and brothel owners from Guyana, Trinidad and Tobago, and Barbados, lure women through newspaper ads for legitimate work in Barbados. Trafficked women tend to enter the country through legal means, usually by air; traffickers later force victims to work in strip clubs, massage parlors, some private residences, and "entertainment clubs" that operate as brothels. Traffickers use threats of physical harm or deportation, debt bondage, false contracts, psychological abuse, and confinement to force men, women, and reportedly some girls to also work in construction, the garment industry, agriculture, or private households.



The Government of Barbados does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government drafted a protocol for anti-trafficking actions, increased public awareness of trafficking, and cooperated with other Caribbean

governments on trafficking issues. The government, however, did not report any investigations of suspected cases of sex or labor trafficking, nor did it prosecute any trafficking cases during the year.

Recommendations for Barbados: Develop, enact, and implement a comprehensive anti-trafficking law; proactively investigate suspected human trafficking cases; prosecute and punish trafficking offenders, including those who subject workers to conditions of forced labor; implement procedures for law enforcement officers to proactively identify trafficking victims among vulnerable populations; develop a national plan to identify, combat, and prevent trafficking; and create and implement a national trafficking public awareness and prevention program.

Prosecution

The Barbados government made weak efforts to prosecute trafficking offenders during the year, while facing resource constraints and competing law enforcement priorities. Barbados has no specific law prohibiting human trafficking, but slavery and forced labor are constitutionally prohibited. Existing statutes against sexual offenses and forced labor could be used to prosecute some trafficking crimes. Penalties for these offenses, which range from five to 15 years' imprisonment, are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. No trafficking offenders were prosecuted during the year. Most law enforcement and immigration officials do not have the appropriate training, funding, and other necessary mechanisms to monitor and investigate suspected cases of trafficking.

Protection

The Government of Barbados made moderate efforts to ensure victims' access to protective services over the last year. It funded several existing programs to assist victims of other crimes which could be used to support trafficking victims, such as shelters run by a local NGO and the Salvation Army, and public counseling services for victims of rape and child abuse. The government expressed its readiness to refer victims of trafficking, once identified, to the Bureau of Gender Affairs for support services, although no victims were formally identified during the year. The government's Bureau of Gender Affairs collaborated with a local NGO to sensitize government agencies on the difference between smuggling and trafficking, the importance of referring victims to services provided in collaboration with NGOs, and the importance of implementing a trafficking-specific protocol and legislation to better target their efforts. Victims of trafficking (like victims of other crimes) are not, in general, encouraged to participate in investigations or prosecutions of trafficking offenders. Trafficking victims could be prosecuted for unlawful acts committed as a direct result of their being trafficked, as no existing legislation offers legal protection specifically

to victims of trafficking. Police claim to have no option under current, relevant laws but to treat foreign trafficking victims without valid legal documentation as criminals and summarily deport them. UNHCR provided suspected trafficking victims with medical assistance and help with repatriation. There have been no reported cases of Barbadians trafficked to foreign countries, although the Bureau of Gender Affairs has specialized services in place should such a case arise.

Prevention

The government made moderate efforts to raise the public's awareness of the risks and dangers of human trafficking in Barbados. During the year the government hosted educational workshops and ran press releases on human trafficking. Although there is no formal mechanism for coordinating government and NGO action on trafficking issues, the Bureau of Gender Affairs worked with regional and local NGOs, religious organizations, and community advocates to better organize their anti-trafficking efforts and outreach. The Bureau of Gender Affairs also disseminated the government's draft protocol for anti-trafficking action to various official agencies. Expansion of the tourism industry is fueling an increased demand for commercial sex in Barbados, but the government made no noticeable efforts to reduce the demand for commercial sex acts. Barbados has not ratified the 2000 UN TIP Protocol.

BELARUS (Tier 2)

Belarus is a source and transit country for women, men, and children trafficked from Belarus and neighboring countries to Russia, Germany, Poland, the Czech Republic, Lithuania, Latvia, Austria, the Netherlands, Israel, the United Arab Emirates (UAE), Turkey, Egypt, Ukraine, and the Republic of Togo for the purposes of commercial sexual exploitation and forced labor. Authorities registered 591 trafficking victims of whom 458 were trafficked for sexual exploitation (including 96 minors) and 133 for forced labor; 366 were female (including 42 minors) and 225 were male (including 61 minors). Authorities identified 246 victims trafficked within Belarus. A 2008 IOM study on the trafficking of men found that more than 60 percent of assisted Belarusian trafficked men from 2004 to 2006 had some job training or college education. There was one ongoing case against residents of Belarus for trafficking Russian homeless persons into servitude in Belarus.

The Government of Belarus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated sustained efforts to prosecute and punish trafficking offenders, though support for victim assistance programs remained lacking, and the government did not refer the majority of identified trafficking victims to service providers for assistance.

Recommendations for Belarus: Increase resources devoted to victim assistance and protection within Belarus; ensure male and child victims' access to appropriate assistance and protection; continue streamlining administrative processes related to all victim protections; encourage public reporting of allegations of law enforcement officials' complicity in trafficking; continue to improve relations with and cultivate a climate of encouragement for NGO partners providing victim services; and take steps to reduce the demand for commercial sex acts and forced labor.

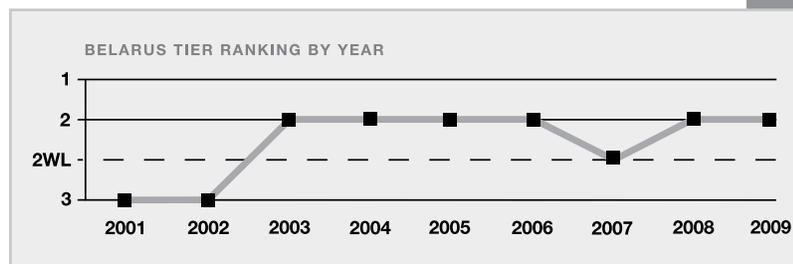
Prosecution

The government sustained its significant law enforcement efforts in 2008. Belarusian law prohibits trafficking in persons for the purposes of both sexual exploitation and forced labor through Article 181 of its criminal code, which prescribes penalties ranging of five to 15 years' imprisonment, in addition to the forfeiture of assets. These penalties are sufficiently stringent and are commensurate with penalties prescribed for other grave crimes. Belarusian authorities registered 333 human trafficking investigations in 2008. The government prosecuted 69 cases under article 181 and reported an additional 160 trafficking offenses prosecuted under other statutes such as pimping, kidnapping, and involving minors in antisocial behavior. The government reported 17 convictions under article 181 and 112 additional convictions of trafficking offenders on related offenses in 2008. The majority of convicted trafficking offenders were sentenced to jail for over eight years with property confiscation. There were no investigations, prosecutions, or convictions of officials complicit in human trafficking. There were no reports of government complicity in trafficking, although such information may have been limited because of lack of press freedom and imprisonment of citizens for criticizing government officials in Belarus. During the reporting period, the government continued specialized training in victim identification and protection to members of law enforcement, courts, and the Prosecutor General's Office through its government anti-trafficking training center in the Ministry of Interior. The high turnover rate for law enforcement officials, interagency coordination problems, and other bureaucratic obstacles hampered overall law enforcement effectiveness in combating trafficking.

Protection

The government demonstrated mixed efforts to protect and assist victims during the reporting period. The government again failed to provide funding for specialized victim assistance programs pledged in a 2005 presidential decree. The government reported referring only 125 out of 591 victims to service providers in 2008 using the national referral mechanism. Law enforcement officials generally refer trafficking victims to IOM or NGO shelters – which rely on donor funding – to provide short and longer term protection and rehabilitation. The government operated 156 governmental social

centers, which in theory can provide services to returned trafficking victims, but only 17 have specialized trafficking-related services. Officials refer child trafficking victims to one of the 146 government social care and education centers under the Ministry of Education. Under Belarus' state health care system, victims may seek medical assistance free of charge, but most victims decline medical assistance from government facilities due to their reluctance to divulge information to clinic staff or because of the poor quality of services provided. While government coercion of victims to cooperate with investigations still occurs, law enforcement agencies permitted NGO specialists to attend police interviews and closed court hearings upon victims' requests. Belarusian law allows for authorities to grant temporary residency status to foreign victims. The 2005 presidential decree stipulates that trafficking victims should not be deported or penalized for unlawful acts committed as a direct result of their being trafficked. Belarusian courts awarded \$79,000 in compensation to trafficking victims from 2002 to 2008. While NGOs in Belarus are often subjected to government intimidation and strict control, anti-trafficking NGOs in general reported that the government decreased some delays related to red tape and burdensome project registration procedures during the reporting period.



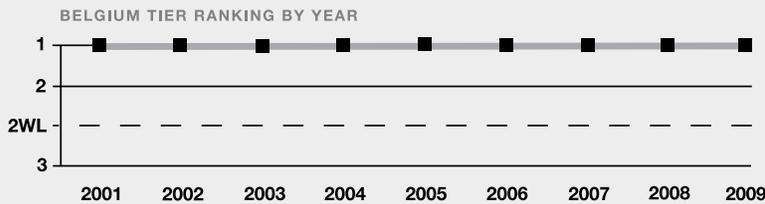
Prevention

The Government of Belarus demonstrated sustained public awareness and trafficking prevention activities in 2008. The government continued to fund its anti-trafficking training academy. The government also funded and aired a series of anti-trafficking public service announcements on state owned television channels. Officials continued to conduct press conferences and briefings on the anti-trafficking situation in Belarus during the reporting period. The education ministry distributed a manual for teachers on activities aimed at preventing human trafficking. The Ministry of Interior continued to operate a hotline regarding the licensing status and legitimacy of employment agencies involved in work and study abroad but referred callers to NGO run and funded hotlines for other services. NGOs reported close cooperation from authorities in distributing NGO-funded public awareness materials. There were reports that some policies described by the Belarusian government as anti-trafficking measures, such as the enforcement of foreign travel controls on students and

others groups, were unduly restricting Belarusian citizens' ability to travel abroad for legitimate purposes.

BELGIUM (Tier 1)

Belgium is a destination and transit country for men, women, and girls trafficked for the purposes of forced labor and commercial sexual exploitation. Women and girls are trafficked to Belgium for sexual exploitation primarily from Nigeria, Russia, Albania, Bulgaria, Romania, the People's Republic of China (PRC), and through Belgium to other European countries, such as the United Kingdom. Male victims are trafficked to Belgium for labor exploitation in restaurants, bars, sweatshops, horticulture, fruit farms, and construction sites. According to Belgian immigration, the number of foreign unaccompanied minors entering the country increased by 14 percent in 2007 compared to 2006. The government determined that nine of these minors were victims of trafficking, compared to 14 of 1752 unaccompanied minors who entered in 2006. The government and NGOs reported two new trends in 2008: an increase in the number of forced labor cases, and sex trafficking increasingly disguised by businesses including massage parlors, escort services and the Internet. The trafficking of workers for domestic servitude and trafficking for sexual exploitation continued to be committed by some members of the international diplomatic community posted in Belgium. The Belgian government has conducted campaigns to reduce this problem and investigates such cases.



The Government of Belgium fully complies with the minimum standards for the elimination of trafficking. The government developed a directive to improve the identification and referral of trafficking victims and financed NGOs to provide comprehensive victim assistance. The government financed victim shelters providing the full spectrum of services and protections to victims. The government and royal foundation funded several NGOs that conducted prevention campaigns.

Recommendations for Belgium: Improve the collection of comprehensive anti-trafficking law enforcement data, including numbers of prosecutions and convictions for forced labor and trafficking for commercial sexual exploitation, along with corresponding sentencing data, and numbers of government-assisted repatriations;

and consider training for officials who may encounter trafficking victims that focuses on the needs of victims.

Prosecution

Belgium prohibits all forms of trafficking through a 2005 amendment to its 1995 Act Containing Measures to Repress Trafficking in Persons. As amended, the law's maximum prescribed sentence for all forms of trafficking – 30 years' imprisonment – is sufficiently stringent and commensurate with penalties prescribed for rape. In 2007, the most recent year for which data were available, the government reported 1,204 trafficking investigations. Authorities reported prosecuting and obtaining the convictions of 223 trafficking offenders, compared to 238 prosecuted and convicted in 2006. In 2007, the government reported that 70 percent of convicted traffickers received prison sentences ranging from one year to more than 10 year's jail time. It is unclear how many of these cases involved forced labor and how many involved trafficking for commercial sexual exploitation.

In July 2008, Belgian authorities opened investigations of seven members of the royal family of Abu Dhabi (UAE) for trafficking 17 girls reportedly from Indonesia, Turkey, Egypt, Syria, India, Iraq, Morocco and the Philippines for domestic servitude while staying at a Brussels hotel; eleven of these victims were subsequently granted victim status by Belgian authorities. However, the implicated sheikha and seven other family members have since left the country. The investigation remains ongoing. In January 2009, Belgian authorities arrested and charged nine suspects involved in the trafficking of 17 Thai women in massage parlors; one of the arrestees was an employee of the Ministry of Justice. NGOs reported blatant exploitation of undocumented Bulgarian women by human trafficking networks in Brussels and also claimed that some officials abused their positions to obtain sexual services from possible victims. One NGO indicated that judges and other officials could benefit from increased anti-trafficking trafficking training.

Protection

The government improved its capacity to identify and protect trafficking victims during the reporting period. In September 2008, the government issued an interagency directive on coordination and assistance to trafficking victims, which included procedures on identification of victims and their referral to shelters. The government continued to fund three NGOs that sheltered and provided comprehensive assistance to trafficking victims in 2008. During the reporting period, 495 adults were referred to the three specialized shelter centers, compared to a total of 619 persons registered the previous year. Of those 495 people, 202 were identified as potential trafficking victims. Forty-seven victims qualified for full victim status in 2008, compared to 62 qualifying in 2007. In 2008, an additional 122 victims received permanent residency permits, even though they did not receive final victim status. Belgian law allows the

provision of extendable temporary residence status and permanent residence status to victims who participated in trafficking investigations and prosecutions. Residence can be granted before an investigation is completed at judicial discretion; residency can also be granted even without a successful prosecution. Children who were victims of trafficking reportedly were granted three months in which to decide whether to testify against their traffickers. If they did not qualify for victim status, they may still have qualified for protection under the government's rules for unaccompanied minors. Victims who served as witnesses in court were entitled to seek legal employment during the trial process. Identified victims were not inappropriately incarcerated, fined, or penalized for unlawful acts committed as a direct result of being trafficked.

Prevention

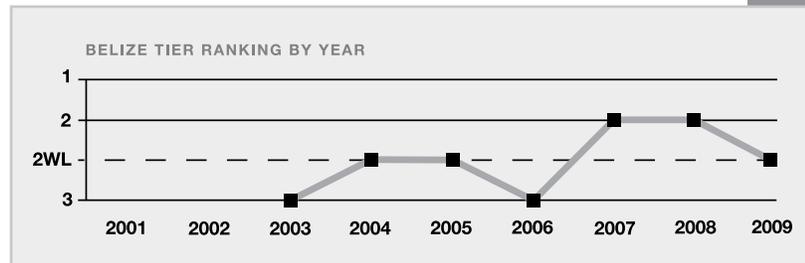
In 2008, the Belgian government demonstrated progress in its anti-trafficking prevention efforts. The Belgian government funds all domestic NGOs involved in combating human trafficking in Belgium. Demand reduction and prevention are two main objectives of the 2008-2011 Belgian National Anti-Trafficking Plan. The government funds websites and conducts campaigns to reduce demand. "Stop Child Prostitution" is a particularly noteworthy ongoing campaign sponsored by the government-funded NGOs Child Focus, ECPAT, FIT, the Federal Police, and the Ministries of Defense and Foreign Affairs. The Royal King Baudouin Foundation has funded campaigns aimed at the situation of diplomatic household personnel. The Center to Combat Racism and Discrimination and the three trafficking victim shelters participated in the European Anti-Trafficking Day awareness campaign. Belgian law allows for the prosecution of Belgian nationals for child abuse crimes committed abroad. The government provided specific anti-trafficking training to Belgian troops before they were deployed on international peacekeeping missions.

BELIZE (Tier 2 Watch List)

Belize is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. The most common form of trafficking in Belize is the internal sex trafficking of minors, particularly situations where poor families push their school-aged daughters to provide sexual favors to wealthy older men in exchange for school fees, money, and gifts. This "sugar daddy" phenomenon occurs in Belize and other Caribbean countries, but often it is not recognized as a form of human trafficking by local communities or law enforcement personnel. In two recent cases, more than 70 workers from Nepal and India were trafficked to Belize for forced labor. After being deceived as to the true nature of employment, these victims encountered forced working conditions upon arrival in Belize, in addition to the confiscation of their

passports. Some Central American men, women, and children, particularly from Guatemala, Honduras, and El Salvador, migrate voluntarily to Belize in search of work but are subsequently subjected to conditions of forced labor or forced prostitution.

The Government of Belize does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall significant efforts, the government did not show evidence of progress in convicting and sentencing trafficking offenders last year, and therefore Belize is placed on Tier 2 Watch List.



Recommendations for Belize: Increase efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including any allegedly complicit public officials; increase law enforcement efforts against forced labor; continue to improve victim services and assistance; and increase penalties for sex trafficking crimes so they are commensurate with penalties for other grave crimes.

Prosecution

The Government of Belize made inadequate progress in applying law enforcement measures against trafficking offenders during the past year. The Government of Belize prohibits all forms of trafficking through its Trafficking in Persons Prohibition Act of 2003, which prescribes punishment between one and five years' imprisonment and a \$5,000 fine. These penalties are sufficiently stringent but are not commensurate with penalties prescribed for other serious crimes such as rape, which carries a penalty of eight years to life imprisonment. There were no trafficking convictions during the reporting period: one prosecution was dismissed, two prosecutions remain pending, and one is pending appeal. In one case, the government charged a Chinese company with five counts of withholding travel documents – an offense less severe than trafficking – after reviewing allegations that the company had trafficked 70 Nepalese and Indian workers to Belize to work on a hydrodam project. In September 2008, a court dismissed the case on procedural grounds; the government is in the process of filing an appeal. A separate complaint of an Indian shop owner mistreating and coercing Indian migrants into labor exploitation after confiscating their passports remains pending in Belize City magistrate's court. In 2007, police raided a brothel and rescued a 16-year-old

sex trafficking victim; charges against the brothel owner remain pending. Some international organizations describe Belize's judicial system as dysfunctional. Human trafficking cases are typically handled in lower courts and often dismissed. An anti-trafficking committee leads the government's efforts, including coordination of investigations and prosecutions of trafficking offenders; however, the committee discontinued brothel raids to identify trafficking victims last year. The government increased anti-trafficking training for police, immigration officials, and social workers during the reporting period, though anti-trafficking training for labor inspectors remained lacking. The Government of Belize cooperated with foreign governments on trafficking investigations. Complicity with trafficking by police officials appeared to be an impediment to some prosecutions.

Protection

The Government of Belize maintained solid protection services for trafficking victims last year. Child victims of trafficking are placed in government institutions for minors. The government operated two shelters for adult trafficking victims, and provided access to medical care, counseling, and integration assistance. Eleven foreign labor trafficking victims received shelter assistance, victim services, and work permits last year. An additional 60 victims from the hydrodam labor trafficking case were assisted by the government and repatriated to Nepal and India; transportation costs were paid by the company that had contracted the workers. Authorities in Belize encouraged victims to assist with the investigation and prosecution of their traffickers. Prosecutors noted difficulty with the willingness of some victim witnesses, particularly child sex trafficking victims, to assist with prosecutions; some victims feared further mistreatment, others did not view themselves as victims, and others were discouraged from testifying by family members. There were no reports of victims being jailed or penalized for crimes committed as a direct result of being trafficked. Belize also provided temporary residency for foreign trafficking victims, and other temporary legal alternatives to the removal of victims to countries in which they would face hardship or retribution.

Prevention

The government maintained efforts to raise public awareness of human trafficking during the reporting period. The government developed public service announcements in multiple languages, and redistributed posters and anti-trafficking materials. The government supported local NGOs, and provided annual funding for their anti-trafficking efforts. In particular, the government assisted an NGO in Belize City to educate children and parents about the dangers of sexual exploitation and the "sugar daddy" phenomenon. The government also continued to work with Belize's tourism industry to promote a code of conduct to prevent child sex tourism. No specific efforts to reduce demand for forced labor were reported.

BENIN (Tier 2)

Benin is a source, transit and, to a lesser extent, a destination country for children trafficked for the purposes of forced labor and commercial sexual exploitation. A UNICEF study found that in 2006 more than 40,000 children were trafficked to, from, or through Benin. Ninety-three percent of victims were Beninese and 92 percent were trafficked within the country. Forty-three percent of children trafficked were subjected to domestic servitude. Of those trafficked internally, 86 percent were underage girls. A 2006 NGO study revealed that more than half of internally trafficked children are taken to Cotonou. Within the country, girls are trafficked primarily for domestic servitude and sexual exploitation, while boys are subjected to forced agricultural and construction work, street hawking, and handicraft activities. There is anecdotal evidence that child sex tourism may be developing in northern Benin. Children are trafficked from Benin to other African countries for the aforementioned purposes as well as for forced labor in mines and stone quarries. A 2005 ILO study found that the majority of victims trafficked transnationally from Benin are taken to Nigeria and Gabon, though some are also trafficked to Cameroon, Togo, Cote d'Ivoire, Ghana, Niger, Republic of Congo, Guinea-Bissau, the Central African Republic, and possibly to Equatorial Guinea. A small number of children are trafficked to Benin from other African countries, primarily Togo, Niger and Burkina Faso.

The Government of Benin does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. During the year, Benin continued its strong anti-trafficking victim protection and prevention efforts. Despite these overall significant efforts, the government did not show great progress in prosecuting, convicting, and punishing trafficking offenders.

Recommendations for Benin: Increase efforts to prosecute and convict trafficking offenders and collect data on such efforts; develop formal procedures for identifying trafficking victims among women and children in prostitution and children laboring in the informal sector and private residences; develop and enact legislation prohibiting trafficking of adults; finalize and issue draft decrees regulating the movement of children into and out of Benin; and begin the delayed implementation of the 2007 National Action Plan to Combat Trafficking and the National Policy and Strategy for Child Protection.

Prosecution

The Government of Benin demonstrated decreased law enforcement efforts to combat trafficking offenses during the past year. Benin does not prohibit all forms of trafficking, though its 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking criminalizes all forms of child trafficking,

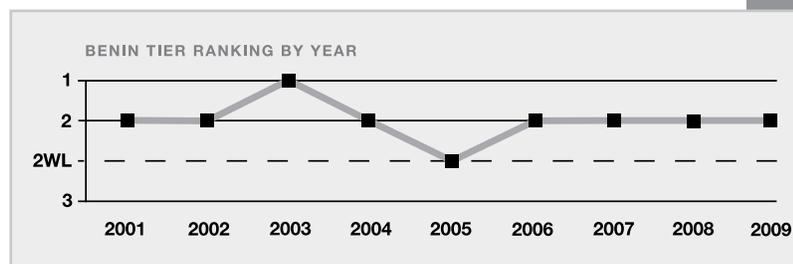
prescribing penalties of up to 20 years' imprisonment – penalties that are sufficiently stringent and exceed those prescribed penalties for rape. The government was unable to provide comprehensive data on its anti-trafficking law enforcement activities in the last year. Five courts outside the capital, however, reported that together they handled a total 20 trafficking cases during the year. No further information was available related to the status of these cases within the court system. The Police Minors Protection Brigade (MPB) reported that in 2008 it arrested 58 suspected child traffickers and brought them to a Cotonou court. The government did not, however, report any prosecutions or convictions of traffickers during the year, largely due to seven months of strikes at the Ministry of Justice that weakened its capacity to record and collect trafficking crime data. This is in contrast to the preceding two years, during which the government demonstrated progressively increasing law enforcement efforts, reporting over 30 prosecutions of trafficking offenders annually and a significant numbers of convictions. The police academy curriculum continued to include instruction on law enforcement approaches to combat child trafficking. The MPB monitored Benin's borders to identify traffickers and victims.

Protection

The Beninese government strengthened efforts to protect trafficking victims during the last year. The MPB, working in collaboration with foreign government officials, reportedly rescued 222 victims, an increase over the 190 victims identified and assisted during the previous reporting period. These victims, who were trafficked between Benin and either Nigeria, Gabon, Cote d'Ivoire, Cameroon, Mali, or the Republic of the Congo, received assistance at the government's transit facility, where victims were placed temporarily before being referred to NGOs for care. While the government provides the transit center with electricity, water, and food, an NGO provided salaries for seven personnel who operated it. The government also reported that it collaborated with UNICEF and international NGOs to repatriate 172 foreign child trafficking victims and assist with their reintegration. Between February and September 2008, Beninese authorities collaborated with Nigerian counterparts to repatriate 55 Beninese children who had been trafficked to Nigeria's stone quarries. In November 2008, Beninese officials worked with Cameroonian authorities to repatriate to Benin nine suspected child trafficking victims rescued from a disabled ship off the coast of Cameroon.

The Ministry of the Family and National Solidarity continued to work with UNICEF and schools to place rescued child victims in vocational and educational programs. Benin continued to use its Social Promotion Centers in each of Benin's 77 municipalities to provide basic social services to children, including trafficking victims. The government did not repatriate victims unless a safe reinsertion program, such as schooling,

vocational training, or an apprenticeship, had been arranged for each child in advance. Government officials did not follow procedures for identifying trafficking victims among women and children in prostitution. The government interviewed victims to gather evidence to prosecute traffickers, but did not encourage child victims to participate in trials to protect them from trauma, unless a judge ordered them to do so. Victims were not inappropriately incarcerated or fined for unlawful acts committed as a direct result of being trafficked.



