

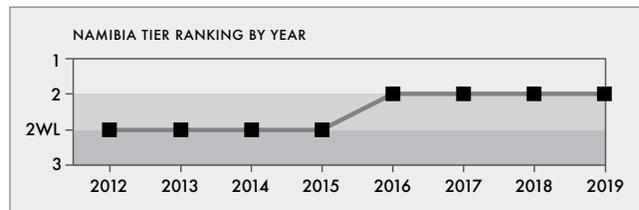
national level and members at the national, provincial, and district levels met regularly as working groups tailored to address specific trafficking cases and concerns. The government failed to pass the national action plan for the second consecutive year. Provincial-level reference groups consisting of local officials, police, border guards, social workers, NGOs, and faith-based organizations carried out awareness campaigns to educate the public in urban and rural areas and coordinated regional efforts to address trafficking and other crimes. Officials trained journalists, youth, and religious leaders on awareness of the crime of trafficking, and taught them how to report possible instances to the appropriate authorities. The PGR developed content and training for journalists focused on identification of trafficking victims and reporting on trafficking crimes. The government continued to participate in the Southern African Development Community (SADC) regional data collection tool by uploading information on trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. In partnership with international organizations, the government continued training labor inspectors on trafficking victim identification and referral. The NRG ran 74 radio and 31 television spots to raise awareness of trafficking, reportedly reaching approximately 320,000 people. Mozambican officials remained without effective policies or laws regulating foreign recruiters and holding them civilly and criminally liable for fraudulent recruiting. The government did not demonstrate tangible efforts to reduce the demand for commercial sex acts or forced labor during the year.

### TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Mozambique, and traffickers exploit victims from Mozambique abroad. The use of forced child labor occurs in agriculture, mining, and market vending in rural areas, often with the complicity of family members. Traffickers lure voluntary migrants, especially women and girls from rural areas, from neighboring countries to cities in Mozambique or South Africa with promises of employment or education, and then exploit those victims in domestic servitude and sex trafficking. Mozambican girls are exploited in bars, roadside clubs, overnight stopping points, and restaurants along the southern transport corridor that links Maputo with Eswatini and South Africa. Child sex trafficking is of growing concern in the cities of Maputo, Beira, Chimoio, Tete, and Nacala, which have highly mobile populations and large numbers of truck drivers. As workers and economic migrants seek employment in the growing extractive industries in Tete and Cabo Delgado, their arrival could increase the demand for sexual services, potentially including child sex trafficking. Mozambican men and boys are subjected to forced labor on South African farms and mines where they often labor for months without pay under coercive conditions before being turned over to police for deportation as illegal migrants. Mozambican boys migrate to Eswatini to wash cars, herd livestock, and sell goods; some subsequently become victims of forced labor. Mozambican adults and girls are subjected to forced labor and sex trafficking in Angola, Italy, and Portugal. Persons with albinism, including children, are increasingly vulnerable to trafficking for the purpose of organ removal. Informal networks typically comprise Mozambican or South African traffickers. South Asian smugglers who move undocumented South Asian migrants throughout Africa also reportedly transport trafficking victims through Mozambique. Previous reports alleged traffickers bribe officials to move victims within the country and across national borders to South Africa and Eswatini.

## NAMIBIA: TIER 2

The Government of Namibia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Namibia remained on Tier 2. These efforts included more investigations and prosecutions of potential traffickers and convicting traffickers for the first time in two years. The government referred to care a higher percentage of identified victims and facilitated the safe repatriation of more foreign victims. In partnership with an international organization the government finalized a National Referral Mechanism (NRM) and Standard Operating Procedures (SOPs) to guide front-line officials in the identification of victims and provision of protective services. It also finalized and disseminated the National Gender Based Violence (GBV) Plan of Action, which included a comprehensive framework to address trafficking. However, the government did not meet the minimum standards in several key areas. The government did not finalize implementing regulations for the Combating of Trafficking in Persons Bill, which are required for the law to be operational. It also did not adequately fund facilities equipped to shelter victims of trafficking.



### PRIORITIZED RECOMMENDATIONS:

Finalize implementing regulations for the Combating of Trafficking in Persons Bill and train officials on the new law.

- Train officials on implementation of the national referral mechanism and standard operating procedures.
- Increase funding to civil society partners that provide accommodation and care to trafficking victims to ensure they have adequate resources.
- Increase efforts to investigate and prosecute traffickers.
- Strengthen coordination among government ministries to ensure roles and responsibilities are clear and anti-trafficking policies are increasingly effective.
- Increase efforts to raise public awareness, especially in rural areas.

### PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2004 Prevention of Organized Crime Act (POCA) criminalized sex trafficking and labor trafficking and prescribed penalties of up to 50 years' imprisonment or a fine not exceeding 1 million Namibian dollars (\$69,690). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. In March 2018, the president signed the Combating of Trafficking in Persons Act, which explicitly criminalizes human trafficking and provides protection measures for victims of trafficking and it was promulgated in April 2018; however, the implementing regulations required for the law to be fully operational were not finalized by the end of the reporting period.

During the reporting period, the government investigated nine trafficking cases involving 18 suspects, compared to seven cases in 2017; of these, three involved alleged sex trafficking, four alleged forced labor, and two investigations remained ongoing at the close of the reporting period. The government initiated prosecutions in seven cases involving five defendants, an increase from four cases prosecuted during the previous year. All defendants were charged under the POCA of 2004. The government convicted two defendants, compared to zero convictions during the previous reporting period; of these, one was sentenced to eight years' imprisonment, while the other had not yet been sentenced at the close of the reporting period. The trial of a South African national extradited to Namibia in December 2017 was ongoing in the Windhoek High Court at the close of the reporting period.

The government conducted a multidisciplinary training for 35 criminal justice practitioners on identifying potential victims, referring them to protective services and legal support, as well as on prevention efforts and raising awareness of the crime. Anti-trafficking focal points within the Namibian Police Force and the Office of the Prosecutor-General trained participants at courses conducted by two international organizations. A senior officer of the Namibian Police Force and a senior prosecutor from the Office of the Prosecutor-General, in collaboration with an international organization, trained 35 social workers and shelter service providers on provision of victim-centered protective services. The Namibian Police Force and a senior prosecutor from the Office of the Prosecutor-General trained 140 immigration officials and provided anti-trafficking training to an unknown number of law enforcement officers in three police colleges during the reporting period. In partnership with an international organization, the government drafted anti-trafficking manuals for police and prosecutors, which provided guidelines for victim identification. In addition, the government drafted and printed pocket manuals for police officers to aid in the identification and referral of potential trafficking victims to services. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

## PROTECTION

The government increased efforts to protect trafficking victims. The government identified 21 trafficking victims, including five women, 10 girls, and six boys and referred 14 victims to an NGO shelter, which was partially government-funded. The government reunified five Namibian child victims with their parents and repatriated two Zambian nationals. This was compared to 21 victims identified and five referred in 2017. Seven victims were Namibian and 14 were foreign nationals from Zambia, the Democratic Republic of the Congo, and Angola. Thirteen victims were exploited in forced labor, including domestic servitude and cattle herding, seven were sex trafficking victims, and one victim was exploited in both sex trafficking and forced labor. The Cabinet approved a NRM and SOPs, drafted by the Inter-Ministerial Committee on Trafficking in Persons in collaboration with an international organization. Separate from the NRM and SOPs, the Namibian Police Force (NamPol) and immigration officials used their own referral procedures. In practice, labor inspectors and immigration officials contacted NamPol when they identified an instance of potential trafficking; NamPol referred victims of all crimes to temporary shelter and medical assistance. The government partnered with a local NGO to provide protective services to Namibian and foreign victims of trafficking; the NGO provided safe accommodation and the government provided psycho-social support, legal assistance,

medical care, and ensured victims had proper documentation. Child victims were provided with access to education. The Gender-based Violence Protection Units facilities offered initial psycho-social, legal, and medical support to crime victims, in cooperation with the police, the Ministry of Gender Equality and Child Welfare (MGEWCW), the Ministry of Health, and NGOs. Government shelters for victims of gender-based violence, including trafficking, were non-operational during the reporting period. Adult victims had the ability to seek employment and work while receiving assistance, though it is unknown how many victims did so during the reporting period. The NGO shelter that received victims during the reporting period was equipped to receive families, teen boys, and men. The government provided 26,000 Namibian dollars (\$1,810) per month to the NGO that received victims. The government also provided 24,000 Namibian dollars (\$1,670) to an NGO shelter in the northeastern part of the country. The Ministry of Home Affairs and Immigration continued to provide immigration officials a printed manual to guide identification of trafficking victims.

The government did not have a policy to encourage trafficking victims' participation in investigations; the law provides for witness protection or other accommodations for vulnerable witnesses that in principle would be available for trafficking victims. However, 14 victims voluntarily assisted law enforcement during the reporting period. The government requested information and offered repatriation assistance in a case involving five Namibian child trafficking victims exploited in the United Kingdom. While the government had no formal policy to provide residence permits to foreign victims of trafficking, during previous reporting periods, government officials made ad-hoc arrangements for victims to remain in Namibia.

## PREVENTION

The government maintained prevention efforts. The ministerial-level national committee to combat trafficking and its technical committee did not hold any official meetings during the reporting period. The National Coordinating Body met four times during the reporting period with support from an international organization. The government addressed trafficking in the National GBV Plan of Action, which was finalized and disseminated to relevant agencies in all 14 political regions of the country during the reporting period. The government hosted the third annual commemoration of World Day Against Trafficking in Persons in all 14 regions of the country. In partnership with an international organization, the government developed materials and launched a national awareness-raising campaign, and NamPol created and distributed informational pamphlets and posters throughout the country, including at major immigration points, such as international airports. The government continued to participate in the Southern African Development Community (SADC) regional data collection tool by uploading information about trafficking cases and victim and trafficker profiles, as well as sharing information with countries in the region. The Ministry of Labor and Social Welfare employed 77 labor and occupational health and safety inspectors, who were responsible for enforcing laws against child labor. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training to its diplomatic personnel.

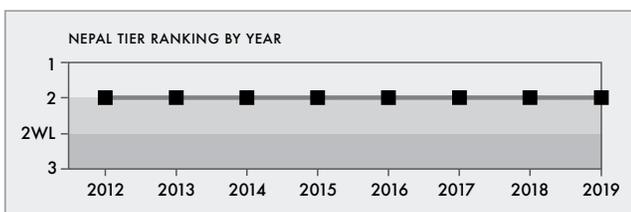
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit

domestic and foreign victims in Namibia, and traffickers exploit victims from Namibia abroad. Some victims are initially offered legitimate work for adequate wages, but are then subjected to forced labor in urban centers and on commercial farms. Namibian children are subjected to forced labor in agriculture, cattle herding, and domestic service, and to sex trafficking in Windhoek and Walvis Bay. A 2015 media report alleged foreign sex tourists from southern Africa and Europe exploit child sex trafficking victims. Namibians commonly house and care for children of distant relatives to provide expanded educational opportunities; however, in some instances, these children are exploited in forced labor. Among Namibia's ethnic groups, San and Zemba children are particularly vulnerable to forced labor on farms or in homes. Children from less affluent neighboring countries may be subjected to sex trafficking and forced labor, including in street vending in Windhoek and other cities as well as in the fishing sector. Angolan children may be brought to Namibia for forced labor in cattle herding.

## NEPAL: TIER 2

The Government of Nepal does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Nepal remained on Tier 2. These efforts included identifying significantly more male trafficking victims than in previous years and creating and funding a law enforcement bureau dedicated solely to human trafficking crimes—the Anti-Trafficking-in-Persons Bureau (Anti-TIP Bureau). However, the government did not meet the minimum standards in several key areas. Its laws do not criminalize all forms of forced labor and sex trafficking, and despite a large number of Nepali male trafficking victims overseas, government protection efforts disproportionately focused on female victims. Official complicity in trafficking offenses remained a serious problem, both direct complicity as well as negligence, and the government did not report significant efforts to address it, even after a 2017 parliamentary call to take action. Officials encouraged migrant workers exploited abroad to register cases under the 2007 Foreign Employment Act (2007 FEA), which criminalized fraudulent recruitment, rather than refer cases to police for investigation of labor trafficking.



### PRIORITIZED RECOMMENDATIONS:

Investigate allegations of official complicity in trafficking crimes and hold perpetrators criminally accountable. • Amend the Human Trafficking and Transportation (Control) Act (HTTCA) to bring the definition of human trafficking in line with the 2000 UN TIP Protocol. • Finalize and train front-line responders on standard operating procedures (SOPs) to identify and refer trafficking victims to services, especially male labor trafficking victims. • Accede to the 2000 UN TIP Protocol. • Establish standard operating procedures for law

enforcement—including the Anti-TIP Bureau, Nepal Police Women's Cells (NPWC), and Central Investigation Bureau (CIB)—to investigate human trafficking cases, including referrals between agencies. • Increase investigations, prosecutions, and convictions of trafficking offenses, including criminal investigations into labor recruiters and sub-agents who engage in labor trafficking. • Expand access to and availability of victim care, including shelter and repatriation, for all victims, especially males and Nepalis exploited overseas. • Increase staff, training, and resources to the Department of Foreign Employment (DFE) to facilitate full implementation of the low-cost recruitment policy, including regular DFE monitoring for compliance. • Implement the victim-witness protection provisions of the HTTCA. • Remove the HTTCA provision that allows victims to be fined if they fail to appear in court or be held criminally liable for providing testimony contradicting their previous statement. • Lift current bans on female migration and engage destination country governments to create rights-based, enforceable agreements that protect Nepali workers from human trafficking. • Provide documentation to Harawa-Charawa communities and internationally recognized refugees and asylum-seekers to allow them to work, attend school, and access social services.

### PROSECUTION

The government maintained mixed anti-trafficking law enforcement efforts. The 2007 HTTCA criminalized some forms of sex trafficking and labor trafficking. The HTTCA criminalized slavery and bonded labor, but did not criminalize the recruitment, transportation, harboring, or receipt of persons by force, fraud, or coercion for the purpose of forced labor. It criminalized sex trafficking but, inconsistent with international law, required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. Prescribed penalties range from 10 to 20 years' imprisonment and a fine, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Additionally, the 2002 Bonded Labor (Prohibition) Act criminalized bonded labor and the Child Labor Act criminalized forced child labor; however, neither law prescribed sufficiently stringent penalties. The 2007 FEA criminalized fraudulent and deceptive labor recruitment. For the fourth consecutive year, the National Committee for Controlling Human Trafficking (NCCHT) continued drafting revisions to the HTTCA to bring the definition of human trafficking in line with international law, including a workshop to solicit NGO input. The proposed amendment awaited approval from the Ministry of Finance at the close of the reporting period.

The NPWC conducted 313 investigations under the HTTCA during the Nepali fiscal year, compared with 227 cases in the previous fiscal year. The 313 cases involved 546 alleged traffickers, of whom 447 had been arrested and 99 remained at large. NPWC investigated crimes in which women and girls were the primary victims; other police investigative units handled crimes involving male victims. The CIB investigated 13 transnational trafficking cases and arrested 14 suspects between April and December 2018, compared with eight transnational cases during the same period in 2017. The government initiated prosecutions in 285 cases during the fiscal year and continued prosecution of 190 cases it had initiated in previous years, compared with initiating prosecutions in 303 cases and continuing prosecutions in 184 cases in the previous fiscal year. Officials did not disaggregate data to distinguish between sex and labor trafficking cases. At the district level, courts convicted

213 traffickers during the fiscal year, a significant decrease from 274 and 262 trafficking convictions during the previous two fiscal years. District courts acquitted 113 accused, compared with 233 acquittals the previous fiscal year. The government did not report sentences prescribed to convicted traffickers.

In May 2018, the government allocated limited funding to create the Anti-TIP Bureau, mandated by the HTTCA to investigate all trafficking crimes. As of March 2019, police had filled only 36 of 171 permanent positions in the central bureau, primarily investigators with nationwide jurisdiction. The Anti-TIP Bureau was not yet investigating cases by the close of the reporting period, but staff had begun developing internal SOPs. Police lacked the staff, resources, and training required to patrol Nepal's nearly 1,100-mile border with India, where significant transnational trafficking occurred; therefore, NGOs conducted the majority of the checkpoint inspections, focusing almost entirely on intercepting female potential trafficking victims. The government had standard training for labor, immigration, judicial, law enforcement, and foreign employment officials that included anti-trafficking elements. During the reporting period, the attorney general's office trained public prosecutors on victim-centered investigations and prosecutions, and the Ministry of Women, Children, and Senior Citizens (MWCSC) trained law enforcement and civil society on trafficking trends and emergency victim protection. Despite these trainings, police lacked sophisticated investigative techniques and skills to interact in a victim-centered way with trafficking survivors; these deficiencies undermined prosecution efforts. In addition, law enforcement and labor officials continued to demonstrate a lack of understanding of the differences between labor violations and labor trafficking, including how to report and investigate allegations.

Legal experts stated prosecutors could pursue a case under both the HTTCA and the 2007 FEA for transnational labor trafficking and foreign employment fraud, respectively; however, prosecutors regularly refused to do so, believing such action would violate the prohibition against double jeopardy. Many migrant workers remained unaware of the process for obtaining redress, including in cases of trafficking. DFE officials continued to advise abused migrant workers to register complaints under the 2007 FEA rather than notify police. Many victims of transnational labor trafficking with knowledge of the redress process still preferred to submit claims for restitution through the 2007 FEA in lieu of lengthy criminal prosecutions under the HTTCA, citing the desire to avoid the stigma associated with trafficking, the higher potential for compensation through the 2007 FEA, and the lack of time and funding necessary to access the centralized institutions charged with providing redress.

The government did not report any new investigations, prosecutions, or convictions of government employees complicit in human trafficking; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. NGOs alleged some police and political party leaders were complicit in sex trafficking in conjunction with their financial involvement in the adult entertainment sector (AES). Observers continued to report some traffickers, including owners of adult entertainment establishments and exploitative orphanages, enjoyed impunity due to personal connections with politicians or by bribing police. Civil society alleged local officials facilitated the falsification of age documents for girls that traffickers exploited in sex trafficking within Nepal and abroad. Traffickers reportedly bribed some government officials to include false information in genuine Nepali passports or

provide fraudulent documents to prospective labor migrants or foreign employment agents. NGOs had concerns that because a number of government officials, including parliamentarians, maintained close ties to foreign employment agencies, such officials might have a conflict of interest in approving migrant-friendly practices, such as prosecution of abusive recruitment agencies and increasing protections for migrant workers. In August 2017, a parliamentary committee stated due to the negligence or complicity of immigration officials and police, girls and women had departed the international airport without completing the required exit procedures; the committee stated that up to 60 percent of Nepali domestic workers in the Gulf were working illegally without proper visas and safeguards. The committee called on the government to take action against these immigration officials, but the government had not addressed the issue at the close of the reporting period. In November 2017, a parliamentary commission arrested the Director General of DFE and two DFE officials for allegedly attempting to collect a bribe from a foreign employment agency; law enforcement released the three officials on bail or their own recognizance, and the case was pending at the end of the reporting period. In December 2017, police arrested a recently elected local official for allegedly exploiting two Nepali girls in sex trafficking in India; Nuwakot District Court sentenced the official to 37 years and six months and a fine of 250,000 Nepali rupee (NPR) (\$2,240).

## PROTECTION

The government maintained efforts to identify and protect internal female trafficking victims, but protection efforts for male victims and trafficking victims abroad remained weak. The government did not have SOPs for victim identification and referral to services, although NPWC had internal guidelines on the identification and treatment of victims and MWCSC continued drafting SOPs on victim identification, referral, and data collection. Authorities did not systematically track the total number of victims identified, but NPWC reported identifying 546 victims connected to the 313 trafficking investigations, an increase from 368 victims identified the previous fiscal year. Of NPWC's 546 identified victims, suspected traffickers subjected 106 victims to sex trafficking and 209 to labor trafficking; reports did not specify the type of trafficking for the other 231 victims. The 546 victims included 180 victims younger than age 18 and 119 males identified in three cases—a significant increase from the past year, when officials identified only four male victims. NPWC did not disaggregate domestic versus transnational trafficking. From April to December 2018, CIB identified an additional 53 child trafficking victims, many of whom traffickers had exploited in sex trafficking in India, compared with 57 transnational trafficking victims identified during the same period in 2017. NGOs identified 176 Nepalis in India—146 women and 30 men—who had allegedly paid smugglers for transportation to Burma and then to various countries in the Middle East, where NGOs alleged they might have faced labor or sex trafficking. Officials' poor understanding of trafficking and the lack of SOPs hindered proactive identification, especially among returning male migrant workers exploited abroad.

Although the government had national minimum standards for victim care and referral to services, referral efforts remained ad hoc and inadequate. NPWC typically referred trafficking victims to One-Stop Crisis Management Centers, government-run emergency shelters for victims of trafficking and gender-based violence, or to various NGOs for shelter, medical, and legal services. While NGOs reported the rate of referral from law enforcement increased, the government did not report how

many victims it referred to services. With MWCSC support, NGOs maintained 10 rehabilitation homes, 36 emergency shelters, and 36 community service centers for female victims of gender-based violence, including trafficking. It did not open any new centers, compared with opening two new rehabilitation homes, 19 emergency shelters, and 19 community centers during the previous reporting period. In the 2018-2019 fiscal year, the government allocated the same amount of funding for these shelters as in the 2017-2018 fiscal year, 10 million NPR (\$89,610), although the funding was cumulative and the fund had approximately 19.3 million NPR (\$172,940) at the beginning of the year. MWCSC provided NGOs with funding for shelter staff, some facility expenses, and victim assistance such as legal and psychological support; however, NGOs reported it only disbursed this funding when NGOs requested reimbursement. An international donor constructed a temporary shelter for up to 30 women and child victims of crime. MWCSC also supported an NGO-run long-term shelter for female victims of violence. Unlike in past years, MWCSC did not allocate dedicated funds for the protection and rehabilitation of male trafficking victims, although other sources of funding could be reallocated for that purpose. Nonetheless, international organizations reported male victims and victims of labor trafficking frequently did not receive services. An NGO ran one shelter for men in Kathmandu. Victims had the ability to seek restitution from traffickers or back wages from a rehabilitation fund if the government was unable to collect fines from traffickers under the HTTCA. In previous reporting periods, district courts in Kathmandu, Bhaktapur, and Chitwan ordered their respective district committees for controlling human trafficking (DCCHTs) to provide restitution to trafficking victims from the fund, and DCCHTs had initiated this process for some victims in previous reporting periods. MWCSC did not report if any victims received restitution.

During the reporting period, four of 26 judges in the Kathmandu and Bhaktapur District Courts instituted victim-friendly courtrooms and practices, including allowing victims to provide testimony via camera. Police continued efforts to pay for victim and witness transportation and lodging during judicial hearings; authorities did not report if any trafficking victims benefited from these services. Overall victim-witness protection mechanisms and the practices of police and justice officials remained insufficient. Victims continued to report challenges in providing testimony, including open doors to rooms where victims provided testimony via camera, threats from perpetrators, and the lack of compensation or lack of ability to collect compensation when awarded. Notably, resource limitations impeded the provision of a victim's right to police protection, and observers stated victims were reluctant to file criminal complaints under HTTCA in part because of personal or family safety concerns. A 2015 amendment to the HTTCA that reinstated a provision allowing victims to be fined if they failed to appear in court or to be held criminally liable for providing testimony contradicting their previous statements also impeded victim protection. The government did not have legal alternatives to the deportation of foreign victims.