Prevention

The Government of Benin sustained its trafficking prevention efforts through awareness-raising campaigns during the reporting period. In December 2008, the government finalized a two-year, donor-funded sensitization project it conducted in collaboration with a foreign government donor and UNICEF. Government officials made anti-trafficking presentations to educate communities in the northern part of the country. The project educated 177,850 people about trafficking. The Joint Nigeria-Benin Committee to Combat Child Trafficking met in November 2008 and drafted a 2008-2009 Joint Action Plan. While in 2007 the government completed a UNICEF-sponsored National Policy and Strategy for Child Protection that addresses child trafficking, and an ILO-funded five year national action plan to combat trafficking, neither plan has been implemented. Draft 2007 decrees to enact provisions of the 2006 child trafficking law regulating the movement of children remained stalled in a government review process. The government provided anti-trafficking awareness training to Beninese troops prior to their deployment abroad as part of international peacekeeping missions. The Government of Benin did not take steps to reduce the demand for commercial sex acts within Benin.

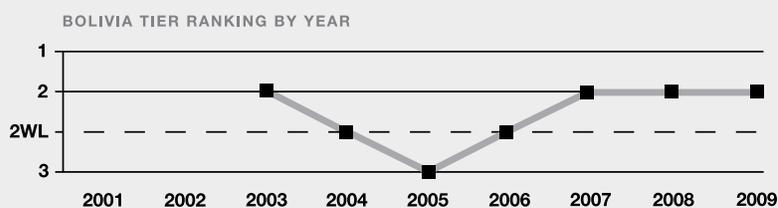
BOLIVIA (Tier 2)

Bolivia is principally a source country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. A large number of Bolivians are trafficked to Argentina, Brazil, Chile, Peru, Spain, and the United States for forced labor in sweatshops, factories, and agriculture. In a case discovered in May 2008, more than 200 Bolivian workers were trafficked to Russia for forced labor in the construction industry. Within the country, young Bolivian women

and girls are trafficked from rural to urban areas for commercial sexual exploitation. Members of indigenous communities are particularly at risk of forced labor within the country, especially on ranches, sugar cane, and Brazilian nut plantations. Bolivian children are trafficked internally for forced labor in mining, agriculture, and as domestic servants. Some reports indicate that parents have sold or hired out their children into farm labor exploitation near border areas with Peru. Weak controls along Bolivia's extensive borders make the country an easy transit point for undocumented migrants, some of whom may be trafficked.

The Government of Bolivia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant anti-trafficking progress last year by increasing law enforcement actions against trafficking offenders and maintaining prevention campaigns. The government continues to lag, however, in ensuring that victims have access to adequate protective services.

over the preceding year. Of these, 178 were forwarded for criminal prosecution; 114 remain in investigative status at the prosecutor's office; 47 are in different stages within the criminal courts; 10 have gone to trial and are pending final court adjudication; and seven have resulted in guilty verdicts, with two defendants being sentenced to three and seven years respectively. Such results demonstrate increased efforts from 2007, when the government secured five convictions against trafficking offenders. The majority of the government's anti-trafficking law enforcement efforts focused on the commercial sexual exploitation of children, though several cases dealt with allegations of forced labor. In a noteworthy case involving the trafficking of 255 Bolivian workers to Russia, eight officials of a Bolivian company involved in their recruitment, along with three Russian nationals, have been charged with trafficking for labor exploitation. The government operated four specialized anti-trafficking police units in La Paz, El Alto, Santa Cruz, and Cochabamba. Bolivian police stepped up brothel raids which resulted in the rescue of 215 children exploited in prostitution. This represents an increase in the number of victims rescued when compared to 2007 and a threefold increase since 2006. In September 2008, the government passed legislation to create a national database on human trafficking crime statistics, as well as a clearinghouse for information on missing children, some of whom may be trafficked. The new law also directs the national police to form specialized anti-trafficking units in each department of the country. No criminal investigations or prosecutions of public officials allegedly involved with trafficking-related activity were initiated last year, though some officials reportedly took bribes to facilitate the illegal movement of persons, including suspected human trafficking.



Recommendations for Bolivia: Continue to intensify anti-trafficking law enforcement efforts, particularly relating to allegations of forced labor of adults and children; increase victim services across the country; amend anti-trafficking laws to provide greater legal protections for victims; develop formal procedures for identifying victims among potential trafficking populations; and increase public awareness about the dangers of human trafficking, particularly among young Bolivians seeking work abroad.

Prosecution

The Government of Bolivia made strong efforts to investigate and prosecute trafficking crimes last year. The government prohibits all forms of human trafficking through Law 3325, an anti-trafficking law enacted in 2006, which prescribes penalties of eight to 12 years' imprisonment. The law contains aggravated penalties for trafficking offenses involving minors; organized criminal groups; and public employees responsible for protecting children. The law's prescribed penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes such as rape. The Bolivian national police investigated 229 cases involving human trafficking in 2008, which is a 49 percent increase

Protection

The Bolivian government sustained modest efforts to protect trafficking victims over the last year. Temporary and long-term services for victims remain unavailable, however, in many parts of the country, especially outside larger cities such as La Paz and Santa Cruz, which have small municipal shelters capable of caring for trafficking victims on a short-term basis. The government has no dedicated programs to assist the large numbers of Bolivians trafficked abroad and later repatriated to the country. The government generally encourages victims to assist with the investigation and prosecution of their traffickers. However, some trafficking victims reportedly have been jailed or otherwise penalized for unlawful acts committed as a direct result of being trafficked. The government lacks effective procedures for identifying trafficking victims among vulnerable populations such as prostituted women in brothels, and does not provide foreign trafficking victims with legal alternatives to deportation to countries where they may face hardship or retribution.

Prevention

The government sustained prevention and public awareness efforts by conducting anti-trafficking education campaigns directed primarily at school children, reaching approximately 3,000 students. The government also worked closely with NGOs, international organizations, and other governments, including the United States, on prevention activities. No efforts to reduce demand for commercial sex acts were reported during the year. Bolivian troops deployed with peacekeeping operations abroad receive human rights training, including information relating to the unlawful commercial sexual exploitation of minors.

BOSNIA AND HERZEGOVINA (Tier 2)

Bosnia and Herzegovina is primarily a source for women and girls trafficked within the country for commercial sexual exploitation, though it is also a destination and transit country for women and girls trafficked to Western Europe for the same purpose. Some victims from Serbia, Ukraine, Moldova, Romania, Iraq, and Russia are trafficked into Bosnia and Herzegovina via Serbia or Montenegro for commercial sexual exploitation. Internal trafficking continued to increase in 2008, as the majority of identified victims were Bosnian, and more than half of them were children. There were reports that some girls, particularly Roma, were trafficked for the purpose of forced marriage. Reports of Roma children trafficked for forced labor continued. Traffickers continued to force some victims to apply for asylum in order to keep their victims in the country legally.

The Government of Bosnia and Herzegovina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to provide funding to NGOs to protect and assist identified trafficking victims. However, some convicted trafficking offenders received suspended sentences. Moreover, the government failed to follow through on investigations of trafficking-related complicity initiated in 2006 and 2007.

Recommendations for Bosnia and Herzegovina:

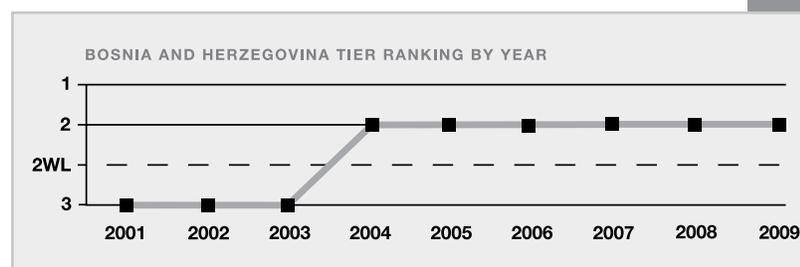
Vigorously investigate and prosecute all suspected acts of trafficking-related complicity; take steps to reduce the number of suspended sentences given to convicted traffickers; increase law enforcement training to ensure that standard operating procedures regarding trafficked children and victim referrals are implemented consistently throughout Bosnia; and train local officials to use available anti-trafficking legislation.

Prosecution

The Government of Bosnia and Herzegovina sustained moderate anti-trafficking law enforcement efforts in 2008. However, the government failed to vigorously address trafficking-related complicity, and some convicted

trafficking offenders continued to receive suspended sentences. The Government of Bosnia prohibits trafficking for sexual and labor exploitation through Article 186 of its criminal code, which prescribes penalties of up to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Local level entities in Bosnia often use "Enticement to Prostitution" laws to prosecute trafficking, which carry lesser penalties. In 2008, state and local level entities investigated a total of 94 suspected trafficking cases, 26 of which had been initiated during the preceding year. Out of the 34 traffickers prosecuted to conviction, state and local-level courts imposed prison sentences on 20 trafficking offenders. Sentences ranged from three months to six years' imprisonment. The remaining 14 convicted traffickers received suspended sentences.

There were continued reports of police and other officials' involvement in trafficking, including by willfully ignoring or actively protecting traffickers or exploiters of trafficking victims in return for payoffs. The government failed to adequately follow up on two previously reported investigations of official complicity in trafficking. A February 2006 investigation involving two State Border Police employees has not been completed. Similarly, a December 2007 case of the alleged involvement of three local officials in the forced prostitution of three children continues to be under investigation by the State Prosecutor's office. Although two of the nine officials accused of involvement in this case are in police custody, no official indictments have been made.



Protection

The government of Bosnia sustained its efforts to protect identified victims of trafficking in 2008. The government continued to delegate victim assistance services to six local NGOs that provided shelter and medical and psychological assistance to foreign and domestic victims. During the reporting period, the government committed \$22,400 for the care of domestic victims and allocated \$133,333 for assistance to foreign victims of trafficking. NGOs were required to apply for funding on a victim *per capita* basis. The government ensures that victims have access to shelter and services provided by NGOs, and it employed procedures for identifying and referring both foreign and domestic victims. Twenty-nine trafficking victims were identified in 2009, a decline from 50 identified in 2007 and 71 identified in 2006.

Twenty-two victims received assistance in Bosnian NGO shelters in 2008. Throughout the reporting period, the State Coordinator's Office organized training for prosecutors, social workers, and other ministries on standard operating procedures for children who are victims of trafficking; however, more training is needed to ensure these procedures are consistently implemented. The government encouraged victims to assist in the prosecution of traffickers. In 2008, approximately nine victims actually testified against their traffickers. The government provided legal alternatives to the removal of foreign trafficking victims to countries where they face hardship or retribution through the provision of short- and long-term humanitarian visas. In 2008, two trafficking victims received residence permits on humanitarian grounds. Police and border officers use a screening questionnaire to evaluate potential victims among vulnerable populations. Identified victims were not penalized for unlawful acts committed as a direct result of their being trafficked.

Prevention

The Government of Bosnia funded an NGO's operation of an anti-trafficking hotline throughout the reporting period, and the Office of the State Coordinator continued to coordinate and supervise an NGO-funded comprehensive campaign targeted at young people seeking employment abroad that included TV spots, billboards, and pamphlets. The government did not conduct any awareness campaigns specifically aimed at reducing demand for commercial sex acts or forced labor. The government continued to give specialized trafficking awareness training to Bosnian troops participating in international peacekeeping missions before deployment.

BOTSWANA (Tier 2)

Botswana is a source, transit, and, to a lesser extent, destination country for men, women, and children trafficked for the purpose of forced labor and sexual exploitation. Children are trafficked internally for domestic servitude and cattle herding, while women report being forced into commercial sexual exploitation at safari lodges. Botswana is a staging area for both the smuggling and trafficking of third-country nationals, primarily from Namibia and Zimbabwe, to South Africa. Zimbabweans are also trafficked into Botswana for forced labor as domestic servants. Residents in Botswana

most susceptible to trafficking are illegal immigrants from Zimbabwe, unemployed men and women, those living in rural poverty, agricultural workers, and children orphaned by HIV/AIDS. Parents in poor rural communities sometimes send their children to work for wealthier families as domestics in cities or as herders at remote cattle posts, where some of these children become victims of forced labor. Some women from Zimbabwe who voluntarily migrate to Botswana to work illegally are subsequently exploited by their employers for forced labor. Botswana families which employ Zimbabwean women as domestic workers at times do so without proper work permits, do not pay adequate wages, and restrict or control the movement of their employees by holding their passports or threatening to have them deported back to Zimbabwe.

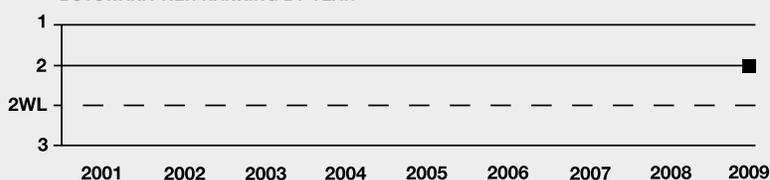
The Government of Botswana does not fully comply with minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. As this is Botswana's first year ranked in the Report and available information suggests that Botswana's trafficking problem is modest, Botswana is placed on Tier 2. The government, however, should address several serious deficiencies over the coming year. Although it began useful actions to prevent trafficking, the government did not make significant or sustained efforts to proactively identify victims or prosecute trafficking offenders.

Recommendations for Botswana: Draft and enact comprehensive legislation that specifically criminalizes the full range of trafficking offenses; train law enforcement and immigration officers to identify trafficking victims, especially among vulnerable populations such as women and children engaging in prostitution; institute and carry out formal procedures for proactively identifying victims; expand public awareness campaigns to educate residents on the nature and dangers of human trafficking; and keep detailed records of anti-trafficking efforts undertaken and their results.

Prosecution

The Government of Botswana made inadequate efforts to investigate and punish trafficking offenses over the last year. Botswana did not prosecute, convict, or punish any trafficking offenses during the past year. Although it does not have a comprehensive law prohibiting trafficking in persons, the Penal Code, through its sections 155-158 covering procurement for prostitution and sections 260-262 covering slavery, prohibits some forms of human trafficking. The sufficiently stringent penalties prescribed for offenses under these various laws range from seven to 10 years' imprisonment, and are commensurate with those prescribed for other serious crimes, such as rape. Evidence presented in three criminal cases currently being prosecuted suggests that the defendants may have engaged in trafficking. The defendants were originally investigated, arrested and charged for kidnapping, immigration, and fraudulent document offenses. Botswana shares its long and porous borders with five

BOTSWANA TIER RANKING BY YEAR



countries experiencing serious trafficking problems, yet only 10 investigators from the Immigration Department covered transnational trafficking and all other migration-related crimes. Immigration and law enforcement officials did not consistently differentiate between smuggling and trafficking, which continued to obscure the nature and extent of the trafficking situation in Botswana. The National Central Bureau of Interpol created a full time position for a desk officer who works exclusively on trafficking issues and education.

Protection

The government showed evidence of minimal but increasing efforts to protect victims of trafficking. Law enforcement and social services personnel have not established formal procedures to proactively identify victims or to refer victims for protective services. The Ministry of Labor is responsible for conducting inspections and monitoring for exploitative child labor, yet the Ministry did not conduct any such inspections or monitoring visits in the past year despite a national campaign to end child labor. The government funded and supported NGO programs that provided assistance and services to victims of general crimes which were accessible to any potential victims of trafficking. Botswana authorities, in partnership with another government in the region, assisted the safe repatriation of a trafficking victim to the victim's country of origin. Botswana's laws do not specifically protect victims of trafficking from prosecution for offenses committed as a direct result of being trafficked, but the government did not generally prosecute persons it believed to be victims of any crime.

Prevention

The government made moderate efforts to prevent trafficking in and through Botswana. It placed anti-trafficking education posters at all of its border posts and included trafficking awareness segments in some of its law enforcement training sessions. In 2008, the government approved a detailed national plan of action for the elimination of child labor, which is in its final stages of implementation. Two campaigns promoting an end to child labor, as mentioned above, raised awareness and educated both the public and relevant government agencies. Government representatives attended sessions with NGOs and religious organizations on the trafficking situations they had seen within the country, but the government took no action on the information. The government made only limited and indirect efforts to reduce the demand for commercial sex acts, largely through a broad HIV/AIDS awareness campaign.

BRAZIL (Tier 2)

Brazil is a source country for men, women, girls, and boys trafficked within the country and transnationally for the purpose of commercial sexual exploitation, as well as a source country for men and boys trafficked

internally for forced labor. The Brazilian Federal Police estimate that 250,000 to 400,000 children are exploited in domestic prostitution, in resort and tourist areas, along highways, and in Amazonian mining brothels. According to UNODC, sex trafficking of Brazilian women occurs in every Brazilian state and the federal district. A large number of Brazilian women and children, many from the state of Goias, are trafficked abroad for commercial sexual exploitation, typically to Spain, Italy, Portugal, and The Netherlands. Brazilian women and children also are trafficked for commercial sexual exploitation to neighboring countries such as Suriname, Guyana, French Guiana, Venezuela, and Paraguay. More than 25,000 Brazilian men are subjected to slave labor within the country, typically on cattle ranches, sugar-cane plantations, logging and mining camps, and large farms producing corn, cotton, soy, and charcoal for pig iron. Some boys have been identified as slave laborers in cattle ranching, mining, and the production of charcoal for pig iron. Slave labor victims are commonly lured with promises of good pay by local recruiters – known as *gatos* – in rural northeastern states to interior locations. A growing trend documented in an extensive NGO study released in early 2009 shows that approximately half of the more than 5,000 men freed from slave labor last year were found exploited on plantations growing sugar cane for the production of ethanol, electricity, and food. Moreover, slave laborers are increasingly being rescued from sugar-alcohol plantations, cattle ranches, and other sectors in states where agricultural borders are expanding into the Amazon forest and other new areas such as the Cerrado, the Atlantic Forest, and Pantanal. Domestic child servitude, particularly involving teenage girls, also was a problem in the country. To a lesser extent, Brazil is a destination for the trafficking of men, women, and children from Bolivia and Paraguay for forced labor in garment factories and textile sweatshops in metropolitan centers such as Sao Paulo. Child sex tourism remains a serious problem, particularly in resort and coastal areas in Brazil's northeast. Child sex tourists typically arrive from Europe and, to a lesser extent, the United States. In a newer trend, some arranged fishing expeditions to the Amazon were organized for the purpose of child sex tourism for European and American exploiters.

The Government of Brazil does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Last year the government sustained strong efforts to rescue victims of slave labor through mobile inspection operations in the Amazon and other remote locations, and improved coordination of law enforcement efforts to prosecute and punish traffickers for forced labor and sex trafficking crimes. However, government-provided shelter services and protections for some trafficking victims, particularly adult males and undocumented foreign victims, remained inadequate. Brazilian officials recognize human trafficking as a serious problem; the government's response has been strong but insufficient to eradicate the

phenomenon, especially in light of the large number of victims present in the country, in addition to the many Brazilians trafficked overseas.

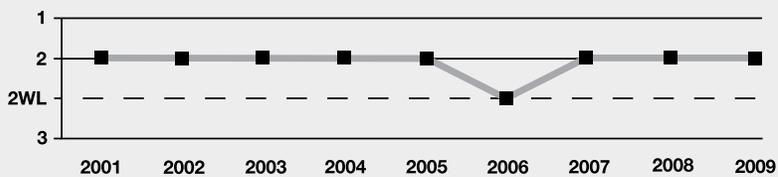
Recommendations for Brazil: Increase efforts to investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders, including public officials alleged to facilitate trafficking activity; continue to improve coordination on criminal slave labor cases between labor officials and federal prosecutors to hold exploiters accountable; continue to improve victim assistance and protection, especially for victims of slave labor who are vulnerable to being re-trafficked; consider increasing penalties for fraudulent recruiting crimes to more effectively target and punish unscrupulous recruiters of forced labor; and improve data collection.

are difficult to obtain. However, partial-year statistics for 2008 reported by the Federal Police indicate authorities opened 55 international sex trafficking investigations, filed 21 indictments and arrested 50 suspects. An additional two investigations and indictments were filed for internal sex trafficking crimes. Transnational cases investigated last year include trafficking of Brazilian women to Italy, Spain, Portugal, and Switzerland, in addition to trafficking of Paraguayan women to Brazil. Since March 2008, 22 defendants were convicted on sex trafficking charges, with sentences ranging from 14 months' to more than 13 years' imprisonment. Such results represent an increase when compared to seven sex trafficking convictions and two sentences achieved in 2007.

The government improved efforts to prosecute forced labor crimes last year, opening 64 federal investigations under Article 149. In March 2009, a federal judge in Pará state convicted and sentenced 22 defendants on slave labor charges, imposing sentences ranging from three to 10 years' imprisonment, in addition to fines. The court dismissed charges against 19 defendants, acquitted six defendants, and convicted an additional six defendants of lesser crimes. In a separate case in May 2008, a federal court in Maranhao sentenced a defendant to 11 years' imprisonment for reducing victims to slavery-like conditions; the defendant also was ordered to pay substantial amounts in owed wages to workers. These cases appear to be the first applications of a 2006 Supreme Court ruling, which required that all slave-labor complaints be heard in federal courts only, instead of in both federal and state courts as was the case previously. The Ministry of Labor's anti-slave labor mobile units increased the number of rescue operations conducted last year; the unit's labor inspectors continued to free victims, and require those responsible to pay fines and restitution to victims. In the past, mobile unit inspectors did not typically seize physical evidence or attempt to interview witnesses with the goal of developing a criminal investigation or prosecution; labor inspectors and labor prosecutors only have civil jurisdiction, and their anti-trafficking efforts were not coordinated with Public Ministry prosecutors, who initiate criminal cases in federal court. Federal interagency coordination and information exchange on anti-trafficking cases remained weak last year; achieving effective coordination among differing federal, state, and municipal authorities was considered more challenging.

The Ministry of Labor's "dirty list," which publicly identifies individuals and corporate entities the government has determined to have been responsible for slave labor, continued to provide civil punishment to those engaged in this serious crime, with the amount of monetary fines increasing along with violators being denied access to publicly funded credit sources. During the year, however, a number of individuals and corporate entities were able to avoid opprobrium by suing to remove their names from the "dirty list" or reincorporating under

BRAZIL TIER RANKING BY YEAR



Prosecution

The Brazilian government improved law enforcement efforts to confront human trafficking crimes during the past year. Brazilian laws prohibit most forms of trafficking in persons. Sections 231 and 231-A of the Brazilian penal code prohibit promoting or facilitating prostitution inside or outside of the country, prescribing penalties of three to eight years' imprisonment; sentences may be increased up to 12 years when violence, threats, or fraud are used. The above penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Labor trafficking is criminalized pursuant to Section 149 of the penal code, which prohibits *trabalho escravo* ("slave labor") – or reducing a person to a condition analogous to slavery – including by means of debt bondage, prescribing a sufficiently stringent penalty of two to eight years' imprisonment. However, Brazilian law may not adequately criminalize other means of non-physical coercion or fraud used to subject workers to forced labor, such as threatening foreign migrants with deportation unless they continued to work. Articles 206 and 207 prohibit the fraudulent recruitment or enticement of workers, internally or internationally, prescribing penalties of one to three years' imprisonment. A 2006 presidential decree included a stated goal to amend Brazilian anti-trafficking laws to achieve parity between penalties applied to sex trafficking and forced labor crimes; such amendments remain unrealized.

Comprehensive nationwide data on anti-trafficking investigations, prosecutions, convictions, and sentences

a different name. Although the government opened no formal investigations or prosecutions of trafficking-related complicity during the past year, credible NGO reporting indicated serious official involvement with such activity at the local level, alleging that police turned a blind eye to child prostitution and potential human trafficking activity in commercial sex sites. Past allegations have involved elected officials, as was the case with two aldermen from Pará alleged to be involved with a child prostitution network. Other reporting indicates that state police officials were involved in the killing or intimidation of witnesses involved in testifying against police officials in labor exploitation or forced labor hearings. Killings and intimidation of rural labor activists and labor union organizers continued, some of whom were active in fighting forced labor practices; some of these killings reportedly occurred with the participation or knowledge of state law enforcement officials. In one incident in February 2008, farmers in Mato Grosso, supported by local military police, fired shots on an anti-slave labor mobile inspection team. A few Brazilian legislators have sought to interfere with the operation of the labor inspection teams in the past.