Government services for its nationals exploited abroad remained inadequate compared to the scope of the problem. The 2007 FEA required the government to appoint labor attachés in countries with more than 5,000 registered Nepali migrant workers to facilitate claims of abuse, exploitation, and repatriation. Due to the cost of the attachés, however, they were not present in all required countries. In addition, migrant workers reported attachés did not provide adequate information on how to obtain support or file official grievances against their exploitative

employers. Nepali embassies in Bahrain, Kuwait, Malaysia, Oman, Qatar, Saudi Arabia, and United Arab Emirates could provide emergency shelter for vulnerable female workers, some of whom were trafficking victims, but the embassies did not provide statistics on the number of workers assisted. The Foreign Employment Promotion Board (FEPB) acknowledged shelters lacked sufficient space, staff, and resources to meet the high demand for assistance. FEPB collected fees from departing registered migrant workers for a welfare fund to provide repatriation and one year of financial support to families of injured or deceased workers, which could include trafficking victims. During the fiscal year, the fund repatriated 64 migrant workers, an increase from 50 the previous year, and repatriated the bodies of 823 Nepalis who died while employed abroad. It was unknown how many of those repatriated were trafficking victims. FEPB could also repatriate unregistered migrant workers by requesting funds through the finance ministry on an ad hoc basis, but it could not provide any other financial support or services to unregistered workers. DFE maintained an online application for migrant workers facing abusive or untenable situations overseas, or someone on the migrant worker's behalf, to file a request with officials for repatriation. While DFE reported an increased number of requests in 2018, compared to 227 requests between December 2016 and January 2018, it did not report the number of requests, how many requests it fulfilled, or how many stemmed from trafficking crimes. MWCSC had additional funds it could allocate to Nepali embassies to repatriate trafficking victims. The funds covered food and travel expenses for the trafficking victim and an accompanying embassy officer. MWCSC reported spending 9.05 million NPR (\$81,090) for trafficking victim repatriation from at least four countries during the fiscal year. NGOs bore the primary cost of repatriating Nepali trafficking victims from India.

## PREVENTION

The government maintained efforts to prevent human trafficking. The government operated 732 local anti-trafficking committees (LCCHTs) and funded them through the DCCHTs, but it did not create any new committees during the reporting period. MWCSC did not report how much funding it allocated to DCCHTs during the fiscal year for prevention and protection services. While the NCCHT continued to meet with and train officials from the DCCHTs, observers noted the need for improved coordination between the NCCHT, DCCHTs, and LCCHTs. A January 2018 MWCSC-led review of the 2012-2022 anti-trafficking national action plan revealed the government had implemented less than one-third of the plan's prosecution and capacity building objectives. NCCHT did not report further implementation of the plan during the reporting period. MWCSC issued its sixth report on the government's anti-trafficking efforts, and the National Human Rights Commission's Office of the Special Rapporteur on Trafficking (OSRT) in Women and Children issued its ninth report on human trafficking. Officials noted OSRT had declined in efficacy, and its top position has been vacant for several years. The government conducted public awareness campaigns throughout the country, sometimes in partnership with NGOs or international organizations. Special committees to monitor the AES for abuses remained active in nine districts. Observers stated they had limited effectiveness, however, due to a lack of funding and legislation to establish a formal role. Police continued regular inspections of such enterprises. Kathmandu police operated a toll-free child help hotline that can handle reports of suspected trafficking cases; police did not report if it identified any traffickers or victims from the hotline during the reporting period.

The government's 2015 labor migration guidelines include a policy requiring foreign employers to pay for visa and transportation costs for Nepali migrant workers bound for Malaysia and the Gulf states and restrict agency-charged recruitment fees to 10,000 NPR (\$90). In April 2017, DFE issued a directive to recruitment agencies to demonstrate their adherence to the policy; by September 2017, 750 of 1,097 agencies had fulfilled the requirement. DFE had fined 30 agencies between 50,000-100,000 NPR (\$450-\$900) for lack of adherence the previous reporting period, but did not report any similar enforcement during the reporting period. Both NGOs and government officials noted the monitoring mechanism was ineffective to address non-compliance; employment agencies regularly charged migrant workers fees above the 10,000 NPR (\$90) limit. During reporting period, DFE opened offices in all seven provinces to increase prospective migrant workers' access to foreign employment-related services. The government continued mandatory pre-departure trainings for migrant workers, but they were only held in a few districts and did not address the consular services or mechanisms for redress available while abroad, limiting their utility. In November 2018, the government began offering free skill tests for returned migrant workers and provided certifications for skills obtained abroad. FEPB monitored and reported on labor violations, and referred cases to DFE and the Foreign Employment Tribunal for adjudication and penalization; FEPB did not report if it referred any cases during the reporting period. The government maintained its ban on migration of female domestic workers younger than age 24 to Gulf States and mothers with children younger than two. Observers noted this ban increased the likelihood such women would migrate illegally and therefore increased overall vulnerability to trafficking.

The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government adopted a second iteration of its National Master Plan to End Child Labor, (2018-2028) that prioritizes ending the worst forms of child labor, including forced child labor. However, NGOs reported the Department of Labor (DOL) remained reticent to take meaningful action against perpetrators of child and forced child labor. While labor inspectors identified and removed 75 child laborers from situations exhibiting indicators of trafficking during the reporting period, DOL did not report if it referred any employers for criminal investigation and/or issued any administrative penalties. Furthermore, NGOs reported DOL encouraged mediation over prosecution in cases of labor violations, including forced child labor. Violators typically paid small amounts of compensation to victims in lieu of administrative or criminal prosecution. The government provided anti-trafficking training to its troops prior to their deployment as peacekeepers. The government did not provide anti-trafficking training to its diplomatic personnel. Nepal is not a party to the 2000 UN TIP Protocol. During the reporting period, a Ministry of Home Affairs-led committee researched the impact of ratifying the Protocol and officially proposed to the prime minister to ratify the Protocol. The ministry was further revising the proposal at the close of the reporting period.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Nepal, and traffickers exploit victims from Nepal abroad. Traffickers exploit Nepali women and girls in sex trafficking and domestic servitude in Nepal; India; the Middle East, especially Gulf countries; Asia, and East Africa, including Kenya. Traffickers subject Nepali men, women, and children to forced labor in Nepal; India; the

Middle East; Asia, including Malaysia and Japan; and Europe, including Portugal; on farms and in construction, factories, mines, domestic work, begging, and the adult entertainment industry. Some manpower agencies and individual agents engage in fraudulent recruitment practices and impose high fees to facilitate forced labor. Unregistered migrants—including the large number of young Nepali women who transit India or men and women who rely on unregistered recruitment agents—are particularly vulnerable to forced labor and sex trafficking. Some Nepali women who agree to arranged marriages through Nepali companies to men in China and South Korea may face fraud and domestic servitude. Traffickers subject some migrants who transit Nepal en route to the Middle East to human trafficking, including Bangladeshi and Sri Lankans who use falsified Nepali travel documents. Some government officials reportedly accept bribes to include false information in Nepali identity documents or provide fraudulent documents to prospective labor migrants, which allows recruiters to evade recruitment regulations. Traffickers reportedly take advantage of more relaxed pre-departure screenings at Kolkata and Chennai airports or bribe Indian officials in New Delhi and Mumbai to fly Nepali migrant workers to third countries without proper documentation, which increases the workers' vulnerability to trafficking. Traffickers also transport Nepali labor trafficking victims through Sri Lanka and Burma en route to destination countries.

Within Nepal, bonded labor of adults and children exists in agriculture, brick kilns, the stone-breaking industry, and domestic work. While government officials denied children regularly worked in brick kilns, NGOs continued to report children carrying loads, preparing bricks, and performing other tasks at kilns for extended periods. Traffickers subject Nepali and Indian children to forced labor in the embroidered textile, or *zari*, industry, as well as in carpet factories and stone quarrying. Traffickers increasingly subject Nepali girls and boys to sex trafficking in Nepal on the streets and in the AES, including dance bars, massage parlors, and cabin "restaurants," a type of brothel. Sex trafficking of Nepali women and girls increasingly takes place in private apartments, rented rooms, guesthouses, and restaurants. Traffickers subject transgender persons to sex trafficking in Nepal. Police report an increasing trend of AES businesses recruiting Nepali female employees for work abroad in the same sector, which increases vulnerability to sex trafficking abroad. NGOs alleged some police and political party leaders are complicit in sex trafficking because of their financial involvement in the AES. Traffickers exploit Nepal's open border with India to transport Nepali women and children to India for sex trafficking, including under the guise of "orchestra dancers," where girls dance at public functions and men exploit them in sex trafficking.

Under false promises of education and work opportunities, some Nepali parents give their children to brokers who instead take them to frequently unregistered children's homes and force them to pretend to be orphans to garner donations from tourists and volunteers; some of these children are also forced to beg. Some tourists and volunteers, primarily from Western countries, exploit these children in child sex tourism. NGOs reported some owners of exploitative child institutions, including fake orphanages, use political connections to thwart child protective agencies and prosecution. Traffickers transport Rohingya girls from refugee camps in Bangladesh to Kathmandu for sex trafficking. Traffickers target young, poorly educated people from traditionally marginalized castes and ethnic minority communities and increasingly utilize social media and mobile technologies to lure their victims. Law enforcement reported

victims' families are sometimes complicit in their trafficking. Organized criminal networks engage in trafficking in some parts of the country. Many Nepalis whose homes or livelihood were destroyed by the 2015 earthquakes—especially women and children—remain vulnerable to trafficking. Approximately 11,000 Tibetans lack identity documents, which impedes them from legally working, studying, traveling, and accessing public services. Nepali law treats newly arrived asylum-seekers and UNHCR-recognized refugees as illegal immigrants and does not provide for government-issued identification; lack of documentation increases their vulnerability to trafficking.

## NETHERLANDS: TIER 1

The Government of the Netherlands fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore the Netherlands remained on Tier 1. The government demonstrated serious and sustained efforts by investigating, prosecuting, and convicting a significant number of traffickers; increasing the number of convictions; and identifying a significant number of victims. The national rapporteur increased monitoring and evaluation of trafficking and law enforcement increased efforts to fight child sex tourism. Although the government meets the minimum standards, authorities identified fewer victims for the fourth consecutive year, did not uniformly offer the three-month reflection period to foreign victims, and the government did not report complete statistics for the reporting period.



### PRIORITIZED RECOMMENDATIONS:

Increase efforts to identify victims. • Provide all potential trafficking victims with care services, regardless of their ability to cooperate with an investigation. • Issue uniform and clear guidance on reflection period criteria for the government's three investigative bodies. • Increase efforts to investigate, prosecute, convict, and sentence traffickers to significant prison terms. • Improve data collection quality for law enforcement and ensure the timely release of victim identification data for policy evaluation. • Incorporate measurable goals into the national action plan. • Increase outreach to potential victims in labor sectors and identify forced labor. • Implement results-based training and mentoring of officials in the islands of Bonaire, St Eustatius, and Saba (BES islands) to increase identification of victims and prosecution of traffickers. • Expand the rapporteur's mandate or assign another independent body to evaluate anti-trafficking efforts and assess trafficking prevalence in the BES islands.

### PROSECUTION

The government maintained law enforcement efforts. Article 273f of the criminal code criminalized sex trafficking and labor trafficking and prescribed punishments of up to 12 years' imprisonment or a fine of up to €83,000 (\$95,180) for

trafficking offenses involving an adult victim, and up to 15 years' imprisonment or a fine of up to €83,000 (\$95,180) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Police brought 142 new trafficking cases to the prosecutor's office for further investigation, compared with 141 in 2017. The government prosecuted 138 alleged traffickers, compared with 157 in 2017. The government convicted 111 traffickers, compared with 127 in 2017.

The government did not report complete sentencing data but confirmed several cases in which traffickers received significant prison terms. For instance, in April 2018, a district court in The Hague sentenced a man to 11 years in prison and a fine of €250,000 (\$286,700) in compensation to six victims of sex trafficking. In June 2018, a court in Groningen sentenced a man to eight years in prison for human trafficking, sexual exploitation of a child, and producing child pornography. In August 2018, a district court in Arnhem sentenced a man to seven years in prison and a fine of €100,020 (\$114,700) in compensation to three victims of sex trafficking. The BES islands (fully under the authority of the Netherlands) did not prosecute or convict any traffickers in 2018. There were investigations but none resulted in trafficking charges. Bonaire law enforcement implemented a database for human trafficking, which served as a repository for future leads on human trafficking.

The government continued to participate in international investigations and led joint investigation teams with other EU nations. Strong coordination between the Dutch police, an NGO, and Nepali authorities led to the conviction of two child traffickers in Nepal. Both traffickers received sentences of seven and eight years in prison, respectively, and paid compensation to the victims. Through an in-country liaison, Dutch police provided information to Philippine police that led to the arrest of a child sex trafficker exploiting children to perform sexual acts through internet webcams. Judges with trafficking-specific training heard all trafficking cases in 2018. The government delivered a high volume of anti-trafficking training to law enforcement and allocated €2 million (\$2.29 million) to increase the number of police certified to investigate trafficking cases and boost overall law enforcement capacity. Anti-trafficking police officers were required to pass examinations in a training course focused on policing commercial sex. Authorities trained custom and coast guard officials in the BES islands. Judges, prosecutors, and defense attorneys continued to receive specialized training in applying the anti-trafficking law and dealing with traumatized victims. In February 2019, a district court sentenced a deputy chief prosecutor investigated for soliciting sex from a child in sex trafficking to 10 months in prison under the charge of sexual misconduct with a minor. Prosecutors reported the government frequently did not charge child sex traffickers under the trafficking law but under a sexual abuse law (article 248b), which carried lesser penalties. The Ministry of Justice and Security elevated trafficking to one of its four top law enforcement priorities in its strategic agenda for 2019 to 2022.

### PROTECTION

The government maintained efforts to protect victims. In 2017, the most recent year data was available, the government-funded national victim registration center and assistance coordinator registered 958 possible trafficking victims, compared with 952 in 2016. Of these, 534 were victims of sex trafficking, 249 of labor trafficking, 42 of both labor and sex trafficking,

and 133 of uncategorized trafficking. Children comprised 194 of the victims (227 in 2016). The top countries of victim origin in 2017 (in order of prevalence) were the Netherlands, Poland, Romania, Bulgaria, and Nigeria. The police reported identifying 432 victims (446 in 2016); regional health care organizations, 320 (240 in 2016); labor inspectors, 38 (38 in 2016); border security, 21 (12 in 2016); and the remainder from other organizations. The BES islands did not identify any victims in 2018. The government continued to identify fewer victims than in years prior to 2016, but officials and civil society did not interpret this trend as a decrease in trafficking prevalence. Both attributed the identification of fewer victims to a shift in police resources away from trafficking to new priorities, which led to staff turnover and a loss of accumulated trafficking expertise. Additionally, civil society reported victims preferred to register for residency permits under the asylum process rather than the specialized process for trafficking victims. In 2017, the national rapporteur conducted a multiple systems estimation study, which estimated 6,250 trafficking victims within the country.

The government funded an extensive network of care facilities for both foreign and domestic victims. The government fully funded three NGO-managed shelters that provided dedicated services for child, adult females, and adult male trafficking victims to include 50 shelter beds with 16 beds designated for male victims. The government provided €800,000 (\$917,430) to the shelters, a significant decrease from €1.6 million (\$1.83 million) in 2017. All shelters provided medical and psychological care, schooling, language and skills training, and legal assistance; some also provided self-defense classes and most had facilities accessible to disabled individuals. Local governments also funded shelters for domestic violence victims, which had dedicated space for trafficking victims. Children remained vulnerable in the protection system; in May 2018, police arrested two men for trafficking 12 girls in a youth care facility. Authorities funded several shelters designated for “lover-boy” trafficking victims (girls coerced into sexual exploitation through a sham relationship). The government did not provide data on the number of victims referred to care facilities in 2018, but from 2013 to 2017, 824 of the 5,433 identified victims, or 15 percent, chose to receive services at the shelters. In 2018, the number of health care regions with a trafficking victim coordinator increased to 24, compared with 16 in 2017. The government issued a grant to an NGO to fill all 35 regional coordinator positions by 2020.

The government permitted potential victims to stay in shelter care for a three-month reflection period to begin recovery and decide whether to assist law enforcement. The national rapporteur reported the three investigative agencies—the police, the military police, and the labor inspectorate—did not uniformly offer the three-month reflection period to foreign victims. Labor authorities stated criteria for granting non-EU victims reflection periods remained unclear. In 2017, the most recent year data was available, 131 of the 584 foreign victims made use of the reflection period. During the reflection period, non-EU victims had access to specialized shelters but could not work. After the reflection period, victims who agreed to assist police could continue to stay in shelters. According to civil society, foreign victims who ceased cooperation with authorities lost their residency permit and consequently all support services. NGOs reported non-EU victims were increasingly unwilling to report to the authorities as they were concerned with participating in a long court process, fearful of retribution from convicted traffickers due to light sentencing, and uncertain of obtaining permanent residency. In an effort to address concerns regarding assistance linked to criminal investigations, the government

completed a pilot project that assigned a multidisciplinary team to review victimhood designation without dependence on cooperation with a criminal investigation; project results were pending. Victims willing to testify against their alleged trafficker were eligible to receive a temporary residence permit (B-8 permit), if authorities decided to prosecute a suspected trafficker. Victims received permanent residency when the court convicted the trafficker in their case or when they maintained temporary B-8 status for three or more years. In 2017, the most recent year data was available, 131 (160 in 2016) foreign victims applied for the permanent B-8 permit. A victim could apply for asylum if their case closed without a conviction or they declined to assist in an investigation. The government did not report the number of potential victims who applied for asylum. A procedure also existed to circumvent B-8 eligibility requirements in cases where victims were seriously threatened or had serious medical or psychological conditions. Authorities worked with civil society to repatriate foreign victims unable to acquire residency permits.

## PREVENTION

The government increased efforts to prevent trafficking. The Human Trafficking Task Force, composed of local and national government authorities, the private sector, and NGO representatives, set long-term anti-trafficking policies, while the Ministry of Justice and Security led the implementation and coordination of anti-trafficking efforts. In November 2018, the government issued its new national anti-trafficking action plan, designed as a “living document” that allowed for ad-hoc updates and revision. The action plan focused on improving information sharing across stakeholders, identifying more victims, strengthening local governments’ anti-trafficking programs, and increasing efforts against labor trafficking. Several NGOs criticized the action plan for its lack of measurable goals and monitoring tools. The government increased efforts to target illicit financial flows from trafficking by expanding a public-private pilot project that notified law enforcement about suspicious transactions. The rapporteur and the Netherlands Organization for Applied Scientific Research published statistical reports that evaluated the country’s anti-trafficking landscape. The government continued multiple awareness campaigns with videos, websites, handouts, and school prevention curricula. The labor inspectorate continued to focus on sectors with an elevated risk of exploitation. Teams of police, labor inspectors, and health care personnel continued to conduct brothel inspections, which included screening for signs of trafficking. Authorities trained immigration, hotel, aviation, customs, and labor inspection staff in methods to identify victims and child sex tourism. Three more market sectors (pension, insurance, and food services) joined the government’s Covenant on Reducing Human Rights Violations in Supply Chains. The government did not make efforts to reduce the demand for commercial sex acts. The government continued to implement a national plan against child sex tourism, and in cooperation with foreign governments, screened for potential child sex tourists at airports. The foreign ministry continued to conduct outreach to foreign diplomats’ domestic workers, without their employers present, on how to report cases of abuse. A government-funded NGO maintained a victim assistance hotline during extended business hours.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in the Netherlands. Most identified victims are Dutch girls enticed by young male traffickers, known as “lover boys,” who coerce vulnerable girls into sexual

exploitation, often through a sham romantic relationship. Labor traffickers exploit men and women from Eastern Europe, Africa, and South and East Asia in industries such as inland shipping, leisure river cruises, agriculture, horticulture, hospitality, domestic servitude, and forced criminal activity. Criminal groups force Romani children into pickpocketing and shoplifting rings, and refugees and asylum-seekers, including unaccompanied children, are vulnerable to labor trafficking. The Netherlands is a source country for child sex tourists. Refugees and asylum-seekers, including children in government-run asylum centers, are vulnerable to sex trafficking.

### BONAIRE, ST. EUSTATIUS, AND SABA (BES)

As reported over the past five years, human traffickers exploit foreign victims in the BES islands. Increasingly, traffickers exploit Venezuelan women in sex trafficking on the BES islands. Local authorities believe labor traffickers exploit men and women in domestic servitude and the agricultural and construction sectors. Women in prostitution and unaccompanied children are highly vulnerable to trafficking. Some migrants in restaurants and local businesses may be vulnerable to debt bondage.

The BES criminal code criminalized sex and labor trafficking under article 286f, prescribing penalties ranging from six to 15 years' imprisonment. Bonaire prosecuted its first trafficking case in 2012; the case remained ongoing at the close of the reporting period. The mandate of the Netherlands' national rapporteur did not extend to the BES islands; therefore, the office could not conduct local research. Local governments on the BES islands ran multidisciplinary anti-trafficking teams, which cooperated with each other and with Dutch counterparts; however, there was little evidence of their effectiveness. Victims of violence, including trafficking, were eligible for compensation from the Violent Offenses Compensation Fund.

## NEW ZEALAND: TIER 1

The Government of New Zealand fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore New Zealand remained on Tier 1. These efforts included obtaining eight convictions for trafficking-related crimes, initiating the fourth prosecution under the trafficking statute, cooperating with foreign law enforcement to prosecute trafficking crimes, and providing services to victims identified in previous years. Although the government meets the minimum standards, it initiated only two trafficking investigations and did not identify or assist any sex trafficking victims. The government reported identifying few victims and prosecuting a low number of suspected traffickers.



### PRIORITIZED RECOMMENDATIONS:

Increase efforts to identify victims through proactive screening of vulnerable populations. • Expand law enforcement efforts

to increasingly investigate domestic trafficking and child sex trafficking. • Amend the trafficking statute to explicitly remove sentencing provisions that allow fines in lieu of imprisonment for sex trafficking offenses. • Amend the trafficking statute to define the sex trafficking of children as not requiring the use of deception or coercion. • Increase resources for anti-trafficking law enforcement. • Update the national action plan to address current trafficking trends in the country, including domestic trafficking. • Provide trafficking training to judges, prosecutors, and labor inspectors. • Increase coordination with NGOs, social service providers, and other civil society stakeholders on anti-trafficking efforts. • Distribute materials to raise public awareness of all forms of human trafficking. • Provide anti-trafficking training to diplomatic personnel.

### PROSECUTION

The government maintained law enforcement efforts. The Crimes Act of 1961, as amended, criminalized sex trafficking and labor trafficking. Section 98D (trafficking in persons) criminalized all forms of labor trafficking and some forms of sex trafficking and prescribed penalties of up to 20 years' imprisonment, a fine not exceeding 500,000 New Zealand dollars (NZD) (\$335,570), or both. Inconsistent with international law, Section 98D required a demonstration of deception or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking; this inconsistency may have hampered the government's ability to effectively investigate the sex trafficking of children. However, Section 98AA criminalized all forms of child sex trafficking under its "dealing in persons" provision and prescribed penalties of up to 14 years' imprisonment, which were sufficiently stringent and commensurate with the penalties imposed for rape. The government also utilized Sections 20 and 21 of the Prostitution Reform Act (PRA), which criminalized the facilitating, assisting, causing, or encouraging a child to provide commercial sex, in addition to receiving earnings from commercial sex acts provided by a child. The PRA prescribed a maximum penalty of seven years' imprisonment for the sex trafficking of children.

During the reporting period, the government initiated two labor trafficking investigations, initiated five prosecutions (three for labor and two for sex trafficking), and obtained eight convictions (three for labor and five for sex trafficking); this was compared to three investigations, six prosecutions, and two convictions in the previous reporting period. Officials continued investigations of six cases of suspected labor exploitation during the reporting period. The government initiated its fourth prosecution under the trafficking statute in 2018, but did not obtain any convictions under this law. Courts convicted five individuals in three child sex trafficking cases under the PRA; their sentences ranged from nine months' home detention to 10 years and three months' imprisonment. Authorities continued to report that a lack of sufficient resources, as well as high evidentiary and procedural standards, resulted in prosecutors charging some suspected traffickers under different statutes, including non-criminal labor violations. For example, the labor inspectorate investigated forced labor complaints but was limited to working within the civil legal system. The immigration agency's serious offences unit investigated trafficking cases but were limited to investigating only those cases in which immigration violations were also identified. The government did not report vigorously investigating perpetrators of domestic trafficking, including of those who exploit New Zealand children in sex trafficking. New Zealand Police required anti-trafficking training for all

criminal investigators and included a trafficking and smuggling chapter in its police manual; the government did not report training prosecutors or judiciary officials. Police and immigration officials cooperated with authorities in Samoa and Fiji on two separate trafficking investigations; these efforts resulted in the arrest of one suspected trafficker by Fijian authorities in August 2018. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

## PROTECTION

The government maintained minimal victim protection efforts. The government continued to draft an operational framework to outline the process of victim identification, referral, and provision of victim services for government officials. During the reporting period, the government identified seven victims of labor trafficking, compared with two labor trafficking victims and one sex trafficking victim in the previous reporting period. Although six of the victims identified during the reporting period did not accept support services from New Zealand, the government continued to provide services for 19 victims of labor trafficking identified in previous years. In addition to training police, the government reported providing training for labor inspectors and immigration and customs officials on victim identification and referral procedures. Nonetheless, the conflation of trafficking, prostitution, and smuggling by some officials and social service providers may have left some victims unidentified and a lack of coordination between the government, and social service and health providers may have resulted in ineffective referral procedures. An ad-hoc task force comprising police, child services, and civil society representatives tasked with sharing information and responding to the needs of children exploited in prostitution did not operate during the reporting period. An NGO reported there was a lack of sufficient government coordination to provide assistance to child sex trafficking victims. Immigration New Zealand (INZ) met with a consultation group composed of four civil society organizations to further its anti-trafficking efforts; however, as in the previous year, this did not result in significant outcomes to investigate cases or protect victims, and officials reported insufficient resources hampered meaningful collaboration with NGOs.

The government did not allocate funding specifically dedicated to assisting trafficking victims. However, victims of trafficking were eligible to receive government-funded services, provided through arrangements with local community groups, and the government provided temporary housing, medical services, employment assistance, and other social services, as well as emergency grants in cases involving debt bondage. The law authorized the extension of temporary residence visas to foreign trafficking victims for up to 12 months, which also made them eligible for legal employment; one victim and their family were granted visas during the reporting period. The government also provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. The law allowed victims to receive restitution in criminal cases and victims could also seek monetary damages through civil claims; courts ordered one convicted offender in a trafficking case to pay 1,580 NZD (\$1,060) in restitution in 2018.

## PREVENTION

The government maintained efforts to prevent trafficking. INZ chaired the government's interagency working group on trafficking. During the reporting period, the government

divided the position within INZ responsible for coordinating government efforts related to anti-trafficking, migrant smuggling, and regional cooperation into three portfolios, creating a new role focused solely on anti-trafficking efforts. The government continued a review and update of its 2009 anti-trafficking action plan, initially scheduled in 2017; in November 2018, the Minister of Immigration ordered an updated plan be completed by the end of 2019. The government did not report distributing materials raising awareness of sex or labor trafficking as defined by international standards. However, it continued to host forums and workshops with businesses, NGOs, and other civil society stakeholders to increase awareness and engage the private sector to combat trafficking in supply chains. The government, along with four other countries, launched a set of principles for governments to use as a framework for preventing and addressing forced labor in public and private sector supply chains. INZ and the labor inspectorate operated hotlines in which workers could make complaints; however, the government did not operate a trafficking-specific hotline. The government continued to distribute guides for employers recruiting Filipino workers and to send welcome emails with workers' rights information to all approved residence, work, and student visa holders in 13 languages. The government commissioned research on exploitation of migrants in prostitution and of migrant workers during the reporting period.

Government regulations banned employers who breach employment standards from recruiting migrant workers for periods of six to 24 months and the employment agency published a list of all offending employers on its website. New Zealand law required individuals who provide immigration advice to hold a license issued by the government. Immigration officials and labor inspectors reported inspecting legal brothels to ensure working conditions complied with the law and conducting investigations and routine audits in work places that employed migrant workers. The government did not make efforts to reduce the demand for commercial sex acts. The government did not provide anti-trafficking training to its diplomatic personnel.

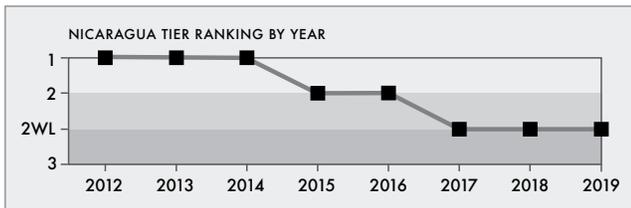
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in New Zealand. New Zealand girls and boys (often from minority communities) are exploited in sex trafficking. Young children and teenagers are recruited into prostitution by gang members, boyfriends, family members, or others. Some victims are coerced into prostitution through drug dependencies or threats by family members. Foreign men and women from Fiji, Samoa, China, India, the Philippines, and countries in Latin America are vulnerable to forced labor in New Zealand's agricultural, dairy, construction, viticulture, food service, technology, and hospitality sectors, and as domestic workers. Unregulated and unlicensed immigration brokers operating in New Zealand and source countries, particularly in India and the Philippines, assist victims of labor exploitation in New Zealand obtain visas. Some foreign workers are charged excessive recruitment fees and experience unjustified salary deductions, non- or under-payment of wages, excessively long working hours, restrictions on their movement, passport retention, and contract alteration. Some traffickers force migrant workers to work in job conditions different from those promised during recruitment, and victims often do not file complaints due to fear of losing their temporary visas. Foreign workers aboard foreign-flagged fishing vessels in New Zealand waters are vulnerable to forced labor. Foreign women from Asia and South America are at risk of sex trafficking. Some international

students and temporary visa holders are vulnerable to forced labor or prostitution.

## NICARAGUA: TIER 2 WATCH LIST

The Government of Nicaragua does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included developing and publishing a national action plan, launching a strategy for victim identification and assistance, and providing limited victim services. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not prosecute or convict any traffickers and continued a multi-year trend by identifying fewer victims. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses despite endemic official corruption and widespread complicity. The government did not cooperate with NGOs in the national anti-trafficking coalition. Prosecution, protection, and prevention efforts in the two Caribbean autonomous regions of Nicaragua continued to be much weaker than in the rest of the country. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Nicaragua was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Nicaragua remained on Tier 2 Watch List for the third consecutive year.



### PRIORITIZED RECOMMENDATIONS:

Significantly increase efforts to investigate, prosecute, and convict traffickers, including complicit officials. • Vigorously implement the National Strategy for Comprehensive Attention to Victims of Trafficking in Persons by identifying victims, including among vulnerable populations, and effectively refer victims to appropriate services. • Partner with NGOs to provide victims long-term care and reintegration services. • Increase funding for victim protection, including through financing the trafficking fund, and provide specialized services for trafficking victims; fulfill the requirement under Law 896 to include the Nicaraguan Coordinating Federation of NGOs working with Children and Adolescents (CODENI) to represent NGOs in the National Coalition against Human Trafficking (NCATIP). • Amend the 2014 anti-trafficking law to include a definition of trafficking consistent with international law. • Increase training for government officials—including social workers, labor inspectors, and law enforcement officials—to facilitate increased victim identification and assistance, including securing restitution. • Strengthen law enforcement and victim protection efforts in the Caribbean Autonomous Regions, including through increased staff and funding. • Annually report on progress in implementing the national action plan.

### PROSECUTION

The government decreased law enforcement efforts. The Law against Trafficking in Persons of 2015 criminalized sex trafficking and labor trafficking and prescribed penalties ranging from 10 to 15 years' imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, coercion, or deceit as an aggravating factor rather than an essential element of the crime; the penalties increased to 16 to 18 years' imprisonment for trafficking offenses involving these factors. The penalty for child trafficking increased to 19 to 20 years' imprisonment. The law also defined trafficking broadly to include all labor exploitation and illegal adoption without the purpose of exploitation.

Authorities reported initiating four investigations in 2018—two sex trafficking and two forced labor—compared with five investigations in 2017—three sex trafficking and two forced labor. The government did not prosecute any suspects in 2018 compared with two suspects in 2017 and 13 in 2016. In 2018, the government did not convict any suspects, compared with three traffickers (two for sex trafficking and one for forced begging) in 2017 and nine convicted sex traffickers in 2016. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses despite endemic official corruption and widespread complicity. Officials within at least four of the government agencies in the NCATIP perpetrated, led, or authorized human rights violations, creating an environment of impunity and decreasing the likelihood of victims reporting trafficking in persons. The government, with support from international organizations, trained investigators, prosecutors, judges, and other law enforcement officials on trafficking.

### PROTECTION

The government maintained minimal protection efforts. The government identified six trafficking victims, including four adults and two girls—four sex trafficking and two forced labor victims. This compared with 12 in 2017, 13 in 2016, 30 in 2015, and 51 in 2014. The government provided six victims—four domestic and two foreign national victims—with medical care, and legal assistance; NGOs provided two victims with shelter and services, while family and friends offered shelter to the other four victims. The government developed and published a National Strategy for Comprehensive Attention to Victims of Trafficking in Persons, which described the process for identifying and assisting victims. However, the government did not report whether it used this new strategy to identify victims, including among vulnerable populations, such as individuals in prostitution, migrants, or working children. Officials did not identify any victims in the autonomous regions where one-sixth of the population resided and where identification and referral mechanisms were lacking.

The government reported providing limited assistance for victims through allocations to government institutions responsible for anti-trafficking efforts, but it did not provide a figure for these allocations nor did it provide specific funding for specialized services or shelters. The government reported it referred two victims to NGOs for shelter and services; however, NGOs reported the government referred only one victim. There were no shelters available for men.

According to the government, adult victims were not free to leave shelters without supervision. The government did not provide long-term care, and the availability of extended services from NGOs was limited. The government did not provide funding to or collaborate with NGOs that provided the majority of victim protection, sometimes leaving victims without vital assistance. Observers reported the government maintained an unofficial policy of placing victims with family members, which puts these individuals at risk of re-victimization by family members who may have been complicit in their exploitation. The Ministry of Family coordinated services to child trafficking victims, including medical and legal services and access to education. Both Managua and regions outside Managua most affected by trafficking largely lacked adequate services.

Law 896 established a dedicated fund for victim protection and prevention activities to be financed through budget allocation, donations, and seized assets from traffickers. However, for the fourth year, the government did not make it operational. Law 896 provided victims the ability to testify in advance of the trial and allowed testimony via video or written statement to encourage participation and protect a victim's identity; however, the government did not report using these provisions during the reporting period. Victims may obtain damages by filing civil suits against traffickers; however, the government and NGOs reported that in practice victims had never exercised this right. The government, through its diplomatic mission, facilitated some communication between 25 Nicaraguan victims identified in Spain and their families. Authorities sometimes detained victims for questioning, but there were no other reports of victims penalized for unlawful acts committed as a direct result of being subjected to trafficking. The government reported screening for indicators of trafficking among migrant populations and those involved in prostitution, but did not report whether screening resulted in the identification of victims. Nicaraguan law provided for humanitarian visas for foreign trafficking victims, and the government provided one foreign national victim with such a visa.

## PREVENTION

The government maintained efforts to prevent trafficking. The government reported the NCAITP led 15 departmental and 43 municipal working groups, which, according to civil society, engaged in capacity building and awareness raising on trafficking. For a fourth consecutive year, the NCAITP did not fulfill the requirement under Law 896 to include CODENI to represent NGOs. While the NCAITP engaged with two civil society organizations, 39 other such organizations reported the NCAITP excluded them from their activities. The government developed and published a national action plan for 2018-2022, which focused on awareness raising; increasing technical capacity to investigate, prosecute, and sentence traffickers; protecting the rights of victims and witnesses and providing assistance; and monitoring and implementing the plan. The government reported it conducted research, monitored its efforts, and met to track trends and cases; however, it had not made its research or monitoring reports public. The government reported it conducted and funded prevention campaigns, which included town halls, radio spots, and brochures targeting students, faculty, parents, indigenous communities, and community leaders along border towns and tourism destinations. The government reported having a 24-hour hotline to report cases and provide information on trafficking and gender-based violence, but it did not report whether any calls led to trafficking investigations or the identification of victims. During the reporting period, more Nicaraguans encountered problems obtaining national

identification cards, which increased their vulnerability to trafficking and limited their ability to access public services. Nicaraguan law criminalized knowingly engaging in sex acts with a sex trafficking victim, but officials did not investigate, prosecute, or convict any suspects of such acts. The government required private employment agencies to register and established minimum wages and maximum hours for adult and adolescent domestic workers; it, however, did not report identifying forced labor in these sectors. Labor inspectors conducted 214 inspections in bars and nightclubs, but no cases of forced labor were identified. The government reported more than 6,000 businesses had subscribed to an agreement with the Ministry of Tourism to monitor and report suspected child sexual exploitation in the industry. The government also cooperated with the United States to deny entry to convicted sex offenders. Authorities did not investigate, prosecute, or convict any tourists for the purchase of commercial sex acts from children, although NGOs reported child sex tourism continued to be an issue in the country.

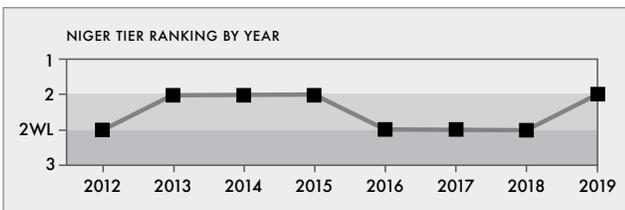
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Nicaragua, and traffickers exploit victims from Nicaragua abroad. Groups considered most vulnerable to human trafficking in Nicaragua include women, children, and migrants. Nicaraguan women and children are subjected to sex trafficking within the country and in other Central American countries, Mexico, Spain, and the United States. Victims' family members are often complicit in their exploitation. Traffickers increasingly use social media sites to recruit their victims who are attracted by promises of high salaries outside of Nicaragua for work in restaurants, hotels, construction, and security. Traffickers also recruit their victims in rural areas or border regions with false promises of high-paying jobs in urban centers and tourist locales, where they are subjected to sex or labor trafficking. Nicaraguan women and children are subjected to sex and labor trafficking in the two Caribbean Autonomous Regions, where the lack of strong law enforcement institutions, rampant poverty, and a higher crime rate increase the vulnerability of the local population. Nicaraguans who migrate to other Central American countries and Europe are reportedly vulnerable to and have been reported to be victims of sex and labor trafficking. In addition, experts report children left by migrants in Nicaragua are vulnerable to sex and labor trafficking. Nicaraguan adults and children are subjected to labor trafficking in agriculture, construction, mining, the informal sector, and domestic service within the country and in Costa Rica, Panama, the United States, and other countries. Children in artisanal mining and quarrying are vulnerable to forced labor. Observers report traffickers exploit children through forced participation in illegal drug production and trafficking. Children and persons with disabilities are subjected to forced begging, particularly in Managua and near tourist centers. Male migrants from Central American countries transit Nicaragua en route to Costa Rica and Panama in search of employment; some are subjected to labor trafficking in these destination countries. Nicaragua is a destination for child sex tourists from the United States, Canada, and Western Europe.

## NIGER: TIER 2

The Government of Niger does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall

increasing efforts compared to the previous reporting period; therefore Niger was upgraded to Tier 2. These efforts included convicting more traffickers; training more law enforcement officers, justice sector personnel, local officials, and civil society members to recognize trafficking indicators and investigate trafficking cases; coordinating with traditional leaders to house children removed from forced labor; increasing its public awareness campaigns using multiple media platforms; partnering with an Islamic cleric to address the common issue of *marabouts* using children for forced labor in begging; and addressing issues related to traditional slavery practices. However, the government did not meet the minimum standards in several key areas. Government security forces coordinated military operations alongside an armed group that recruited and used child soldiers in 2018. The government did not report investigating, prosecuting, or convicting any individuals for traditional slavery practices. Victim protection services remained inadequate and the government's efforts remained nascent to implement its national referral mechanism for standardizing victim identification and referral procedures.



#### PRIORITIZED RECOMMENDATIONS:

Cease all coordination with, and provision of support to, any armed groups that recruit and use child soldiers. • Increase investigations, prosecutions, and convictions of traffickers, including those engaged in traditional forms of caste-based servitude and hereditary slavery, by training additional law enforcement and first responders on the 2010 anti-trafficking law and the 2003 anti-slavery law. • Increase coordination with regional, sub-regional, and international law enforcement organizations to investigate and prosecute transnational trafficking cases, separate from smuggling cases. • Disseminate and implement the national referral mechanism to increase proactive victim identification. • Amend the 2010 anti-trafficking law to increase the base penalties for adult sex trafficking so they are commensurate with those for rape or kidnapping. • Increase the quantity and quality of services available to victims in coordination with international and multilateral organizations, as well as NGOs.

#### PROSECUTION

The government increased prosecution efforts. Order No.2010-86 on Combating Trafficking in Persons, enacted in 2010, criminalized all forms of sex trafficking and labor trafficking. This law prescribed sufficiently stringent punishments of five to 10 years' imprisonment for trafficking offenses involving adult victims and 10 to 30 years when the victim was a child. Penalties for sex trafficking of children were commensurate with those prescribed for other serious crimes, such as rape, although the penalties for sex trafficking of adults were not. In February 2019, the High Court established a legal precedent finding the practice of *wahaya*, traditionally linked to hereditary slavery, to be illegal.

The government reported investigating 28 suspected traffickers, prosecuting 27 cases involving 27 suspects, and convicting

11 traffickers under its 2010 anti-trafficking law during the reporting period, compared with investigating 29 suspects, prosecuting one case involving one suspect, and convicting zero traffickers during the previous reporting period. Authorities released some sentencing details related to the 11 convictions in 2018; officials reported sentencing one trafficker to seven years' imprisonment and a fine of 100,000 West African CFA franc (FCFA) (\$176), and six traffickers in Agadez to one year incarceration and other cases to fines of 100,000 FCFA (\$176). The government did not report investigating or prosecuting any *marabouts* (Quranic school teachers) who forced children to beg, or traditional chiefs who perpetuated hereditary slavery practices, including the enslavement of children.

There was a lack of access to justice for victims, as they were often uninformed about their legal rights and lacked the necessary resources to seek punitive action against their traffickers. Limited government resources resulted in prosecutorial delays and unfulfilled victim protection requirements of the 2010 anti-trafficking law; victims rarely participated as witnesses due to limited government resources to support victim engagement. The National Agency for the Fight against Trafficking in Persons and the Illicit Transport of Migrants (ANLTP/TIM) provided training on Niger's anti-trafficking law, methods to improve governmental coordination, and investigative techniques to more than 319 law enforcement and security personnel, justice sector officials, and civil society actors in 2018, compared with training approximately 60 officials in 2017.

Authorities did not report investigating, prosecuting, or convicting government officials for complicity in trafficking crimes; however, corruption and official complicity in trafficking crimes remained concerns and may have impeded law enforcement action during the year. Government security forces coordinated with the Malian paramilitary group Imghad Taureg and Allies Self-Defense Group (GATIA), which recruited and used child soldiers in 2018.

#### PROTECTION

The government maintained efforts to identify victims, but overall protection efforts remained inadequate. The government did not compile comprehensive victim identification and assistance statistics, although the ANLTP/TIM reported law enforcement officials identified more than 70 victims in 2018 (primarily women and girls from Benin and Nigeria), a decrease from identifying 108 victims during the previous reporting period. The ANLTP/TIM referred victims to an international organization it gave in-kind support to and worked with traditional leaders to house children removed from forced labor circumstances.

In February 2019, the government collaborated with civil society actors and international organizations to validate a comprehensive national referral mechanism; however, officials did not disseminate or implement the referral mechanism. The referral mechanism identified roles for prosecutors, judges, law enforcement, labor inspectors, diplomats, international organizations, NGOs, and union actors. The government did not report providing any specialized services for victims of trafficking, including victims of hereditary slavery. Due to budgetary constraints, officials commonly lacked resources to provide shelter and services for victims, reducing the government's ability to encourage victims to assist in investigations and prosecutions.

Victims of forced labor and caste-based servitude could file

civil and criminal complaints simultaneously; however, there were no reports they did so during the reporting period. There were no reports officials penalized victims for unlawful acts traffickers compelled them to commit; however, some victims may have remained unidentified and subsequently penalized due to the government's failure to employ systematic measures to identify trafficking victims among vulnerable populations.

The law provided for the possibility of granting victims legal residency in Niger, including the ability to obtain employment, if it was unsafe for them to return to their countries of origin. Multilateral organizations reported Algeria deported thousands of migrants to Niger during the year—including more than 2,000 children who were vulnerable to trafficking due to their lack of economic security and access to justice. The government coordinated with an international organization to provide temporary shelter, food, and primary health care to migrants before assisting in the return of both Nigerien citizens and non-Nigeriens to their home regions and countries.

## PREVENTION

The government increased efforts to prevent trafficking. The National Coordinating Commission for the Fight against Trafficking in Persons (CNCLTP) continued to serve as the coordinating body for the government's anti-trafficking efforts, and the ANLTP/TIM was the government's permanent implementing body to address trafficking in persons, although budget constraints and coordination challenges with international organizations impeded certain anti-trafficking efforts. The government worked with international and multilateral organizations to draft an updated national action plan to improve coordination across ministries and service providers, although it had yet to finalize the plan as of March 2019. The ANLTP/TIM continued to expand its national engagement with prosecutors' offices, improving its collection of trafficking statistics and law enforcement coordination across the country. In spite of severe resource constraints, the government increased funding to the CNCLTP and ANLTP/TIM from 69.6 million FCFA (\$122,390) in 2017 to 73.58 million FCFA (\$129,390) in 2018.

The ANLTP/TIM increased its public awareness campaigns and used multiple media platforms across Niger to familiarize the public with trafficking and the risks of irregular migration to Europe. In 2018, ANLTP/TIM officials partnered with an Islamic cleric to address the common issue of *marabouts* using children for forced labor in begging. The government increased public engagement around its annual September 28 anti-trafficking day events for the fourth straight year, featuring senior officials from the Ministry of Justice, Ministry for Women's Promotion and Children's Protection, and the Ministry of Health, in addition to traditional leaders and representatives from media outlets. The ANLTP/TIM held a workshop in June 2018 to familiarize 40 senior government administrators, six regional leaders (groupements), five village chiefs, two National Guardsmen, two police officers, eight representatives from the transportation sector, and four leaders of women and youth organizations on the risks of trafficking and traditional slavery practices. The government did not make efforts to reduce the demand for commercial sex acts.

The Ministry of Justice supported programming in 2018 to provide six million identity documents to an unspecified number of previously undocumented Nigeriens, thereby decreasing their vulnerability to trafficking. ANLTP/TIM officials provided training to staff from the Economic Community of West African States and international organizations, increasing

their understanding of human trafficking trends in Niger. In 2018, border officials screened irregular migrant populations for signs of trafficking, identifying at least 41 potential victims. Bylaws governing the armed forces required troops to receive anti-trafficking training prior to their deployment abroad on international peacekeeping missions and the government addressed such requirements through a program conducted by a foreign donor. The Ministry of Foreign Affairs sent trafficking-related guidance to its missions abroad, but did not report providing training for diplomats prior to their departure.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Niger, and traffickers exploit victims from Niger abroad. Hereditary and caste-based slavery practices perpetuated by politically influential tribal leaders continued, although no reliable estimate exists of the number of traditional slaves in the country in 2018. An NGO specializing in assisting victims of hereditary and caste-based slavery reported most victims do not self-identify or file complaints against their traffickers because of a lack of reintegration services and ingrained dependency on their trafficker.

Traffickers in Niger exploit West and Central African victims in sex and labor trafficking. Exploitative Quranic school teachers (*marabouts*) subject boys to forced labor, including forced begging, within Niger and in neighboring countries. Traffickers subject Nigerien children and children from neighboring countries to forced labor in gold, salt, iron, and gypsum mines; agriculture; stone quarries; and manufacturing within the country. In the Tahoua region of Niger, influential chiefs facilitate the transfer of girls from impoverished families to men as "fifth wives" for financial or political gain. This practice—known as *wahaya*—results in girls as young as nine being exploited in forced labor and sexual servitude; their children are then born into slave castes, perpetuating the cycle of slavery. Girls fleeing these forced marriages are vulnerable to traffickers who exploit them in commercial sex due to a lack of reintegration support exacerbated by continued discrimination based on their former status as *wahayu*. In Algeria, traffickers force Nigerien children to beg and subject Nigerien women and girls to sex trafficking. Criminals exploit girls in sex trafficking along the border with Nigeria.

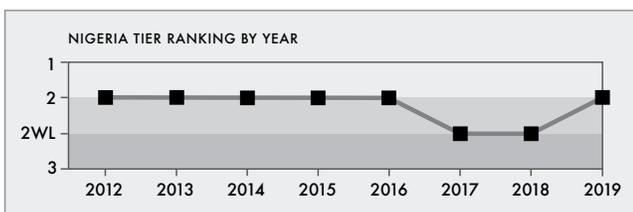
Traffickers fraudulently recruit Nigerien women and children and transport them to Nigeria, North Africa, the Middle East, and Europe where they subject victims to domestic servitude, sex trafficking, or forced labor in the agricultural sector. Some Nigerien migrants traveling with unrelated children to Algeria were suspected to be traffickers. Impoverished seasonal migrants—commonly from the Zinder region—traveling to Algeria for agricultural work were also vulnerable to forced labor and sexual exploitation. Traffickers in Sudan exploit Nigerien and other West African children in forced begging rings. Nigerien traffickers primarily operate small, freelance operations in loosely organized networks. There have been reports of businesspeople and informal travel agencies recruiting women for exploitation in sex trafficking or domestic servitude in the Middle East or northern Nigeria.