Protection

The Brazilian government sustained efforts to provide trafficking victims with services during the year. The Ministry of Social Development provided generalized shelter, counseling, and medical aid to adult and child victims of sex trafficking, along with other victims of sexual violence and exploitation. The government also provided some funding to NGOs to furnish additional victim services. The federal Ministry of Justice, with assistance from UNODC, funded victim assistance centers in conjunction with state governments in Sao Paulo, Rio de Janeiro, Goias, and Cearas. In 2008, an assistance center was opened in Belem, capital of Pará state, to provide care and services to victims trafficked to and from Suriname. A national hotline for reporting incidents of child sexual abuse and exploitation, which includes reports of child sex trafficking and commercial sex exploitation, continued to register calls in 2008. Brazilian police continued to refer child sex trafficking victims to government-run shelters for care, though they did not utilize formal procedures to identify trafficking victims among other vulnerable populations, such as prostituted adult women in brothels. Labor inspectors and police officers who were members of the Ministry of Labor's anti-slave labor mobile units employed procedures to identify victims of forced labor. However, slave labor victims, typically adult Brazilian men, were not eligible for government-provided shelter assistance, though unemployment benefits, job training, and travel assistance were available. Short- or long-term government-provided shelter assistance was provided to women and children victims of trafficking, domestic violence, and other crimes, though some NGOs provided such aid to male victims. During the year, the Ministry of Labor's mobile units identified and freed 5,016 victims

of slave labor through 154 operations targeting 290 properties. Such results compare with 5,963 victims of forced labor freed through 114 operations targeting 203 properties in 2007. In a continuing and growing trend documented by an extensive NGO study released in January 2009, approximately half of the victims freed in 2008 were found on plantations growing sugar cane for Brazil's expanding production and export of ethanol, a biofuel, in addition to production of sugar cane for food use and electricity. In just 19 operations, mobile labor units rescued 2,553 victims from forced labor on sugar plantations, where workers can be subjected to high daily production and cutting quotas. However, government officials and researchers also found that while sugar cane production involves large numbers of workers, slave labor on Brazilian cattle ranches involves a higher degree of human exploitation, particularly in land- and forest-clearing activities. Last year, mobile inspection teams freed 1,026 slave workers from cattle ranches in 85 operations, marking it as the sector with the second highest number of victims freed from slave labor in Brazil. The Ministry of Labor awarded all slave labor victims a total of \$3.6 million in compensation as a result of these 2008 operations, funds which were derived from fines levied against the landowners or employers identified during the operations. However, due to lack of effective prosecutions of recruiters of slave labor, some rescued victims have been re-trafficked, according to NGOs.

The government encouraged sex trafficking victims to participate in investigations and prosecutions of trafficking, though victims often were reluctant to testify due to fear of reprisals from traffickers and corrupt law enforcement officials. The government did not generally encourage victims of forced labor to participate in criminal investigations or prosecutions. Some victims of sex trafficking were offered short-term protection under a witness protection program, which was generally regarded as lacking resources. The government did not detain, fine, or otherwise penalize identified victims of trafficking for unlawful acts committed as a direct result of being trafficked. However, the government does not provide foreign trafficking victims with legal alternatives to removal to countries where they may face hardship or retribution. Law enforcement personnel noted that undocumented foreign victims were often deported before they could assist with prosecutions against their traffickers.

Prevention

The Brazilian government increased efforts to prevent human trafficking last year. A national plan of action on human trafficking, which was released in early 2008, continued to be implemented. In particular, the Ministry of Justice named the first six winners of an annual cash prize for best anti-trafficking essays written by college and graduate students. Federal authorities generally maintained good cooperation with international organizations and NGOs on anti-trafficking activities.

The Ministry of Tourism continued its public radio and television campaign of “Quem ama, protege” (he who loves, protects) aimed at addressing child sexual exploitation in the tourism sector, and produced broadcast versions in several languages. The government took measures to reduce demand for commercial sex acts by conducting campaigns against the commercial sexual exploitation of minors along highways and during the 2009 Carnival holiday period. The Brazilian military uses the UN Peacekeeping Office’s anti-trafficking and forced labor training modules to train its troops for deployment to international peacekeeping missions.

BRUNEI (Tier 2)

Brunei is a destination country for men and women trafficked for the purpose of forced labor and commercial sexual exploitation. Brunei is mainly a destination country for men and women recruited from Indonesia, Malaysia, the Philippines, Pakistan, India, Bangladesh, the People’s Republic of China (PRC), and Thailand for domestic or low-skilled labor. A limited number of the 88,000 foreign workers in Brunei face poor labor conditions that amount to involuntary servitude. There were credible reports of a limited number of nationals from Asian countries working for little or no pay for up to two years to pay back foreign recruitment agents. Many of the 25,000 female domestic workers in Brunei were required to work exceptionally long hours without being granted a day for rest, creating an environment highly conducive to involuntary servitude. There were

victims of trafficking among vulnerable groups such as foreign workers and foreign women and children in prostitution; train law enforcement, immigration, and prosecutors on the use of the anti-trafficking law; and implement a visible anti-trafficking awareness campaign directed at employers of foreign workers.

Prosecution

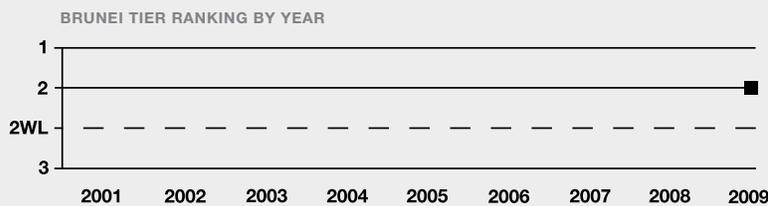
The government did not demonstrate significant anti-trafficking law enforcement efforts during the reporting period. The Government of Brunei prohibits sex and labor trafficking in its Trafficking and Smuggling Persons Order of 2004, which prescribes penalties of up to 30 years’ imprisonment – penalties that are sufficiently stringent and commensurate with penalties prescribed for other serious offenses; however, there have never been any prosecutions under this order. There were no trafficking cases investigated by Brunei authorities during the reporting period, and there were no complaints or allegations of trafficking filed. Foreign workers’ complaints of exploitation, such as contract switching and non-payment of salaries, are usually tried under the Labor Act, which carries administrative penalties. The Department of Labor regularly investigates foreign workers’ labor complaints such as job switching, salary deductions for recruitment fees, salary based on false promises, and high recruitment fees paid by the prospective employee – though it did not identify any cases of trafficking among them.

Protection

Brunei did not demonstrate significant efforts to protect and assist trafficking victims this year. While the Brunei Immigration Department questions foreign workers during immigration raids to identify possible trafficking victims, Brunei does not have a proactive, comprehensive system to formally identify victims of trafficking among vulnerable groups, such as foreign workers and foreign women and children in prostitution. Although immigration authorities actively identified violators of immigration law, the government did not identify any trafficking victims during the reporting period. Although it is illegal for employers in Brunei to withhold wages of their domestic servants for more than 10 days, a few families are known to withhold wages to compensate for recruitment fees they are charged by overseas recruitment agencies. Most labor laws apply only to citizens of Brunei, and currently fail to protect skilled and unskilled foreign workers from exploitation. While there are no foreign NGOs or international organizations in Brunei to provide victim support, the embassies of several source countries provide shelter, mediation, and immigration support services to their nationals, in coordination with the Brunei government.

Prevention

Brunei demonstrated limited prevention efforts during the reporting period. In 2008, the Brunei police ran an internal workshop for members of the anti-vice unit on



isolated instances of women forced into prostitution in Brunei, and there were also isolated reports that women arrested for prostitution attested to having been victims of trafficking.

The Government of Brunei does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government has laws to prosecute trafficking, it did not investigate, prosecute, or convict any offenders of trafficking during the reporting period. The government did not identify any victims of trafficking in 2008.

Recommendations for Brunei: Enforce the 2004 anti-trafficking in persons law by investigating and prosecuting sex trafficking and labor trafficking offenses and convicting and punishing trafficking offenders; adopt a proactive, comprehensive system to formally identify

how to identify trafficking victims. Law enforcement officials participate in several regional training programs on trafficking. The government provides arrival briefings for foreign workers, inspects worker facilities, and runs a telephone hotline for worker complaints. It is an offense under the Labor Act for any local agency to charge foreign workers recruitment fees or to withhold a salary to recoup foreign worker processing fees. Although the government forbade wage deductions to agencies or sponsors and mandated that employees receive their full salaries, foreign workers continued to pay high fees to overseas recruitment agents to obtain work in Brunei. During the reporting period, there were 135 complaints by foreign workers against employers who failed to pay salaries. Seventeen of the complaints by domestic workers and 73 of the complaints by workers in other fields were resolved, largely through mediation; the remaining complaints are still under investigation. The Government of Brunei has not conducted public awareness campaign programs on trafficking. Brunei has not ratified the 2000 UN TIP Protocol.

BULGARIA (Tier 2)

Bulgaria is a source, transit, and, to a lesser extent, a destination country for men, women, and children from Ukraine, Moldova, and Romania trafficked to and through Bulgaria to Germany, Belgium, France, Italy, Spain, Austria, Norway, the Czech Republic, Poland, Greece, Turkey, and Macedonia for the purposes of commercial sexual exploitation and forced labor. Ethnic Roma women and children remain highly vulnerable to trafficking. Children are trafficked within Bulgaria and to Greece and the United Kingdom for the purposes of forced begging and forced petty theft. Around 15 percent of identified trafficking victims in Bulgaria are children. Bulgarian women and some men are trafficked internally, primarily to resort areas along the Black Sea coast and in border towns with Greece, for the purposes of commercial sexual exploitation and forced labor.

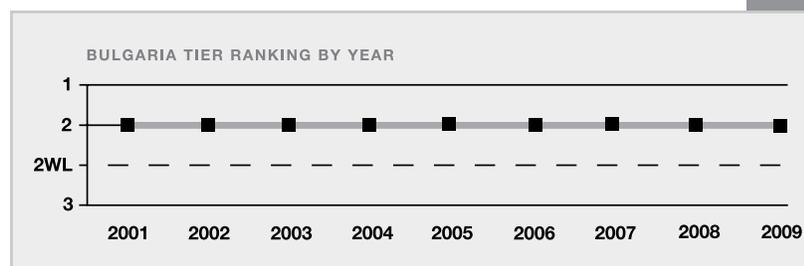
The Government of Bulgaria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2008, the government maintained strong efforts to investigate, prosecute, and convict trafficking offenders, targeting some of the leaders of trafficking networks. The government also doubled the number of government-run centers available to assist child trafficking victims and opened a new adult shelter in April 2009. The government generally maintained the number of traffickers sentenced to time in prison, but it did not prosecute public officials complicit in trafficking over the last year.

Recommendations for Bulgaria: Vigorously investigate, prosecute, convict, and punish government officials complicit in trafficking; continue efforts to investigate, prosecute, and convict trafficking offenders and ensure that a majority of convicted traffickers serve some time in prison; continue to increase the number of victims

referred by government officials for assistance; and continue to improve data collection and methods for assessing trafficking law enforcement statistics.

Prosecution

The Bulgarian government demonstrated strong anti-trafficking law enforcement efforts over the reporting period; however, it slightly decreased the number of traffickers sentenced to time in prison and it did not apply vigorously law enforcement measures to government officials complicit in trafficking. Bulgaria prohibits trafficking for both sexual exploitation and forced labor through Section 159 of its criminal code, which prescribes penalties of between one and 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In 2008, police conducted 187 sex trafficking and 25 labor trafficking investigations, compared to 179 sex trafficking and 22 labor trafficking investigations conducted in 2007. In 2008, authorities prosecuted 79 individuals for sex trafficking and eight for forced labor compared to 78 persons prosecuted in 2007. In 2008, a total of 69 trafficking offenders were convicted – 66 for sex trafficking and three for labor trafficking offenses – compared to 71 sex trafficking offenders and two labor trafficking offenders convicted in 2007. Twenty-five of the 69 traffickers convicted in 2008 served time in prison. Of those 25, twelve trafficking offenders were sentenced to up to three years' imprisonment, six were sentenced to three to five years' imprisonment, and seven were sentenced to five to 15 years' imprisonment.



There were continued reports of trafficking-related corruption during the reporting period. In autumn 2008, police arrested three municipal councilors in Varna for allegedly leading an organized human trafficking and money laundering group; the investigation was ongoing at the time of this report. In 2008, the government also investigated one police officer for complicity in trafficking. During the reporting period, the government closed its investigation launched in 2007 against a low-level border police officer allegedly involved in human trafficking. The Government of Bulgaria did not prosecute, convict, or sentence any government officials for trafficking during the reporting period.

Protection

The Government of Bulgaria increased its victim assistance and protection efforts during the reporting

period. The government increased available assistance for child victims of trafficking by boosting funding for the number of government-run child-crisis centers from three to six in 2008; these centers provided rehabilitative, psychological, and medical assistance to identified child victims of trafficking. Approximately 25 child trafficking victims were assisted in government shelters in 2008. The majority of adult victims were assisted by privately funded NGOs, although the government did provide limited in-kind assistance to some anti-trafficking NGOs. In 2008, the Varna local government provided facility space and the National Commission for Combating Trafficking in Persons (the Commission) allocated \$13,000 to renovate and establish an adult trafficking shelter in that city; the shelter was opened in April 2009. In 2008, the government identified 250 victims of trafficking, including 38 minors, and referred all of them for assistance, compared to 288 victims of trafficking identified in 2007. Approximately 80 victims were assisted by NGOs during the reporting period. All victims in Bulgaria were eligible for free medical and psychological care provided through public hospitals and NGOs. Victims were encouraged to assist in trafficking investigations and prosecutions; victims who chose to cooperate with law enforcement investigators were provided with full residency and employment rights for the duration of the criminal proceedings, although no victims requested temporary residency permits during the reporting period. Foreign victims who chose not to cooperate with trafficking investigations were permitted to stay in Bulgaria for one month and 10 days before they faced mandatory repatriation. In 2008, seven victims participated in the police witness protection program. Victims were generally not detained, fined, or otherwise penalized for unlawful acts committed as a direct result of their being trafficked.

Prevention

The Bulgarian government maintained its strong efforts to prevent trafficking during the reporting period. In June 2008, the commission organized a campaign that educated 1,385 students through movie viewings and brochures about the danger of trafficking while looking for summer employment and travel. In September 2008, the commission also produced and distributed 20,000 informational leaflets with movie tickets for a film about human trafficking. In October 2008, the government launched an awareness campaign in more than 3,000 schools across the country and distributed 125,000 information cards to students to raise awareness about the dangers of trafficking. A local anti-trafficking commission organized an exhibition of paintings produced by child victims of trafficking. In April 2009, Parliament amended Bulgaria's criminal code to punish clients of children in prostitution with up to three years' imprisonment.

BURKINA FASO (Tier 2)

Burkina Faso is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. Most victims are children trafficked within the country from rural areas to urban centers such as Ouagadougou and Bobo-Dioulasso for domestic servitude, sexual exploitation, and forced labor in gold mines and stone quarries, and the agriculture sector. Burkinabè children are also trafficked for the same purposes to other West African countries, most notably to Côte d'Ivoire, where many are subjected to forced agricultural labor, including on cocoa farms. Children are also trafficked from Burkina Faso to Mali, Benin, Nigeria, Niger and Togo, and Ghana. Burkinabè children are also trafficked to Mali for forced begging by religious teachers. In the past year, children were also trafficked from Burkina Faso to Sudan. Children from these West African countries are trafficked to Burkina Faso for the same purposes listed above. To a lesser extent, Burkina Faso is a source country for women lured to Europe with promises of jobs as maids, but who are forced into prostitution after arrival. Women from Nigeria, Togo, Benin, Ghana, and Niger reportedly are trafficked to Burkina Faso for forced labor in bars or for commercial sexual exploitation.

The Government of Burkina Faso does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Burkina Faso's law enforcement efforts improved with the passage of legislation prohibiting all forms of trafficking that supersedes a prior law that criminalized only child trafficking. The government also investigated and prosecuted an increased number of trafficking offenders, though sentences imposed on convicted traffickers remained low. Protection efforts remained solid.

Recommendations for Burkina Faso: Increase penalties imposed on convicted trafficking offenders; train police and government social workers to identify trafficking victims among women in prostitution; ensure that sex trafficking victims are not penalized under anti-prostitution laws; and increase efforts to raise awareness about trafficking.

Prosecution

The Government of Burkina Faso increased its law enforcement efforts to combat trafficking over the last year. In May 2008, the government passed Law 029-2008 on Combating Trafficking in Persons and Related Practices that prohibits all forms of trafficking and prescribes sentences of five years' to life imprisonment for those convicted of trafficking offenses. These penalties are sufficiently stringent and commensurate with those prescribed for rape. This law supersedes the nation's 2003 Law No. 038-2003 concerning the Definition of Child Trafficking which criminalized child trafficking and prescribed a maximum penalty of 10

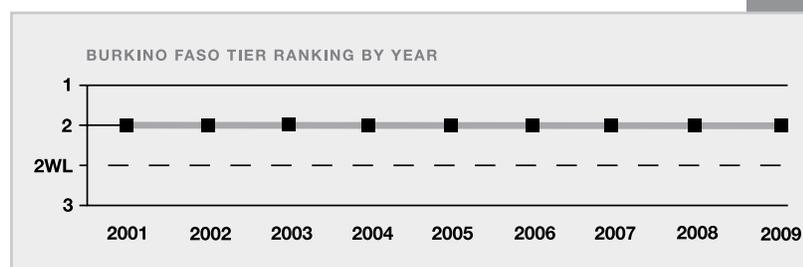
years' imprisonment. Burkina Faso's Penal Affairs Officer reported that in 2008, the government arrested 40 child trafficking suspects, 16 of whom were cleared of all charges and released, and 11 of whom were prosecuted, convicted, and given sentences of one to 12 months' imprisonment. Five of these traffickers were given sentences of far less than one year's imprisonment. Four traffickers received sentences of six months which the court considered completed at the time of sentencing due to lengthy pre-trial detention since 2007. An additional 13 suspects are awaiting trial. The government collaborated with international donors and NGOs to conduct anti-trafficking training for 165 lawyers, magistrates, security personnel, social workers, civil society activists, and local vigilance committee members throughout the country.

Protection

The Government of Burkina Faso demonstrated solid efforts to protect trafficking victims over the last year. Due to limited resources, the government did not provide services directly to victims. When government authorities identified victims, however, they ensured that they received access to necessary services by referring them to NGOs and international organizations. The Burkinabè government reported that between January and December 2008, its security forces and regional anti-trafficking surveillance committees intercepted approximately 691 Burkinabè and foreign child trafficking victims, 438 of whom were boys and 153 of whom were girls. Two hundred forty-five of these children were being trafficked from Burkina Faso to neighboring West African countries, while three of these were being trafficked to Sudan. The remaining children were victims of internal trafficking within Burkina Faso. All of these children received care at one of 23 transit centers jointly funded by the government and UNICEF. In 2008, the government contributed over \$54,000 to these centers. Assisted by donor-funding, government personnel helped to supervise the rehabilitation of 190 trafficking victims and helped to provide their families with micro-credit programs. After victims receive care at transit centers, the government coordinates the repatriation of foreign nationals with counterparts in the victims' countries of origin, processes these victims' travel documents, and collaborates with donors to ensure a safe return. Burkina Faso is a party to the ECOWAS-ECCAS 2006 anti-trafficking agreement and plan of action, through which officials in Burkina Faso in 2008 cooperated with counterparts in nearby countries to intercept and repatriate 248 West African child trafficking victims, including 51 girls. Police do not exhibit any systematic effort to identify trafficking victims among women and girls in prostitution. The government does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Nationals of ECOWAS states, including trafficking victims, however, may legally reside and work in Burkina Faso. Government officials encourage victims to assist in trafficking investigations or prosecutions.

Prevention

The Government of Burkina Faso continued trafficking prevention efforts over the last year. Government-operated media broadcast anti-trafficking and child labor radio and television programs, films, theater, and debates, often in collaboration with NGOs and reportedly targeting over 300,000 people during the year. In collaboration with NGOs and international organizations, the government held workshops and seminars for civil society groups and government officials on child trafficking, primarily on prevention, protection, rehabilitation, and reintegration. The government made a financial contribution to these workshops. The national action plan against trafficking, which the government adopted in 2007, has yet to be implemented due to lack of funding. In the last year, the National Anti-Trafficking Committee met twice. The government made no discernable efforts to reduce demand for forced and child labor in the country. The government took some steps to reduce demand for commercial sex acts in Burkina Faso by closing a number of brothels in Ouagadougou in July 2008.



BURMA (Tier 3)

Burma is a source country for women, children, and men trafficked for the purpose of forced labor and commercial sexual exploitation. Burmese women and children are trafficked to Thailand, the People's Republic of China (PRC), Bangladesh, India, Pakistan, Malaysia, and South Korea for commercial sexual exploitation, domestic servitude, and forced labor. Some Burmese migrating abroad for better economic opportunities wind up in situations of forced or bonded labor or forced prostitution. Burmese children in Thailand are subjected to conditions of forced labor as hawkers, beggars, and for work in shops, agriculture, fish processing, or other small-scale industries. Women are trafficked to China for forced marriage and to Malaysia and China for commercial sexual exploitation. Men and women are trafficked to Thailand and Malaysia for forced labor. Some trafficking victims transit Burma from Bangladesh to Malaysia, and from the PRC to Thailand and beyond.

Trafficking within Burma is a significant phenomenon. Villagers from rural areas move to urban centers and economic hubs along the borders with Thailand and China for labor in industrial zones and agricultural

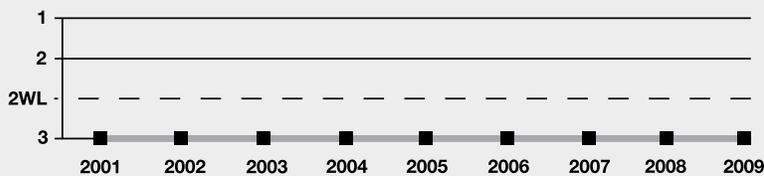
estates, and are trafficked into conditions of forced labor and commercial sexual exploitation. Trafficking in girls for the purpose of prostitution persisted as a major problem, particularly in urban areas. Burma is a destination country for child sex tourism. Government and military use of forced labor remained widespread, reportedly targeting members of ethnic minority groups. Urban poor and street children in Rangoon and Mandalay are at risk of involuntary conscription as child soldiers by the Burmese junta. Thousands of children are forced to serve in Burma's national army as desertions of men in the army rise. Some children were threatened with jail if they did not agree to join the army. Poor villagers in rural regions must provide *corvee* labor on demand as a tax imposed by authorities. Ethnic insurgent groups also used compulsory labor of adults and engaged in the unlawful recruitment of child soldiers. After Cyclone Nargis devastated Burma in May 2008, there were anecdotal reports of trafficking of cyclone victims to other parts of Burma and to neighboring countries. There was also a dramatic increase in the number of unverified reports of forced labor, including of children, and trafficking in persons after the cyclone. The military junta's gross economic mismanagement, human rights abuses, and its continued widespread use of forced labor are among the top causal factors for Burma's significant trafficking problem.

Recommendations for Burma: Criminally prosecute military and civilian officials responsible for forced labor and the conscription of child soldiers; improve efforts to cease the practice of forced labor of Burmese citizens by civilian and military entities; continue to increase prosecutions and convictions for internal trafficking; continue collaboration in addressing forced labor and sex trafficking with international NGOs and international organizations in a transparent and accountable manner; complete development and implementation of formal victim identification and referral procedures to identify victims of trafficking; undertake additional initiatives to prevent trafficking, such as instituting a public awareness campaign to warn at-risk populations of the dangers of trafficking; and focus more attention on internal trafficking of females for commercial sexual exploitation.

Prosecution

The Burmese junta demonstrated a degree of progress to combat transnational trafficking throughout the past year. There were limited efforts to investigate or prosecute cases of internal trafficking. While the government administratively punished perpetrators of some trafficking crimes, criminal punishment remained weak. Burma prohibits sex and labor trafficking through its 2005 Anti-Trafficking in Persons Law, which prescribes criminal penalties that are sufficiently stringent and commensurate with those prescribed for rape. Military recruitment of children under 18 is prohibited by Armed Forces Notification number 13/73 from 1974, but the military has not criminally prosecuted under the Penal Code those who recruit child soldiers, instead reportedly sanctioning them with administrative penalties. The government also failed to criminally punish civilian or military perpetrators of forced labor. Laws prohibiting child prostitution were also not enforced effectively. The Burmese junta rules arbitrarily through its unilaterally imposed laws, but rule of law is absent, as is an independent judiciary that would respect trafficking victims' rights and provide fair justice. The Burmese regime reported that it investigated and prosecuted 127 cases of trafficking, identifying and convicting 342 suspected traffickers in 2008. However, court proceedings are not open and lack due process for defendants. In the past, data claimed to represent trafficking in persons issues has often included individuals caught trying to leave Burma without permission. While the Burmese regime has been known to conflate irregular migration with trafficking, leading to the punishment of consensual emigrants and those who assist them to emigrate, during the reporting period, the police made some efforts to exclude smuggling cases from human trafficking figures. If persons are internally trafficked for labor by a high-level official or well-connected individual, the police can be expected to self-limit their investigations, even if no political pressure has been overtly employed. Burmese law enforcement officers joined PRC counterparts to jointly investigate 11 cross-border trafficking cases. The

BURMA TIER RANKING BY YEAR



In some areas, including in particular the international trafficking of women and children for commercial sexual exploitation, the Government of Burma is making significant efforts. Available data indicated an increase in law enforcement efforts in 2008, a considerable increase in budget allocation for anti-trafficking activities, and the establishment of three anti-trafficking police units. Overall, however, serious problems remain, and in some areas, most notably in the area of forced labor, the Government of Burma is not making significant efforts to comply with the minimum standards for the elimination of trafficking, warranting a ranking of Tier 3. Specifically, military and civilian officials remain directly involved in forced labor and the unlawful conscription of child soldiers, with reported cases of child soldiers increasing annually. Furthermore, the regime has not yet adequately addressed the phenomena of trafficking for commercial sexual exploitation and labor exploitation within the country.

Ministry of Home Affairs continued to maintain that there was no complicity of regime officials in trafficking; however, corruption among local government officials was widespread, and officials frequently engage in corrupt practices with impunity. During the year, the regime reported two officials were prosecuted for their involvement in trafficking cases, and sentenced to three years in prison. The Ministry of Labor in 2008 issued licenses to 108 companies to recruit workers for overseas jobs. Since 2008, the Ministry of Labor cancelled the licenses of 14 companies for legal violations. In 2008, the ILO Liaison Officer accepted 64 formal complaints and submitted all of them to the Burmese government for action. In 2008, the government did not criminally prosecute any cases of forced labor; instead, it dismissed one civilian administrative official who subjected others to forced labor, reprimanded seven others, and reprimanded 21 military officials for subjecting others to forced labor. Three of the 64 cases referred by the ILO are still pending.

Protection

The Burmese regime made some efforts to protect repatriated victims of cross-border sex trafficking, but exhibited limited efforts to protect victims of forced labor and internal sex trafficking exploited within Burma's borders. Over the past year, the Burmese government reportedly assisted 232 victims, 133 of whom were identified and repatriated by the Thai government, 98 of whom were identified and repatriated by PRC authorities, and one who was identified by Jamaican authorities. The government reportedly identified 14 Chinese women and girls who were being trafficked into Thailand for sexual exploitation. The Burmese regime does not have in place formal victim identification procedures to identify victims of trafficking among vulnerable groups. In forced labor cases, victims were sometimes harassed, detained, or otherwise penalized for making accusations against the officials who subjected them into forced labor. In the past, the junta has filed charges against those who assist claimants of forced labor, including their legal counsel and witnesses, though no such cases were reported during the year. Such harassment and punishment discourages others from coming forward to report abuses. Burmese and foreign trafficking victims stayed in government-run shelter facilities for up to one month before being returned to their home communities. The regime does not provide legal assistance to victims. The government encourages internationally trafficked victims to assist in investigations and prosecutions. The government extended for an additional year the 2007 Supplementary Understanding on Forced Labor, which establishes a mechanism for forced labor complaints and provides protections for those who reported cases to the ILO. In 2008, the junta showed some cooperation with international organizations on the issue of the military's conscription of children, resulting in the return of 21 children to their families. However, the regime did not permit UNICEF access to children who were released for

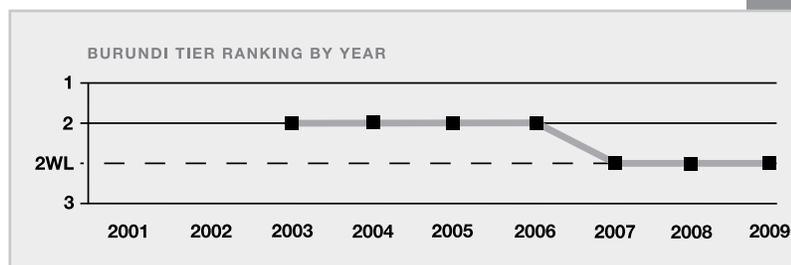
follow-up purposes. Although the recruiting officers were sanctioned with administrative punishments, the military has not criminally prosecuted the perpetrators of child soldier recruitment under applicable Burmese law.

Prevention

The government increased efforts to prevent international trafficking in persons, but made only limited efforts to address the trafficking that occurs within the country's borders. The National Police conducted 238 awareness campaigns reaching over 25,000 people. The Burmese junta reported that it significantly increased spending in 2008 on anti-trafficking efforts, including prevention, educational awareness, funding of additional anti-trafficking police, and protection efforts. Police officials established three new anti-trafficking units, including two in the Irrawaddy Delta in an attempt to deter trafficking cases. The government also established an anti-trafficking office within the Border Liaison Office along the Burma-China border in Kachin State. During the year, the government worked with an NGO and the UN to train officials on differences between smuggling and trafficking, and about Burma's trafficking law and its enforcement. The Ministry of Home Affairs in collaboration with an international organization conducted awareness raising campaigns at bus terminals, targeting drivers, merchants, ticket sellers, and local police. The government posted billboards and notices at hotels aimed at tourists to warn about trafficking.

BURUNDI (Tier 2 Watch List)

Burundi is a source country for children trafficked for the purposes of child soldiering, domestic servitude, and commercial sexual exploitation. The rebel faction National Liberation Force (FNL) remained the only armed group not to have fully implemented a ceasefire agreement with the government, and it continued to unlawfully recruit and exploit children as fighters, manual laborers, and logistical support throughout the majority of the reporting period; the FNL appeared to cease child recruitment in early 2009 after the commencement of the formal demobilization process. Generally, child soldiers and other children were identified, separated from the adults at the demobilization camps and pre-assembly areas, and returned to their homes early to mid-2009. FNL rebels reportedly forced



rural populations to perform uncompensated labor, such as transporting supplies or weapons, during the reporting period. Some Burundian children are also trafficked within the country for domestic servitude and commercial sexual exploitation. While there is little evidence of large-scale child prostitution, “benevolent” older females offer vulnerable younger girls room and board within their homes, and eventually push them into prostitution to pay for living expenses; extended family members reportedly also financially profit from the commercial sexual exploitation of young relatives residing with them. Male tourists from Oman and the United Arab Emirates exploit Burundian girls in prostitution; parents reported six cases of such liaisons to the police during the reporting period. Burundian girls are also trafficked to Kenya, Malawi, and Uganda for commercial sexual exploitation. Human trafficking of Burundian adults and children with albinism to Tanzania for the forcible removal of body parts may occur; so-called Tanzanian traditional healers seek various body parts of persons with albinism for traditional medical concoctions commonly purchased to heal illness, foster economic advancement, or hurt enemies.

The Government of Burundi does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall significant efforts, the government did not show evidence of progress in prosecuting human trafficking offenses and punishing trafficking offenders over the last year; therefore, Burundi is placed on Tier 2 Watch List.

Recommendations for Burundi: Utilize the anti-trafficking provisions of the newly passed criminal code amendments to prosecute and convict trafficking offenders; establish an official process for law enforcement and social welfare officials to interview potential trafficking victims and refer them for assistance; take steps to remove children trafficked into prostitution and domestic servitude and provide them with protective services; launch a nationwide anti-trafficking public awareness campaign; and provide training on human trafficking to new police and border guards.

Prosecution

The government’s anti-trafficking law enforcement efforts were limited during the reporting period. Article 241 of the Burundian Constitution prohibits slavery and its criminal code outlaws forced labor and kidnapping. During the November 2008 legislative session, the National Assembly approved amendments to the criminal code that, among other things, prohibit human trafficking and prescribe sentences of five to ten years’ imprisonment; the amendments do not, however, provide a clear definition of human trafficking. The draft amendments were subsequently considered by Burundi’s Senate, and signed into law by the president in April 2009. The revised criminal code, however, prescribes no explicit penalties for forced labor or slavery, and penalties

of five to 10 years’ imprisonment for kidnapping. Sex trafficking crimes can be punished using statutes on brothel-keeping and pimping, which prescribe penalties of one to five years’ imprisonment. The existing penalties are sufficiently stringent but not commensurate with those prescribed for other serious offenses. Nevertheless, there were no investigations, prosecutions, or convictions for trafficking under these statutes during the reporting period. The National Police’s Brigade for the Protection of Women and Children provided counseling for girls detained for engaging in prostitution before releasing them to their parents. Additionally, after receiving citizen complaints, it investigated house-based brothels where children were allegedly exploited; there was no known punishment of brothel operators during the reporting period. Victims’ families lodged three cases of forced prostitution with police in 2008; the investigations are pending.

Protection

The government provided minimal assistance to trafficking victims during the reporting period. Fighting between the government and the FNL intensified in April 2008, making negotiations for the release of child soldiers increasingly urgent yet difficult. The Executive Secretary of the National Commission for Demobilization, Reinsertion and Reintegration played a prominent role in the negotiations. As a result, 220 child soldiers were identified at the Randa “dissident” camp in May 2008 and released to officials from the United Nations, the African Union, and the Government of Burundi. With UNICEF funding, the Commission’s staff provided medical check-ups for children suffering from physical and psychological trauma and conducted searches for their families; the former child soldiers were reunited with their families in June and July after parents signed a discharge form. The government attempted to follow up on the status of demobilized children, but was hindered by a lack of resources to operate outside of Bujumbura, where the majority of these demobilized child soldiers now reside. The government did not, however, undertake programming to care for or rehabilitate female children associated with the FNL. There are currently no children at Randa or Buramata “dissident” camps for rebel elements seeking demobilization, but the existence of children in Rubira, the FNL assembly area, was reported during 2008.

The government did not, however, provide protective services to victims of any other category of human trafficking during the reporting period, or show evidence of implementing procedures to identify such victims of trafficking or refer them to organizations that provide protective services. The government did not encourage victims to participate in investigations or prosecutions of trafficking offenders, nor did it ensure that victims were not inappropriately incarcerated or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked.

Prevention

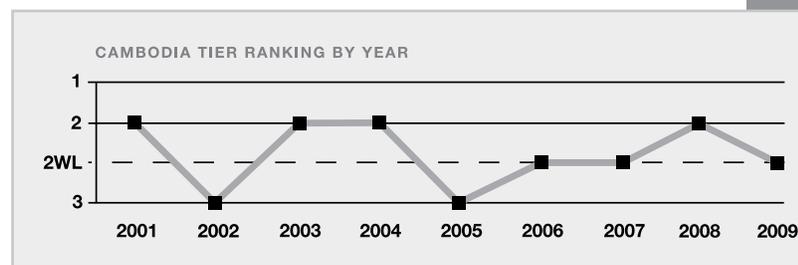
The government's efforts to prevent trafficking remained lackluster. A poor understanding of human trafficking among government officials, particularly the police, continued to be an impediment to effective intervention. In June 2008, the government sent officials from the Ministry of Justice, the Supreme Court and the National Crime Bureau to Dar es Salaam for a meeting of regional security and judicial officials to draft a Regional Action Plan to Prevent and Combat Human Trafficking in Eastern Africa. The Ministry of Labor conducted no child labor inspections or investigations in 2008. During the year, the Ministry of National Security and Human Rights, in conjunction with the National DDR Commission and with production assistance from an international NGO, sponsored radio spots that aired four times each week to educate citizens about topics such as human trafficking and violence against women. The government did not undertake efforts to reduce demand for commercial sex acts during the reporting period. The pre-deployment training for four battalions of Burundian peacekeepers participating in the African Union's Mission to Somalia, provided by two foreign governments, included a curriculum that created awareness and discouraged acts of trafficking and sexual exploitation. Burundi has not ratified the 2000 UN TIP Protocol.

CAMBODIA (Tier 2 Watch List)

Cambodia is a source, transit, and destination country for men, women, and children trafficked for the purpose of commercial sexual exploitation and forced labor. Women and girls are trafficked to Thailand and Malaysia for exploitative labor as domestic workers and forced prostitution. Some Cambodian men migrate willingly to Thailand and Malaysia for work and are subsequently subjected to conditions of forced labor in the fishing, construction, and agricultural industries. Cambodian men and women repatriated from Malaysia report experiencing conditions of forced labor after migrating there for work with the assistance of Cambodian labor recruitment companies. Cambodian children are trafficked to Thailand and Vietnam to beg, sell candy or flowers, or shine shoes. Parents sometimes sell their children into involuntary servitude to serve as beggars, into brothels for commercial sexual exploitation, or into domestic servitude. Within Cambodia, children are trafficked for forced begging, waste scavenging, salt production, brick making, and quarrying.

In Cambodia, a significant proportion of female victims of trafficking for prostitution are ethnic Vietnamese, some of whom were born in Vietnam. Some Cambodian and ethnic Vietnamese women and girls are trafficked internally to areas in Phnom Penh, Siem Reap, and Sihanoukville for forced prostitution in brothels and karaoke bars. NGO and media reports indicated that internal sex trafficking of women and girls from ethnic minority groups and of ethnic Vietnamese is an

increasing problem. The sale of virgin girls continues to be problematic in the country, with foreign (mostly Asian) and Cambodian men paying \$800 to \$4,000 to have sex with virgins. Cambodia is a destination country for foreign child sex tourists, with increasing reports of Asian men traveling to Cambodia in order to have sex with underage virgin girls. Some Cambodian women who migrated to Taiwan as a result of brokered international marriages may have been subsequently subjected to conditions of forced prostitution or forced labor.



The Government of Cambodia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall efforts, the government did not show evidence of progress in convicting and punishing human trafficking offenders – including complicit public officials – and protecting trafficking victims; therefore, Cambodia is placed on Tier 2 Watch List. After enactment of a law that included anti-trafficking provisions in February 2008, the government obtained the convictions of 12 trafficking offenders and initiated 71 trafficking prosecutions over the last year, a significant decrease from 52 convictions obtained during the previous reporting period. The government also failed to prosecute and convict officials involved in trafficking-related complicity, despite a high prevalence of trafficking-related corruption in Cambodia. Efforts to protect and assist victims did not improve during the reporting period, and victims continued to be detained and punished for acts committed as a direct result of being trafficked, including for prostitution. During 2008, there were reports of prostituted women being detained and physically abused by police and Ministry of Social Affairs Veterans and Youth Rehabilitation (MOSAVY) officials.

Recommendations for Cambodia: Train law enforcement and other government officials to place greater emphasis on enforcing the human trafficking provisions in the February 2008 law; significantly improve the number of prosecutions, convictions, and punishments of trafficking offenders; substantially improve efforts to prosecute offenders; criminally punish public officials complicit in trafficking; hold labor recruiting agencies criminally responsible for labor trafficking induced by fraudulent recruitment; improve interagency cooperation and collaboration, particularly between government officials and law enforcement officers working on trafficking; increase efforts to proactively identify victims

of trafficking among vulnerable groups such as foreign women and children arrested for prostitution; institute procedures to ensure that victims are not arrested, incarcerated, or otherwise punished for acts committed as a direct result of being trafficked; and conduct a public awareness campaign aimed at reducing demand by the local population and Asian visitors for commercial sex acts.

Prosecution

The Government of Cambodia demonstrated uneven law enforcement efforts to combat trafficking during the last year. The February 2008 law on the Suppression of Human Trafficking and Commercial Sexual Exploitation covers a wide variety of offenses with 12 out of its 30 criminal articles explicitly addressing human trafficking offenses. Cambodian law prohibits all forms of trafficking and prescribes penalties that are sufficiently stringent and commensurate with penalties for other grave crimes, such as rape. Under the new law, the government initiated 71 prosecutions of human trafficking offenders during the reporting period. Because the new law covers a wide range of offenses, not all government officials have appeared to distinguish between the law's articles on trafficking offenses and non-trafficking crimes such as prostitution, pornography, and child sex abuse. As a result, law enforcement has focused on prostitution-related crimes, and many police, courts, and other government officials appear to believe that enforcing all prostitution articles of the law contributes to efforts to combat trafficking. Following the passage of the law, Cambodian police conducted numerous raids on brothels, and detained a large number of women in prostitution, while failing to arrest, investigate or charge any large number of persons for human trafficking offenses. Moreover, the detained females in prostitution may have included some trafficking victims, though police made few attempts to identify, assist, or protect them. The Phnom Penh Municipal Court handed down convictions of 11 trafficking offenders and initiated prosecutions of 22 offenders in 2008, compared to 52 convictions in 2007. During the reporting period, some Cambodian courts charged trafficking offenders with less serious offenses that carry shorter punishments. The Cambodian police reported that they arrested 41 trafficking perpetrators during the reporting period. However, police did not always follow through on NGO investigations into entertainment establishments in Phnom Penh, Siem Reap, and Sihanoukville allegedly involved in trafficking. Some observers continued to report the general inability of law enforcement and other government officials to act on trafficking leads. The Ministry of Interior provided training to some police officers on the new Law on the Suppression of Human Trafficking and Sexual Exploitation. There were reports of Cambodian migrant workers falling victim to trafficking due to the exploitative conditions in destination countries, such as Malaysia. The government did not report any prosecutions or convictions of labor recruitment companies that were

allegedly involved in labor trafficking. From April 2008 to November 2008, the government banned all marriages of Cambodians to foreigners out of concern that some Cambodian women were vulnerable to trafficking, and subsequently implemented new regulations in an attempt to prevent trafficking through international marriages.

Corruption is pervasive in Cambodia and it is widely believed that many individuals, including police and judicial officials, are both directly and indirectly involved in trafficking. Some local police and government officials are known to extort money or accept bribes from brothel owners, sometimes on a daily basis, in order to allow the brothels to continue operating. Citing a lack of evidence, the Phnom Penh Municipal Court in September 2008 dismissed the case of the former President of Cambodia's Appeals Court, who had been removed from her position in 2007 for reportedly accepting \$30,000 for the release of two brothel owners who had been previously convicted for trafficking offenses. The brothel owners were later re-arrested and remain in jail. The former Appeals Court President has since been appointed to a staff-level government position and remains under investigation. During the reporting period, two immigration police officers were removed from their positions for corruption and it remains unclear if they were allowed to assume other positions. There were no officials prosecuted or convicted for trafficking-related complicity.

Protection

The Government of Cambodia did not improve efforts to protect victims of trafficking during the reporting period. The government did not operate trafficking shelters or provide any specialized assistance to trafficking victims. The government continued to refer victims to NGO shelters, but did not itself offer further assistance. Vietnamese victims are the only known foreign victims in Cambodia, and they are provided temporary residence in NGO shelters with legal, educational, and counseling services while awaiting repatriation, although there are a limited number of NGO shelters with the ability to provide proper care for Vietnamese victims, due to a lack of foreign language capabilities. While some of the detained females in prostitution were assisted by NGOs, others were reportedly turned over by police to brothel owners or parents, and subsequently returned to brothels. There were also reports that some police officers and guards working at the two Ministry of Social Affairs Veterans and Youth Rehabilitation (MOSAVY) rehabilitation centers raped, beat, and extorted women rescued in the raids. The Law on the Suppression of Human Trafficking and Sexual Exploitation contains no provisions to protect trafficking victims in general. Victims were encouraged by police to participate in investigations and prosecutions of traffickers, though conditioning by brothel owners and pimps, as well as credible fears of retaliation from traffickers, and police corruption in some cases continue to hinder victim testimony. Police, court officials, and judges often failed

to separate victims from perpetrators during raids, detention, and trials. Foreign pedophiles sometimes succeeded in paying off victims or their families to cease cooperation with law enforcement or NGOs. The government did not provide witness protection to victims, including those participating in the prosecution of their traffickers. In a Sihanoukville trafficking case, a suspected pedophile and his girlfriend – a suspected trafficker – were released from prison on bail, and subsequently threatened the families of the victims and demanded the victims be returned to them. Although victims had the opportunity to file civil suits and seek legal action against their traffickers, most did not have the resources to do so. In 2008, MOSAVY placed 101 Cambodian victims who reportedly had been trafficked to Thailand at a jointly-operated MOSAVY-IOM Transit Center in Poipet. MOSAVY reported that a total of 505 victims of sex trafficking were referred to them by local police; according to UNIAP sources, many of these 505 individuals were women voluntarily in prostitution, and not trafficking victims.

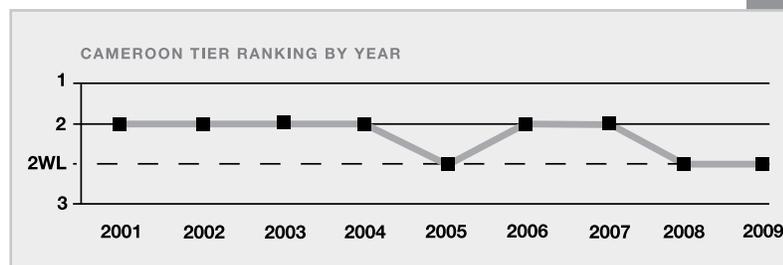
Prevention

The Government of Cambodia demonstrated limited efforts to prevent trafficking over the last year. The government conducted some public awareness campaigns aimed at reducing the significant demand for child prostitution generated by Cambodian and other Asian pedophiles. In March 2008, the National Task Force on trafficking launched a nationwide anti-trafficking campaign and a national dialogue on trafficking via public forums in five provinces across Cambodia that continued into July 2008. The forums also served to inform communities of the new Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation, forms of trafficking, and new trafficking trends. The Ministry of Tourism continued collaboration with an NGO on advertisements in tourist brochures warning of the penalties for engaging in child sex tourism, and also continued to hold workshops for hospitality industry owners and staff on how to identify and intervene in cases of trafficking and commercial sexual exploitation of children by tourists. The government secured the convictions of six foreigners who sexually abused Cambodian children, though during the year, there were two reported cases of prison sentences of foreign pedophiles being suspended, including one Russian pedophile who fled the country while on bail after spending six months in pre-trial detention. Cambodian forces participating in peacekeeping initiatives abroad received training on trafficking in persons prior to deployment.

CAMEROON (Tier 2 Watch List)

Cameroon is a source, transit, and destination country for women and children trafficked for the purposes of

forced labor and commercial sexual exploitation. Most victims are children trafficked within the country, with girls primarily trafficked for domestic servitude and sexual exploitation. Both boys and girls are also trafficked within Cameroon for forced labor in sweatshops, bars, restaurants, on tea and cocoa plantations, in mines, and for street vending and possibly for forced begging. Authorities report that within the country some parents loan their child for monetary compensation for forced labor in domestic service, street vending, or prostitution. Children are trafficked to Cameroon from Nigeria, Chad, the Central African Republic, Congo, Benin, and Niger for forced labor in agriculture, fishing, street vending, and spare-parts shops. Children from Mali are trafficked to Cameroon by religious instructors for forced begging. Cameroon is a transit country for children trafficked between Gabon and Nigeria, and from Nigeria to Saudi Arabia. It is a source country for women transported by sex trafficking rings to Europe, primarily France, Germany, and Switzerland. Reports indicate that traditional religious leaders may subject individuals to hereditary slavery practices rooted in ancestral master-slave relationships in some northern chiefdoms.



The Government of Cameroon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall efforts, the government did not show evidence of progress in prosecuting and punishing trafficking offenders or protecting victims; therefore, Cameroon is placed on Tier 2 Watch List. While Cameroon pursued some trafficking investigations, the government reported no prosecutions or convictions and victim protection efforts remained weak.

Recommendations for Cameroon: Increase efforts to prosecute and convict trafficking offenders; educate police, judges, lawyers, and social workers about the law against child trafficking; finalize and enact the draft law criminalizing the trafficking of adults; investigate reports of hereditary slavery in the Northern Province; and develop and implement formal procedures through which law enforcement and victim protection officials may systematically identify trafficking victims among vulnerable populations and refer them for care.

Prosecution

The Government of Cameroon demonstrated minimal efforts to combat trafficking through law enforcement

means during the last year. Cameroon does not prohibit all forms of trafficking, though it criminalizes child trafficking and slavery through its 2005 Law Combating Child Trafficking and Slavery, which prescribes a penalty of 20 years' imprisonment – a punishment that is sufficiently stringent. Article 2(3) of Cameroon's Labor Code prohibits forced labor, prescribing an inadequate penalty of \$100 to \$3,000 in fines. The government's 2006 draft law prohibiting trafficking has yet to be finalized and approved. Penal Code Article 346 criminalizes procuring, aiding, facilitating, or profiting from the prostitution of a child less than 16 years of age. This article prescribes a punishment of one to ten years' imprisonment and a fine, which is sufficiently stringent and commensurate with penalties for rape. The government did not report any prosecutions or convictions of trafficking offenders during the year, though it reported that it investigated three trafficking cases, one of which was conducted jointly with Beninese authorities, and arrested one suspect in September 2008. Three suspects arrested in January 2008 for allegedly trafficking seven children have not yet been prosecuted. A suspect arrested in December 2007 for trafficking a child who died in his custody remains out on bail. A Yaounde court in 2008 held hearings on six additional trafficking cases derived from arrests made in 2007; the cases remain pending in the court system. The government did not investigate traditional leaders in the Northern Provinces suspected of keeping hereditary servants in conditions of involuntary servitude. The Ministry of Justice in November 2008 opened a pilot data center as part of its effort to develop a computerized system for the collection of trafficking crime data. The database is expected to be operational by 2012. In October 2008, the National Commission on Human Rights and Freedoms jointly funded with the UN an anti-trafficking seminar for law enforcement officers and magistrates on strategies for investigating and prosecuting trafficking offenses.

Protection

The Government of Cameroon demonstrated weak efforts to protect trafficking victims over the last year. The government did not operate trafficking victim shelters, but rather referred victims to NGOs providing shelter and other victim services. The government reported that its nine centers for vulnerable children and additional centers for street children were accessible to trafficking victims. Authorities did not follow systematic procedures for identifying trafficking victims among vulnerable populations, such as street children, women in prostitution, and illegal immigrants. As a result, some victims may have been inappropriately incarcerated or fined for unlawful acts committed as a direct result of being trafficked. Officials identified 18 suspected trafficking victims during the year and provided care to 15 of them at a government center for abandoned and orphaned children until Beninese officials repatriated them to Benin. The government referred one trafficking victim to his country's consulate in Cameroon and

another to an NGO for care. In September 2008, Cameroonian officials cooperated with Nigerian counterparts to repatriate a 12-year-old Nigerian girl who had been trafficked to Cameroon for forced domestic labor. The government encouraged victims to assist in trafficking investigations and prosecutions, though as noted earlier, there were no reported prosecutions during the year. The government provided foreign victims with temporary residency status until they were repatriated. It did not, however, provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution.