Niger is a transit country for men, women, and children from West and Central Africa migrating to North Africa and Western Europe, where some are subjected to forced labor or sex trafficking. West African migrants fall victim to traffickers while transiting Niger en route to Libya or through Algeria and Morocco to reach Europe. European support for the

government's implementation of its 2015 anti-smuggling law, intended to limit irregular migration through Niger, has forced previously open (albeit illicit) migration underground and increased migrants' vulnerability to forced labor or sex trafficking by criminal networks. Criminals transport both Nigerian and Nigerian women into neighboring West African countries, and exploit them in sex trafficking inside Niger, especially in northern mining cities or in transportation centers. In some instances, law enforcement and border officials reportedly accepted bribes from traffickers to facilitate the transportation of victims through the country. Boko Haram and ISIS-West Africa forcibly recruit Nigerian boys to serve as child soldiers, girls into forced marriages, and minors to serve as suicide bombers. According to reports, government security forces coordinated military operations with GATIA within Niger; GATIA forces recruited and used child soldiers in 2018.

## NIGERIA: TIER 2

The Government of Nigeria does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Nigeria was upgraded to Tier 2. These efforts included supporting implementation of a 2017 action plan between Civilian Joint Task Force (CJTF), a government-supported nongovernmental armed group, and an international organization to end its recruitment and use of child soldiers. There were no verified cases of any Nigerian government-supported entity recruiting or using child soldiers during the reporting period. The government convicted significantly more traffickers than the previous reporting period and initiated prosecutions against seven government officials allegedly complicit in trafficking. At the state level, the Edo State Government passed a new anti-trafficking law and provided additional resources to combat trafficking, while Delta and Ondo states established anti-trafficking task forces. However, the government did not meet the minimum standards in several key areas. For the fifth consecutive year, the government did not convict any complicit government officials despite consistent reports of government officials committing a variety of trafficking offenses each year. The government did not investigate, prosecute, or hold accountable any military or CJTF members for exploiting IDPs in sex trafficking or past recruitment and use of child soldiers. The Nigerian military did not provide female and child trafficking victims allegedly associated with insurgencies trafficking victim protections. The government identified fewer trafficking victims and did not fully disburse the budget allocated to the National Agency for the Prohibition of Trafficking in Persons (NAPTIP).



### PRIORITIZED RECOMMENDATIONS:

Hold complicit officials, including security officials, and CJTF members accountable for trafficking offenses, including in

particular sexual exploitation of IDPs and child soldiering offenses. • Improve access for humanitarian actors to provide assistance to trafficking victims, including in IDP camps and military facilities holding potential trafficking victims. • Allow independent criminal investigations into alleged trafficking abuses among security officials and CJTF members in northeast Nigeria. • Improve coordination among law enforcement actors, including NAPTIP, the Nigerian Immigration Service, police, and others. • Continue to ensure the Nigerian military has ceased unlawful use of children, including in collaboration with CJTF. • Work with CJTF and the UN to implement fully the child soldier action plan and confirm all children have been removed from the CJTF's ranks and, if they have not, cut provision of financial and in-kind support to CJTF. • Continue to vigorously investigate, prosecute, and convict traffickers—including labor traffickers and those who force children to beg—and impose sufficiently stringent sentences involving imprisonment. • Expand existing efforts to identify trafficking victims among IDPs, investigate cases, and implement preventative measures. • Disburse the full promised budget for NAPTIP, particularly to provide adequate victim care. • Finalize and implement the draft protocol to hand children identified in armed conflict over to civilian authorities, screen for trafficking among those detained, and provide appropriate care. • Continue to implement programs for the disarmament, demobilization, and reintegration (DDR) of child ex-combatants that take into account their specific needs, and work with the Nigerian military and CJTF to implement these plans. • Increase training for judges on the 2015 law, specifically the provision prohibiting the issuance of fines in lieu of imprisonment. • As security and safety permits, allow trafficking victims to obtain employment and move freely in and out of NAPTIP shelters. • Increase the capacity of Nigerian embassies to identify and provide assistance to victims abroad, including by providing replacement travel or identity documents free of charge.

### PROSECUTION

The government significantly increased anti-trafficking law enforcement efforts, but there were continued reports of, and only insufficient efforts to address, government officials' complicity in human trafficking offenses. The Trafficking in Persons Law Enforcement and Administration Act, as amended in 2015, criminalized sex trafficking and labor trafficking and prescribed a minimum penalty of two years' imprisonment and a fine of 250,000 naira (\$693) for both sex and labor trafficking; the minimum penalty for sex trafficking increased to seven years' imprisonment and a fine of 1 million naira (\$2,770) if the case involved a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping. In May 2018, the Edo State government approved a state-level anti-trafficking law that criminalized sex trafficking and labor trafficking and prescribed a minimum penalty of five years' imprisonment and a fine of one million naira (\$2,770) for both sex and labor trafficking; the minimum penalty for sex trafficking increased to seven years' imprisonment and a fine of one million naira (\$2,770) if the case involved a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping.

NAPTIP received 938 cases for investigation, completed 192 investigations, prosecuted at least 64 suspects in 64 cases, and convicted 43 traffickers, compared with receiving 662 cases for investigation, completing 116 investigations, 43 prosecutions, and 26 convictions the previous reporting period. In addition,

NAPTIP convicted three perpetrators for baby-selling for the purpose of exploitation. In addition, the Edo State Task Force (ESTF) was codified in the Edo state by its anti-trafficking law to investigate and prosecute trafficking cases in Edo state, and investigated 56 cases and initiated prosecutions in 20 cases; all 20 prosecutions were ongoing at the end of the reporting period. NAPTIP did not report how many investigations remained pending, led to prosecutions for other offenses, or had been dismissed at the end of the reporting period. Judges convicted all traffickers under the 2015 anti-trafficking law compared to the previous reporting period when some judges convicted traffickers under the 2003 anti-trafficking law, which allowed the option of fines in lieu of imprisonment. Prison sentences ranged from one to 12 years' imprisonment, although two convicted traffickers were given the option of fines in lieu of imprisonment despite a 2015 amendment that removed fines alone as an option; this is a decrease from the previous reporting period, when judges penalized seven traffickers with the option of fines alone. Judges issued fines reportedly due to a lack of familiarity with the 2015 anti-trafficking law and at times due to corruption. The government convicted at least nine labor traffickers, an increase from five labor trafficking convictions the previous reporting period. Enforcement of the anti-trafficking law remained ineffective in many parts of the country, and while officials made efforts to address trafficking cases, insufficient resources hampered efforts. Prosecutors and investigators reported poor coordination between NAPTIP and other government agencies impeded prosecution efforts. The government acknowledged many judges remained unfamiliar with the anti-trafficking law—including the provision requiring judges to prescribe sentences that include imprisonment—which hindered law enforcement efforts. In addition, the judiciary remained slow and corrupt generally, which impeded prosecutions and convictions of most crimes, including trafficking.

During the reporting period, NAPTIP investigated four cases and initiated prosecutions of seven suspected officials complicit in trafficking. These investigations and prosecutions included NAPTIP officers, Nigerian Police Force officers, National Quarantine Service officers, Nigerian Immigration Service officials, and a Nigerian Prison Service officer. However, the government did not convict any government officials complicit in trafficking for the fifth consecutive year, despite consistent reports of government employees committing trafficking offenses each year. Despite 16 years of reports of significant government complicity in human trafficking offenses and trafficking-related corruption, the government has only reported convicting one official for complicity in human trafficking.

While the government made modest, concrete steps to address complicity in some cases, widespread and pervasive corruption affected all levels of government, including the security forces, and undermined accountability for trafficking offenses. The government did not take adequate steps to investigate or prosecute military personnel or CJTF members complicit in trafficking in the Northeast, in particular sexual exploitation of IDPs and female detainees. An NGO alleged 10 male soldiers in Giwa Barracks, including five who worked in the health clinic, coerced at least 15 female detainees into sex in exchange for food, soap, basic necessities, and the promise of freedom. Several international organizations and media reported that the sexual exploitation, including sex trafficking, of IDPs in camps, settlements, and host communities around Maiduguri remained a pervasive problem. In more than 14 IDP camps, reports documented soldiers, CJTF, and police forced or coerced IDPs to have sex in exchange for food and freedom of movement

in and outside of the camps. As previously reported by media, there were continued reports that camp officials and members of security forces, including some individual Nigerian military personnel, used fraudulent or forced marriages to exploit girls in sex trafficking and reports that the Nigerian military, CJTF, and other camp officials fraudulently recruited female IDPs for jobs outside of IDP camps and transported them to town for commercial sexual exploitation. In addition, an NGO reported CJTF members and military officials fraudulently recruited approximately 100-200 women and girls to work outside the IDP camps for work in Bama to sell food but were coerced into commercial sex. NAPTIP filed charges against a Nigerian Prison Service employee for sexual exploitation of a 14-year-old IDP; however, proceedings were delayed as the case was reassigned to multiple different judges and, to discourage the victim's family from cooperation with the prosecution, the officer offered to marry the victim. Aside from this case, the government did not report any prosecutions or convictions for sexual exploitation of IDPs, including children, and did not investigate, prosecute, or convict any government security officials, including military officials and CJTF members, alleged to have exploited IDPs. The Nigerian Army categorically denied that any of its personnel used child soldiers in the past or sexually exploited IDPs, which impeded investigation of such reports. A credible international organization reported that when representatives from the Ministry of Defense headquarters visited the camps with journalists after the release of a May 2018 NGO report, victims were coached ahead of the visit to remain silent. In June 2018, a Senate panel began to investigate these allegations; however, contacts reported the panel's access to the camps was restricted and heavily curated by military officials.

In past reporting periods, an international organization reported the Nigerian military used children in support roles; there were no new verified cases of such acts during the reporting period, and an NGO confirmed it did not encounter any children affiliated with Nigerian security forces during that time. In the past, the CJTF also reportedly used some child trafficking victims recovered from Boko Haram to lead CJTF and army personnel to Boko Haram camps, putting the children at serious risk for retaliation and denying them trafficking victim care. There were no such verified cases during the reporting period. The government did not report any investigations, prosecutions, or convictions for child soldiering offenses, including of government officials who committed such offenses. There were reports 49 Nigerian soldiers deployed as UN peacekeepers to Liberia sexually exploited 58 women and children from 2003-2017, including in sex trafficking; the government did not report investigating any of these allegations.

The government collaborated with foreign governments on anti-trafficking cases. It participated in joint investigations and provided technical assistance with countries in West Africa and Europe. Through the United Kingdom-Nigerian Joint Border Task Force, NAPTIP supported law enforcement to make significant arrests and prosecutions in multiple European countries and improved investigative capacity domestically. The government, at times in partnership with foreign donors and other international partners, trained at least 302 officials on identifying and investigating human trafficking. However, law enforcement cooperation with Italy remained uneven, partly due to the lack of a signed mutual legal assistance treaty.

NAPTIP's budget in 2018 was 4.3 billion naira (\$11.91 million), an increase from 3.1 billion naira (\$8.59 million) in 2017; however, NAPTIP received approximately 2.6 billion naira (\$7.2 million) of this budget in the reporting period. Despite

this increase, however, NAPTIP did not have sufficient resources given the scale of the problem. For example, the agency did not have resources to carry out sufficient proactive anti-trafficking operations, and NAPTIP officers were often concentrated in state capitals, which hindered identification and investigation of trafficking in rural areas. The Edo state government allocated 242 million naira (\$670,360) to the ESTF in 2018.

## PROTECTION

The government decreased efforts to identify and protect trafficking victims. NAPTIP identified 126 forced labor victims and 1,028 potential victims. This was a decrease compared to 188 forced labor victims and 1,121 potential trafficking victims identified in the previous reporting period. NAPTIP conducted several fact-finding missions to Mali to investigate reports of Nigerian sex trafficking victims in Mali and in January 2019, NAPTIP announced there were 20,000 Nigerian trafficking victims in Mali; however, international organizations, NGOs, and other international observers were unable to corroborate this estimate. NAPTIP provided initial care for all trafficking victims, which could have included referrals to government facilities for medical care, shelter, legal assistance, psychological services, vocational training, or education assistance. NAPTIP did not report how many victims it referred to NGOs for additional care. During the reporting period, the ESTF referred to care 1,030 returning migrants, some of whom were trafficking victims. The government had formal written procedures to guide law enforcement, immigration, and social services personnel in proactive identification of trafficking victims among high-risk populations, and NAPTIP trained police, immigration, and social services personnel to identify trafficking victims and direct them to NAPTIP. Additionally, the government's national referral mechanism provided formal guidelines for law enforcement, immigration officials, and service providers to improve protection and assistance to trafficking victims, both within Nigeria and abroad.

Although the law mandated NAPTIP to care solely for victims of crimes under the 2015 anti-trafficking law, the government often referred victims of other crimes to NAPTIP, which reduced its capacity to care for trafficking victims. NAPTIP's 10 zonal commands, including the Abuja headquarters, each operated a victim shelter during the reporting period, for a total of 10 shelters for trafficking victims. During the reporting period, a foreign donor funded the renovation and expansion of NAPTIP's Lagos shelter; after the expansion, NAPTIP's 10 shelters had a total capacity of 334 compared to 315 in the previous reporting period. NAPTIP shelters offered six weeks of initial care. Extended care in NAPTIP shelters was dependent on cooperation with law enforcement investigations; if a victim needed to remain in a shelter beyond the six-week period but did not want to participate in the law enforcement investigation or prosecution, NAPTIP referred the victim to NGOs for care. Specialized services at the NAPTIP shelters were available for both men and women. NAPTIP staff did not permit victims to leave shelters without a chaperone, which limited victims' freedom of movement and educational and work opportunities; however, victims staying longer term were generally able to leave unaccompanied to access rehabilitative services. Because NAPTIP operated closed shelters, it often referred school-aged victims to foster care so they could attend school. Through these shelters, NAPTIP provided access to legal, medical, and psychological services, as well as vocational training, financial empowerment, and business management skills. These shelters were also available to Nigerian trafficking victims exploited abroad upon repatriation. NAPTIP had agreements with certain hospitals

and clinics to provide additional medical and psychological treatment for victims, as needed. Additional government and NGO shelters provided services, including long-term shelter, to vulnerable children and victims of crime, including trafficking; authorities sometimes assigned child trafficking victims to foster homes or orphanages for care. Foreign victims had access to the same services as domestic victims. NAPTIP provided training as well as limited in-kind and financial resources to NGOs providing services to trafficking victims.

In response to continued reports of sexual exploitation of IDPs in the Northeast, NAPTIP continued partnering with an international organization to implement a screening and sensitization campaign to identify sex trafficking victims in IDP camps in Bama and other areas near Maiduguri. NAPTIP reached an unreported number of camps in the Maiduguri area with screening, sensitization, or both; however, due to the deteriorating security situation, these activities were generally restricted to areas in and around Maiduguri. According to an international organization, the government participated in the forced return of Nigerian refugees from Cameroon, including populations vulnerable to trafficking, during the reporting period; it is unclear whether the government made efforts to screen for trafficking among this population. In response to a large number of Nigerian migrants stranded in Libya, including some trafficking victims, the government created an inter-ministerial committee to facilitate repatriation and resettlement in Nigeria for those migrants in the previous reporting period; between April and November 2018, an international organization, with assistance from the government, repatriated 3,160 Nigerians from North Africa. The influx of migrants returned from Libya, some of whom were trafficking victims, overwhelmed the shelter and service system, including NAPTIP facilities. In May 2018, the governor of Edo State signed the Edo state anti-trafficking law, which codified the ESTF and provided a legal framework for state-level anti-trafficking efforts. The ESTF, chaired by the state attorney general, was mandated to combat transnational trafficking of Nigerians to Europe in one of the regions of Nigeria most affected. Its mandate included investigation and prosecution of trafficking cases, alongside NAPTIP, and coordinating national and international actors' protection and reintegration efforts for returning trafficking victims. ESTF screened some returnees from Libya for trafficking and referred the identified trafficking victims to NAPTIP facilities or NGOs. Several Nigerian embassies, particularly within West Africa, provided funding or in-kind support to repatriate Nigerian trafficking victims exploited abroad.

The anti-trafficking law prohibited the penalization of trafficking victims for unlawful acts committed as a result of being subjected to trafficking, including by armed groups. However, multiple credible international organizations reported the government continued to arrest and in some cases detain for prolonged periods, reportedly for screening and perceived intelligence value, women and children removed from or allegedly associated with Boko Haram and ISIS-WA, including women and girls who had been forcibly married to or sexually enslaved by the insurgents; authorities did not consistently screen for trafficking. The military, in cooperation with an international organization, released some adults and children from detention but also newly detained other children during the reporting period. An NGO reported 68 boys were first detained by the Nigerian military in Giwa Barracks before they were transferred to Maiduguri prison where they were housed with adult inmates; according to the NGO, inmates raped some of the detained boys during the reporting period. The government continued working with an international organization to develop standard procedures

to refer children identified in armed conflict to civilian care providers. After release from detention, the military generally referred women and children classified through a security screening process as “low risk” or “inactive” in the conflict to a government-run rehabilitation center. While the standard procedures developed in partnership with an international organization improved identification of potential trafficking victims among those detained, some trafficking victims—including women and children forced to be combatants—remained in detention and subject to criminal prosecution, contrary to Nigerian law, for unlawful acts traffickers compelled them to commit. International organizations provided medical care, psycho-social support, education, and nutritional services through a 12-week rehabilitation program at the center. The government also had a separate 16-week deradicalization and rehabilitation program for low-level ex-combatants. Some women and child ex-combatants participated in this program, in addition to men. The government adopted a communique and national action plan on DDR for persons formerly associated with Boko Haram or ISIS-WA, including children, during the previous reporting period.

Officials encouraged victims to assist in the investigation and prosecution of trafficking cases and reported 16 victims assisted in investigations and prosecutions during the reporting period. The government did not have a formal policy to prevent the removal of victims to countries where they would face hardship or retribution; there were no reports of trafficking victims removed to such countries during the reporting period. It could grant temporary residence visas to a trafficking victim that had a pending criminal, civil, or other legal action; the government did not report that any foreign victims requested this relief during the reporting period. The victims’ trust fund, financed primarily through confiscated assets of convicted traffickers, was available to all victims. The government allocated a total of 1.8 million naira (\$4,990) from the trust fund to 18 trafficking victims during the reporting period. The anti-trafficking law provided for victim restitution and allowed victims to file civil suits against their traffickers. While NAPTIP prosecutors regularly sought restitution in trafficking cases, NAPTIP did not report successfully receiving restitution for victims in any cases, largely because judges were unfamiliar with that provision of the anti-trafficking law.

## PREVENTION

The government increased efforts to prevent human trafficking. NAPTIP continued to lead national government efforts to combat trafficking. In May 2018, the new Edo state anti-trafficking law codified the ESTE, a working group led by the attorney general of Edo state, to lead state-level government efforts in Edo state. The inter-ministerial committee on trafficking met on an ad hoc basis and helped to develop national policies on trafficking, including the draft of a Protocol for Identification, Safe Return, and Rehabilitation of Trafficked Persons; at the end of the reporting period, the protocol was pending cabinet approval. In March 2018, NAPTIP approved a 2019 anti-trafficking national action plan and continued drafting a five-year national action plan in collaboration with international donors and NGOs. NAPTIP continued awareness campaigns at schools, churches, and transit centers, among other places, and expanded media outreach via television and radio to educate the public on the identification and dangers of human trafficking. Once a week, each of NAPTIP’s nine zonal commands and the Abuja headquarters led such outreach campaigns to raise awareness of trafficking. In response to reports that some individual government employees, service

providers, and security officials sexually exploited female IDPs, NAPTIP and an international organization continued conducting a screening and sensitization campaign in IDP camps in and around Maiduguri, including all state-run camps. NAPTIP also conducted outreach activities in IDP camps in Benue State for persons displaced by mass flooding and rural violence, and in IDP camps in the Federal Capital Territory. The ESTF also conducted public awareness campaigns in Edo state, as did the Lagos state government, focused on the vulnerability of migrants to trafficking and sexual exploitation. NAPTIP and the ESTF increased collaboration during the reporting period to overcome initial conflicts over mandates. At the close of the reporting period, NAPTIP encouraged other states, such as neighboring Delta and Ondo states, to follow Edo state’s model; in March 2019, Delta and Ondo states inaugurated anti-trafficking task forces. The government did not provide sufficient protections for workers employed in the informal economy—including children working in agriculture, domestic work, and artisanal mining—rendering such workers vulnerable to trafficking. In the previous reporting period, NAPTIP began discussions on how to provide pre-departure information to migrants on available assistance if exploited abroad; NAPTIP did not report on the status of these plans. The government made some efforts to reduce the demand for commercial sex but did not make discernible efforts to reduce the demand for forced labor. Each of the nine NAPTIP zonal commands and NAPTIP headquarters in Abuja operated hotlines for trafficking victims; the hotlines were staffed 24 hours and hotline staff spoke English and the relevant local languages for the region. There were reports Nigerians traveled to Togo for child sex tourism during the reporting period but the government did not report efforts to address child sex tourism.

The Borno State government continued to provide financial and in-kind resources to the CJTF, a non-governmental self-defense militia, which used and recruited children in previous reporting periods. The Borno State government provided administrative support to help implement a 2017 action plan between CJTF and an international organization to end CJTF’s recruitment and use of children; the international organization did not verify any cases of recruitment and use of child soldiers by CJTF during the reporting period. However, humanitarian organizations were unable to access some areas of Borno state due to insecurity and restrictions imposed by security forces; the international organization had limited visibility in those areas. During the reporting period, the CJTF separated 866 of an estimated several thousand children previously affiliated with the group and referred them to the international organization for care. The Nigerian government publicly criticized and imposed restrictions on those who portrayed the government in a negative light on human rights, including human trafficking. The government provided anti-trafficking training for its diplomatic personnel and, with foreign donor support, to Nigerian troops prior to their deployment abroad on international peacekeeping missions. During the previous reporting period, a foreign government reported to NAPTIP a Nigerian diplomat suspected of attempted smuggling, trafficking, or both; the government did not report investigating these allegations. In partnership with a foreign donor the government provided anti-trafficking training to its troops prior to their deployment as peacekeepers; however, the government did not report investigating reports that 49 Nigerian soldiers deployed on a UN peacekeeping mission to Liberia in 2003-2017 exploited 58 women and children, including in sex trafficking.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Nigeria, and traffickers exploit victims from Nigeria abroad. Nigerian trafficking victims are recruited from rural areas—especially the country’s southern regions—and, to a lesser extent, urban areas. Women and girls are victims of domestic servitude and sex trafficking, and boys are victims of forced and bonded labor in street vending, domestic service, mining, stone quarrying, agriculture, textile manufacturing, and begging. In 2010, the government estimated as many as 9.5 million young boys were studying in Quranic schools, commonly known as Almajiri, many of whom may be subjected to forced begging. Traffickers operate “baby factories”—often disguised as orphanages, maternity homes, or religious centers—where traffickers hold women against their will, rape them, and force them to carry and deliver a child. The traffickers sell the children, sometimes with the intent to exploit them in forced labor and sex trafficking. In southern Nigeria, especially Lagos, some women drug and “rent” their infants out to street beggars to increase the beggars’ profits; in at least one case, an infant died from a drug overdose. Nigerian traffickers take women and children to other West and Central African countries—including Mali, Senegal, Cote d’Ivoire, and Cabo Verde—as well as to South Africa, where they are exploited in forced labor and sex trafficking. Nigerian women and children are recruited and transported to destinations in North Africa, the Middle East—including Saudi Arabia, Oman, and United Arab Emirates—and Central Asia, and exploited in sex trafficking or forced labor. West African children are subjected to forced labor in Nigeria, including in granite and gold mines. Women from West African countries transit Nigeria en route to Europe and the Middle East, where traffickers force them into commercial sex. Nigeria’s ports and waterways around Calabar are transit points for West African children subjected to forced labor in Cameroon, Equatorial Guinea, and Gabon. As in past reporting periods, NGOs reported Nigerians traveled to Togo for child sex tourism.