Prevention

The Government of Cameroon continued its efforts to prevent trafficking during the year. To commemorate the Day of the African Child in June 2008, Cameroon organized a children's National Assembly session at which child Parliamentarians passed a resolution calling for the creation of structures to care for trafficking victims. Government radio and television broadcast anti-trafficking messages. The Cameroonian government briefed troops on anti-trafficking issues and related norms of behavior before they were deployed on international peacekeeping missions. In collaboration with the ICRC, the government also organized seminars for military and police leadership to keep them updated on these international anti-trafficking norms. Cameroon has not finalized or adopted its draft national plan of action against trafficking. An existing inter-ministerial anti-trafficking committee did not meet during the past year. The government made no discernable efforts to reduce demand for forced labor or demand for commercial sex acts during the year.

CANADA (Tier 1)

Canada is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Canadian women and girls, many of whom are aboriginal, are trafficked internally for commercial sexual exploitation. Foreign women and children, primarily from Asia and Eastern Europe, are trafficked to Canada for commercial sexual exploitation, but victims from Africa, Latin America, and the Caribbean also have been identified. Many trafficking victims are from Thailand, Cambodia, Malaysia, Vietnam, China, South Korea, the Philippines, Russia, and Ukraine. Asian victims tend to be trafficked more frequently to Vancouver and Western Canada, while Eastern European and Latin American victims are trafficked to Toronto, Montreal, and Eastern Canada. NGOs report that Canada is a destination country for foreign victims trafficked for labor exploitation; some labor victims enter Canada legally but then are subjected to forced labor in agriculture, sweatshops, or as domestic servants. A significant number of victims, particularly South Korean females, transit

Canada en route to the United States. Canada also is a source country for child sex tourists, who travel abroad to engage in sex acts with minors. Canada is reported to be a destination country for sex tourists, particularly from the United States.

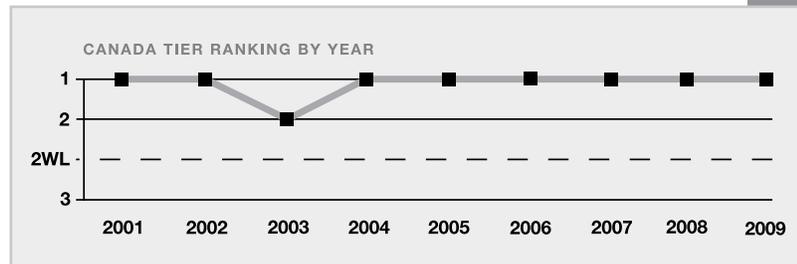
The Government of Canada fully complies with the minimum standards for the elimination of trafficking. During the past year, the Canadian government maintained strong victim protection and prevention efforts, and demonstrated modest progress in prosecuting and punishing trafficking offenders, securing five trafficking-specific convictions during the past year. Law enforcement personnel, however, reported difficulties with securing adequate punishments against offenders.

Recommendations for Canada: Intensify efforts to investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders; increase use of proactive law enforcement techniques to investigate trafficking cases, including allegations of labor trafficking; increase efforts to investigate and prosecute Canadians suspected of committing child sex tourism crimes abroad; provide greater protection and services for foreign trafficking victims; improve coordination among national and provincial governments on law enforcement and victim services; and improve data collection.

Prosecution

The Government of Canada demonstrated progress in law enforcement actions against human traffickers last year, securing the convictions of five offenders under specific human trafficking provisions of the Criminal Code passed in 2005, marking the first convictions under these newer sections of the law. Section 279.01 of the Canadian Criminal Code prohibits most forms of human trafficking, prescribing a penalty of up to 14 years' imprisonment. Such penalties are sufficiently stringent and commensurate with those for other serious crimes, such as sexual assault. Section 118 of Canada's Immigration and Refugee Protection Act, enacted in 2002, prohibits transnational human trafficking, prescribing a maximum penalty of life imprisonment and a \$1 million fine. Section 279.02 of the Criminal Code additionally prohibits a defendant from receiving a financial or material benefit from trafficking, prescribing up to 10 years' imprisonment. Withholding or destroying a victim's identification or travel documents to facilitate human trafficking is prohibited by Section 279.03, punishable by up to five years in prison. Section 279.04(a) defines "exploitation" for purposes of the trafficking offenses as conduct which reasonably causes a victim to provide a labor or service because they believe their safety, or the safety of a person known to them, is threatened. Provincial governments secured the convictions of five offenders under trafficking-specific laws during the reporting period, obtaining sentences ranging from two to eight years' imprisonment. An additional 12 anti-trafficking prosecutions were pending before provincial courts as of late April 2009, involving

15 accused offenders. This compares to 2007, when provincial governments obtained the convictions of three defendants for trafficking-related crimes under other laws; and 2006, when provincial governments achieved five trafficking-related convictions. While the majority of cases prosecuted in 2008 involved domestic sex trafficking, the government reported ongoing investigations of cases involving forced labor crimes and sex trafficking crimes involving foreign victims. NGOs criticize the government's law enforcement investigation efforts for not being proactive, particularly in terms of searching for victims and trafficking activity, especially in the labor exploitation context, since many foreign victims appear to enter Canada legally and are seldom identified when passing through immigration. Moreover, Canada's law enforcement efforts reportedly suffer from a lack of coordination between the national government, and provincial and local authorities, which prosecuted most human trafficking cases. Last year the Royal Canadian Mounted Police (RCMP) maintained anti-trafficking training efforts, and there were no reports of trafficking-related complicity by Canadian officials.



Protection

The government maintained protections for trafficking victims during the reporting period. Victim support services in Canada are generally administered at the provincial level. While each province or territory provides services for crime victims, including trafficking victims, they follow different models, sometimes leading to an uneven provision of services. However, most jurisdictions provided access to shelter services, short-term counseling, court assistance, and specialized services, such as child victim witness assistance and rape counseling. Canada funded domestic NGOs, in addition to a national Victim's Fund, which made money available to NGOs to fill in gaps in services for crime victims, including trafficking victims. Some NGOs and faith-based organizations have urged greater government support for trafficking victims, arguing that they have provided most victims, especially foreign trafficking victims, with shelter and services without government assistance. Undocumented foreign trafficking victims in Canada may apply for a temporary resident permit (TRP) to remain in the country. Fifteen trafficking victims received TRPs last year. During a 180-day reflection period, immigration officials determine whether a longer residency period of up to three years

should be granted. Victims also may apply for fee-exempt work permits. TRP holders have access to essential and emergency medical care, dental care, and trauma counseling. However, some NGOs report difficulties with foreign trafficking victims securing TRPs and gaining access to services; some foreign trafficking victims reportedly elected to apply for refugee status instead of a TRP, claiming more secure benefits and an immigration status with which immigration officials appeared more familiar. Victims' rights are generally respected in Canada, and victims are not penalized for crimes committed as a direct result of being trafficked, though some NGOs have reported that some foreign trafficking victims have been arrested and deported without first being identified as victims. Canadian authorities encourage but do not require trafficking victims to participate in investigations and prosecutions of trafficking offenders. The government provided formal court assistance, in addition to the use of closed circuit television testimony and other victim-sensitive approaches to facilitate victims furnishing evidence. The provinces of Quebec, Ontario, British Columbia, and Manitoba have established witness protection programs, but data is not available on the number of trafficking victims who have utilized this service. Law enforcement, immigration, and consular officials receive specialized training to identify trafficking victims.

Prevention

The government maintained strong anti-trafficking prevention efforts last year. The RCMP continued to conduct widespread awareness-raising activities, reaching approximately 4,000 civil society members, in addition to distributing anti-trafficking materials to law enforcement. The federal government partnered with the Canadian Crime Stoppers Association to launch a national awareness campaign encouraging the public to report suspected cases of human trafficking to a national toll-free hotline. The government funded a national charitable organization to pursue leads about suspected child predators on the Internet. The federal government provided a grant to the Assembly of Manitoba Chiefs to combat trafficking of aboriginal women and children. The Canadian immigration agency provided pamphlets and information to temporary foreign workers, including live-in caregivers, to let them know where to seek assistance in case of exploitation or abuse, as well as to recipients of "exotic dancer" visas — which have been used to facilitate trafficking in the past — to inform them of their rights. Last year Canadian officials issued 14 exotic dancer permits, down from 15 in 2007 and 22 in 2006.

Canada is a source country for child sex tourists, and the country prohibits its nationals from engaging in child sex tourism through Section 7(4.1) of its Criminal Code. This law has extraterritorial application, and carries penalties up to 14 years in prison. Since 1997, approximately 110 formal charges have been filed against Canadians suspected of sexually exploiting children in foreign countries. Last year the Canadian government

obtained the convictions of two offenders for sexually abusing young orphans in Haiti; the defendants were sentenced to two and three years' imprisonment. Canada's Department of Foreign Affairs distributes a publication entitled "Bon Voyage, But..." to warn Canadians traveling abroad about penalties under Canada's child sex tourism law. The federal Interdepartmental Working Group on Trafficking in Persons is coordinating with British Columbia's Office to Combat Trafficking In Persons, the Vancouver Police, and the Vancouver Olympic Committee to incorporate anti-trafficking measures into the Olympics' broader security plan. The RCMP has six regional human trafficking awareness coordinators across the country including one based in Vancouver responsible for maintaining relationships with law enforcement and other partners. The RCMP recently updated its outreach and awareness materials, and is providing a human trafficking tool-kit to law enforcement officers across the country. Canada's Department of National Defense follows NATO policy on combating trafficking in persons, and provides anti-trafficking information to Canadian military forces prior to their deployment on international peacekeeping missions.

THE CENTRAL AFRICAN REPUBLIC (Tier 2 Watch List)

The Central African Republic (CAR) is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. The majority of victims are children trafficked within the country for sexual exploitation, domestic servitude, forced ambulant vending, and forced agricultural, mine, market, and restaurant labor. To a lesser extent, children are trafficked from the CAR to Cameroon, Nigeria, and the Democratic Republic of Congo (DRC), for the same purposes listed above. Children may also be trafficked from Rwanda to the CAR. In addition, rebels conscript children into armed forces in the northwestern and northeastern regions of the country. Unable to survive as hunters and gatherers because of depleted forests, Pygmies are subjected to forced agricultural labor by Central African villagers. Authorities in the CAR have a limited awareness of trafficking, and none of the nation's young, but developing, civil society organizations has an anti-trafficking focus. No comprehensive trafficking analysis has been conducted and little concrete data exists. A study released in 2008 by UNICEF and the Government of the CAR on violence linked to child labor, however, reveals that forced child labor is widespread. In addition, a 2005 UNICEF study on child sexual exploitation found over 40 sex trafficking cases in Bangui and four of the country's provinces. UN reports in the last year indicate that self-defense militias, some of which are supported by the government, recruited child soldiers.

The Government of the Central African Republic does not fully comply with the minimum standards for

the elimination of trafficking; however, it is making significant efforts to do so, despite extremely limited resources, internal conflict, and instability caused by unrest in neighboring Sudan, Chad, and the DRC. The government demonstrated its nascent commitment to combating trafficking through law enforcement means by securing the convictions of three men for trafficking a three-year-old girl. In collaboration with UNICEF, the government collected data on violence linked to child labor and released a study in 2008 indicating a significant incidence of forced child labor in the country. Despite these overall significant efforts, the government did not show evidence of progress in enacting its 2006 draft law against trafficking – which has yet to be presented to the National Assembly – or in protecting victims of trafficking; therefore, the CAR is placed on Tier 2 Watch List.

Recommendations for the CAR: Pass and enact the 2006 anti-trafficking law; develop procedures through which police and social workers may identify trafficking victims among vulnerable populations – such as females in prostitution, abandoned and street children, and Pygmies – and train police and social workers to implement these procedures; end the practice of jailing children who are victims of sex trafficking; provide care to children in commercial sexual exploitation and forced labor, in collaboration with NGOs and the international community as appropriate; and increase overall efforts to educate the public about the dangers of trafficking.

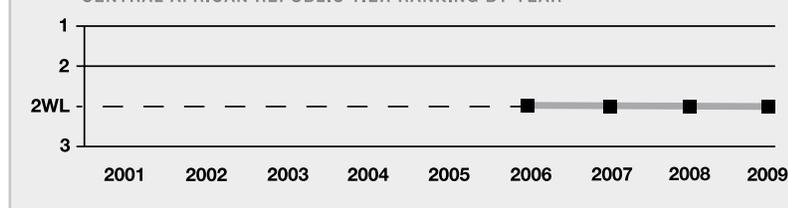
Prosecution

The Government of the CAR demonstrated some increased law enforcement efforts to combat trafficking during the last year. Central African law does not prohibit all forms of trafficking in persons. A 2006 draft comprehensive anti-trafficking law awaits Cabinet approval before being sent to the National Assembly for vote. In January 2009, the government enacted Labor Code Articles seven and eight which prohibit forced labor and bonded labor, prescribing a sufficiently stringent penalty of five to 10 years' imprisonment. The Central African Penal Code criminalizes the procurement of individuals less than 15 years old for prostitution, prescribing penalties of one to five years' imprisonment and/or a fine. These penalties are sufficiently stringent and commensurate with those prescribed for rape, although a fine alone would not be. In 2008, using kidnapping laws, the government convicted a Nigerian man to two years' imprisonment for attempting to sell a three-year old Guinean girl in 2007. The perpetrator's two accomplices were sentenced to one year and six months' imprisonment, respectively. Due to budget limitations, the government does not provide specialized anti-trafficking training to government officials on how to investigate and prosecute trafficking cases. Labor inspectors and other law enforcement officials report that they lack the resources to address trafficking crimes.

Protection

The Government of the CAR continued weak efforts to protect trafficking victims over the last year. Government officials continued to travel with UNICEF into the interior of the country to identify, rescue, and demobilize child soldiers conscripted by rebels. Due to a paucity of resources, the government does not operate a trafficking victim shelter. The government refers destitute children older than four to local NGOs for care; some of these children could be trafficking victims. Otherwise, the government did not report referring any trafficking victims to NGOs for care. Two NGOs reported that the Ministry of Social Affairs sometimes provided training on general youth issues, but could not confirm that this included trafficking. In December 2008, the Minister of Defense assisted UNICEF's efforts to release children from a self-defense militia conscripting child soldiers. The Ministry put UNICEF in contact with the militia leader, who agreed to cooperate with UNICEF to release children. The Central African government did not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. The government does not implement formal procedures to identify trafficking victims among vulnerable populations such as abandoned children, street children, or females in prostitution. In some cases, police jail children found in prostitution for up to a month and then released them, rather than providing them with rehabilitation and reintegration care. The government does not encourage victims to assist in trafficking investigations or prosecutions.

CENTRAL AFRICAN REPUBLIC TIER RANKING BY YEAR



Prevention

The Government of the CAR continued modest efforts to prevent trafficking during the reporting period. The government released the results of a joint government-UNICEF study on violence associated with child labor in the CAR. The Ministry of Statistics assisted in analyzing the data collected. The government established an Inter-Ministerial Committee to Combat Child Exploitation during the last year. In June 2008, as part of its African Children's Day celebration, the government conducted awareness-raising activities about trafficking through television and radio broadcasts. In October 2008, the CAR government participated in a three-day seminar hosted by with the Central African Human Rights Observatory and a foreign donor entitled "Raising Awareness of the New Forms of Slavery in the CAR." The event produced

the “Bangui Declaration” of recommendations to the government and other stakeholders for the eradicating of trafficking in the country. The government lacked funding to implement a national action plan to prevent child sexual abuse, including trafficking, that it had adopted in 2006. A second anti-trafficking action plan adopted in 2007 also remains unimplemented. The government did not take any measures to reduce the demand for commercial sex acts.

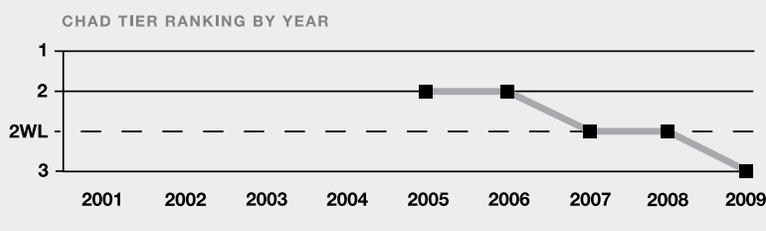
CHAD (Tier 3)

Chad is a source, transit, and destination country for children trafficked for the purposes of forced labor and commercial sexual exploitation. Most trafficked children are subjected to domestic servitude, forced begging, forced labor in cattle herding, fishing, and street vending, and for commercial sexual exploitation. A 2005 UNICEF study on child domestic workers, including those in domestic servitude, in Ndjamen found that 62 percent were boys. Young girls sold or forced into marriage are forced by their husbands into domestic servitude and agricultural labor. Chadian children are also trafficked to Cameroon, the Central African Republic, and Nigeria for cattle herding. Children may also be trafficked from Cameroon and the Central African Republic to Chad’s oil producing regions for sexual exploitation. The Chadian National Army, Chadian rebel groups, and village self-defense forces conscript Chadian child soldiers. Sudanese children in refugee camps in eastern Chad are forcibly recruited into armed forces by Sudanese rebel groups, some of which are backed by the Chadian government.

soldiers and allow inspections of Chadian army camps; collaborate with NGOs and international organizations to care for trafficking victims; and increase efforts to raise awareness about trafficking.

Prosecution

The Government of Chad demonstrated insufficient efforts to combat trafficking through law enforcement means during the reporting period. While Chadian law does not prohibit all forms of trafficking in persons, Title 5 of the Labor Code prohibits forced and bonded labor. While the prescribed penalty for this crime, a fine of approximately \$325-\$665, is considered significant by Chadian standards, it fails to prescribe a sufficient penalty of incarceration. The 1991 Chadian National Army Law also prohibits the Army’s recruitment of individuals below the age of 18. A joint government-UNICEF plan to develop by 2007 a Child Code of laws that includes anti-trafficking provisions has proceeded slowly since 2004. The government did not report any prosecutions or convictions for trafficking offenses during the year. In June 2008, nine suspected traffickers were arrested, all of whom were later released. In June 2008, and the deputy prefect of Goundi arrested an additional six village chiefs suspected of selling children as cattle herders. The suspects were released after paying a fine. In 2008, a UNICEF study on children trafficked for cattle herding reported that the government had not taken legal action against an employer of a child cattle herder who died as a result of the employer’s abuse. A local newspaper reported that two children were rescued after being found in chains and forced to beg by a religious leader in Massaguet. The government has taken no legal action against the teacher. Media sources, however, indicated that in 2008, the government arrested a mother and father for selling their six-year girl into domestic servitude. To date, the parents have not been prosecuted. The judiciary remained crippled by the small number of judges in the country – only 150 – and their lack of basic technology to record and process cases through the criminal justice system. Law enforcement officials and labor inspectors also reported that they lack the basic means, such as transportation, to investigate trafficking cases. Some local authorities in Mandoul use intermediaries to recruit child herders, some of whom are trafficking victims. Although officials have raised the problem with the Ministry of Justice, the government has not initiated any investigations into this alleged complicity.



The Government of Chad does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Although the Chadian government faces resource constraints, it has the capacity to conduct basic anti-trafficking law enforcement efforts, yet did not do so during the last year. It showed no results in enforcing government policy prohibiting recruitment of child soldiers. Civil conflict and a heavy influx of Sudanese and Central African refugees continued to destabilize the country.

Recommendations for Chad: Pass and enact its draft law prohibiting child trafficking and criminalize the trafficking of adults; increase efforts to prosecute and punish trafficking offenders under related laws; fulfill June 2008 promises to the UN to release child

Protection

The Government of Chad demonstrated weak efforts to protect trafficking victims during the last year. The government did not operate shelters for trafficking victims due to limited resources. Although the government has a formal system in place through which government officials may refer victims to NGOs or international organizations for care, it provided no information on the number of victims it referred to such organizations last year. The government provided some of the materials

for specific vocational training projects, such as tools for carpentry, as part of a UNICEF trafficking victim vocational training program. In response to a June 2008 visit from the UN Special Representative for Children in Armed Conflict, the Chadian government pledged to release more than 60 children who had been unlawfully conscripted for service in armed groups and who were in detention and agreed to inspections of its Army's camps to ensure that children were not being exploited. UNICEF access to Chadian Army camps and detention centers has been limited, however, and no children have been demobilized since November 2008. However, UNICEF reported that in 2008, prior to November, it demobilized 56 children. The government contributed some funding to a safe house used in UNICEF's child soldier demobilization effort. The government did not provide legal alternatives to the removal of foreign victims to countries where they faced hardship or retribution. Rescued victims were not inappropriately incarcerated or fined for unlawful acts committed as a direct result of being trafficked.

Prevention

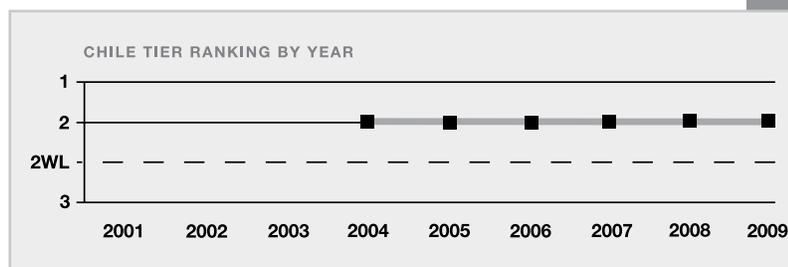
The Government of Chad took some steps efforts to raise awareness of trafficking during the last year. In June 2008, on the Day of the African Child, the government collaborated with NGOs and international organizations by contributing some funding to raise awareness about children trafficked for forced cattle herding. During the last year, the government radio broadcast campaigns to educate parents about religious teachers who exploit their students for their labor. The Ministry of Social Action annually updates its action plan with recommended activities to combat trafficking. The government and UNICEF co-released a report in 2008 on the worst forms on child labor, including trafficking, in Chad. A 2005 Ministry of Justice order to bring Chadian law into conformance with international child labor norms has not progressed to the Presidency for signature. The Chadian government did not take steps to reduce the demand for forced labor, including the demand for conscripted child soldiers, or the demand for commercial sex acts. Chad has not ratified the 2000 UN TIP Protocol.

CHILE (Tier 2)

Chile is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and labor trafficking. Within the country, many victims are Chilean women and girls who respond to false job offers and subsequently are subjected to forced prostitution. Chilean women and girls also are trafficked for involuntary prostitution and labor exploitation to neighboring countries such as Argentina, Peru, and Bolivia, as well as Western Europe. Foreign women from Argentina, Bolivia, Peru, Colombia, and Paraguay, in addition to Asian countries such as China, are lured to Chile with fraudulent job offers

and subsequently coerced into prostitution or domestic servitude. Foreign victims of labor trafficking, primarily from Bolivia, Peru, Colombia, Ecuador, and China, have been identified in Chile's mining and agricultural sectors. Trafficking victims, including children, are lured to Chile with false promises of pay and benefits. Some Chinese nationals are consensually smuggled through Chile en route to Mexico, Brazil, and the United States; some fall victim to human trafficking.

The Government of Chile does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Last year, the government maintained law enforcement, protection, and prevention efforts to combat human trafficking. Chilean authorities, however, reported difficulties with prosecuting certain trafficking crimes – particularly allegations of labor trafficking and the internal trafficking of adults – due to statutory gaps in Chile's anti-trafficking laws, in addition to overcoming challenges with securing stringent punishments against trafficking offenders.



Recommendations for Chile: Enact anti-trafficking legislation to prohibit all forms of human trafficking; intensify law enforcement efforts against trafficking offenders, especially labor trafficking offenders; and continue to strengthen victim protection efforts, particularly for foreign trafficking victims.

Prosecution

The Government of Chile maintained law enforcement efforts against traffickers during the reporting period. Chilean law does not prohibit all forms of human trafficking, though it criminalizes transnational movement of persons for commercial sexual exploitation through Article 367 of its penal code. Penalties prescribed under this statute range from three to 20 years of imprisonment, depending on whether aggravated circumstances exist. Such penalties are sufficiently stringent and are commensurate with those for other grave crimes, such as rape. In practice, however, because sentences of less than five years are often suspended in Chile, and the minimum penalty for rape is five years and a day, individuals convicted of rape typically receive jail time whereas trafficking offenders often do not. The government's anti-trafficking statutory framework does not criminalize labor trafficking or the internal trafficking of adults; law enforcement officials report difficulties with investigating and prosecuting these allegations. Anti-

trafficking legislation, originally proposed in 2002, passed the Senate in June 2008, and is now being reviewed by the Senate's Human Rights and Constitutional Commissions. Between April and December 2008, the government opened 104 trafficking-related investigations, and obtained 10 convictions with sentences ranging from fines to 30 months' imprisonment. Two convictions involved the fraudulent recruitment of Chilean women into prostitution in Spain. In 2008, the government increased anti-trafficking training, and the public prosecutor's office held an international summit in Santiago to promote international cooperation on anti-trafficking law enforcement. There were no reports of government complicity with trafficking activity.

Protection

The Government of Chile maintained efforts to assist trafficking victims over the last year. The government provides child victims of sex trafficking with specialized services, and furnished nearly \$2 million in such assistance at 14 centers nationwide last year. These non-residential centers had capacity to assist 684 children and adolescents, and they referred victims to NGO shelters when necessary. For adults, the government operated a witness protection program which assisted sex trafficking victims, in addition to victims of other abuses and violent crime. Adult trafficking victims are referred to NGOs and shelters, where they can receive medical care, psychological counseling, and support. Police are trained to utilize victim-sensitive interviewing techniques such as two-way mirrors so victims can identify a suspected exploiter without fear of retribution, and video-recording equipment to minimize multiple victim interviews. Chilean authorities encouraged victims to assist in the investigation and prosecution of their traffickers. Foreign sex trafficking victims may remain in Chile during legal proceedings against their exploiters, and can later apply for residency status. These victims may still face deportation to their country of origin once legal proceedings are finished, if they are not granted residency status. The government does not have a formal system of identifying trafficking victims among vulnerable populations, such as prostituted women. Foreign labor trafficking victims usually are not identified as trafficking victims or provided with assistance before being deported. The government provides funding to anti-trafficking NGOs, and works with foreign governments and IOM to ensure the safe repatriation of victims.

Prevention

The government increased prevention efforts during the reporting period by conducting anti-trafficking education and outreach campaigns through a variety of media. The government also continued awareness-raising projects with NGOs and international organizations. Through law enforcement efforts targeting "clients" of child prostitution, the government endeavored to reduce demand for commercial sex acts, convicting and sentencing five defendants for purchasing sex with a

minor. The government also conducted a public awareness campaign, called "There is No Excuse," warning how commercial sex with a minor is a crime in Chile. Chilean troops departing for international peacekeeping duties attended mandatory pre-deployment training on trafficking in persons and human rights. The government made no discernable efforts, however, to prevent labor trafficking.

CHINA (Tier 2 Watch List)

The People's Republic of China (PRC) is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Although the majority of trafficking in the PRC occurs within the country's borders, there is also considerable trafficking of PRC citizens to Africa, other parts of Asia, Europe, Latin America, the Middle East, and North America. Women are lured through false promises of legitimate employment and forced into commercial sexual exploitation largely in Taiwan, Thailand, Malaysia, and Japan. PRC women and men are smuggled throughout the world at great personal financial cost and then forced into commercial sexual exploitation or exploitative labor to repay debts to traffickers. Women and children are trafficked to China from such countries as Mongolia, Burma, North Korea, Russia, Vietnam, and Romania for purposes of forced labor, marriage, and sexual slavery. There were new reports that Vietnamese men are trafficked to China for forced labor and ethnic Hmong girls and women from Vietnam trafficked for forced marriages in China. Some women from Tibet were trafficked to Indonesia for forced prostitution. Some North Koreans seeking to leave their country enter northeastern China and are subsequently subjected to sexual servitude or forced labor. North Korean women are often sold into forced marriages with Chinese nationals, or forced to work in internet sex businesses. Some experts and NGOs suggested trafficking in persons has been fueled by economic disparity and the effects of population planning policies, and that a shortage of marriageable women fuels the demand for abducted women, especially in rural areas. While it is difficult to determine if the PRC's male-female birth ratio imbalance, with more males than females, is currently affecting trafficking of women for brides, some experts believe that it has already or may become a contributing factor.

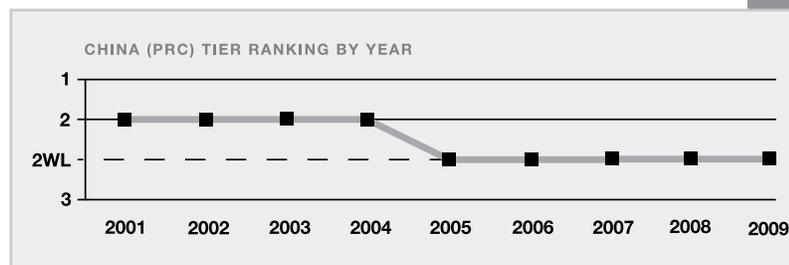
Forced labor remained a serious problem in penal institutions. This was mainly the product of administrative decisions, rather than the result of due process and conviction. Many prisoners and detainees in reeducation through labor facilities were required to work, often with no remuneration. Some children are abducted for forced begging and thievery in large cities. There were numerous confirmed reports of involuntary servitude of children, migrant workers, and abductees in China. In April 2008, a Chinese newspaper uncovered an extensive child forced labor network in Guangdong

province that reportedly took thousands of children as young as seven years old from poor rural areas of Sichuan province, populated largely by the Yi minority, to work in factories in southeastern China. According to the report, the children were sold in labor markets to factory owners, and forced to work 10 hours a day, seven days a week, for as little as 30 cents per hour. These children were found near Dongguan, where in total over 500 children from Sichuan were discovered working in a factory in June 2007. In October 2008, a Chinese blogger exposed publicly several cases of child labor in Wuhan factories, and reported that the factories had evaded detection by receiving advance warning of pending labor inspections. Under the government-sanctioned work-study programs, elementary schools supplied factories and farms with forced child labor under the pretext of vocational training. Students had no say in the terms and conditions of their employment, and little to no protection from abusive work practices. Conditions in this program included excessive hours with mandatory overtime, dangerous conditions, low pay, and involuntary pay deductions. The Xinjiang provincial government forced thousands of local students to labor through “work-study” programs in order to meet yearly harvesting quotas. Overseas human rights organizations alleged that government-sponsored labor programs forced Uighur girls and young women to work in factories in eastern China on false pretenses and without regular wages. During the year, international media reported over 300 children, many of them from Xinjiang, were laboring in a shoe factory in eastern China as a part of a government labor transfer program. The group included many Uighur girls, whose families were reportedly coerced and in some cases threatened by government officials to participate in the program using fake or swapped identification cards provided by the government. Additionally, authorities in Xinjiang reportedly continued to impose forced labor on area farmers in predominantly ethnic minority regions. In recent years, organized criminal networks have become more sophisticated at cheating and abducting migrant workers, including abduction by anesthetizing the often unsupervised children of migrant worker parents.

Experts believe that the number of Chinese trafficking victims in Europe is growing dramatically, where large informal economies create a “pull” for exploitable labor. While some Chinese enter Europe legally and overstay their visas, others are smuggled in and work as domestic servants, and in underground sweatshops. Some trafficking victims are exploited in the sex trade. Teenage girls from China are trafficked into the UK for prostitution, and Chinese children are reportedly trafficked into Sweden by organized criminal networks for forced begging elsewhere in Europe. In February 2009, seven Chinese sex trafficking victims were rescued in Ghana, having been forced into prostitution by Chinese traffickers who had promised them jobs as waitresses.

The Chinese government does not fully comply with the minimum standards for the elimination of

trafficking; however it is making significant efforts to do so. Despite these efforts, the Chinese government did not demonstrate progress in combating human trafficking from the previous year, particularly in terms of punishment of trafficking crimes and the protection of Chinese and foreign victims of trafficking; therefore China is placed on Tier 2 Watch List. Forced labor, especially forced child labor, remains a serious problem in the country. Despite substantial resources, during the reporting period, the government did not make efforts to improve victim assistance programs. Protection of domestic and foreign victims of trafficking remains insufficient. Victims are sometimes punished for unlawful acts that were a direct result of their being trafficked – such as violations of prostitution or immigration/emigration controls. The Chinese government continued to treat North Korean trafficking victims as unlawful economic migrants, and routinely deported them back to horrendous conditions in North Korea. Additional challenges facing the Chinese government include the enormous size of its trafficking problem and corruption and complicity in trafficking by some local government officials. Factors that continue to impede progress in anti-trafficking efforts include tight controls over civil society organizations, restricted access of foreign anti-trafficking organizations, and the government’s systemic lack of transparency.



Recommendations for China: Revise anti-trafficking laws and the National Plan of Action to criminalize and address all forms of labor and sex trafficking in a manner consistent with international standards; significantly improve efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including public officials complicit in trafficking; increase efforts to address labor trafficking, including prosecuting and punishing recruiters and employers who facilitate forced labor and debt bondage, and provide protection services to victims of forced labor; continue to increase cooperation with foreign governments on cross-border trafficking cases; adopt proactive procedures to identify victims of trafficking among vulnerable groups, such as migrant workers and foreign women and children arrested for prostitution; increase efforts to protect and rehabilitate both sex and labor trafficking victims; provide foreign victims with legal alternatives to removal to countries in which they may face hardship or retribution; conduct a campaign to reduce the demand for forced labor and

commercial sex acts; and adhere to its obligations as party to the 1951 Refugee Convention and its 1967 Protocol, including by not expelling North Koreans protected under those treaties and by cooperating with UNHCR in the exercise of its functions.

Prosecution

China's domestic laws do not conform to international standards on trafficking; China's definition of trafficking does not prohibit non-physical forms of coercion, fraud, debt bondage, involuntary servitude, forced labor, or offenses committed against male victims, although some aspects of these crimes are addressed in other articles of China's criminal law. China's legal definition of trafficking also does not automatically regard minors over the age of 14 who are subjected to the commercial sex trade as victims. While Article 244 of China's Criminal Code bans forced labor by employers, the prescribed penalties of up to three years' imprisonment or a fine under this law are not sufficiently stringent. Additionally, Chinese law does not recognize forms of coercion other than abduction as constituting a means of trafficking. Based on China's limited definition of "trafficking," and the government's conflation of human smuggling and trafficking offenses, the Ministry of Public Security (MPS) reported investigating 2,566 potential trafficking cases in 2008. Law enforcement authorities arrested and punished some traffickers, but a lack of transparency and due process, as well as a paucity of trafficking-specific law enforcement data inhibits an accurate assessment of these efforts. Several foreign governments reported a lack of cooperation by Chinese authorities in transnational trafficking cases involving foreign trafficking victims in China. During the year, the government did not provide the United Nations with data on prosecutions, convictions, or sentences of traffickers. Consequently, China was not among the 155 countries covered by the UN's Global Report on Human Trafficking released in February 2009. Government efforts described as addressing human trafficking were aimed at sex trafficking during the reporting period. In November 2008, police in Fujian province reportedly discovered a trafficking case involving 18 Vietnamese women who had been trafficked to Yunnan, Guangxi and other provinces in China for marriage. Also in Fujian, in December 2008, police arrested 10 members of a criminal gang accused of having trafficked 10 female sex workers to men in isolated villages for approximately \$800 to \$1,200 each. In Guizhou Province, official media reported that 29 defendants were convicted for trafficking more than 80 female victims for forced marriage, and the main defendant was sentenced to death. According to official media, police in Xinjiang Uighur Autonomous Region rescued 746 children from trafficking gangs which had kidnapped and forced them into pick-pocketing. The Xinjiang Public Security Bureau reported that 177 suspects were arrested.

Reported incidents in 2008 involving forced and

child labor reflect continuing legal and administrative weaknesses in China's anti-trafficking enforcement. Subsequent to the April 2008 discovery of a massive child labor market in Southeast China, the Dongguan local government claimed that it found no evidence of large-scale child labor during its raids on over 3,600 work sites in two days. Nonetheless, raids led to the rescue of at least 167 children, according to local police sources. Despite the discovery of child laborers and reports that some minors were raped by factory operators, the government did not criminally or administratively prosecute or convict any employers for any labor offenses. The Guangdong provincial government subsequently denied earlier reports and retracted police statements, claiming that police had found only six underage workers, none of whom had been raped or abducted. In a child labor case in Wuhan, authorities announced a crackdown on child labor in small-scale workshops in Wuhan, but there was no further reporting on the story. There were continued reports of local officials' complicity in trafficking, including by providing advance warning of pending labor inspections and brothel raids. The Chinese government has not demonstrated concerted efforts to investigate, prosecute, and punish government officials for complicity in human trafficking.

Protection

China continued to lack adequate victim protection services throughout most the country. There continued to be no dedicated government assistance programs for victims of trafficking. China has an inadequate number of shelters to assist trafficking victims, and regularly returns trafficking victims to their homes without access to counseling or psychological care. Most of the existing shelters are temporary, not exclusive to trafficking victims, and provide little or no care to repatriated victims. Provincial women's federation offices provide counseling on legal rights, rehabilitation, and other assistance to trafficking victims. Local governments continue to rely on NGOs and international organizations for technical and material support to identify victims and provide victim protection services. The government continues to obstruct the independent operation of NGOs and international organizations that provide assistance on trafficking issues. Trafficking victims were generally repatriated involuntarily without any rehabilitation assistance. There was no reported protection or rehabilitation provided to the 167 children rescued from factories near Dongguan. The government has not provided any assistance to the Chinese sex trafficking victims identified in Ghana, who face threats and retaliation from their traffickers if they return to China. The Chinese government continues to lack systematic procedures to identify trafficking victims, including victims of sex trafficking, among those it arrests for prostitution, in order to refer them to organizations providing services and to ensure that they are not inappropriately penalized for unlawful acts committed as a result of being trafficked. The All-China Women's Federation (ACWF), a quasi-government entity,

reported that ongoing problems required intervention to protect trafficking victims from unjust punishment. MPS officials stated that repatriated victims of trafficking no longer faced fines or other punishment upon their return, but authorities acknowledged that Chinese and foreign victims sometimes are sentenced or fined because of police corruption, the lack of capacity to identify trafficking victims, or provisions allowing for the imposition of fines on persons traveling without proper documentation. Some border officials are trained by MPS to identify potential victims of trafficking. In October 2008, 200 Burmese women were arrested and jailed in China for immigration violations; they had allegedly been smuggled into the country under the pretext of finding work and were reportedly sold and forced to marry Chinese men. Reports suggest that many of the women were deported to Burma, while others were expected to serve three-month prison sentences for violating Chinese immigration laws. The Ministry of Civil Affairs began working with IOM on an IOM-funded training module for the identification, protection, and reintegration of trafficking victims. The government does not provide foreign victims with legal alternatives to removal to countries in which they may face hardship or retribution. Some trafficking victims have faced punishments in the form of fines for leaving China without proper authorization.

In the year leading up to the 2008 Beijing Summer Olympic Games, Chinese authorities stepped up efforts to locate and forcibly repatriate North Korean refugees in China – including trafficking victims – in violation of their commitments to the humane treatment of refugees under international law. China continues to treat North Korean trafficking victims solely as illegal economic migrants and reportedly deports a few hundred of them each month to North Korea, where they may face severe punishment. Chinese authorities continue to limit UNHCR's access to North Korean refugees in China. The lack of access to UNHCR assistance and constant fear of forced repatriation by Chinese authorities leaves North Korean refugees more vulnerable to human traffickers.

Prevention

China made some effort to prevent trafficking in persons during the reporting period. In light of the size of China's trafficking problem, however, more needs to be done. Targeted public awareness campaigns, run by the All-China Women's Federation (ACWF), continued to disseminate information on trafficking prevention and focused on reaching young female migrant workers. ACWF also continued to identify model communities that protected women's rights, offered legal and psychological assistance for victims of domestic violence and trafficking, and made available shelters for vulnerable women. Government agencies, associations, and youth organizations continued to run hotlines for victims of trafficking-related crimes, including forced child labor. Hotlines for migrant workers whose rights had been

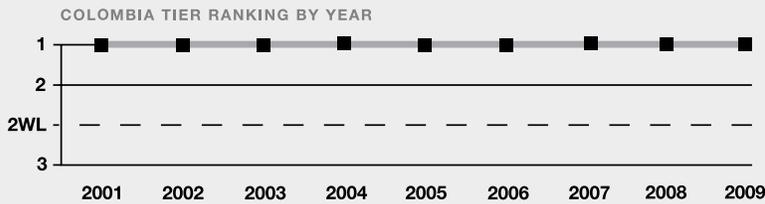
violated were also continued in 15 provinces. Provincial governments in Yunnan, Sichuan, and Guangxi continued their own prevention campaigns, including radio broadcasts, brochures, performances, poster shows, and targeted campaigns to spread the word among Chinese women of the dangers of trafficking and how to avoid becoming a victim. In Beijing, the government held an anti-trafficking publicity campaign on International Women's Day to raise public awareness of human trafficking and to publicize prevention measures. The national government has not addressed two policies that may create vulnerabilities to trafficking: the birth limitation policy that contributes to a gender imbalance that some believe has led to bride trafficking in the Chinese population, and the unevenly implemented *hukou* (household registration) system that controls the movements of internal migrants. During the reporting period, China issued implementation guidelines for its 2008 National Plan of Action to define roles and responsibilities of relevant agencies, and provincial action plans were developed in four provinces. The Ministry of Public Security (MPS) held training courses for approximately 2,000 police officers in 10 provinces on anti-trafficking measures, as well as training on combating cross-border trafficking. Police officers responsible for anti-trafficking measures participated in anti-trafficking and victim protection training courses overseas, and MPS co-hosted training sessions with counterparts in Vietnam and Burma. The government did not take any noticeable measures during the reporting period to reduce the demand for forced labor, commercial sex acts, or child sex tourism. Chinese forces participating in peacekeeping initiatives abroad have not been implicated in trafficking while overseas, but did not receive specific training on trafficking in persons prior to deployment. China has not ratified the 2000 UN TIP Protocol.

COLOMBIA (Tier 1)

Colombia is a major source country for women and girls trafficked to Latin America, the Caribbean, Western Europe, Asia, and North America, including the United States, for purposes of commercial sexual exploitation and involuntary servitude. Within Colombia, some men are trafficked for forced labor, but trafficking of women and children from rural to urban areas for commercial sexual exploitation remains a larger problem. Individual cases of forced marriage, domestic servitude, and forced begging have been reported. Groups at high risk for internal trafficking include displaced persons, poor women in rural areas, and relatives of members of criminal organizations. Continued armed violence in Colombia has displaced many communities, making them vulnerable to human trafficking. Guerrillas and paramilitary groups forcibly recruit children as combatants; the government estimates that nearly 6,000 children may be exploited under such conditions.

Members of gangs and organized criminal networks force their relatives and acquaintances, and displaced persons – typically women and children – into conditions of forced prostitution and forced labor, including work in the illegal drug trade. Colombia also is a destination for foreign child sex tourists, particularly coastal cities such as Cartagena and Barranquilla. Migrants from South America and the PRC transit Colombia en route to the United States and Europe; some may be trafficking victims.

The Government of Colombia fully complies with the minimum standards for the elimination of trafficking in persons. During the reporting period, the government increased law enforcement actions against trafficking offenders, and improved coordination of anti-trafficking cases by launching an anti-trafficking operations center to direct assistance to victims and follow through with investigation of their cases.



Recommendations for Colombia: Dedicate more resources for victim services; increase efforts to encourage victims to assist with the prosecution their traffickers; expand efforts to assist and repatriate the large number of Colombians trafficked overseas; institute formal measures to identify trafficking victims among vulnerable populations; and continue to raise public awareness about the dangers of human trafficking, particularly among young women seeking jobs abroad.

Prosecution

The Government of Colombia increased law enforcement efforts against trafficking offenders during the reporting period. Colombia prohibits all forms of trafficking through its anti-trafficking statute, Law 985, which prescribes minimum punishments of 13 to 23 years' imprisonment. Such punishments are sufficiently stringent and commensurate with other serious crimes, such as rape. In 2008, Colombian authorities initiated 159 anti-trafficking investigations, 20 prosecutions, and achieved 16 convictions, sentencing trafficking offenders to periods of imprisonment ranging from 4.5 to 14 years. Such results compare to 182 investigations, 44 prosecutions, and six convictions reported for 2007. The government cooperated with foreign governments to repatriate trafficking victims and investigate trafficking cases in Argentina, Bolivia, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Venezuela, Trinidad and Tobago, Japan, Singapore, the Philippines,

and the United States. The government received no confirmed reports of trafficking-related corruption during the reporting period.

Protection

The government improved victim protection efforts by launching an interagency anti-trafficking operations center to direct assistance to victims, coordinate and track criminal investigation and prosecution of their cases, and collect nationwide information and statistics about trafficking crimes. The government appropriated \$150,000 to open the operations center in June 2008, and it assisted 58 victims between June and December 2008. However, most victims were reluctant to assist in the prosecution of their traffickers due to fear of reprisals or lack of awareness of their status as victims of a serious crime. Government-funded services for adult trafficking victims remained limited during the reporting period; NGOs and international organizations provided the bulk of victim assistance, particularly shelter services. The government did not appear to employ a formal mechanism for identifying trafficking victims among vulnerable populations within the country, such as displaced persons or prostituted women. In conjunction with IOM, UNODC, and the anti-trafficking operations center, the government trained consular officials to recognize and assist potential Colombian trafficking victims abroad. Consular officials assisted 22 Colombians trafficked overseas during the reporting period. However, victim services overseas are limited to consular districts with at least 10,000 Colombian residents, and are not likely to be available to victims trafficked to isolated locations, such as in the Caribbean, Asia, and Europe. At home, Colombian law enforcement authorities encourage victims to assist with the investigation and prosecution of their traffickers. There were no reports of victims being jailed or otherwise penalized for unlawful acts committed as a direct result of being trafficked. According to IOM, while there is no specialized legal mechanism whereby the Colombian government offers a visa or temporary residence status to foreign trafficking victims, the Ministry of Interior and Justice can provide assistance to vulnerable or threatened individuals on a case-by-case basis.

Prevention

The government improved prevention efforts against human trafficking by launching a widespread education campaign entitled "The Next Victim Could Be You" in October 2008. The campaign included TV commercials, radio spots, and print advertising featuring a popular Colombian television personality. In conjunction with the anti-trafficking operations center, the government operated a national call center, which received 645 calls during the reporting period. Most calls were citizen requests for information relating to job offers overseas, though 38 suspected trafficking cases from the call center were referred to police for investigation. In an effort to reduce demand for commercial sex acts, the government in 2008 targeted and provided information to tourism

industries in 23 Colombian cities to prevent commercial sexual exploitation. No other government campaigns to reduce demand for commercial sex acts were visible during the reporting period, nor were there any discernable efforts to reduce demand for forced labor.

CONGO, DEMOCRATIC REPUBLIC OF THE (Tier 2 Watch List)

The Democratic Republic of the Congo (DRC) is a source and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Much of this trafficking occurs within the country's unstable eastern provinces and is perpetrated by armed groups outside government control. Indigenous and foreign armed militia groups, notably, the Democratic Forces for the Liberation of Rwanda (FDLR), the National Congress for the Defense of the People (CNDP), various local militia (Mai-Mai), and the Lord's Resistance Army (LRA), continued to abduct and forcibly recruit Congolese men, women, and children to serve as laborers, porters, domestics, combatants, and in sexual servitude. CNDP recruiters, fraudulently promising high-paying employment, enlisted Congolese men and boys from Rwanda-based refugee camps, as well as Rwandan adults and children from towns in western Rwanda, for forced labor and forced soldiering in the DRC.

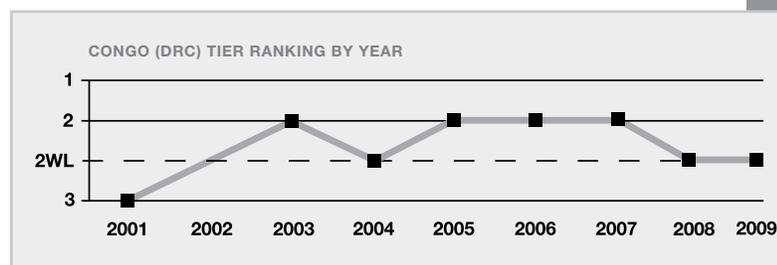
An unspecified number of children remain with the 81st and 85th non-integrated Congolese national army (FARDC) brigades under the control of Colonel Philemon Yav and Colonel Samy Matumo, respectively. FARDC elements frequently force men in North Kivu province to carry looted goods or to participate in the construction of military facilities; those who resist are sometimes killed. During the past year, a number of children in Ituri were forced to abandon their studies to work for the army. A number of policemen in eastern DRC reportedly arrested people arbitrarily in order to extort money from them; those who could not pay were forced to work until they had "earned" their freedom.

During the year, the Ugandan terrorist rebel organization, Lord's Resistance Army (LRA), intensified its operations in areas in and near the DRC's Orientale Province, abducting at least 750 people, mostly children, between September 2008 and January 2009 in the DRC, Central African Republic, and southern Sudan to serve as domestics, porters, soldiers, and in sexual servitude. An estimated 300 women and children remain captive with the LRA in DRC's Garamba National Park; some Congolese captives were taken into southern Sudan.

A significant number of unlicensed Congolese artisanal miners – men and boys – are exploited in situations of debt bondage by businessmen and supply dealers from whom they acquire cash advances, tools, food, and other provisions at inflated prices, and to whom they must sell

the mined minerals at prices below the market value. The miners are forced to continue to work to repay constantly accumulating debts that are virtually impossible to repay. In North and South Kivu Provinces, armed groups and FARDC troops reportedly use threats and coercion to force men and children to mine for minerals. Congolese girls are forcibly prostituted in brothels or informal camps – including in markets and mining areas – by loosely organized networks, gangs, and madams. Congolese women and children are trafficked internally for domestic servitude and, in smaller numbers, to South Africa, Republic of the Congo, and European nations, such as Norway, for sexual exploitation. Some members of Batwa, or pygmy groups, are subjected to conditions of involuntary servitude in agriculture, mining, and domestic work in eastern DRC.