Authorities identified Nigerian trafficking victims—often exploited by Nigerian traffickers—in at least 34 countries in four regions during the reporting period. Nigerian women and girls are subjected to sex trafficking within Nigeria and throughout Europe, including in Italy, Spain, Austria, and Russia; an international organization estimated 80 percent of all female Nigerian migrants in Italy are or will become sex trafficking victims. In 2015, a foreign government reported that with the exception of internal trafficking within the EU, Nigerian nationals are the most common trafficking victims in the EU. Following relaxed visa requirements for the 2018 World Cup in Russia, traffickers fraudulently recruited Nigerian women for jobs in Russia and later exploited them in sex trafficking; as of early 2019, 1,863 Nigerians remained in Russia without travel documents. Historically, the majority of Nigerian trafficking victims in Europe have come from Edo State, via Libya. One local press report noted that traffickers recruit women and girls from IDP camps in Northeast Nigeria for ostensibly legitimate jobs in Italy but exploit them in prostitution in Italy. Nigerian sex traffickers operate in highly organized criminal webs throughout Europe, and many sex trafficking victims begin to work for their traffickers in exchange for leaving sex trafficking themselves. Before departure for work abroad, many Nigerian women participate in a traditional ceremony with a *juju* priest; some traffickers exploit this tradition and tell the women they must obey their traffickers or a curse will harm them, which prevents victims from seeking assistance or cooperating with law enforcement. In March 2018 the Oba of Benin—the most powerful religious ruler in Benin City—issued

a curse on sex traffickers and revoked all *juju* spells that had been administered by priests to bind victims to their traffickers; there were some reports traffickers were now performing the *juju* ceremonies in neighboring states such as Delta state. While some sex trafficking victims arrive in Europe believing they will be working in prostitution, traffickers coerce them to stay in prostitution by changing the working conditions and increasing victims’ travel debts. Some victims’ parents encourage them to obey their traffickers and endure exploitation to earn money.

Nigerians are exploited in Libya—by both Libyans and Nigerians—in forced labor in construction, agriculture, and prostitution in Tripoli, Sabha, Benghazi, and Misrata. Lured by the promise of reaching Europe, traffickers keep victims in “control houses” or “prostitution camps” located on the outskirts of Tripoli and Misrata until they can repay travel debts; sometimes before victims repay the debt, traffickers sell them again. Some trafficking victims in Libya reported Nigerian embassy officials in Tripoli asked for payment before removing victims from Libyan detention camps. Between April and November 2018, an international organization repatriated 3,160 Nigerians from North Africa, 80 percent of whom were repatriated from Libya. In 2017, the international organization repatriated more than 4,316 Nigerians from Libya, some of whom were trafficking victims or vulnerable to trafficking; 4,000 had departed from Edo State. There were reports of re-trafficking among the trafficking victims repatriated from Libya. In March 2018, a foreign government estimated as many as 20,000 Nigerians await repatriation from Libya, some of whom are trafficking victims. ISIS has captured Nigerian women and girls in Libya and exploited them in sexual slavery. Criminal gangs—some of whom might have had ties to so-called student cults—partner with organized crime networks to transport Nigerians to Europe for exploitation.

As in past years, reports continue to indicate government officials and security forces commit widespread sexual exploitation—including sex trafficking—and such exploitation is a major concern across the Northeast, including in informal IDP camps and all of the 13 formal, state-run IDP camps in and around Maiduguri, the Borno State capital, which hosts IDPs affected by the ongoing conflict with Boko Haram and ISIS-WA. “Gatekeepers” in control of some IDP camps, at times in collusion with Nigerian policemen and soldiers, reportedly force women and girls to provide sex acts in exchange for food and services in the camps. In July 2016, a Nigerian research organization surveyed 400 IDPs in Adamawa, Borno, and Yobe states, and 66 percent said camp officials sexually abused women and girls, some of which constitutes sex trafficking. As media previously reported, there were continued reports that camp officials and members of security forces, including some individual Nigerian military personnel, used fraudulent or forced marriages to exploit girls in sex trafficking. Some Nigerian military personnel and CJTF members promised female IDPs jobs but instead took them to military barracks for sexual exploitation by Nigerian military personnel. Various NGOs and news outlets report that children in IDP camps are victims of labor and sex trafficking, and some alleged that government officials managing the camps are complicit in these activities. Media and an international organization reported Cameroonian soldiers coerced Nigerian female refugees in a Cameroon refugee camp to have sex in exchange for food or protection from deportation.

Boko Haram and ISIS-WA continued to forcibly recruit, abduct, and use child soldiers as young as 12-years-old as cooks, spies, messengers, bodyguards, armed combatants, and increasingly as

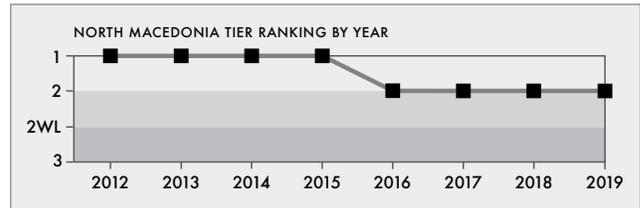
suicide bombers in attacks in Nigeria, Cameroon, and Chad. In 2018, Boko Haram used at least 48 children as human bombers, compared to 158 used in 2017. The groups continue to abduct women and girls in the northern region of Nigeria, some of whom they subject to domestic servitude and forced labor. Boko Haram routinely forces girls to choose between forced marriages to its fighters—for the purpose of sexual slavery—or becoming suicide bombers. In some cases, Boko Haram forced child soldiers to marry one another. International organizations continue to express concerns about the arrest and detention of children by the Nigerian military for alleged association with Boko Haram. Contrary to Nigerian law, the government continued to arrest and, in some cases, detain for prolonged periods, reportedly for screening and perceived intelligence value, women and children removed from or allegedly associated with Boko Haram and ISIS-WA, including women and girls who had been forcibly married to or sexually enslaved by the insurgents. For example, as previously reported, in 2016, the government detained and considered to be combatants at least 78 child trafficking victims aged 13- to 17-years-old.

There were no verified reports during the reporting period that the Nigerian military or CJTF recruited or used child soldiers. In previous reporting periods, the Nigerian military unlawfully used children as young as 12 years old in support roles such as messengers and porters. The Nigerian military interrogated children in detention for later use as collaborators to identify Boko Haram members among newly arrested persons. As reported by the Secretary-General of the UN, as of May 2016, Nigerian military personnel were using four boys between ages 14 and 16-years-old in support roles. The Nigerian military also conducted on-the-ground coordination with the CJTF, a non-governmental self-defense militia that received state government funding and recruited and used child soldiers in the past. In past years, media reported that the CJTF also used some child trafficking victims recovered from Boko Haram to lead CJTF and army personnel to Boko Haram camps, putting the children at serious risk for retaliation and denying them trafficking victim care. In past reporting, CJTF recruited children as young as 12-years-old to man checkpoints, conduct patrols, search and arrest suspected insurgents, guard IDP camps, and gather intelligence, at times in collaboration with the Nigerian military. As of March 2019, CJTF and an international organization compiled a list of 3,737 children potentially associated with CJTF and were in the process of interviewing the children and separating those associated with the group.

## NORTH MACEDONIA: TIER 2

The Government of North Macedonia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore North Macedonia remained on Tier 2. These efforts included investigating, prosecuting, and convicting more traffickers and identifying more potential victims. The government increased resources for victim protection and amended the penal code to include a non-punishment clause for trafficking victims. However, the government did not meet the minimum standards in several key areas. Judges continued to issue weak sentences that were below the trafficking statute's minimum penalty. While the government investigated a police officer for complicity, corruption and official complicity in trafficking crimes remained significant concerns, and the

government had not prosecuted a government official for complicity in recent years. The government did not award grants to anti-trafficking NGOs for the fourth consecutive year, despite relying heavily on their support, and some first responders were inconsistent in referring victims to care.



### PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose strong sentences.

- Increase efforts to proactively identify trafficking victims and screen for trafficking among individuals in prostitution, migrants, refugees, and other at-risk populations.
- Allocate sufficient resources for NGOs providing victim protection efforts.
- Provide accommodation to foreign potential trafficking victims in safe and appropriately rehabilitative settings and allow victims to leave shelters at will.
- Allocate sufficient resources to the police anti-trafficking unit and task force to proactively investigate trafficking.
- Institutionalize advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions.
- Train first responders on standard operating procedures for identification and referral of victims and consistently include social workers in all potential trafficking cases.
- Improve compensation mechanisms for victims and inform them of their right to seek restitution.
- Publicly report on governmental anti-trafficking efforts.
- Finalize the establishment of an independent Office of the National Rapporteur.

### PROSECUTION

The government increased law enforcement efforts. Articles 418(a) and (d) of the criminal code criminalized sex trafficking and labor trafficking and prescribed a minimum penalty of four years' imprisonment, which was sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. The government investigated four cases involving 13 suspects (two cases with seven suspects in 2017). The government prosecuted eight defendants in three cases (four defendants in four cases in 2017). Courts convicted seven traffickers (one trafficker in 2017), three for sex trafficking of adults and four for sex and labor trafficking of children. Some judges continued to issue sentences below the statute's prescribed minimum penalty of four years' imprisonment. Judges sentenced one trafficker to 13 years' imprisonment, two to 12 years' imprisonment, and one to four years and six months' imprisonment, but judges also sentenced three traffickers to two years' probation. The only convicted trafficker in 2017 received two years' probation.

The Combatting Trafficking in Human Beings and Migrant Smuggling Unit (Anti-trafficking Unit) within the Ministry of Interior (MOI) led specialized investigations. The government maintained an anti-trafficking task force, but observers reported the task force focused mainly on smuggling. The government, mostly with technical and financial support from international organizations and NGOs, trained judges, prosecutors, judicial officials, border police officers, and officers in the Anti-trafficking

Unit. The government signed a cooperation agreement with Kosovo, Montenegro, and Serbia on trafficking issues and conducted joint investigations with neighboring countries. The government amended Article 418(a) to reduce the prescribed minimum eight years' imprisonment for convicted complicit officials to a minimum of five years' imprisonment. Corruption and official complicity in trafficking crimes remained significant concerns. Authorities investigated one police officer for alleged complicity in trafficking. Additionally, the government charged a civil servant with complicity in trafficking in 2017 and a municipal inspector for trafficking in 2016, while three police officers remained under investigation since 2014 for suspected involvement in organizations engaged in trafficking; the government did not report progress on those cases.

## PROTECTION

The government increased victim protection efforts. The government identified nine victims; six were victims of sex trafficking and three were victims of both sex trafficking and forced labor, compared with four sex trafficking victims, one sex trafficking and forced labor victim, and one forced labor victim in 2017. Of these, three were children (five in 2017); all nine were female (five females and one male in 2017); and one foreign victim in 2017 and 2018. The government and NGOs also identified 104 potential victims (99 potential trafficking victims in 2017); 25 were adults and 79 were children (57 adults and 42 children in 2017); 65 were females and 39 were males; and four were foreign potential victims (75 in 2017). The Ministry of Labor and Social Policy (MLSP) maintained mobile identification teams comprising social workers, inspectors, and psychologists in five regions for vulnerable populations, including trafficking victims; mobile teams identified all 104 potential victims and assisted 390 individuals. MLSP continued to dispatch social workers to screen vulnerable populations at border crossings and migrant and refugee camps; MLSP did not identify any victims through these efforts (one official victim in 2017). The government trained first responders on victim identification, including police officers, labor inspectors, border police officers, and social workers. MLSP social workers and police continued to identify potential forced labor victims among predominately Romani children engaged in street begging and street vending. The government placed them in daycare centers and warned, fined, or jailed their parents; in cases where courts deemed parents unfit to care for their children, the state placed the children in orphanages. However, government and civil society actors raised concerns about the low number of identified victims, and experts reported most government agencies lacked proactive identification efforts. Border agents screened for trafficking indicators at border posts, but did not properly identify victims, and international organizations reported authorities conducting several informal forcible removals to neighboring countries. The Office of the National Referral Mechanism (NRM) within MLSP remained responsible for coordinating the identification and referral procedures. First responders referred potential victims to the Anti-trafficking Unit and/or the NRM, which were authorized to officially identify victims. The government updated standard operating procedures on identification and referral and civil society reported the procedures worked well, particularly with the participation of social workers in the official identification phase, but some first responders followed referral procedures on an ad hoc basis. NRM officials and social workers participated in interviews with potential victims, but law enforcement and the labor inspectorate did not consistently include NRM officials and social workers at the outset of identifying potential trafficking cases. Mobile identification teams, comprising government and

civil society representatives, referred 104 potential trafficking victims and civil society separately referred 20 potential victims, compared with 15 potential victims referred by the government and 84 by civil society in 2017.

The government allocated 3.07 million denars (\$57,420) to the Center for Victims of Trafficking and Sexual Violence (the Shelter) and the transit center for foreigners (migrant facility), compared with 2.66 million denars (\$49,720) in 2017. The government allocated 525,850 denars (\$9,830) to support services and security for victims, compared with 382,950 denars (\$7,160) in 2017. The government did not award grants to NGOs in 2016, 2017, or 2018; NGOs reported the lack of these grants forced them to reduce services to victims. The government relied heavily on funding from the international community and on NGOs to provide assistance. The government and NGOs provided potential victims and officially recognized victims with protection and assistance, including food, clothing, medical assistance, psycho-social support, rehabilitation, and reintegration services. MLSP assigned a guardian from a center for social welfare for victims while at the shelter and MLSP-run social service centers maintained one social worker at each of the 30 centers dedicated to handling trafficking cases and provided psycho-social support and reintegration assistance, including education and job placement. The government and NGOs provided assistance to 31 official and potential victims, including basic necessities to 31, counselling and medical assistance to 22, legal assistance to six, and vocational training for one. MLSP and an NGO shared operating costs for the Shelter, the only specialized shelter for trafficking victims. The same NGO managed daily operations of the Shelter and the government amended legislation to accommodate domestic and foreign potential trafficking victims at the Shelter. GRETA reported officially recognized victims did not receive any formal notification, which hindered their entitlement to free medical and legal assistance. Specialized assistance was not available for male victims and observers reported only one forced labor victim ever received reintegration support. The Shelter and the migrant facility could both house male, female, and child victims. The Shelter allowed victims freedom of movement, but the migrant facility did not permit foreign potential victims to leave without a temporary residence permit. GRETA reported the migrant facility, despite renovations, was in "poor material condition" and "effectively a detention facility and not the appropriate environment for trafficking victims." The Shelter accommodated all nine confirmed victims (five child victims in 2017) and the migrant facility housed a total of 317 foreigners (131 foreigners in 2017). The law permitted foreign victims a two-month reflection period to decide whether to testify against their traffickers, followed by a six-month temporary residence permit, regardless of whether they testify; no foreign victims requested residence permits in 2017 or 2018.

The government amended the penal code to include a non-punishment clause for trafficking victims and the Academy for Judges and Public Prosecutors trained officials in non-penalization of victims and victim identification. In previous years, the government may have deported, detained, or restricted freedom of movement of some trafficking victims due to inadequate identification efforts. The government did not report the number of potential victims who assisted in initial investigations in 2017 or 2018 (12 in 2016) but four officially identified victims gave statements against their alleged traffickers (five in 2017). The government reported no victims required witness protection services in 2017 or 2018. Victims could not leave the country before testifying in court; however, prosecutors, with the consent of the defense, can make exceptions and

allow a victim to leave the country prior to testifying. While victims can claim compensation through civil proceedings, no victims had ever successfully completed a claim due to the complexity of the process. The government and civil society continued efforts to develop a victim compensation fund that allowed authorities to allocate compensation to victims from seized criminal assets.

**PREVENTION**

The government maintained prevention efforts. The National Commission (NC), led by the national coordinator and comprising government agencies, met bi-monthly and published an annual report of its activities, including the implementation of the 2017-2020 national action plan. However, the national rapporteur did not produce a public assessment for the fourth consecutive year. The NC distributed awareness raising leaflets to the general public and organized an awareness campaign on forced labor in the textile and fashion industries. Two state universities informed their students and faculty on trafficking issues, including students traveling abroad about fraudulent recruitment and labor exploitation. The government, in partnership with NGOs, conducted two seminars for Romani students, teachers, and NGOs on the risks of trafficking and forced marriages. The government assisted six local anti-trafficking commissions in implementing local action plans for trafficking. The government did not operate a hotline, but MOI managed an application to report various offences, including trafficking; the application received one trafficking-related report (one in 2017), which resulted in an investigation. Observers reported cases of Romani children not registered at birth and their parents lacked the registration and identification documents to access health care, social protection, and education. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government warned citizens travelling abroad regarding fraudulent offers of employment within the Schengen zone.

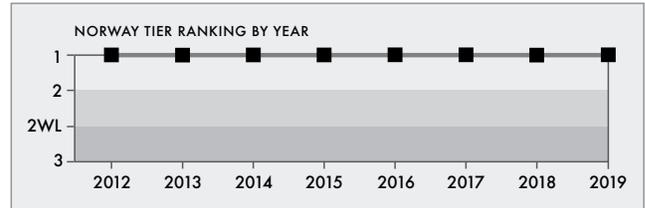
**TRAFFICKING PROFILE**

As reported over the past five years, human traffickers exploit domestic and foreign victims in North Macedonia, and traffickers exploit victims from North Macedonia abroad. Women and girls in North Macedonia are subjected to sex trafficking and forced labor within the country in restaurants, bars, and nightclubs. Foreign victims subjected to sex trafficking in North Macedonia typically originate from Eastern Europe and the Balkans, including Albania, Bosnia and Herzegovina, Kosovo, Romania, Serbia, and Ukraine. Citizens of North Macedonia and foreign victims transiting North Macedonia are subjected to sex trafficking and forced labor in construction and agricultural sectors in Southern, Central, and Western Europe. Children, primarily Roma, are subjected to forced begging and sex trafficking through forced marriages. Migrants and refugees traveling or being smuggled through North Macedonia are vulnerable to trafficking, particularly women and unaccompanied minors. Traffickers frequently bribe police and labor inspectors, and police have been investigated and convicted for complicity in human trafficking.

**NORWAY: TIER 1**

The Government of Norway fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting

period; therefore Norway remained on Tier 1. These efforts included allocating additional funds to NGOs for victim assistance, establishing a coordinating unit for service and assistance to child trafficking victims, and organizing anti-trafficking units in each of Norway's police districts. Although the government meets the minimum standards, authorities possessed a limited knowledge of trafficking laws and issued fewer residence permits to victims. For the second consecutive year, the government did not report the number of identified and assisted victims. Furthermore, the government continued to lack formal identification procedures and a national referral mechanism (NRM).



**PRIORITIZED RECOMMENDATIONS:**

Increase training for investigators and prosecutors on applying trafficking laws and understanding different aspects of trafficking, such as investigations and rights of victims.

- Increase efforts to investigate, prosecute, and convict sex and labor traffickers under Sections 257 and 258.
- Develop a comprehensive NRM and victim identification procedures that receive adequate input from NGOs and define processes and roles of all relevant government agencies and front-line actors.
- Proactively screen foreigners and asylum-seekers in detention for indicators of trafficking prior to their deportation.
- Complete a comprehensive statistical system, including data on child trafficking, victim identification and assistance, victim compensation, investigations, prosecutions, and convictions.
- Reassess national legislation limiting the period for appealing rejected asylum decisions to allow sufficient time for identifying victims of trafficking.
- Conduct public awareness campaigns on trafficking targeting vulnerable populations.

**PROSECUTION**

The government maintained law enforcement efforts. Sections 257 and 258 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to six years' imprisonment for offenses involving adult victims and up to 10 years' imprisonment for those involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties for other serious crimes, such as rape. Police reported 45 trafficking cases (24 sex trafficking, 18 labor trafficking, three unconfirmed), compared with 46 (30 sex trafficking, 16 labor trafficking) in 2017. The government reported 13 concluded prosecutions, compared with 13 in 2017. Authorities convicted 13 traffickers (one sex trafficking and 12 forced labor), compared with 11 traffickers in 2017. All of the convicted traffickers received prison sentences, ranging from four to nine years' imprisonment. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

The Ministry of Justice and Public Security concluded establishing anti-trafficking units in Norway's 12 police districts. Many of these police districts lacked prosecutors with specialized training in trafficking and prosecutions of trafficking cases. Additionally, the City of Oslo established and

funded an anti-trafficking unit. In 2018, there were no trafficking cases prosecuted in Oslo. Experts reported prosecutors and investigators tended to charge traffickers with non-trafficking crimes, such as narcotics and pimping. While experts noted enhanced police awareness and willingness to pursue trafficking cases, police lacked sufficient human resources and familiarity with trafficking laws. Additionally, GRETA indicated a need for more specific trainings on different aspects of trafficking, such as investigations and rights of victims. During the reporting period, the Coordination Unit for Victims of Trafficking (KOM) hosted a two-day seminar, focusing on trafficking in the context of migration; 100 officials from law enforcement, health care, social services, labor organizations, and victim services participated. KOM also conducted a second seminar on child trafficking, which garnered 100 participants from law enforcement and child welfare services. The National Criminal Investigation Service organized a conference for law enforcement personnel from all 12 police districts on recognizing trafficking indicators.

## PROTECTION

The government maintained protection efforts. The government began creating a comprehensive statistical system, per a recommendation from GRETA, on trafficking statistics including victim identification and assistance data. As a result, the government did not report the number of victims it identified or assisted in 2017 or 2018, whereas it identified and assisted 262 victims in 2016. The government provided assistance through municipal crisis centers and government-funded NGOs, including Re-establishment, Organizing safe places to stay, Security, Assistance (ROSA), the largest project exclusively assisting trafficking victims. These NGOs provided foreign and domestic victims with shelter, legal aid, stipends for food, psychological care, medical assistance, fitness facilities, and Norwegian language classes. In 2018, 77 potential victims contacted ROSA and 35 ultimately accepted shelter (118 and 45, respectively, in 2017). ROSA received 30 victim referrals from government agencies, compared with 38 referrals in 2017. Parliament earmarked 30 million kroner (\$3.46 million) in grant schemes to NGOs, specifically for measures to support victims and prevent trafficking, compared with 20 million kroner (\$2.3 million) in 2017. ROSA received 2.9 million kroner (\$334,100) in government funding, the same as in 2017. Another NGO assisted sex trafficking victims who had received a reflection period with vocational programs and sponsored internships. Parliament earmarked five million kroner (\$576,040) to the Directorate for Children, Youth, and Family Affairs to establish a coordinating unit for service and assistance to child trafficking victims. Municipal child welfare services provided assistance, including accommodation in an orphanage or foster home, to eight potential child victims. Foreign victims had the same access to care as domestic victims.

The government had neither formal identification procedures nor a NRM, although authorities utilized informal guidelines to identify and refer potential victims. During the reporting period, the government continued to develop a NRM. NGOs had limited engagement with the government in that process; GRETA's recent report recommended the government give NGOs a larger role in decisions concerning victims of trafficking. Experts expressed concern the government would assign the NRM and identification procedures to the Labor and Welfare Administration Agency, an agency with minimal experience and knowledge on dealing with victims and trafficking trends in general. Experts also expressed concern the proposed NRM would reduce the reflection period for victims from six months to 45 days, which could result in fewer victims assisting authorities

in investigations and authorities deporting more victims while they were still recovering from their abuse. Authorities granted a six-month reflection period to 13 victims and limited residence permits of up to 12 months to 11 victims, compared with eight and 15, respectively, in 2017. The law required victims to file a formal complaint to police and assist authorities in investigations in order to be eligible for the limited residence permits. Authorities granted two possible victims residence permits due to compelling humanitarian considerations (seven in 2017). Experts reported the government continued to issue fewer residence permits to victims on the basis of trafficking, which hindered the ability to fully understand the scale of trafficking in the country. Observers raised concerns over the lack of communication between police and immigration authorities, resulting in the deportation of victims who may have merited temporary residency or whose country of origin were conflict-ridden or left victims susceptible to threats of violence. GRETA also raised concerns that amendments to asylum law, particularly the shortened deadline for asylum-seekers to appeal a rejected application from three weeks to one week, risked limiting the possibilities for identifying victims of trafficking among asylum-seekers. Additionally, the continued closure of the Storskog border crossing with Russia to anyone seeking protection prevented the screening for victims of trafficking along the northern border. Forced labor victims who were material witnesses against a former employer could obtain other employment while awaiting trial and were eligible to leave the country before trial proceedings.