The Government of the Democratic Republic of the Congo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Some advances were noted during the reporting period, particularly the enactment of the Child Protection Code, the conviction of an army major – among others – for illegally recruiting children, and the launch of a public awareness campaign against the illegal recruitment of child soldiers. Despite these significant efforts, the government did not show evidence of progress in prosecuting and punishing sex trafficking and labor trafficking offenders, demobilizing conscripted child soldiers from its army, or providing protective services for the vast majority of trafficking victims; therefore, the Democratic Republic of the Congo is placed on Tier 2 Watch List. The government continued to lack sufficient financial, technical, and human resources to effectively address trafficking crimes and provide basic levels of security and social services in most parts of the country. The military lacked the capacity to demobilize armed groups or adequately prevent the trafficking violations committed by members of its own forces. The country's criminal and military justice systems, including the police, courts, and prisons, were practically nonexistent after years of war; there were few functioning courts or secure prisons in the country.



Recommendations for the Democratic Republic of the Congo: Increase efforts to prosecute and punish trafficking offenders, particularly those who conscript child soldiers, utilize forced labor, or control children in prostitution; punish military and other law enforcement

personnel found unlawfully using local populations to perform forced labor or mine for minerals; in partnership with NGOs or religious entities, ensure the provision of short-term protective services to children who are trafficking victims; and work with concession holders to educate mine operators and workers about the illegality of utilizing forced labor.

Prosecution

The Congolese government made concerted efforts to address the illegal conscription and use of child soldiers by armed groups and government forces through prosecutions and convictions during the reporting period. It demonstrated, however, minimal efforts to bring to justice those committing other types of trafficking crimes. The government lacked judicial presence in many areas of the country where human trafficking occurs, and remained hamstrung by a critical shortage of magistrates, clerks, and lawyers. Existing laws do not prohibit all forms of labor trafficking; however, the July 2006 sexual violence statute, Law 6/018, specifically prohibits and prescribes penalties of 10 to 20 years' imprisonment for sex trafficking, child and forced prostitution, and pimping. The Child Protection Code, Law 09/001, enacted in January 2009, criminalizes and prescribes penalties of five to 20 years' imprisonment for child trafficking and commercial sexual exploitation. It also specifically prohibits the recruitment and use of children by the armed forces, armed groups, and the police. The aforementioned penalties prescribed by both laws are sufficiently stringent and commensurate with penalties prescribed for other serious crimes.

In March 2009, Bukavu police arrested a nightclub owner for allegedly prostituting 10 girls and seven boys in his facility; he was remanded to prison to await formal charges. In April 2008, the Bukavu Military Court sentenced FARDC Major Bwasolo Misaba to five years in prison for conscripting children between the ages of 10 to 14 and illegally using them in military ranks. This is the DRC's second conviction of a national army officer for illegally recruiting children to be in the armed forces. In March 2009, the Kipushi Military Tribunal sentenced Kynugu Mutanga (a.k.a. *Gédéon*) to death for crimes against humanity, including illegal child conscription. Seven of his co-defendants received sentences ranging from seven to 10 years' imprisonment for their complicity in these crimes, 11 received lesser sentences, and five were acquitted. In July 2008, Congolese military magistrates and the UN Mission to the DRC (MONUC) staff traveled to Orientale Province on a third joint investigative mission to record testimonies of atrocities committed by local Mai-Mai militias; substantial evidence of forced labor of local populations was collected. Kisangani military authorities apprehended five Mai-Mai members for their alleged involvement, but have not set a trial date. Bedi Mubuli Engangela (a.k.a. *Colonel 106*), a former Mai-Mai commander suspected of insurrection and war crimes, including the illegal conscription of children,

remains in detention at Malaka Prison in Kinshasa; a trial date for commencement of his prosecution has not been set. These notable efforts notwithstanding, the government's capacity to apprehend, convict, or imprison traffickers remained weak. Commander Jean-Pierre Biyoyo, formerly of the Mudundu-40 armed group and the first person convicted by Congolese courts of conscripting children, has not been re-apprehended since his escape from prison in June 2006. "Captain Gaston," an armed group commander allegedly responsible for the mid-2006 murder of an NGO child protection advocate, remained at large during the reporting period; his January 2007 arrest warrant has not been executed. Corrupt officials siphoned meager financial resources available to government agencies responsible for combating human trafficking, further disabling the government from pursuing training, capacity building, or victim assistance.

Protection

The government offered minimal protection to trafficking victims during the reporting period. NGOs provide nearly all of the shelter, legal, medical, and psychological services available to trafficking victims. Under the National Disarmament, Demobilization, and Reintegration Plan (PNDDR), all ex-combatants, including child soldiers, pass through a common process during which they disarm and receive information about military and civilian reintegration options. During this process, the National Demobilization Agency (UEPN-DDR), in cooperation with MONUC, identifies, separates out, and transports any identified children to NGO-run centers for temporary housing and vocational training; between 2,200 and 3,000 children were demobilized from armed groups through this process in 2008. A sharp increase in child soldier demobilization took place after the signing of a January 2009 agreement between the FARDC and the CNDP, resulting in the demobilization of 223 child soldiers during the first week of the agreement's implementation. Some FARDC elements essentially outside government control continued during the reporting period to harass, arrest, and physically mistreat children formerly associated with armed groups, including potential trafficking victims; minors detained for child soldiering were generally released quickly if discovered by the MONUC or NGOs. The FARDC lacked sufficient command and control to compel many FARDC commanders, much less militia commanders, with child soldiers serving under them to comply with standing orders to release them.

In December 2008, the Governments of the DRC, Uganda, and Southern Sudan launched a joint military operation against the LRA in the DRC's territory. The operation is ongoing, but as of this Report's writing, it had rescued 346 people, including 127 Congolese, Ugandan, and Sudanese children.

Although the national government did not address forced labor in the mining sector, provincial Ministry of Education offices in Mbuji Mayi, Bunia, and Lubumbashi

coordinated with NGOs to reintegrate children working in mines into the formal education system. In April 2008, Katanga’s provincial Ministries of Interior and Labor opened the *Kasapa* residential “welcome center” in Lubumbashi to provide street children, including trafficking victims, with protective services and educational programming; the center is fully funded by the provincial government. Although the Ministry of Labor is responsible for investigating forced child labor and it employs 10 inspectors in Katanga’s mining region, the ministry did not conduct any forced child labor investigations in 2008. Government officials recognize the growing problem of child prostitution in the DRC, though authorities have yet to take concrete action against it. In September 2008, Bukavu child protection police trained 12 brothel and nightclub owners regarding the prohibition against utilizing minors to perform sexual services. The government did not employ procedures for proactively identifying victims of trafficking among vulnerable groups, and it lacked formal procedures for referring victims to protective services. The government is not known to encourage victims to assist in investigations against their traffickers. It offered no legal alternatives to the removal of foreign victims to countries in which they may face hardship or retribution.

Prevention

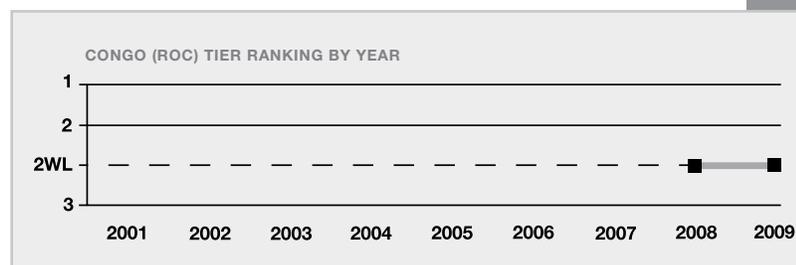
While the government initiated awareness raising efforts against the conscription of child soldiers during the year, it made no significant efforts to prevent other forms of trafficking. To raise the awareness of child soldiering issues among Congolese military and political leaders, the UEPN-DDR held events in Kinshasa, Goma, and Bukavu in June 2008 as part of a campaign of zero tolerance for the use of child soldiers. For the general public residing in these same locations, UEPN-DDR produced sketches, public service announcements, and debates broadcasted by six radio and television stations in July and August. The agency also sent field teams on awareness-raising missions to 23 sites throughout South Kivu, North Kivu, Katanga, and Equateur Provinces. The government did not take any known measures during the reporting period to reduce the demand for commercial sex acts.

CONGO, REPUBLIC OF THE (Tier 2 Watch List)

The Republic of the Congo (ROC) is a source country for children trafficked within its borders for the purposes of forced labor and commercial sexual exploitation, as well as a destination country for children trafficked from other African countries for the same purposes. Within the ROC, boys and girls are trafficked from rural areas, primarily from the Pool Region, to Point Noire and Brazzaville for forced street vending and domestic servitude. Girls are trafficked from rural areas primarily to Brazzaville, but also to Pointe Noire, for commercial sexual exploitation. Transnationally, children are trafficked from other African

countries to Pointe Noire for domestic servitude, forced market vending, and forced labor in the fishing industry. The majority of these victims are girls and most are from Benin, although some are also trafficked from Mali, Guinea, Togo, Senegal, and Cameroon. The Beninese Consulate in Brazzaville has estimated that 1,800 Beninese children may be subjected to domestic servitude in the ROC. UNICEF reported that young girls, lured by promises of jobs in the ROC or onward voyages to France, Canada, and South Africa, are trafficked from the Democratic Republic of the Congo (DRC) to Brazzaville for organized prostitution. Children may be trafficked to the ROC from the DRC for forced commercial activities, such as street vending, domestic servitude, tailoring, hairdressing, and food service.

The Government of the ROC does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Despite these efforts, the government did not show evidence of progress in anti-trafficking law enforcement efforts and in the protection of trafficking victims; therefore, the Republic of the Congo is placed on Tier 2 Watch List. In late April 2009, the government enacted the Child Protection Code, which contains provisions prohibiting child trafficking. Since 2003, the ROC has struggled to recover from six years of civil conflict that crippled its institutions, ravaged its economy, and rendered its children more vulnerable to being trafficked.



Recommendations for the ROC: Train law enforcement officials to identify traffickers and arrest them under relevant laws; and train social workers and law enforcement officials to identify trafficking victims among vulnerable populations and to refer them to foreign government consulates, foster families, international organizations, faith-based groups, or NGOs for care.

Prosecution

The Government of the ROC demonstrated weak law enforcement efforts to combat trafficking during the last year. The ROC does not prohibit all forms of trafficking. Penal Code Article 344 criminalizes the pimping of children, however, prescribing penalties of from six months’ to two years’ imprisonment and a fine, punishments that are neither sufficiently stringent nor commensurate with those prescribed for rape. The government reported no trafficking prosecutions

or convictions under related laws in the last year. In January 2009, two girls from the ROC, ages six and 16, arrived with fraudulent travel documents into Paris on a flight from Brazzaville. The girls were accompanied by two other young girls from Kinshasa, but no parent or guardian accompanied the four children. The Government of the ROC is neither investigating on its own nor collaborating with French officials to determine whether this case involved child trafficking. On April 30, 2009, a Child Protection Code that includes provisions against child trafficking was passed by Parliament. Between April and August 2008, the government collaborated with UNICEF to conduct several training workshops about this law for Central African government officials and representatives from the Consulates of Benin, Togo, and the DRC. The government contributed the training sites and personnel to assist with logistics.

Protection

The ROC government continued poor efforts to protect trafficking victims over the last year. The government neither operates a trafficking victim shelter nor collaborates with NGOs to provide rescued victims with food, shelter, or other assistance. The government has not yet developed formal procedures through which police and government social workers may identify trafficking victims among vulnerable populations, such as street children, child laborers, illegal immigrants and women in prostitution. As a result, victims may be inappropriately incarcerated or otherwise penalized for unlawful acts committed as a direct result of being trafficked. The ROC government reported rescuing an unknown number of trafficking victims during the year. Government staff worked with UNICEF, the NGO Action Against Trafficking of West African Children, and other civil society groups, to help repatriate victims back to their African home countries, particularly Benin. The government did not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. The government did not encourage victims to assist in trafficking investigations or prosecutions.

Prevention

The Government of the ROC made limited efforts to prevent incidents of trafficking during the reporting period. A plan of action against trafficking in Point Noir, which the government developed with UNICEF over the past three years, was finalized in 2008. With funding from UNICEF, the government helped implement the plan in May 2008 in Point Noire by providing sites for UNICEF-conducted trafficking awareness training. One workshop, hosted by the Ministry of Health, educated local NGOs about trafficking. Additional workshops raised awareness among Central African and foreign government representatives and resulted in the creation of an anti-trafficking working group headed by the Ministry of Health and consisting of law enforcement officials, local community leaders, and representatives from the Consulates of Benin, Togo, and the DRC. The government has not taken measures to reduce the demand for forced

labor or commercial sex acts in the ROC. The ROC has not ratified the 2000 UN TIP Protocol.

COSTA RICA (Tier 2)

Costa Rica is a source, transit, and destination country for women and children trafficked for the purpose of commercial sexual exploitation. To a lesser but increasing extent, Costa Rica is a source, transit, and destination country for men, women, and children trafficked into forced labor, particularly in agriculture, construction, restaurant work, the fishing industry, and as domestic servants. Costa Rican women and children are trafficked within the country and to neighboring Central American countries, Mexico, and Japan for commercial sexual exploitation. Foreign women and girls from Nicaragua, the Dominican Republic, Guatemala, Colombia, Russia, and Eastern Europe have been identified in Costa Rica as victims of forced prostitution. The government recognizes child sex tourism as a serious problem, particularly in the provinces of Guanacaste, Limon, Puntarenas, and San Jose. Child sex tourists arrive mostly from the United States, Germany, Sweden, and Italy. Young men from Nicaragua, as well as Chinese nationals, are trafficked to Costa Rica for forced labor. According to anecdotal reports, young indigenous Panamanians may be trafficked to Costa Rica for forced panhandling. Costa Rica serves as a transit point for foreign nationals trafficked to Mexico, Canada, the United States, and Europe.

The Government of Costa Rica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the past year, the Government of Costa Rica approved national legislation to prohibit and punish all forms of human trafficking, and improved victim assistance and prevention efforts. However, effective law enforcement efforts to ensure that trafficking offenders are held accountable for their crimes remained lacking.

Recommendations for Costa Rica: Implement and enforce the new anti-trafficking law; intensify efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; provide greater assistance for victims; increase efforts to reduce consumer demand for commercial sex acts; and improve data collection for trafficking crimes.

Prosecution

The Government of Costa Rica improved law enforcement efforts against human trafficking during the reporting period. In February 2009, the Costa Rican Legislative Assembly approved legislation to amend Article 172 of the penal code to criminalize all forms of trafficking in persons. The new law establishes a penalty of six to 10 years' imprisonment for the movement of persons for the purposes of prostitution, sexual or labor servitude, slavery, forced work or services, servile marriage, begging, or other prohibited purposes; sentences may be increased to eight to 16 years' imprisonment under

aggravated circumstances, such as when the victim is a minor or a trafficker uses means of deception, violence, intimidation, or coercion. The new legislation came into force in April 2009, and closed a statutory gap relating to the internal trafficking of adults. The penalties set forth in amended Article 172 are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Articles 376 and 377 of the penal code additionally prohibit child sex trafficking, prescribing penalties of two to four years' imprisonment. During 2007, the latest period for which official statistics are available, the government opened nine investigations into suspected transnational human trafficking, and secured two convictions against offenders. However, the government continued to suffer a low conviction rate on trafficking cases, as seven of the nine trafficking suspects were acquitted. In May 2008, the national judicial police formed a four-person smuggling and trafficking unit, which opened two investigations of international trafficking organizations; however, the unit's effectiveness appeared hampered by unclear reporting lines to prosecutorial counterparts and lack of a dedicated budget. Moreover, it remained unclear which law enforcement entities had the lead in investigating and prosecuting internal human trafficking cases. The government significantly increased anti-trafficking training for law enforcement and public officials in 2008, training nearly 1,000 police, immigration agents, and health workers. The government increased regional cooperation by assisting neighboring countries on anti-trafficking investigations and hosting a large regional conference to share "best practices." No confirmed allegations of trafficking-related corruption were investigated or prosecuted, though NGOs reported instances of street-level police collusion with traffickers.

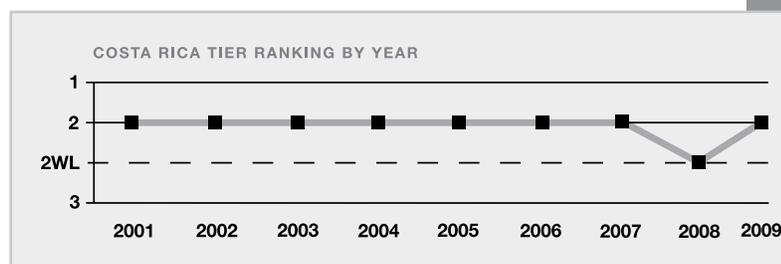
Protection

The Costa Rican government improved victim assistance during the reporting period, though the overall availability of services remained limited. Trafficking victims can access basic care at government shelters for women and children. Shelter care is not available for men. The government relied on NGOs and international organizations to provide specialized care for trafficking victims, though the government provided limited funding for an NGO providing care for sex trafficking victims. In June 2008, the government's anti-trafficking committee established an "immediate attention" protocol to identify and refer trafficking victims, on an emergency basis if necessary, to NGOs and other sources of assistance. The government generally did not penalize victims for unlawful acts committed as a direct result of being trafficked. Officials treated some foreign adults as illegal migrants, however, and deported them without taking adequate measures to determine if they were trafficking victims. The government employed no formal procedures for identifying trafficking victims among vulnerable populations, such as prostituted women. Costa Rican law did not provide temporary residency status for foreign

trafficking victims, though foreign nationals were eligible for work permits or refugee status; the government granted refugee status to a trafficking victim for the first time last year. The government also can issue a special visa to foreign trafficking victims who assist with the investigation and prosecution of their traffickers, efforts which Costa Rican authorities encouraged.

Prevention

The government increased prevention efforts during the reporting year, launching an awareness-raising campaign entitled "Don't Let Them Lie to You" in October 2008, directed at families and young people across the country. The government dedicated \$25,000 in funding for the widespread media effort, supplementing the assistance of UNICEF and other international organizations. The government's anti-trafficking coordinating committee significantly stepped up activities last year, hiring an attorney to assist with drafting anti-trafficking legislation consistent with international standards. The government sponsored campaigns to reduce demand for commercial sex acts with minors by warning potential foreign "clients" of child prostitution that they will be prosecuted in Costa Rica. In 2007, the latest period for which official statistics are available, the government opened 99 investigations of suspects paying for commercial sex acts with minors, achieving three convictions of exploiters. By the end of 2008, approximately 240 tour companies in Costa Rica had signed a conduct code against the commercial sexual exploitation of children. Public awareness of human trafficking crimes appeared to be growing in Costa Rica, though some officials tended to view it as a transnational, and not a domestic, phenomenon.



COTE D'IVOIRE (Tier 2 Watch List)

Cote d'Ivoire is a source, transit, and destination country for women and children trafficked for forced labor and commercial sexual exploitation. Trafficking within the country is more prevalent than transnational trafficking, and the majority of victims are children. Within Cote d'Ivoire, women and girls are trafficked primarily for domestic servitude, restaurant labor, and sexual exploitation. A 2007 study by the Government of Germany's foreign aid organization found that 85 percent of females in prostitution in two Ivoirian districts

were children. Boys are trafficked within the country for agricultural and service labor. They are also trafficked from Ghana, Mali, Burkina Faso, Benin, Togo, and Ghana to Cote d'Ivoire for forced agricultural labor, including work in the cocoa sector. Boys from Guinea are trafficked to Cote d'Ivoire for forced mining, from Togo for forced construction labor, from Benin for forced carpentry work, and from Ghana and Togo for forced labor in the fishing industry. Women and girls are trafficked to and from other West and Central African countries for domestic servitude and forced street vending. Women and girls are trafficked from other West African countries, most notably from Ghana, Nigeria, and Burkina Faso, to Cote d'Ivoire for commercial sexual exploitation. Women are trafficked from and through Cote d'Ivoire to Europe for sexual exploitation.

The Government of Cote d'Ivoire does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government's law enforcement efforts to address trafficking increased with the conviction of sex traffickers over the last year. Despite these efforts, the government did not demonstrate progress over the last year in prosecuting traffickers of children for prostitution or forced labor; therefore, Cote d'Ivoire is placed on Tier 2 Watch List.

a sufficiently stringent punishment of five to 10 years' imprisonment and a fine. Penal Code Articles 335 to 337 prohibit recruiting or offering children for prostitution, prescribing penalties of one to 10 years' imprisonment and a fine, which are sufficiently stringent and commensurate with penalties prescribed for rape. Ivoirian law does not criminalize the trafficking of adults for commercial sexual exploitation. Conscription of children for armed conflict is prohibited by Article 2 of the military code. The government's 2007 draft law prohibiting child trafficking and child labor awaits approval by the National Assembly, but the Assembly's mandate ended in December 2005 and new legislative elections have not yet been held.

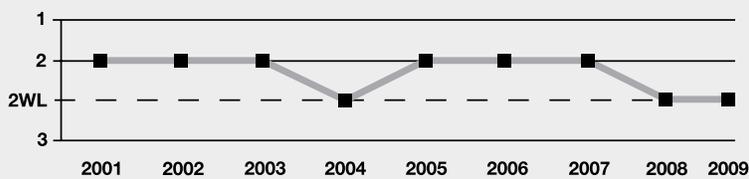
From April to July 2008, Ivoirian police investigated three trafficking cases and sent one suspected trafficker to a tribunal for prosecution. The suspect was released without being charged. A different suspect arrested in April 2008 for trafficking two Beninese children for construction labor in the housing industry was also released without being formally charged. In October 2008, the UN Operation in Cote d'Ivoire reported that a Beninese man allegedly forced five children from Benin to work long hours on cocoa plantations and in restaurants in Vavoua. Officials from the Forces Nouvelles (FN), which carried out the 2002 rebellion and remain in control of some areas of the country, arrested and placed him in prison. When the man agreed to pay the equivalent of \$1,600 to house and eventually repatriate the victims, the FN released him. The government reported that in 2008, it obtained the convictions of four Nigerien nationals who had trafficked women from Niger and Nigeria to Cote d'Ivoire for sexual exploitation. The court imposed penalties of 12 to 36 months' imprisonment and fines on the convicted traffickers. The government did not report any prosecutions of individuals subjecting children to trafficking in prostitution or in the cocoa sector.

Police reported quarterly raids on brothels. Officials reported that in two cases during the year, police questioned women in prostitution to identify whether they were trafficking victims. NGOs reported that law enforcement officials continued to exploit women in prostitution, sometimes threatening to arrest foreign women without documentation if they refused to engage in sex. During the year, Ivoirian police conducted a joint investigation with Ghanaian authorities to pursue a Ghanaian trafficker who had taken two Togolese children into Cote d'Ivoire. The government also paid to lodge judges who attended a donor-funded anti-trafficking training course.

Protection

The Ivoirian government did not fully protect victims of trafficking during the last year. There are no government shelters for victims. Victims are referred to NGOs and international organizations for care. While the government allocated \$600,000 to build centers in its 2007 – 2009 national action plan against the worst forms

COTE D'IVOIRE TIER RANKING BY YEAR



Recommendations for Cote d'Ivoire: Increase efforts to investigate, prosecute, and convict traffickers; develop systematic procedures for identifying trafficking victims among women and girls in prostitution; step up efforts to educate government officials about trafficking, particularly child sex trafficking; intensify efforts to provide care to trafficking victims by making available funds allocated for construction of victim shelters; ensure that trafficking victims are not penalized for acts committed as a direct result of being trafficked.

Prosecution

The Government of Cote d'Ivoire demonstrated increased efforts to address trafficking though law enforcement during the reporting period. Ivoirian law does not prohibit all forms of trafficking. However, Penal Code Article 378 prohibits forced labor, prescribing a sufficiently stringent penalty of one to five years' imprisonment and a fine of approximately \$800 to \$2,200. Penal Code Article 376 criminalizes entering into contracts that deny freedom to a third person, prescribing

of child labor and child trafficking, it has not yet made funds available to begin construction.

The government continued to operate community education centers and mobile schools for victims of child trafficking and the worst forms of child labor. The National Committee Against Trafficking also repatriated 25 child victims of trafficking to their home countries during the reporting period. The committee referred an additional 21 children to the NGO BICE (Bureau International Catholique de l'Enfance) for repatriation. There is currently no formal government program for Ivoirian nationals repatriated to Cote d'Ivoire, although the Ministry of Family (MOF) is occasionally called on to provide assistance. In September 2008, the MOF, in collaboration with UNICEF, published a manual detailing government procedures for providing care to child labor and trafficking victims.

The MOF is responsible for all aspects of foreign victim repatriation, including notifying the victims' consular offices or embassies, informing officials in the victims' home countries, contacting NGOs with the means to assist with shelter and repatriation, and organizing transportation expenses for victims and their escorts during the repatriation process. Once victims reach their country of origin, MOF representatives entrust them to government authorities.

Both the MOF and the National Police employed social workers to assist victims immediately upon their identification. During the year, however, police did not identify any children being prostituted in a brothel as trafficking victims, instead characterizing them as consensually in prostitution. The government systematically encouraged victims to assist in trafficking investigations and prosecutions. The government provided temporary residence permits to foreign victims from countries where they might face hardship or retribution. ECOWAS nationals, including trafficking victims, may legally reside and work in Cote d'Ivoire.

Prevention

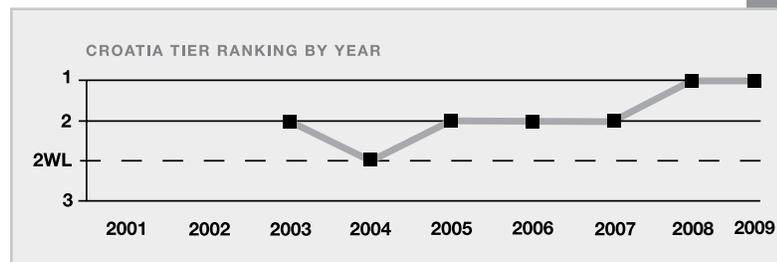
The Government of Cote d'Ivoire demonstrated efforts to prevent trafficking during the reporting period. The MOF conducted awareness-raising campaigns to educate local government officials, community leaders, and members of anti-trafficking village committees about the problem. In June 2008, the MOF launched a donor-funded national awareness campaign against trafficking and child labor. The Ministry organized UNICEF and ILO-sponsored events, such as public conferences and a film for children. The government also published a study conducted jointly with private cocoa companies on the incidence of child labor and forced adult labor in its cocoa sector in June 2008. The study found the incidence of child labor exploitation to be significant.

During the year, the police reported that they took steps to reduce demand for commercial sex acts by raiding brothels, but did not follow systematic procedures in all

cases to identify trafficking victims among females in prostitution. Cote d'Ivoire's 2008 budget allocated \$4.3 million toward implementing all aspects of the national action plan against child trafficking and the worst forms of child labor; however, no funds were disbursed during the reporting period. The government did not take measures to insure that its nationals deployed abroad as part of peacekeeping missions do not engage in or facilitate trafficking. Cote d'Ivoire has not ratified the 2000 UN TIP Protocol.

CROATIA (Tier 1)

Croatia is a source, transit, and destination country for men, women and children trafficked across national borders for the purpose of sexual exploitation and forced labor. Croatian females are also trafficked within the country, and women and girls from Serbia, Bosnia and Herzegovina, and other parts of Eastern Europe are trafficked to and through Croatia for the purpose of sexual exploitation. Two other notable trends were seen in Croatia in 2008: an increase in the trafficking of men for the purpose of forced labor; and, for the first time, Croatia serving primarily as a destination, not largely as a transit country, for victims of trafficking for the purpose of sexual exploitation and forced labor. The seasonal migration of foreign women in prostitution to and from the Dalmatian coast during high tourist seasons continued to raise concerns about sex trafficking. In the past, cases were reported of children, including Roma, trafficked for purposes of sexual exploitation; however, no cases were reported in 2008.



The Government of Croatia fully complies with the minimum standards for the elimination of trafficking. In 2008, the government continued to increase punishment of convicted trafficking offenders. It generously funded NGOs providing assistance and shelter to trafficking victims, continued its comprehensive and proactive training efforts, and initiated new trafficking prevention and awareness raising projects.

Recommendations for Croatia: Expand efforts to detect trafficking victims among vulnerable populations such as women in prostitution and men in the agricultural sector; enhance prosecution efforts to increase convictions and continue to toughen sentences imposed on convicted traffickers; ensure the responsible repatriation of foreign victims; vigorously investigate possible trafficking within

high tourism sectors along the Croatian coastline; expand awareness efforts to educate clients about the demand for commercial sex acts and forced labor; and develop a unified database to increase coordination and information sharing among government bodies combating trafficking.

Prosecution

The Government of Croatia continued to make appreciable progress in prosecuting and punishing convicted trafficking offenders under its trafficking law in 2008. During the reporting period, there were no suspended sentences, and the harshest penalty to date – eight years' imprisonment – was imposed on a convicted trafficker. Croatia criminally prohibits trafficking offenses for sexual and labor exploitation through Criminal Provision 175 of its penal code. Prescribed penalties for all forms of trafficking are one to 10 years' imprisonment; penalties that are sufficiently stringent and are commensurate with those for rape. In 2008, the government investigated 15 suspected trafficking offenders – a decrease from 20 investigated in 2007 – and prosecuted 12 during the reporting period. Nine trafficking offenders were convicted and given sentences ranging from one to eight years, compared to 10 convictions obtained in 2007. In 2008, the government provided general anti-trafficking training to 2,372 police officers, and continued its “train-the-trainer” program involving 26 police officers training counterparts on ways to recognize and assist trafficking victims. In coordination with IOM and the British government, the government delivered training to an additional 27 border police. In December 2008, the government amended its criminal code to include a minimum mandatory sentence of five years for any state official's involvement in trafficking. However, there were no specific reports of trafficking-related complicity during the reporting period.

Protection

The Government of Croatia sustained generous funding to NGOs and its two anti-trafficking shelters for the protection and assistance of trafficking victims, totaling \$161,912 in 2008. The government continued to emphasize a victim-centered approach in its official response to victim identification and protection; however in practice, it identified only seven victims during the reporting period, a decline from 15 in 2007. According to one Croatian NGO, some victims of forced prostitution are not recognized as victims of trafficking, and subsequently face punishment for prostitution-related offenses. The government made efforts to ensure that recognized trafficking victims were not penalized for unlawful acts committed as a direct result of their being trafficked. The government provides foreign victims with legal alternatives to their removal to countries where they may face hardship or retribution. In December 2008, the parliament amended the Criminal Procedure Act to give additional rights to victims of grave crimes, including victims of trafficking. In June 2008, the Ministry of

Health and Social Welfare signed a cooperation agreement with two NGOs to delineate the responsibilities of each signatory in providing victim assistance. In some initial cases in 2008, the government repatriated victims by returning them to the border in a police vehicle, putting these victims at risk of re-trafficking; the government reported it has since remedied the problem. Croatia continued to implement, through the use of mobile teams, its national mechanism to proactively identify potential trafficking victims and refer them to service providers. Reportedly, border and immigration police routinely utilize instructions on interviewing illegal migrants who are suspected trafficking victims. The government actively encourages victim participation in trafficking cases; assistance was not conditional upon victim cooperation with law enforcement investigators.

Prevention

The Government of Croatia continued to show strong leadership and initiative in its trafficking prevention efforts during the reporting period. To address concerns about prostitution and sex trafficking during the tourist season along the Adriatic coast, the government trained 130 government and nongovernmental actors on assisting trafficking victims in Rijeka and Split in 2008. Recognizing the need for awareness raising within the tourist industry, the government organized a seminar for 40 tourism sector employees on identifying victims of trafficking. It conducted outreach activities with approximately 500 students and 40 children in orphanages to prevent their possible trafficking. Croatia produced and aired a nationwide television campaign in preparation for the June 2008 Soccer Cup alerting the public that individuals they see in prostitution and child labor may be victims of trafficking. The campaign's slogan was “Open your eyes, you can help, and possibly save a life,” and was aimed at potential clients. In November and December 2008, the government conducted anti-trafficking training for 60 of its soldiers prior to their deployment to Afghanistan.

CUBA (Tier 3)

Cuba is principally a source of women and children trafficked within the country for the purpose of commercial sexual exploitation. Some Cuban children are reportedly pushed into prostitution by their families, exchanging sex for money, food, or gifts. Cuban nationals voluntarily migrate illegally to the United States, and there have been reports that some are subjected to forced labor or forced prostitution by their smugglers. The full scope of trafficking within Cuba is difficult to gauge due to the closed nature of the government and sparse nongovernmental or independent reporting. State-run hotel workers, travel employees, cab drivers, and police steer some tourists to women and children in prostitution – including trafficking victims – though this appears to be on the decline.

The Government of Cuba does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. It is difficult to assess the true extent of trafficking in Cuba. Observation and independent reports suggest that the Cuban government is taking steps to address the problem of child sex tourism, though this information cannot be verified. The government will not release information about anti-trafficking activities it may have engaged in during the past year, viewing U.S. attempts to engage officials on trafficking issues as politically motivated.

Recommendations for Cuba: Acknowledge that child sex trafficking in Cuba is a problem; provide greater legal protections and assistance for victims; develop procedures to identify possible trafficking victims among vulnerable populations; increase anti-trafficking training for law enforcement; and take greater steps to prevent the trafficking of children in prostitution.

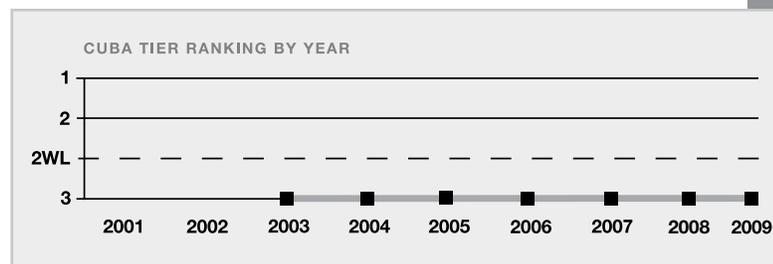
Prosecution

Cuba prohibits most forms of trafficking activity through various provisions of its penal code. While prostitution for persons over the age of 16 is legal, Title III, First Section, Article 310, provides that using children under 16 in prostitution, corruption, pornographic acts or other illegal conduct may be punishable by from seven to 30 years' imprisonment or death. Article 316, on the selling of minors, bans internal and transnational trafficking in children under the age of 16 for forced labor, prostitution, trade in organs, and pornography, and prescribes penalties of four to 20 years' imprisonment. Articles 302 and 87 prohibit inducing an adult into prostitution and prescribe penalties of up to 20 years' imprisonment. All of these penalties are sufficiently stringent, and commensurate with those prescribed for other grave crimes, such as rape. Trafficking of adults for forced labor, however, is not prohibited under Cuban law. No official data relating to Cuban investigations, prosecutions, and convictions of trafficking offenders in 2008 or any other year has been made public. An NGO in Cuba reports that a number of Cubans were convicted for human trafficking in the past year, but the majority of the crimes appear to be alien smuggling without an element of exploitation. The government continued to assist the U.S. Coast Guard with investigating potential human trafficking cases within alien smuggling groups, particularly cases of illegal migrants forced to work for smugglers or drug gangs. Corruption remained a problem throughout the government. Reports continued of individual police officers accepting bribes and profiting from the commercial sex trade. No investigations or prosecutions of public officials have been confirmed.

Protection

Efforts by the Government of Cuba to aid trafficking victims were not officially reported over the last year, but appeared weak. Evidence suggests that victims are punished for unlawful acts committed as a direct result

of their being trafficked. Although adult prostitution is legal in Cuba, police occasionally rounded up women and children in Cuba's sex trade and charged them with vague crimes such as "dangerousness" without attempting to identify trafficking victims among the detained persons. Adolescents found in prostitution were sent to either juvenile detention facilities or work camps emphasizing politicized rehabilitation. Personnel in most detention and rehabilitation centers which may house trafficking victims cannot provide adequate care, and conditions at some of these detention centers appear to be harsh. Trafficking victims who are not detained may access the limited services available through Cuba's health system. Two sexual abuse treatment centers run by the government with assistance from an NGO which provide advanced care and counseling to child sexual abuse victims and child witnesses are available to trafficking victims. Trained law enforcement and court personnel record videos of interviews and testimony, practices which could reduce children's court appearances in trafficking cases if they were to be so used. The centers' staff also provided specialized victim protection training to treatment professionals, police, prosecutors, and judges. The government did not show evidence of employing formal procedures to identify trafficking victims among vulnerable populations, such as people exploited in prostitution. Cuba claims to have a policy of encouraging victims of any crimes to participate in investigations and prosecutions, though there were no victims of trafficking known to be so encouraged during the reporting period. Cuba did not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. NGOs report that Cuban missions in foreign countries routinely refuse assistance to Cuban women who state they were forced to travel overseas and coerced into prostitution.



Prevention

The government does not acknowledge or condemn human trafficking as a problem in Cuba. No known information campaigns to prevent sex or labor trafficking took place during the reporting period. The government has taken steps to reduce demand for commercial sex acts by prosecuting child sex offenders. U.S. citizens and other foreign nationals are currently serving lengthy sentences in Cuba for sexual exploitation of a minor; in the one new case this year, a Cuban-American was arrested in March 2008 and charged with corruption of

minors, an offense usually involving sexual exploitation of children under 14. This case has not yet gone to trial. The government collects information on identified child sexual predators; immigration officials at ports of entry use this information to deny them entry to Cuba. Cuba has not ratified the 2000 UN TIP Protocol.

CYPRUS (Tier 2)

Cyprus is a destination country for a large number of women from Eastern Europe, the former Soviet Union, Russia, Latin America, and the Philippines trafficked for the purpose of commercial sexual exploitation. Recent trends indicate an increasing number of women trafficked to Cyprus from Latin America, Morocco, and Syria. Source countries for identified victims in 2008 include the Dominican Republic, Romania, Moldova, the Philippines, Uzbekistan, Syria, Russia, and Ukraine. Some trafficking for the purpose of labor exploitation also occurs. In 2008, most identified victims of sex trafficking were fraudulently recruited to Cyprus on three-month “artiste” work permits to work in the cabaret industry, on “barmaid work permits” to work in pubs, or on tourist visas to work in massage parlors disguised as private apartments. Some victims are trafficked through the area administered by the Turkish Cypriots into the Republic of Cyprus-controlled areas.

the demand for sex trafficking victims.

Recommendations for Cyprus: Ensure safeguards are developed and enforced to restrict potential conduits for trafficking into Cyprus such as the “barmaid” work permits and the new “performing artist” and “creative artist” work permits; vigorously prosecute and seek convictions of trafficking offenders and officials complicit in trafficking; implement new training programs for prosecutors and judges to enhance the quality of trafficking prosecutions to ensure sufficient criminal punishments for traffickers; develop and launch a comprehensive demand reduction campaign specifically aimed at Cypriot clients of prostitution to educate them about the link between prostitution and trafficking; adopt, disseminate, and implement a practical guide outlining the identification and referral and protection of potential trafficking victims to all front-line responders; and demonstrate more consistency in providing financial support to victims.

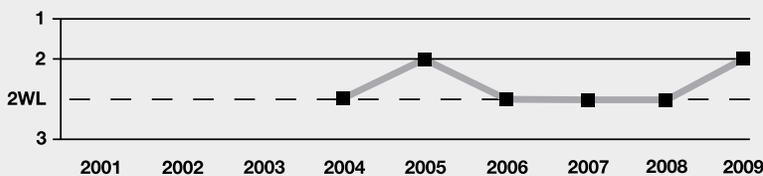
Prosecution

The Government of Cyprus demonstrated moderate efforts to prosecute and punish trafficking offenders in 2008. The Government of Cyprus prohibits trafficking for the purpose of sexual exploitation and forced labor through Law 87 (I)/2007, which also contains protection measures for victims. Although the penalties prescribed for sex trafficking range up to 20 years’ imprisonment, these penalties are not commensurate with those prescribed for other grave crimes, such as rape, for which the maximum sentence is life in prison. During the reporting period, police investigated and filed charges against 70 persons in 29 suspected trafficking cases, compared to 45 persons charged in 27 suspected trafficking cases filed in 2007. The government initiated prosecution in 21 of these cases in 2008, a slight increase from 17 cases initiated in 2007. However, only two of these 2008 cases were prosecuted to completion; both resulting in acquittals. Of the 31 cases of trafficking for sexual exploitation pending at the end of the previous reporting period, 11 remained in the prosecution phase, 10 resulted in acquittals, five were dismissed, one was suspended, and three remain under investigation. The government obtained only one conviction in 2008, resulting in a two-year sentence. This is a significant decline from eight convictions obtained during the previous reporting period. The Cypriot government in 2008 added an additional member to its three-person police anti-trafficking unit. A court acquitted three officers suspected of trafficking-related complicity in 2008; another case involving four officers remains pending.

Protection

The Government of Cyprus undertook significant efforts to protect trafficking victims in 2008. It continued to operate a shelter dedicated for trafficking victims and it provided victims with a minimum one-month reflection period to decide whether or not they want to cooperate

CYPRUS TIER RANKING BY YEAR



The Government of Cyprus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government undertook efforts to prevent trafficking by abolishing its “artiste” category work permit, launching a country-wide general awareness campaign, and dedicating significant resources to the protection and assistance of trafficking victims. Although these steps mark important progress, future assessments of the Cypriot government’s anti-trafficking efforts will consider whether the government has demonstrated more vigorous prosecution efforts and convictions against traffickers to sufficiently punish and deter trafficking in Cyprus. Moreover, future assessments will look to whether the government has taken measures to prevent sex trafficking through misuse of the new “creative artist” and “performance artist” work permits or through an upsurge in issuances of “barmaid” work permits. The government should also implement public awareness campaigns specifically targeting “clients” that comprise

in criminal investigations. During the reporting period, the government allocated \$132,000 in funding for victim assistance; it also dedicated \$249,000 for the government shelter's operation, as well as \$21,873 for an NGO-run shelter in Limassol. All victims are placed under the care of the Department of Social Welfare Services, which provided shelter and assistance to a total of 59 victims during the reporting period; six were victims of labor trafficking, two of whom were men. In 2008, police identified 41 new victims of trafficking. The government shelter housed 28 of these victims; the remaining victims were referred to the NGO shelter or stayed in private apartments. Victims who choose not to stay at the shelter are entitled to a rent subsidy and monthly allowance. The government encouraged victims to participate in investigations of trafficking offenders; 37 out of 41 victims identified agreed to assist law enforcement in 2008. The government did not penalize identified victims for unlawful acts committed as a direct result of their being trafficked. It provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution, as the law provides for the granting of asylum or refugee status to anyone, including trafficking victims, when their lives or freedom would be threatened; however, during the reporting period no trafficking victims applied for such status.

Prevention

The Government of Cyprus significantly improved its efforts to prevent trafficking in 2008. In November 2008, the Council of Ministers took the decision to abolish the "artiste" work permit, a well-known conduit for trafficking, and this decision took effect in February 2009. During the reporting period, the government issued 1,906 "artiste" work permits, some of which were re-issuances. However, it issued 526 "barmaid" work permits in 2008, compared to 416 issued in 2007, raising the concern that the barmaid work permit has taken the place of the "artiste" work permit in facilitating sex trafficking to Cyprus. In December 2008, the government launched a public awareness campaign that included pamphlets and posters in government offices, colleges, airports, and supermarkets; billboards were placed on main streets and highways. This campaign, however, did not specifically address demand within the context of Cyprus, a measure urgently needed in the country. During the reporting period, the head of the police anti-trafficking unit gave regular lectures to educate new police recruits about trafficking.

Area Administered by Turkish Cypriots

The northern area of Cyprus is administered by Turkish Cypriots; the area has declared itself the "Turkish Republic of Northern Cyprus" ("TRNC"). The United States does not recognize the "TRNC," nor does any other country except Turkey. The area administered by Turkish Cypriots is a destination for women primarily trafficked from countries in Eastern Europe for the purpose of commercial sexual exploitation. During the

reporting period, the majority of the women who received "artiste" work permits in the "TRNC" were from Moldova and Ukraine. A smaller number included women from Kyrgyzstan, Georgia, Belarus, Uzbekistan, Tajikistan, the Philippines, Kenya, Romania, and Nigeria.

Authorities in the "TRNC" overwhelmingly deny that trafficking is a significant problem in the area, posing a significant challenge to assuring any protection for women from trafficking or the prosecution of their traffickers. "TRNC" authorities identified no trafficking victims during the reporting period.

Although the area administered by Turkish Cypriots drafted an anti-trafficking "bill" in 2007, it has yet to make any progress on this "legislation." Awareness of trafficking somewhat increased, although the "TRNC" authorities provide no specialized training on trafficking; and authorities continued to confuse trafficking with prostitution and smuggling. Trafficking crimes can potentially be prosecuted on charges of "living off the earnings of prostitution" or "encouraging prostitution." Persons convicted under these "laws" can receive up to two years' imprisonment. These penalties are not commensurate with those prescribed for other grave crimes in the area administered by Turkish Cypriots, such as rape. "TRNC" authorities reportedly prosecuted nightclub owners and pimps on prostitution-related charges, but provided no statistics on these efforts. Although there are no specific reports of local authorities' complicity in trafficking, authorities likely tolerate such corruption due to a lack of anti-trafficking "legislation." Authorities reportedly hold the travel documents for foreign women in the cabaret industry in the "TRNC."

The "government" does not have specialized procedures in place to identify and refer trafficking victims or allocate any funding to anti-trafficking efforts, nor does it provide any specialized care or shelter for victims. Although prostitution is illegal in the "TRNC," nightclub employees are required to submit to weekly health checks for STD screening, suggesting tacit "government" condoning of its prostitution industry. If arrested on prostitution charges, a victim is most likely deported within 24 hours. "TRNC" authorities did not conduct any anti-trafficking awareness campaigns during the reporting period.

The "TRNC" does not fully comply with the minimum standards for the elimination of trafficking, and does not appear to be making significant efforts to do so. If the "TRNC" was assigned a formal ranking in this report, it would likely be Tier 3.

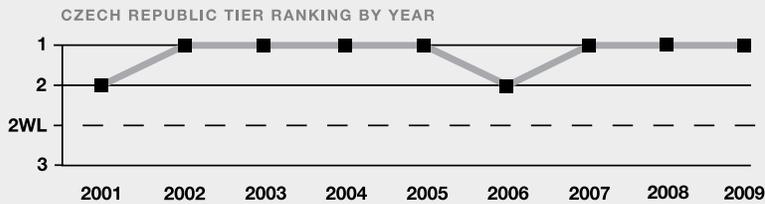
Recommendations for Turkish Cypriot authorities:

Pass the draft "legislation" that specifically prohibits all severe forms of trafficking; provide training for "law enforcement" and other front-line responders on victim identification techniques; establish specialized protection and assistance services and shelter; and educate clients and the larger public about trafficking occurring within the cabaret industry.

CZECH REPUBLIC (Tier 1)

The Czech Republic is a source, transit, and destination country for women from Slovak Republic, Ukraine, Russia, Romania, Belarus, Moldova, Bulgaria, Mongolia, and Brazil trafficked to the Netherlands, Denmark, the United Kingdom, Switzerland, and Germany for the purpose of commercial sexual exploitation. The Czech Republic is a destination for men and women trafficked from Ukraine, Russia, Moldova, Belarus, China, Vietnam, Mongolia, and Brazil for the purpose of labor exploitation. Roma women are trafficked within the country and abroad for forced prostitution.

The Government of the Czech Republic fully complies with the minimum standards for the elimination of trafficking. In 2008, the government provided \$450,000 in funding for its domestic anti-trafficking programs, including more than \$280,000 for victim assistance. The government also maintained strong victim assistance and protection efforts, including the funding of safe repatriations for 10 trafficking victims during the reporting period.



Recommendations for the Czech Republic: Demonstrate increased efforts to prosecute, convict, and punish labor trafficking offenders with imprisonment; increase the use of Section 232a of the criminal code to ensure convicted traffickers receive higher penalties for both sex and labor trafficking offenses; increase the number of victims referred for assistance by law enforcement personnel; and continue strong prevention and awareness efforts to reduce the demand for commercial sex acts.

Prosecution

The government sustained its solid law enforcement efforts over the previous year. The Czech Republic prohibits trafficking for the purposes of commercial sexual exploitation and forced labor through Sections 232a, 216, and 204 of its criminal code, and punishments prescribed under these statutes range from two to 15 years' imprisonment. These punishments are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Prosecutors often use section 204 of the criminal code to prosecute traffickers. In 2008, police conducted 81 investigations – including 10 labor trafficking investigations – and prosecuted 110 persons for trafficking offenses, compared to 11 investigations and 121 individuals prosecuted in 2007.

The government convicted 64 trafficking offenders during the reporting period, down from 78 convicted offenders in 2007. Only 28 percent – 18 out of 64 traffickers convicted in 2008 – served time in prison, compared to 23 out of 78 traffickers convicted in 2007 who subsequently served time in prison. In 2008, 16 traffickers were sentenced to one to five years' imprisonment, and two traffickers were sentenced to five to 12 years' imprisonment.

Protection

The government continued its impressive efforts to protect and assist victims over the reporting period. The government provided \$283,000 to NGOs to provide victim care in 2008; as a result, NGOs were able to provide approximately 76 victims with government-funded comprehensive assistance and shelter, compared to 75 victims assisted in 2007. The government also funded the repatriation of nine foreign victims and one Czech national during the reporting period. Foreign victims were granted an automatic 60-day period of reflection, during which time they received assistance while they decided whether to participate in criminal investigations. Victims were encouraged to assist in investigations and prosecutions; victims who cooperated with investigators were granted temporary residence and work visas for the duration of the relevant legal proceedings; 19 victims were granted temporary residency permits in 2008. Upon conclusion of the court proceedings, qualifying victims had the opportunity to apply for permanent residency; one victim was granted permanent residency in 2008, compared to three victims granted permanent residency in 2007. The government has a formal victim and identification mechanism; authorities referred 13 victims to NGOs for assistance during the reporting period. Victims were not fined or otherwise penalized for unlawful acts committed as a direct result of their being trafficked.

Prevention

The government sustained its trafficking prevention efforts during the reporting period. In 2008, the Ministry of Labor and Social Affairs worked with the Romanian government to help raise awareness about the dangers of trafficking among Romanians working in the Czech Republic; similar bilateral efforts were conducted with the governments of Moldova, Mongolia, Slovak Republic, Sweden, and Poland. The government continued funding a campaign aimed at reducing the demand for commercial sex acts among foreign tourists visiting the Czech Republic. The Czech Republic has not ratified the 2000 UN TIP Protocol.

DENMARK (Tier 1)

Denmark is primarily a transit and destination country for women and girls trafficked from Bulgaria, Romania, Latvia, the Czech Republic, Thailand, Brazil, Nigeria,