## PREVENTION

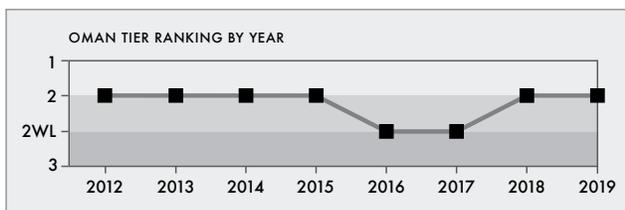
The government maintained prevention efforts. Norway continued to implement measures from its national action plan. KOM published an annual report providing an overview on victim identification, challenges relating to trafficking, and relevant agencies' anti-trafficking activities. For the third consecutive year, the government did not fund any information campaigns targeted toward potential trafficking victims. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. ROSA managed a 24-hour hotline for potential trafficking victims and noted an increase in calls from potential labor trafficking victims. Parliament earmarked 3.68 million kroner (\$423,960) in grants to ROSA for the hotline and other victim assistance activities, compared with 3.25 million kroner (\$374,420) in 2017.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Norway, and, to a lesser extent, traffickers exploit victims from Norway abroad. Trafficking victims identified in Norway primarily originate from Eastern and Southern Europe (Albania, Bulgaria, and Romania); observers noted an increase in victims from South America (Brazil and Colombia). Traffickers subject women and girls to sex trafficking and men and women to labor trafficking, specifically in domestic service and construction. Traffickers subject children to forced criminal activities, such as shoplifting, begging, and drug sales, and other forms of forced labor, including illegal employment in car washes and private housekeeping. Some unaccompanied children, who applied for asylum or disappeared from asylum centers are vulnerable to trafficking. Foreign au pairs from the Philippines are vulnerable to trafficking in Norway.

## OMAN: TIER 2

The Government of Oman does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Oman remained on Tier 2. These efforts included investigating, prosecuting, and convicting more sex traffickers, and sentencing the offenders to significant jail time. Additionally, the government increased funding toward operation of its victim shelter and protective services and, for the first time, provided alternate sponsorship for a domestic worker who reported work conditions indicative of trafficking. The government also entered an agreement to facilitate pro bono legal representation in both criminal and labor court proceedings, promulgated a new video awareness campaign that reached the vulnerable migrant worker population, and increased the frequency of anti-trafficking capacity building trainings for officials across several government entities and the number of officials participating in these trainings by 50 percent. It investigated cases of passport retention and referred some cases to the public prosecutor and labor court system. However, the government did not meet the minimum standards in several key areas. The government continued to process potential labor trafficking cases through mediation in labor courts without investigating them as potential trafficking crimes, which omitted criminal accountability and victim care. While it initiated prosecution of one labor trafficking case, it did not convict a perpetrator of a single labor trafficking crime, though the issue of forced labor remained a significant problem in Oman. The government identified fewer victims, did not adopt standardized procedures for the proactive identification of trafficking victims among vulnerable groups, and only referred victims to protective services if they filed cases with the public prosecutor. The government did not take steps to reform the sponsorship system that tied workers to specific employers, which increased vulnerabilities for forced labor and penalization of victims who fled forced labor circumstances.



### PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers for forced labor offenses, including by investigating indicators of potential trafficking crimes in enforcement of labor law violations. • Expand labor law protections to, and enforce legal protections for, domestic workers. • Institute formal procedures to proactively identify and refer to care male and female trafficking victims among vulnerable populations, such as migrant workers and people in prostitution. • Amend the law to allow referrals of suspected male and female trafficking victims to protective services, regardless of whether they file charges against, or there is a corresponding prosecution of, an alleged offender. • Amend the sponsorship-based employment scheme that renders expatriate workers vulnerable to exploitative labor, to include allowing them to leave reportedly abusive employers and removing the requirement for “no objection”

certificates in seeking new employment and exit permits. • Undertake serious efforts to prevent penalization of trafficking victims by screening for victimization among vulnerable groups such as those arrested for immigration violations or prostitution or who flee abusive employers and face deportation. • Impose dissuasive penalties on employers who withhold their employees’ passports. • Increase utilization of the specialized unit to prosecute trafficking crimes. • Expand trainings for officials involved in criminal investigations. • Institute trainings for hotline operators to ensure accurate characterization of trafficking crimes. • Fully implement the national action plan. • Continue to carry out the *Ehsan* national public awareness campaign, after transferring it to the management of the Ministry of Information.

### PROSECUTION

The government increased its overall law enforcement efforts, registering higher numbers of investigations, prosecutions, and convictions of sex trafficking crimes compared to the previous year. However, it continued to focus disproportionately on sex trafficking versus labor trafficking crimes, and it did not convict any labor traffickers during the reporting period. Oman’s 2008 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed punishments of three to seven years’ imprisonment and a fine between 5,000 and 100,000 Omani rial (\$12,990-\$259,740) for offenses involving adult victims and seven to 15 years’ imprisonment and a minimum fine of 10,000 Omani rial (\$25,970) for offenses involving child victims. These punishments were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Ministry of Manpower (MoM) circular No.2/2006 prohibited employers from withholding migrant workers’ passports but did not specify penalties for noncompliance.

In 2018, the government reported investigating 11 alleged human trafficking cases—10 for sex trafficking and one for forced labor—compared to a total of nine human trafficking cases (six potential sex trafficking and three forced labor cases) investigated during the previous reporting period. Authorities charged all suspects in the 11 cases under the anti-trafficking law. It initiated prosecution of five of the 11 cases, an increase from three the prior year; the six remaining cases were pending at the close of the current reporting cycle. The government achieved 15 sex trafficking convictions—up from 12 in 2017—under the anti-trafficking law, seven of which stemmed from outstanding cases stymied in the courts in previous years. Officials sentenced the defendants to imprisonment ranging from three to 10 years and fines from between 500 to 10,000 Omani rial (\$1,300 to \$25,970). The government planned to deport and impose lifetime Oman reentry bans on all 15 (non-Omani) convicted traffickers upon completion of their sentences. The government reported the public prosecutor’s specialized anti-trafficking unit initiated criminal proceedings of two of these cases during the year. According to labor-sending country diplomats, law enforcement personnel continued to treat forced labor cases as labor law violations rather than criminal offenses, without referring victims to trauma-informed care and investigating only tangible evidence to build trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. Anecdotal reports alleged police officers sometimes informed Omani sponsors if their runaway domestic workers filed charges of trafficking or related crimes against them.

The government increased efforts to address passport retention

compared to the previous reporting year, during which it did not investigate cases as potential trafficking crimes but rather settled all of them via dispute mediation. The MoM reported 120 total passport retention cases in 2018; it investigated 58 as potential trafficking cases, and referred one case to the public prosecutor and 13 cases to the labor court system. The MoM reported that, as of the end of the reporting period, 36 cases remained under investigation, authorities initiated investigations into 22, resolved 30 through mediation, and determined three to be unfounded.

The government did not provide data on its expenditure for trafficking-related trainings in 2018, whereas in the prior year it provided venues, catering, and in-kind support totaling approximately 25,000 Omani rial (\$64,940) for such, in addition to auxiliary support of 5,000 Omani rial (\$12,990) from the public prosecutor's office to offset foreign donor contributions. However, in close partnership with an international organization, the government facilitated and provided in-kind and monetary support for anti-trafficking law enforcement training for more than 750 officials from the justice, police, and labor regulatory sectors during the reporting year, a 50 percent increase over the previous year. Representatives from an international organization, NGOs, and foreign governments conducted several trainings on implementation of the anti-trafficking law and victim-centered approaches to law enforcement, reaching 95 relevant government officials. The Royal Oman Police training academy continued to educate all incoming cadets on the legal framework for trafficking and related crimes, victim identification, and mechanisms for transferring potential cases to court, and reached more than 550 new Omani officials.

## PROTECTION

The government demonstrated uneven efforts to protect victims. The government reported identifying and referring to its shelter 10 sex trafficking victims, a decrease from 24 trafficking victims—including 19 for forced labor—in the previous reporting period. The government lacked formalized identification and referral procedures. In practice, officials reactively referred to care some victims identified as part of ongoing police investigations. Officials continued to rely on victims to self-identify and report abuses to authorities, and victims could only obtain government-provided services if they filed cases with the public prosecutor and the public prosecutor issued a referral for them. Some source-country embassies in Oman offered victim services for their nationals. As the labor law did not adequately cover domestic workers, authorities continued to treat potential domestic servitude cases as labor violations and did not identify potential victims of domestic servitude.

Due to the government's increasing efforts to provide victim identification training, some officials became more proficient at screening for potential sex trafficking victims, particularly among women in prostitution. Officials typically referred self-identified victims first to the police rather than directly to the government-operated shelter, which resulted in delays in victims receiving protective services. Foreign workers, whose legal status continued to be tied to their employer, could be compelled to work for lower or no wages under the credible threat of deportation by their employers. Additionally, labor regulations continued to require an employer to provide a "no objection" certificate to a foreign employee to seek a job with a new employer in Oman; although illegal, employers commonly charged a month's salary or more to administer this certificate.

During the reporting period, the government fully operated, and allocated slightly more money—198,130 Omani rial (\$514,620) compared to 191,860 Omani rial (\$498,340) in the previous reporting period—for accommodations and victim care at its permanent shelter, which could accommodate up to 50 women and child victims of forced labor, sex trafficking, or other types of abuse. The shelter provided lodging, psychological counseling, legal support, monetary stipends, recreational opportunities, rehabilitation activities, resiliency training, and medical care to victims. Victims in the shelter were only permitted to leave the premises with a chaperone. As in previous years, the government did not provide shelter services for any male or child victims during the reporting period. The government provided complimentary repatriation services to all 10 victims with initiated court proceedings who did not want to remain in-country. Victims were permitted and encouraged to stay in Oman for the duration of court proceedings against traffickers; however, they were not permitted to work or leave the shelter in the interim, and given protracted court cases coupled with prolonged unemployment they were thereby disincentivized from participating in trials. In December 2018, the national anti-trafficking committee signed an MOU with a local association to provide pro bono assistance to trafficking victims involved in court proceedings, to include seeking damages on behalf of trafficking victims and pursuing labor claims via MoM mediation. During the reporting period, for the first time, the government facilitated new sponsorship for a domestic worker who reported work conditions indicative of trafficking; however, most cases during the year ended with aggrieved workers unable to switch employers, reaching administrative settlements with their former employers, and subsequently returning to their home countries. The government provided foreign victims with legal alternatives to removal to countries in which they may face retribution or hardship; however, it did not report if any victims benefited from this policy.

## PREVENTION

The government increased efforts to prevent trafficking. During the reporting period, the government strengthened its implementation of various activities within its 2018-2020 national action plan, which it approved as official policy in 2017; the national anti-trafficking committee met during the year to recommend modifications to this plan. Several government entities routinely disseminated anti-trafficking messaging on their respective social media platforms, and Omani state newspapers increased press coverage of trafficking arrests and victim support services substantially over the previous year. Additionally, in March 2019, the MoM created and widely shared a video, in both Arabic and English, on expatriate workers' rights and responsibilities; the video encouraged migrant workers to contact authorities in case of any workplace irregularities and prominently featured the ministry's hotline numbers. The government reported it was in the process of transferring its national awareness campaign—entitled *Ehsan* and inaugurated during the previous reporting period—from management by a private company to the Ministry of Information's direct management. During the reporting year, the government passed legislation that made it more difficult for employers to use existing absconder laws to punish employees who refused to work without pay or for wages disparate than contractually agreed upon.

The Ministry of Foreign Affairs continued to fund an international trafficking expert to advise and assist interagency entities in operating a task force to carry out victim-centered investigations, devising legislative improvements, and enhancing

information-gathering techniques. The police maintained the government's main trafficking hotline, and its phone number was displayed on social media posts and news articles pertaining to trafficking. For the first time, the government confirmed that calls to the police hotline received resulted in trafficking investigations; police reported it received 24 total calls of which authorities referred two for trafficking-specific investigations. The MoM had a labor violation hotline and the government shelter operated one that served as an all-purpose helpline. All hotlines were active year-round and staffed with Arabic and English interpreters, and Urdu, Hindi, and Bangla-speaking contractors were on-call. The MoM reported it received 21,563 complaints via phone, website, and walk-ins. Some labor recruiters who mediated disputes between sponsors and domestic workers preferred to register complaints on behalf of aggrieved workers on the MoM's website instead of calling any of the hotlines or reporting the possible crimes to law enforcement. The government reported having memoranda of understanding with Iran, India, Bangladesh, Sri Lanka, Vietnam, Syria, Palestine, Egypt, and Morocco; some included articles prohibiting unlawful labor recruitment and trafficking. Local press reported initial bilateral negotiations on treaties with Nepal, Kenya, and Uganda, and Oman became party to a Gulf Cooperation Council-wide labor agreement with the Philippines. During the reporting period, the MoM issued a ministerial decision stating that companies must prove they have paid the past three months' of an employee's salary before filing a complaint to charge an expatriate employee with "absconding." The ministerial decision stipulates that, if a company files more than five complaints in a month or more than 10 in a year, it will be subject to increased inspections to ensure it is complying with local labor laws. If the company is noncompliant with local labor laws, the MoM will suspend it. The ministerial decision also created protections to prevent employers from firing employees while on leave or otherwise absent from work. During the reporting period, authorities inspected 3,593 establishments to ensure compliance with labor law provisions, screen for trafficking indicators, and build awareness against forced labor and exploitative practices among the migrant workforce; from these efforts, it did not report referring any cases to the courts for administrative or criminal proceedings or refer any victims to care. The government did not report any efforts to reduce the demand for commercial sex or forced labor. It provided anti-trafficking training to its diplomatic personnel.

### TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Oman. Oman's migrant worker community hails primarily from Bangladesh, India, Pakistan, Sri Lanka, and the Philippines, and most recently Uganda. However, largely as a result of Omanization—a series of labor-related policies designed to prioritize Omani nationals for employment over expatriates—the number of migrant workers in Oman in every sector declined in 2018, continuing a trend started the previous year and effectively reducing the pool of vulnerable third-country residents in Oman. Trafficking victims typically migrate to Oman willingly and legally, with men seeking employment in construction, agricultural, and service sectors, while women often seek domestic worker jobs. Male victims are generally from South Asia and more vulnerable to forced labor. Traffickers exploit female victims, predominantly from South, Southeast, and East Asia and East Africa, in forced labor and sex trafficking. Women, primarily from Southeast and East Asia, who come to Oman seeking domestic work are sometimes

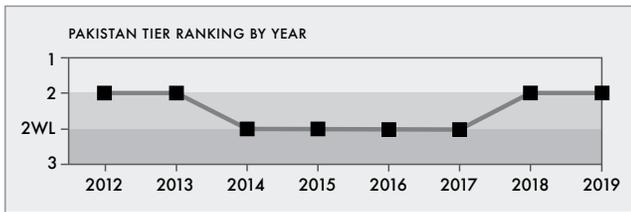
exploited in sex trafficking. Domestic workers who flee their employers are also vulnerable to sex trafficking. Uganda and Kenya maintained bans prohibiting their citizens from working as domestic workers in Oman; however, during the reporting period both Uganda and Kenya simultaneously engaged in negotiations with Oman on bilateral labor agreements that would provide a legal basis for Ugandan and Kenyan domestic workers to return.

Expatriate workers seeking low-wage jobs continue to be at risk for trafficking under the visa-sponsorship employment system in Oman, which grants individuals' recruitment agencies and/or Omani visa sponsors significant unilateral control over their ability to change employers or leave the country. The system gives employers the power to dictate the status of residency permits. Some unscrupulous recruitment agencies in Oman and their sub-agents in labor-sending countries mislead migrant workers in their respective countries of origin to accept working conditions significantly worse than otherwise promised, providing fraudulent contracts with fictitious wages and exorbitant recruitment fees charged to the employees. Traffickers subject some of these workers to employment practices that constitute forced labor, to include excessive work hours, passport confiscation, non-payment of wages, food deprivation, and psychological and sexual abuse. Conversely, other workers enter Oman with full knowledge of their work obligations but sponsors ultimately coerce them to work for little or no pay or in dire conditions under the credible threat of deportation. Additionally, some victims originally intend to travel to the United Arab Emirates (UAE) but are subsequently compelled to accept work in Oman, or vice-versa. After arriving in the UAE, traffickers transport the migrant laborers into Oman and force them to work for lower wages and in austere conditions in the absence of legal contracts. Informal labor middlemen operate legally but without regulation in Oman, communicating anonymously via social media platforms to promise Omani sponsors inexpensive domestic labor at a fraction of cost stipulated by the formal, well-established recruitment agencies.

## PAKISTAN: TIER 2

The Government of Pakistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Pakistan remained on Tier 2. These efforts included passing the country's first comprehensive human trafficking law that criminalized all forms of sex trafficking and labor trafficking; securing its first conviction in 10 years of an official complicit in human trafficking; and identifying and referring an increased number of trafficking victims to care. However, the government did not meet the minimum standards in several key areas. Overall law enforcement efforts against labor trafficking remained inadequate compared to the scale of the problem. Punjab continued to be the only province to report convictions for bonded labor, and those convictions decreased significantly. While the government took action in two cases of official complicity in trafficking that garnered national attention, it did not address widespread reports of local officials' pervasive involvement in bonded labor, and some provincial government officials denied the existence of bonded labor. Government protection efforts remained

inconsistent; officials did not refer the majority of identified trafficking victims to care, and the lack of protective services for bonded labor victims contributed to their re-trafficking.



### PRIORITIZED RECOMMENDATIONS:

At both the federal and provincial levels, increase prosecutions and convictions, particularly of forced labor—including bonded labor—and cases involving allegedly complicit officials, and stringently punish perpetrators. • Finalize, disseminate, and train officials on the implementing rules for the 2018 Prevention of Trafficking in Persons Act (PTPA). • Designate specialized prosecutors and judges to hear trafficking cases. • Increase trafficking-specific services for victims, including for males, and ensure victims are not penalized for acts traffickers compelled them to commit. • Create, disseminate, and train officials—including provincial police, labor inspectors, and social services—on standard operating procedures (SOPs) for victim identification and referral to rehabilitation services. • Expand services for bonded laborers, including shelter, identity documents, and legal assistance. • Register and inspect brick kilns in accordance with relevant laws regulating factories, and refer suspected bonded labor to law enforcement. • Take steps to eliminate all recruitment fees charged to workers. • Train government officials to clearly distinguish between human trafficking and migrant smuggling. • Remove the provisions in the 2018 PTPA that allow judges to prescribe only fines to convicted traffickers. • Lift restrictions on female migration while negotiating female worker protections with destination country governments. • Improve efforts to collect and accurately report anti-trafficking data. • Accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government demonstrated mixed overall law enforcement efforts against trafficking. Pakistani laws criminalized sex trafficking and labor trafficking. During the reporting period, the government repealed the Prevention and Control of Human Trafficking Ordinance (PACHTO) and replaced it with the 2018 (PTPA). The 2018 PTPA criminalized sex trafficking and labor trafficking and prescribed penalties of up to seven years' imprisonment, a fine of up to 1 million Pakistani rupees (PKR) (\$7,220), or both for trafficking offenses involving an adult male victim, and penalties of between two and 10 years' imprisonment, a fine of up to 1 million PKR (\$7,220), or both for those involving adult female or child victims. These penalties were sufficiently stringent. However, with regard to sex trafficking, by allowing for a fine in lieu of imprisonment, these penalties were not commensurate with those for other serious crimes, such as rape. The government continued to use other sections of the Pakistan Penal Code (PPC) that criminalized some forms of human trafficking. For example, Section 371A and 371B criminalized the buying and selling of a person for prostitution and prescribed penalties of up to 25 years' imprisonment and fines. Section 374 criminalized unlawful compulsory labor and prescribed penalties of up to five years' imprisonment, a fine, or both. Section 366A criminalized procurement of a "minor girl under 18" and prescribed penalties

of up to 10 years' imprisonment and a fine. Section 370 criminalized buying or disposing of any person as a slave and prescribed penalties of up to seven years' imprisonment and a fine, and Section 371 criminalized habitual dealing in slaves and prescribed penalties of up to life imprisonment and a fine if the imprisonment was less than 10 years. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. The federal Bonded Labor System (Abolition) Act (BLSA) criminalized bonded labor, with prescribed penalties ranging from two to five years' imprisonment, a fine, or both; these penalties were sufficiently stringent. Most of the provincial governments have adopted their own labor laws, including anti-bonded labor laws, under a devolution process that began in 2010. However, federal laws apply until corresponding provincial laws are enacted.

The 2018 PTPA replaced PACHTO in May 2018 and the government did not finalize implementing rules for the 2018 PTPA by the close of the reporting period; thus, it did not report any investigations, prosecutions, or convictions under either the 2018 PTPA or PACHTO, compared to 90 investigations, 53 prosecutions, and 29 convictions under PACHTO in 2017. Despite efforts to differentiate human trafficking and migrant smuggling in law and policies, some law enforcement officials continued to conflate the two crimes. The government reported data on trafficking investigations, prosecutions, and convictions under the PPC by province and special administrative area. Overall, the government reported investigating 2,367 alleged sex trafficking cases and initiating prosecutions in 2,212 cases, an increase from investigation of 1,647 sex trafficking cases and prosecution of 1,540 the previous reporting period. The vast majority of sex trafficking convictions took place in Punjab under Section 371A of the PPC for "Selling person for purposes of prostitution etc." The overall number of sex trafficking convictions remained unclear. The government had reported 72 sex trafficking convictions the previous reporting period. The government did not report sentences for the convictions. Khyber Pakhtunkhwa, Balochistan, and the Islamabad Capital Territory decreased sex trafficking investigations, prosecutions, and convictions compared to the previous reporting period. Azad Jammu and Kashmir and Gilgit-Baltistan did not report any investigations, prosecutions, or convictions for trafficking offenses. Punjab continued to report the vast majority of law enforcement action against sex trafficking; of the national statistics on sex trafficking, Punjab reported 98 percent of the country's investigations, 99 percent of prosecutions, and 100 percent of convictions.

The government's law enforcement action on labor trafficking remained severely inadequate compared with the scale of forced labor, including bonded labor, in the country; and investigations, prosecutions, and convictions for bonded labor decreased significantly. While Sindh reported one investigation and prosecution for bonded labor, Punjab remained the only province to secure convictions under the BLSA. Punjab authorities investigated 23 cases of bonded labor, initiated prosecutions in 22 cases, and convicted three traffickers—a significant decrease from 197 investigations, 182 prosecutions, and 37 convictions during the previous reporting period. Punjab convicted the fewest number of traffickers for bonded labor since 2015. An international organization stated the BLSA was not adequately enforced because of police inaction on complaints and lower court judges' lack of understanding of the law. No province, including Punjab, reported law enforcement action on forced labor under PPC Section 374, unlawful compulsory labor—a decrease from one investigation in Punjab the previous

reporting period. Additionally, Punjab significantly decreased investigations and prosecutions under Section 369A, trafficking in human beings, from 79 case investigations, 79 prosecutions, and 17 convictions in 2017 to four, three, and zero, respectively, during the reporting period, although this is partly explained by removal of Section 369A after passage of the 2018 PTPA. Khyber Pakhtunkhwa reported one investigation under Section 369A. While media reported Sindh police conducted at least 66 raids on brick kilns during the reporting period—largely in response to Supreme Court directives—the province only reported prosecution of one bonded labor case. Sindh initiated two additional investigations and prosecutions under PPC Section 370 for buying or disposing of any person as a slave and Section 371 for habitual dealing in slaves. While this was similar to three cases under Sections 370 and 371 in the previous reporting period, it remained a significant decrease from investigation of 19 alleged traffickers and prosecution of 16 in 2016 and low compared to the scale of the problem. The government also reported data on several penal code sections that criminalized labor trafficking and other non-trafficking crimes but did not disaggregate the data to specify which cases under these sections were for labor trafficking versus non-trafficking offenses.

The Federal Investigative Agency (FIA) remained the government's lead reporting and coordinating entity on human trafficking. The agency focused on transnational offenses, while provincial police generally investigated internal human trafficking cases. While FIA and provincial police coordinated on an ad hoc basis, overall collaboration remained weak and complicated law enforcement efforts and data collection. FIA investigated human trafficking and migrant smuggling cases through its 27 anti-trafficking law enforcement joint task forces at the federal, provincial, and local levels. FIA's basic training for new recruits included information on human trafficking and migrant smuggling. Foreign governments and international organizations funded trafficking-specific trainings for police, investigators, prosecutors, and FIA officials during the reporting period; and government agencies contributed in-kind support to some of the trainings. NGOs noted provincial police were reluctant to file First Information Reports—required to launch criminal investigations—into many crimes, including trafficking, and some police requested bribes to register legitimate complaints and accepted bribes to not register complaints. Furthermore, observers cited the country's overburdened prosecutors and judges, who frequently lacked adequate training, as a contributing factor to lengthy trafficking trials and low conviction rates.

Official complicity in trafficking remained a significant concern. However, for the first time in 10 years, the government convicted an official for a human trafficking-related offense. In April 2018, the court convicted a former district judge and his wife for cruelty to a child for subjecting a 10-year-old girl to torture and domestic servitude. The court prescribed a sentence of one year of imprisonment and a fine of 50,000 PKR (\$360) each. The couple appealed the case to the Islamabad High Court, which dismissed the appeal, increased the sentence to three years' imprisonment and a 500,000 PKR (\$3,610) fine, and ordered the former judge's wife to pay the victim 500,000 PKR (\$3,610) in restitution. In October 2018, police removed a 10-year-old domestic worker from the house of a Pakistani army major after allegations of torture and domestic servitude; police arrested the army major's husband, and the military reportedly initiated an investigation. In addition, the police suspended an assistant sub-inspector of police for the failure to file a police report when a neighbor first reported the case.

While the government took action in these cases, it did not report vigorous efforts to address numerous other credible allegations of official complicity in trafficking, especially local officials' reportedly endemic perpetuation of bonded labor, which created a culture of impunity for offenders. During the reporting period, NGOs increasingly reported that feudal landlords and brick kiln owners used their political connections to facilitate their use of forced labor. In some cases, when bonded laborers attempted to escape or seek legal redress, police refused to file a case and returned bonded laborers to their traffickers. NGOs continued to report perpetrators of bonded labor successfully filed false charges against victims leading to their arrest and imprisonment, at times in collusion with police. Some police reportedly assisted employers in kidnapping bonded laborers that authorities or NGOs had previously removed from exploitation. Police reportedly demonstrated reluctance to investigate cases of potential bonded labor when wealthy and influential individuals, such as local politicians, were the alleged perpetrators. Some police reportedly acted against trafficking only when pressured by media and activists. Observers alleged police accepted bribes to ignore prostitution crimes, some of which may have included sex trafficking. A research study of Pakistan's garment sector published in January 2019 revealed that some garment factory workers reported forced overtime, underpayment of wages, and abuse—indicators of forced labor—and some of those factories paid monthly bribes to labor department officials to avoid inspections. In February 2018, Australian media reported that the High Commissioner for Pakistan in Australia allegedly subjected her domestic worker to forced labor for 18 months; according to media reports, the government of Australia investigated the allegations and granted the victim protected status. The Government of Pakistan did not report criminally or administratively investigating these claims.

## PROTECTION

The government increased efforts to identify and refer trafficking victims to care but protection efforts remained inadequate, especially for bonded labor victims. FIA did not identify any trafficking victims, a decrease from 17 victims identified in the previous reporting period. Provincial police identified 19,723 victims, an increase from 14,588 victims identified in 2017. The government did not disaggregate the data by forms of trafficking or province. The government reported some law enforcement, immigration, and social service personnel had SOPs for the identification of trafficking victims within their respective departments; however, it was unclear how widely officials disseminated and employed these SOPs. Several provincial government officials and law enforcement noted they had never received, and did not employ, SOPs, and other law enforcement reported use of SOPs on an ad hoc basis.

Provincial police reported referring 2,697 trafficking victims to care, a considerable increase from 303 victims referred to care in 2017 but still low compared to the total number of victims identified. Observers attributed the increase in part to better reporting on such referrals. Police reported some victims declined to avail themselves of government services, but availability of services was an issue, with a lack of shelter and services available in many regions, particularly for male victims. Government-run shelters for women experiencing a range of difficult circumstances, including trafficking, were the most predominately available service. Punjab operated women's shelters in each of its 36 districts; Sindh operated five women's shelters in its 29 districts and four centers that offered women in distress medical and legal aid and shelter for up to 72 hours; Khyber Pakhtunkhwa operated women's shelters in six

of its 26 districts and 10 welfare homes for exploited children; Balochistan operated one women's shelter and one shelter for destitute male citizens among its 32 districts; and the Islamabad Capital Territory had one family and rehabilitation center that served women and children. NGOs and local politicians continued to note concerns about the low quality of victim care at many government-run shelters, including their lack of basic resources such as showers. There were also reports government-run women's shelters continued to limit victims' freedom of movement. Punjab continued to operate its wholly integrated center that provided shelter, medical and psychological support, and legal assistance for female victims of violence. While all female victims of violence could access the center, including trafficking victims, the government did not report whether it assisted any trafficking victims. Some government officials and NGOs continued to note the lack of shelters and services for trafficking victims. Child trafficking cases in which parents might have been complicit were of particular concern, since authorities often returned potential child trafficking victims to their families immediately following identification without effective methods to ensure families would not subject their children to trafficking again. Boys could access government shelters in many provinces, but the government only identified one shelter in the country that adult males could access. Several government officials denied that male trafficking victims, if identified, would require care. Both government and NGO contacts noted that, due to cultural norms, male victims were less likely to seek or accept assistance. Civil society continued to provide some victim services, largely without government support. In part due to lack of dissemination and training on SOPs, authorities may have charged sex trafficking victims with moral crimes.

Provincial child protection units (CPUs) in Punjab, Sindh, and Khyber Pakhtunkhwa identified and referred children in exploitative or vulnerable labor situations to NGO and government care. Khyber Pakhtunkhwa established four new CPUs during the reporting period, for a total of 12. Balochistan had not yet established any CPUs, despite passing legislation in November 2016 to establish such units in all districts. The Punjab Child Protection and Welfare Bureau (CPWB) housed children in child protection shelters. CPWB operated open reception centers to identify and register children living on the street and identified and referred 10,203 child beggars to the shelters during the reporting period, an increase from 6,474 children in 2017. Authorities did not report how many of these children were identified as victims of forced begging. Khyber Pakhtunkhwa continued to fund and operate a shelter for homeless children.

The BLSA required districts to establish bonded labor vigilance committees (DVCs) to ensure implementation of the BLSA and provide assistance to bonded labor victims. Punjab maintained 36 DVCs. While Sindh noted it had 10 functional DVCs, NGOs countered that the majority did not function and those that did operate did so minimally in response to international pressure. In addition, one Sindh official claimed bonded labor no longer existed in the province, and another downplayed the prevalence of the practice, indicating there was no need for the provincial government to dedicate additional personnel or resources to combat the problem. Khyber Pakhtunkhwa and Balochistan did not have DVCs. Punjab and Khyber Pakhtunkhwa could provide free legal aid to bonded laborers who requested assistance.

NGOs noted most cases of bonded labor ended with financial settlement in lieu of criminal prosecution, in part because police and the judiciary often ceased support for victims after authorities had removed the victim from exploitation and

did not guide them through how to pursue a formal civil or criminal case. Bonded laborers whom authorities had released from exploitation frequently had no alternative employment or housing and sometimes returned to brick kilns or farms and assumed more debt. Those who lacked identity documents were even more vulnerable, since they could not access government services such as health care and food stipends. Some NGO-run shelters could accommodate bonded laborers, including entire families, but often had insufficient resources to provide long-term housing. Government policy included protections for those cooperating in trafficking-related investigations; however, the government did not report how often it granted protection. Victims expressed reluctance to testify against their traffickers due to threats of violence against them and their families. The 2018 PTPA and sections of the PPC provide for victim restitution. The Bureau of Emigration and Overseas Employment (BEOE) within the Ministry of Overseas Pakistanis and Human Resources Development (OPHRD) employed 19 community welfare attaches in 14 destination countries to provide support and information to Pakistani migrant workers; BEOE did not report if the attachés identified or assisted any trafficking victims. The Ministry of Interior had the authority to grant extensions for foreign victims to stay in the country until the Federal Review Board of the Supreme Court reached a decision on repatriation; it did not report whether it allowed permanent legal alternatives to removal to countries in which victims would face retribution or hardship.

## PREVENTION

The government maintained efforts to prevent trafficking. The government continued implementation of the 2015-2020 national strategic framework against trafficking in persons and migrant smuggling, although lack of resources continued to hamper efforts. FIA's research and analysis center reportedly collaborated with an international organization to create quarterly newsletters on human trafficking and migrant smuggling, although it did not make these reports publicly available. The federal government did not collect or provide comprehensive data on labor law enforcement; while provinces reportedly collected such information at the district level, authorities lacked a centralized repository for the data and mechanisms to report it to the federal government. Labor inspectors did not have the authority to assess penalties for labor law infractions; they reported infractions to labor courts, which could assess penalties. NGOs continued to report inadequate training and funding for labor inspectors, including lack of funds for transportation, impeded inspectors' ability to monitor working conditions in brick kilns and other factories—sectors in which forced and bonded labor occurred. Labor inspectors did not have the authority to remove children or bonded laborers from exploitative situations. Inspectors should refer potential child or bonded labor cases to law enforcement; however, NGOs reported a lack of coordination between labor inspectors, law enforcement, and social services, including the absence of a standardized referral mechanism. Thus, it was unknown if labor inspectors or courts referred any potential bonded labor cases to law enforcement or victims to care. NGOs noted that despite high incidences of child and forced labor in agriculture and domestic work, the majority of provincial labor laws did not allow labor inspectors to inspect these worksites for infractions. Brick kilns fall under the Factories Act of 1934 and are subject to the same regulations as other factories, including workers' rights provisions. However, these regulations were rarely enforced, and the majority of the estimated 18,000 kilns continued to operate without registration and the required benefits for workers.

Punjab prosecuted 3,953 brick kilns for lack of compliance with labor laws, including non-payment and illegal deductions from wages, and imposed fines totaling 288 million PKR (\$2.08 million). This is a significant increase from prosecution of 1,516 brick kiln owners the previous reporting period and comparable to the prosecution of 3,989 brick kiln owners in 2016. Khyber Pakhtunkhwa's labor department did not report any dedicated funding for its specialized inspection team within the office on child and bonded labor—a decrease from 7 million PKR (\$50,510) devoted to this team the previous reporting period. During the reporting period, Punjab reportedly halted implementation of its multi-year project to eliminate child and bonded labor and birth registration program for brick kiln workers as it assessed policy priorities. It did, however, continue efforts to provide identity cards to brick kiln workers. Khyber Pakhtunkhwa, Punjab, and Sindh continued to fund and implement some multi-year programs focused on combating the worst forms of child labor and other labor abuses, although fewer programs than in previous years. With technical assistance from an international organization and some provincial government funding, four provinces began surveys to assess the prevalence of child labor, including child bonded labor.

BEOE issued licenses to private employment promoters and monitored workers who migrated through licensed agencies. The Emigration Ordinance of 1979 prohibited the role of unregulated and unregistered sub-agents; however, sub-agents continued to operate widely with impunity. The government allowed licensed employment promoters to charge migrant workers a service fee of 6,000 PKR (\$43) for a welfare fund to compensate workers' families in case of the workers' death abroad, and workers to pay all the costs associated with overseas employment. While the government stipulated employers should provide workers with a receipt for these costs, the government did not specify any cost limit and did not consistently review migrant workers' receipts. BEOE cancelled licenses of 54 registered employment promoters, compared to cancellation of 29 licenses and suspension of 41 during the previous reporting period; BEOE did not provide details of the agencies' violations. BEOE referred 285 complaints against recruitment agencies to FIA for criminal investigation, an increase from 160 referrals in 2017. The government continued to ban female migrant workers younger than 30 from migrating for domestic work and required females 30-35 to obtain special approval from OPHRD. The UN and members of civil society argued any ban on female migration increased the likelihood such women would migrate illegally and therefore heighten their vulnerability to human trafficking. BEOE required migrant workers to attend a pre-departure briefing at one of its seven offices that included information on what to do if the migrant worker encountered problems; however, observers asserted these centers did not provide sufficient information on the risks of, and assistance to combat, trafficking.

In July 2017, the governments of Pakistan and Afghanistan agreed to provide Afghan Citizen Cards (ACCs) to the estimated one million undocumented Afghans living in Pakistan. The government received approximately 880,000 applications for ACCs, which provided legal protection from deportation under Pakistan's Foreigners' Act, and as of March 2019 had distributed more than 423,000 ACCs, valid through April 30, 2019. The government continued to grant previously registered Afghan refugees an extension of proof of registration (POR) cards but did so in short-term extensions, which created an environment of uncertainty for refugees. The government extended validity of POR cards through June 30, 2019. The government did not make efforts to reduce the demand for commercial sex acts or forced

labor. The government provided anti-trafficking training for its diplomatic and peacekeeping personnel. During the reporting period, the UN continued to investigate two allegations of sex trafficking by Pakistani peacekeepers, one from the UN Mission in the Democratic Republic of the Congo in 2017 and one from the UN Mission in Liberia in 2011-2012; the government did not report if it investigated the allegations. Pakistan is not a party to the 2000 UN TIP Protocol.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Pakistan, and traffickers exploit victims from Pakistan abroad. The country's largest human trafficking problem is bonded labor, in which an initial debt assumed by a worker as part of the terms of employment is exploited, ultimately entrapping other family members, sometimes for generations. Bonded labor is concentrated predominately in Sindh province in agriculture and Punjab province in brick kilns but also occurs in other sectors in those provinces and in Balochistan and Khyber Pakhtunkhwa provinces in agriculture and brick-making and, to a lesser extent, in fisheries, mining, and textile-, bangle-, and carpet-making. Observers reported employers in Sindh are beginning to move carpet- and bangle-making productions into private homes to further increase the difficulty in monitoring labor conditions. Some feudal landlords and brick kiln owners affiliated with political parties use their influence to protect their involvement in bonded labor. Landlords exploit widespread illiteracy among workers and manipulate accounting records to continue to the cycle of bonded labor. Observers also reported some brick kiln owners buy and sell workers among one another. Children are bought, sold, rented, or kidnapped and placed in organized begging rings, domestic servitude, small shops, and sex trafficking. According to a prominent child rights NGO, the majority of children working in the streets in Pakistan are subjected to forced begging. Begging ringmasters sometimes maim children to earn more money and sometimes force children to steal. NGOs report traffickers subject boys to sex trafficking around hotels, truck stops, bus stations, and shrines. There are reports of widespread sexual exploitation of boys in one coalmining community in Balochistan. Boys as young as six years old from Balochistan, Khyber Pakhtunkhwa, and Afghanistan, are purportedly lured to work in the mines but then subjected to sex trafficking; in some cases, parents are complicit in sending their children to the mines for sex trafficking. Within Pakistan, NGOs and police report some employers, including in restaurants and factories, require boy child laborers to provide sexual favors in order to obtain a job with the employer, to keep the job, and/or for accommodation. An NGO reported multiple cases of forced labor by students in government-run schools.

Observers report some police accept bribes to ignore prostitution in general, some of which may include sex trafficking. Some factories pay monthly bribes to labor department officials to avoid inspections. Illegal labor agents charge high recruitment fees to parents in return for employing their children, some of whom are subjected to forced labor and sex trafficking. In previous years, trafficking experts have described a structured system for exploiting women, girls, and LGBTI individuals in sex trafficking, including offering victims for sale in physical markets. Women and girls are sold into forced marriages; in some cases, their new "husbands" force them into prostitution in Iran, Afghanistan, or China. In other cases, including some organized by extra-judicial courts, girls are used as chattel to settle debts or disputes. Some Pakistani traffickers lure women

and girls away from their families with promises of marriage, create fraudulent marriage certificates, and exploit the women and girls in sex trafficking. Additionally, some traffickers force the victims to take drugs and exploit the drug addiction to keep them in sex trafficking. Those displaced internally due to natural disasters and domestic military operations are vulnerable to trafficking.

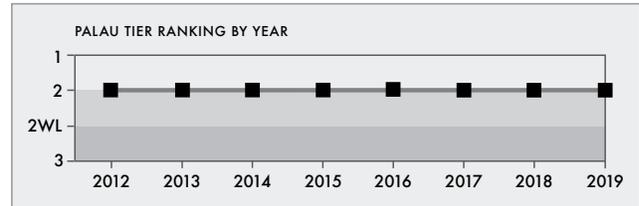
Some organizations reported that non-state armed groups that had a presence in Pakistan recruited and used child soldiers in Afghanistan, although there is no evidence that the Government of Pakistan was complicit in the recruitment and use of child soldiers. Non-state militant groups kidnap children, buy them from destitute parents, coerce parents with threats or fraudulent promises into giving their children away, or recruit children from *madrassahs*; these armed groups force children to spy, fight, and conduct suicide attacks in Pakistan and Afghanistan. Traffickers have promised Pakistani boys admittance to Afghan religious schools but sold them to members of the Afghan security forces for *bacha bazi*, a form of sex trafficking. Iranian authorities coerce some undocumented and impoverished Pakistani adult migrants to fight for Iranian-backed militias in Syria.

Pakistani men and women migrate overseas voluntarily, particularly to the Gulf states and Europe, for low-skilled employment such as agriculture, domestic service, driving, and construction work; traffickers exploit some of them in labor trafficking. False job offers and high recruitment fees charged by illegal labor agents or sub-agents of licensed Pakistani overseas employment promoters entrap Pakistanis in sex trafficking and bonded labor, including in the United Arab Emirates (UAE). Traffickers have exploited Pakistani girls in sex trafficking in Kenya. During the reporting period, Pakistani traffickers brought 35 Pakistani adults—including 14 individuals with disabilities—to the UAE and forced them to beg. Pakistani boys are vulnerable to sex trafficking in Greece. Some traffickers, including organized criminal groups, subject Pakistani adults and children to forced labor in domestic work, construction, and begging in Iran; some traffickers have targeted Pakistanis with disabilities for forced begging. During the reporting period, some Chinese nationals residing in Pakistan took Pakistani girls to China through fraudulent marriages and exploited them in prostitution. Pakistan is a destination country for men, women, and children subjected to forced labor—particularly from Afghanistan, Bangladesh, and Sri Lanka. Chinese men working in construction may be vulnerable to forced labor in Pakistan. Traffickers exploit women and girls—and, to a lesser extent, boys—from Afghanistan, Iran, and other Asian countries in sex trafficking in Pakistan. Refugees from Afghanistan, Bangladesh, and Burma, as well as religious and ethnic minorities such as Christians and Hazaras, are particularly vulnerable to trafficking in Pakistan. Traffickers exploit Rohingya refugees in forced labor in Pakistan.

## PALAU: TIER 2

The Government of Palau does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Palau remained on Tier 2. These efforts included the president's approval of the national action plan, funding an assessment of the trafficking situation in Palau and the government's anti-trafficking infrastructure, creating

a temporary shelter for victims, and establishing a trafficking hotline. Courts sentenced the government's lone convicted trafficker to 25 years' imprisonment, a departure from previous cases where courts had fully suspended sentences. However, the government did not meet the minimum standards in several key areas. The government remained without standard operating procedures for victim identification and referral to services. Protection services were insufficient; the government did not provide basic services such as medical and psychological care, and the government did not investigate indicators of trafficking in labor recruitment and contract violations experienced by many foreign workers.



### PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials, under trafficking laws, and sentence traffickers to adequate penalties, which should involve significant prison terms. • Develop, disseminate, and train officials on standard operating procedures for the proactive identification of trafficking victims and their referral to protection services. • Increase resources for and develop victim protection and rehabilitation services, including long-term shelter options, interpretation services, and medical and psychological care. • Amend anti-trafficking laws to remove sentencing provisions that allow fines in lieu of imprisonment for sex trafficking offenses and do not prosecute or penalize victims for unlawful acts traffickers compelled the victim to commit. • Create and implement a system to proactively offer foreign trafficking victims job placements and work visa extensions. • Establish and implement witness confidentiality procedures. • Enforce the anti-trafficking laws punishing recruiters, employment agents, and labor officials for illegal practices that facilitate trafficking. • Increase anti-trafficking awareness among vulnerable populations, including foreign migrant worker communities. • Establish a mechanism for the systematic monitoring of government anti-trafficking efforts. • Accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government maintained law enforcement efforts. Sections 2106-2108 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to 25 years' imprisonment, a fine of up to \$250,000, or both if the victim was an adult and up to 50 years' imprisonment, a fine of up to \$500,000, or both if the victim was under age 18. These penalties were sufficiently stringent, but by allowing for a fine in lieu of imprisonment for sex trafficking crimes, these penalties were not commensurate with penalties prescribed for other serious crimes, such as rape. The Ministry of Justice's anti-human trafficking office (AHTO) investigated 11 potential cases of labor trafficking and exploiting a trafficked person, one of which was investigated for soliciting sex acts from a sex trafficking victim, compared with 14 potential trafficking case investigations in 2017 and none in 2016. The AHTO referred five of the cases to the attorney general's office (AGO), which all remained under review at the end of the reporting period.

The AGO initiated the prosecution of one alleged trafficker during the reporting period, compared with three prosecutions in 2017 and two in 2016. In the prosecution initiated during the reporting period, the court found the alleged offender not guilty of labor trafficking and people trafficking but found her guilty of prostitution and promoting prostitution; sentencing had not taken place by the end of the reporting period. Separately, the courts convicted one Bangladeshi national of labor trafficking and sentenced him to 25 years' imprisonment; the defendant began to serve his sentence while awaiting the outcome of his appeal. This is compared with three traffickers convicted in 2017, two of whom received suspended sentences and were deported within 30 days and one who received probation and was deported one year after sentencing.

Observers noted official complicity played a significant role in facilitating trafficking. The AGO continued to investigate allegations of official complicity but did not report the details of the allegations or the number of officials involved. The AGO did not initiate prosecutions or secure convictions of complicit officials during the year. The government provided in-kind support for five trainings on trafficking hosted by foreign governments or international organizations. The AHTO trained 24 police cadets for one week on trafficking and victim identification. Despite these trainings, observers stated officials generally continued to lack an understanding of trafficking.

## PROTECTION

The government maintained efforts to protect victims. The AHTO reported it began to develop a victim identification tool but had not completed or approved the tool; consequently, the government remained without standard operating procedures for victim identification and referral to services during the reporting period. The government reported identifying five potential victims of labor trafficking and two potential sex trafficking victims from the five cases referred to the AGO for prosecution, compared with 10 foreign labor trafficking victims and four minor victims of sex trafficking identified in 2017. All potential victims were adult foreign nationals and the majority were male. An international organization stated only the most egregious cases of trafficking were likely to come to the attention of authorities because of the lack of proactive identification procedures and foreign migrant worker reluctance to complain to authorities out of fear that complaining would result in job termination and deportation. At the beginning of the reporting year, the AHTO created a temporary shelter for trafficking victims with five cots; however, none of the identified victims stayed there during the reporting period as they requested to stay with friends or relatives. Investigators employed local interpreters as needed in Bengali, Mandarin, and Tagalog. The government did not fund or provide any other emergency protective services to adult trafficking victims such as medical or psychological care. The lack of support services reportedly led some victims to leave the country rather than pursue legal recourse.

The government contributed approximately \$15,000, the same amount as in 2017, to an NGO to assist trafficking victims with legal counseling and representation before labor and immigration hearings. The NGO filed five civil lawsuits to help victims recover lost wages and seek protection from the courts and settled two previously filed lawsuits during the reporting period; each case represented multiple victims. The AGO did not request restitution for trafficking victims, reportedly due to an inability to submit admissible evidence. The government did not report whether it assisted victims with work visa extensions and

job placements in 2018. The government offered only ad hoc short-term legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution; the attorney general could designate victims as "vulnerable," making them eligible for alternate employment and accommodation assistance. The judicial system did not keep victim identities confidential and in the recent past, defendants in trafficking cases threatened witnesses. While the 2005 Anti-Smuggling and Trafficking Act granted victims immunity from prosecution for the "act of people trafficking," the vague language permitted prosecution for unlawful acts the trafficker compelled the victim to commit, such as prostitution or petty crime. Additionally, authorities' insufficient identification efforts made victims vulnerable to law enforcement actions.

## PREVENTION

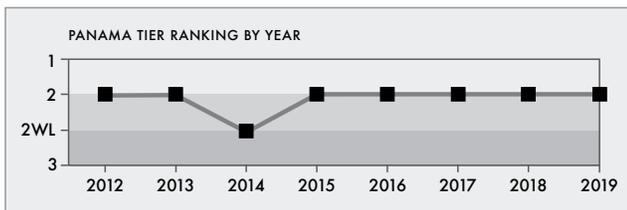
The government increased efforts to prevent trafficking. In January 2019, the President approved the national action plan, drafted in a previous reporting period. The government funded an international organization in August 2018 to assess and report on the scope of trafficking in Palau and the government's anti-trafficking infrastructure. The government conducted awareness campaigns through radio broadcasts and television programs, outreach missions to outlying states, and presentations at a women's conference and a program for teenagers. The AHTO distributed pamphlets, posters, and information sheets to all states to raise public awareness. It did not conduct educational or public awareness campaigns for employers or labor recruiters. During the reporting period, the AHTO instituted and staffed a mobile phone number for trafficking tips with on-call AHTO investigators who spoke Palauan and English and received an average of one call a day, resulting in five investigations during the reporting period. While the government revised the rules and regulations of the labor division to add more protections for foreign migrant workers, the government had not yet approved the revisions, and the government did not report making efforts to investigate as indicators of trafficking contract violations and other issues in labor recruitment experienced by many foreign workers during the reporting period. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Palau is not a party to the 2000 UN TIP Protocol.

## TRAFFICKING PROFILE

As reported over the past five years, human trafficking of foreign victims occurs in Palau. Palau's foreign population, about one-third of the country's population of 21,400, is the most vulnerable to trafficking. Filipino, Bangladeshi, Nepali, Chinese, Thai, and Korean men and women pay thousands of dollars in recruitment fees and willingly migrate to Palau for jobs in domestic service, agriculture, restaurants, or construction; upon arrival, traffickers exploit some in conditions substantially different from what had been presented in contracts or recruitment offers, and some become trafficking victims. Women from the Philippines and China are recruited to work in Palau as waitresses or clerks but traffickers exploit some in sex trafficking in karaoke bars or massage parlors. Foreign workers on fishing boats in Palauan waters also experience conditions indicative of human trafficking. Official complicity plays a role in facilitating trafficking. Authorities have investigated government officials—including labor, immigration, law enforcement, and elected officials—for complicity in trafficking crimes.

## PANAMA: TIER 2

The Government of Panama does not fully meet the minimum standards for the elimination of trafficking; but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Panama remained on Tier 2. These efforts included investigating more traffickers, prosecuting an allegedly complicit official, creating and granting temporary residency permits for foreign trafficking victims, directing funds to the Special Fund for Victims of Trafficking in Persons, and providing services for potential trafficking victims. However, the government did not meet the minimum standards in several key areas. The government identified fewer victims, did not fund trafficking-specific shelters, and did not amend the anti-trafficking law to make it consistent with international law.



### PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute alleged traffickers, including those involved in child sex tourism, and sentence convicted traffickers to adequate penalties, which should involve significant prison terms. • Amend the anti-trafficking law to include force, fraud, or coercion as essential elements of the crime consistent with international law. • Train law enforcement and prosecutors to investigate and prosecute traffickers using the trafficking offense rather than a lesser offense. • Continue to increase funding for specialized victim services, including through the special fund for trafficking victims and funding for civil society organizations. • Provide funding for the dedicated trafficking shelter. • Inform foreign victims on the availability of the temporary residency permit and process such requests in a timely manner. • Increase training for government officials in victim identification and referral, including proactive screening of vulnerable populations such as migrants and individuals in prostitution. • Consistently inform victims of their right to apply for restitution from the courts and access to a lawyer to assist them. • Use existing laws and regulations to revoke the licenses of fraudulent recruiters.

### PROSECUTION

The government increased investigations and maintained prosecutions and convictions. Article 456 of the penal code did not criminalize all forms of sex trafficking and labor trafficking because it required movement to constitute a trafficking offense. It prescribed penalties of 15 to 20 years' imprisonment for trafficking offenses involving an adult victim, and 20 to 30 years for those involving individuals under the age of 18 years old or other aggravating circumstances; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with international law, the law established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime. The law defined trafficking broadly to include illegal adoption without the purpose of exploitation. The government charged some child sex traffickers

with non-trafficking offenses, which carried lighter sentences. Article 180 criminalized "the prostitution of minors" with penalties of four to six years' imprisonment and a 5,200 balboas (\$5,200) fine. Article 186 criminalized purchasing commercial sex acts from a child and prescribed penalties of five to eight years' imprisonment.

Authorities initiated 32 trafficking investigations (25 for sex trafficking and seven for forced labor) involving 19 suspects, compared to 18 trafficking investigations involving 17 suspects in 2017 and seven sex trafficking investigations involving 13 suspects in 2016. The government prosecuted 12 suspects for trafficking, compared with 24 in 2017 and 13 in 2016. Panama transitioned from the inquisitorial to adversarial system in 2016, which prosecutors report resulted in a higher than average number of cases brought to prosecution in 2017 due to backlogs. Authorities convicted eight traffickers—seven sex traffickers and one labor trafficker—compared with seven traffickers in 2017 and two traffickers in 2016. The government sentenced these traffickers to four to 17 years' imprisonment, compared to 10 to 15 years' imprisonment in 2017 and six to 18 years in 2016. Law enforcement conducted an operation in a rural bar that resulted in the arrest and prosecution of six alleged traffickers, including an allegedly complicit government official, and the convictions of two of the perpetrators for trafficking and for renting out the space where the trafficking took place with sentences of four and six years' imprisonment.

The Panamanian National Police provided specialized training in trafficking investigations to 30 officers and worked with the attorney general's organized crime office to investigate cases, but it did not reopen a dedicated anti-trafficking unit closed in a previous reporting period. Panamanian authorities cooperated with Costa Rica and the Dominican Republic on two trafficking cases, which led to the identification of at least three victims. The government funded and provided anti-trafficking training to the national police and air naval service in three border areas and at least two island tourist destinations. The government collaborated with international organizations, which provided training on trafficking for immigration officials, law enforcement, the military, and taxi drivers.

### PROTECTION

The government maintained protection efforts. The government identified 46 potential trafficking victims—40 sex trafficking and six labor trafficking—compared to 59 trafficking victims (57 sex trafficking victims and two forced labor victims) in 2017 and 84 suspected adult sex trafficking victims in 2016. The Commission on the Identification and Protection of Victims trained government officials in victim identification and referral. The government implemented guidelines for victim identification and protection developed by an international organization, which resulted in formal procedures, internal guidelines, and training materials for the Technical Unit for Attention and Protection of Victims and Witnesses (UPAVIT). Officials referred all victims to the UPAVIT, which provided legal and other assistance to victims, and physical protection to victims, witnesses, and experts.

The government created the Special Fund for Victims of Trafficking in Persons mandated by the anti-trafficking law, which received 25 percent of funds directed to the National Commission Against Human Trafficking and the proceeds of seized assets. Despite the lack of dedicated funding, some agencies provided food, shelter in hotels, transportation, and psychological and legal services to all 46 potential victims. In the previous reporting period, the government approved the

design and construction of a dedicated trafficking shelter by an international organization, but the government did not secure funding for it in 2018. Authorities placed victims in hotels, which they were free to leave, and covered the cost of the hotel rooms or allowed victims to return to their country of origin. Many victims chose to return to their home countries or reside with family and friends rather than stay in hotels, potentially inhibiting victim-witness support in pending trafficking cases.

The government issued an executive order in January 2019 to create a temporary residency permit for trafficking victims and six victims received such relief. The government provided repatriation assistance to two of its own citizens identified as trafficking victims abroad. The government made available specially designed interview rooms to allow victims to provide testimony privately in order to minimize the risk of re-victimization during the judicial process, but it did not report using the rooms. The government seized assets derived from human trafficking activities and allocated the proceeds to services for trafficking victims. The law allowed victims to request restitution with the assistance of a lawyer from the National Human Trafficking Commission, but no restitution was requested in 2018.

### PREVENTION

The government maintained prevention efforts. The National Commission Against Human Trafficking continued implementing its 2017-2022 national anti-trafficking action plan, fully funded and staffed a victim identification and assistance unit, and developed a training guide. The commission also led a process to establish a temporary residency permit for trafficking victims. Panama chaired the regional coalition against human trafficking and migrant smuggling, which led to a regional trafficking victim repatriation guide and a model anti-trafficking communication strategy, which Panama began adapting for use. The commission worked to improve interagency coordination in 2018, which resulted in the government appointing regional Ministry of Education liaisons who provided awareness-raising workshops for teachers, staff, parents, and students across the country. The government distributed flyers to passengers in the airport and in the capital city. The government operated a hotline to receive tips, administered by the national police, a 311 number for the public to report possible cases or request inspections of businesses, and additional hotlines to report crimes, but it did not report the number of calls received related to trafficking. National laws and regulations provided the authority to revoke the licenses of fraudulent recruiters and recruitment fees, but the government did not report enforcing them. The government made no new efforts to reduce the demand for commercial sex acts or forced labor. Panama criminalized child sex tourism, but did not prosecute any cases. The Panamanian Commission against Sexual Exploitation Crimes expanded its campaign against the sexual exploitation of minors—including child sex trafficking—to high school and university students and private and public sector professionals capable of identifying and referring potential victims. The commission provided training for hotel and tourism sector staff and shared best practices for the tourism industry both in Panama City as well as in more remote locations. The government entered into an anti-trafficking cooperation agreement with the Government of Colombia but did not report any results achieved due to the agreement.

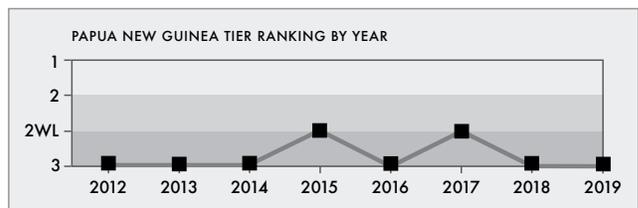
### TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Panama, and traffickers exploit

victims from Panama abroad. Traffickers exploit children in forced labor, particularly domestic servitude, and sex trafficking in Panama. Most identified trafficking victims are foreign adults exploited in sex trafficking, especially women from South and Central America. However, traffickers also exploit Panamanians in sex trafficking in Panama and in the Caribbean and Central and South America. Traffickers have exploited transgender individuals in sex trafficking due in part to increased vulnerability because of discrimination and high demand for commercial sex acts from this population. Traffickers exploit some men and women from Central America who transit Panama en route to the Caribbean or Europe in sex trafficking or forced labor in their destination countries. Traffickers exploit indigenous females in forced labor in rural, impoverished border areas of the country. Traffickers exploit Central and South American, Chinese, and Vietnamese men in forced labor in construction, agriculture, mining, restaurants, door-to-door peddling, and other sectors using debt bondage, false promises, lack of knowledge of the refugee process and irregular status, restrictions on movement, and other means. Traffickers have forced victims to consume illegal drugs as a coercive measure. Men from the United States have been investigated as child sex tourists in Panama. Government officials have been investigated and arrested for alleged involvement in trafficking.

## PAPUA NEW GUINEA: TIER 3

The Government of Papua New Guinea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Papua New Guinea remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including advancing a prominent trafficking prosecution initiated in a previous reporting period, identifying and referring more victims to protective care than in 2017, and jointly conducting foreign donor-funded training for law enforcement and judicial officials. However, the government did not provide or fund protective services for victims, nor did it systematically implement its victim identification procedures. Endemic corruption among officials, particularly in the logging sector, continued to facilitate vulnerability to sex trafficking and forced labor among foreign and local populations. Despite continued prosecution efforts, the government did not achieve a single trafficking conviction for the sixth consecutive year. An acute lack of financial and human resources dedicated to anti-trafficking, as well as very low awareness among government officials and the public, hindered progress.



### PRIORITIZED RECOMMENDATIONS:

Disseminate, implement, and widely train police, immigration, and customs enforcement officers on standard operating procedures (SOPs) for victim identification, referral, and protection. • Investigate and prosecute trafficking offenses and convict and apply strong sentences to traffickers, including

victims' family members and officials who facilitate or directly benefit from trafficking. • Amend the criminal code to criminalize child sex trafficking without elements of force, fraud, or coercion in accordance with the 2000 UN TIP Protocol. • In collaboration with civil society, screen for trafficking indicators among vulnerable groups, including internally displaced persons, communities located near commercial forestry operations, children in communities marked by inter-tribal conflict, and individuals—including children—apprehended for illegal fishing, desertion from foreign-registered fishing vessels, illegal logging, illegal gold panning, or immigration crimes. • Work with NGOs and international organizations to increase protective services for victims of trafficking. • To protect victims from arrest, deportation, or other punishment for acts committed as a direct result of being subjected to trafficking, clarify who has the authority to designate an individual as a trafficking victim and simplify the process for doing so. • Allocate resources, including dedicated staff, to government agencies to implement the national action plan and SOPs. • Increase collaboration with civil society groups, the private sector, and religious and community leaders to raise awareness of and reduce demand for commercial sex acts and forced labor, especially of children. • Strengthen the national trafficking committee by designating senior officials to represent their agencies, increasing awareness of the committee among potential stakeholders, and allocating increased resources for its activities. • Accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government maintained insufficient law enforcement efforts. The Criminal Code Amendment of 2013 criminalized most forms of sex trafficking and all forms of labor trafficking and prescribed penalties of up to 20 years' imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense and therefore did not criminalize all forms of child sex trafficking. The police did not initiate investigations into any instances of suspected trafficking during the reporting period (one investigation in 2017), and authorities did not initiate prosecutions of any new suspects for the second consecutive year. An investigation that opened in 2017 against a police commander for allegedly subjecting eight women to sex trafficking and forced labor was in process at the end of the reporting period. Court proceedings commenced for one sex trafficking case that had been awaiting trial since 2016. The defendant, initially charged on seven counts of trafficking for allegedly subjecting six Papua New Guinean women and one girl to sexual trafficking, filed for dismissal of the case. In October 2018, the National Court dismissed his no-case submission but acquitted him on one count of trafficking due to the relevant victim's inability to provide evidence. Proceedings continued under the remaining six trafficking counts at the end of the reporting period. Despite having initiated several prosecutions in recent years, the government has never secured a conviction in a trafficking case.

An international organization partnered with the Department of Justice and attorney general to conduct trainings for 80 law enforcement officials and 32 judges in several provinces. The government provided the venue and logistical support and co-facilitated some training sessions. Provincial officials' limited understanding of trafficking hindered effective law enforcement activity. Enforcement agencies and most government offices remained weak as a result of underfunding, corruption, cronyism,

a lack of accountability, and a promotion system based on patronage. Observers also ascribed poor prosecutorial efforts to widespread observance of customary justice practices; fear of retribution and distrust of law enforcement among victims; and insufficient resources and political will among urban law enforcement to conduct investigations in rural areas. Electoral violence led to the destruction of government facilities in some geographic areas in 2018, reportedly further hampering prosecution efforts.

## PROTECTION

The government maintained insufficient efforts to protect victims. Authorities and an international organization jointly screened for trafficking indicators among 17 individuals, culminating in the positive identification of one Filipina victim of forced labor, two Papua New Guinean sex trafficking victims, and three Papua New Guinean victims of both sex- and labor trafficking (none in 2017). The government referred three of these victims to protective care. Logging and mining sites primarily operated in remote regions with negligible government oversight, and authorities did not make efforts to identify sex or labor trafficking victims at these sites. The government maintained SOPs for victim identification, but authorities lacked a written guide as recommended in the national action plan, and general awareness of the SOPs among front-line officers was limited. The government did not have a structured plan to monitor, secure, identify, or refer victims among vulnerable communities in IDP camps as a result of conflict or natural disasters. Officials did not seize any foreign vessels for trafficking or illegal fishing for the second consecutive year, despite reported prevalence of the crime. The government provided law enforcement agencies rapid screening forms and related victim identification training; however, police continued to rely upon foreign expert assistance to identify victims. Civil society organizations provided medical and short-term shelter services to victims without financial or in-kind support from the government. Male victims could receive ad hoc services, and female and child victims could receive services through NGO-run gender-based violence programs; there were no services specifically tailored to the needs of trafficking victims.

The victim identification procedures included guidance for protecting foreign victims from punishment for immigration crimes committed as a result of trafficking. However, authorities punished some victims for such crimes due to ineffective victim identification, in the context of poor interagency coordination and a lack of clarity over who had the authority to verify an individual as a victim of trafficking. Law enforcement arrested migrant laborers at illegal logging operations, despite their having been ordered to work at those sites by companies operating with the permission of a separate government agency; some of these workers may have been unidentified trafficking victims. Observers reported a law allowing officials to apprehend foreign fishermen for desertion in port may have dissuaded some victims of forced labor from escaping and reporting their abuses. In prior years, authorities arrested and prosecuted children who were forced to pan for gold in areas where this activity was illegal; although the National Anti-Human Trafficking Committee reported efforts to identify these children as trafficking victims in 2017, it did not report having done so during the reporting period. The law provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution, but the government did not report offering this protection to any victims in 2018. The government allowed "ongoing stay" for trafficking victims but did not extend the service to any individuals during the reporting period, and it lacked provisions for victims to seek compensation through civil suits.

## PREVENTION

The government decreased efforts to prevent trafficking. The National Anti-Human Trafficking Committee continued to operate with insufficient resources; the government did not appoint specific committee members representing relevant agencies, and some key interagency stakeholders were unaware of its existence. The Committee met infrequently and, unlike last year, did not report participating in informational sessions to gauge stakeholder awareness of the crime. The government did not demonstrate measurable progress in, or allocate any resources to, the implementation of its national plan of action. Authorities did not conduct any awareness-raising campaigns or community outreach to educate the public about trafficking indicators. The government did not make efforts to decrease the demand for commercial sex acts or forced labor, nor did it have effective policies to regulate foreign labor recruiters or hold them liable for fraudulent recruitment practices. With only two labor inspectors per province, inadequate resources, and endemic corruption, the government did not take steps to prevent forced labor in the highly vulnerable logging industry. To the contrary, authorities in some cases issued forestry permits in violation of preexisting land ownership rights and without further oversight, leading to the displacement and heightened vulnerability of the land's previous occupants and to increased risk of labor exploitation among forestry workers. Papua New Guinea is not a party to the 2000 UN TIP Protocol. The government did not provide anti-trafficking training to its diplomatic personnel.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Papua New Guinea, and they subject victims from Papua New Guinea to trafficking abroad. Traffickers also use Papua New Guinea as a transit point to subject foreign individuals to trafficking in other countries. Traffickers exploit foreign and local women and children in sex trafficking, domestic servitude, forced labor in the tourism sector, manual labor, and forced begging and street vending. According to international NGO research conducted in previous years, approximately 30 percent of Papua New Guinean sex trafficking victims are children under the age of 18, with some as young as 10 years old. Immediate family or tribe members reportedly subject children to sex trafficking or forced labor. Some parents force children to beg or sell goods on the street, and some sell or force their daughters into marriages or child sex trafficking to settle debts, resolve disputes between communities, or support their families.

Marriages in Papua New Guinea commonly involve a "bride price" of money or chattel paid to the wives' families by the husbands' families, who use the bride price as debt to compel women to remain in abusive or servile marriages. Some parents reportedly transfer their children—some as young as 12—to other families via informal paid adoption arrangements that, absent monitoring or registration practices, increase their risk of exploitation; this is particularly prevalent among girls, whom adoptive families often seek out as potential sources of future bride-price income. Young girls sold into polygamous marriages may be forced into domestic service for their husbands' extended families or exploited in sex trafficking. Within the country, traffickers lure children and women with promises of legitimate work or education to travel to different provinces, where they are subjected to sex trafficking or domestic servitude. Men reportedly engage in transactional sex with girls as young as 15 in exchange for money, gifts, or mobile phone credits. Tribal leaders reportedly trade the exploitative labor and service of girls and women for guns, to forge political alliances, and to

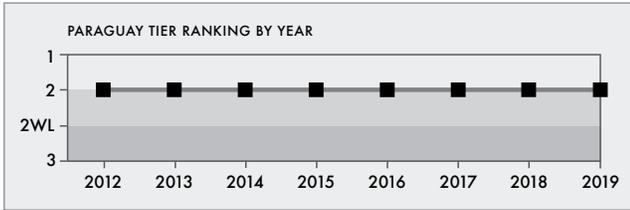
settle disputes with one other. Traffickers subject Papua New Guinean children to forced criminality in illegal gold panning. Boys as young as 12 reportedly experience conditions indicative of forced labor as porters in urban areas. Adolescent boys are also increasingly involved in inter-tribal and intercommunal armed conflict, possibly via forcible recruitment by local leadership. Hundreds of thousands of individuals—particularly women and girls—displaced following earthquakes in 2018 and heightened intertribal conflict are at higher risk of exploitation due to poor or nonexistent IDP camp security and loss of arable land for farming. International observers report increasing intercommunal tensions resulting from this displacement have led to more Papua New Guinean women and girls facing "sorcery" accusations from men in an attempt to psychologically coerce them into forced labor or sex trafficking.

Malaysian and Chinese logging companies arrange for some foreign women to enter the country voluntarily with fraudulently issued tourist or business visas; this practice may also be present at other internationally owned logging sites. After their arrival, many of these women—from countries including Indonesia, Malaysia, Thailand, China, and the Philippines—are turned over to traffickers who transport them to logging and mining camps, fisheries, and entertainment sites and exploit them in sex trafficking and domestic servitude. Traffickers also reportedly subject foreign children to sex trafficking in Papua New Guinea. Chinese, Malaysian, and local men are subjected to forced labor at commercial mines and logging camps, as well as on fishing vessels operating in Papua New Guinea's exclusive economic zone, where some receive little pay and are compelled to continue working for the companies indefinitely through debt bondage. Traffickers also subject Vietnamese, Burmese, Cambodian, and local men and boys to forced labor on fishing vessels; they face little to no pay, harsh working conditions, and debt bondage. Often with direct government support, companies reportedly compel some of these workers to carry out illegal logging and finishing activities, making them vulnerable to arrest. Government officials reportedly facilitate trafficking by accepting bribes to allow undocumented migrants to enter the country or ignore trafficking situations, and some may exploit sex trafficking victims or procure victims for other individuals in return for political favors or votes. Corruption among forestry officials in particular may be permissive of forced labor among loggers and sex trafficking in communities situated near logging sites; some of these officials reportedly accept bribes to issue logging permits in violation of environmental standards and land ownership rights, leading to displacement and concomitant loss of livelihood that make some communities more vulnerable to exploitation.

## PARAGUAY: TIER 2

The Government of Paraguay does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Paraguay remained on Tier 2. These efforts included assisting more victims and training more officials working on anti-trafficking efforts. However, the government did not meet the minimum standards in several key areas. Services for all victims remained insufficient, cooperation with civil society remained inadequate, use of the identification protocol and referral mechanism was ad hoc, cases of police officers' complicity continued to go unaddressed, and the 2014-

2018 national plan to combat trafficking expired without ever receiving presidential approval.



**PRIORITIZED RECOMMENDATIONS:**

Increase access to adequate specialized victim services, including shelter options for all victims of trafficking. • Increase funding and training to implement victim identification protocols and victim referral mechanisms. • Increase engagement with civil society actors to assist the government’s efforts to prevent trafficking and protect victims, and incorporate them as regular participants in the interagency roundtable. • Investigate criminally and punish official complicity in the facilitation of trafficking. • Increase investigations, prosecutions, and convictions of traffickers. • Adopt reforms to eliminate situations of *criadazgo* (child servitude) and the related abusive practices and working conditions that may amount to trafficking. • Train law enforcement officials to bolster understanding that child sex tourism is human trafficking. • Draft an updated national plan to combat trafficking and approve funding for its implementation. • Improve interagency coordination and develop a case management database for trafficking cases. • Designate a government entity responsible solely for coordinating anti-trafficking efforts. • Further increase transnational cooperation with neighboring governments to bolster law enforcement coordination, victim protection, and consular assistance. • Train members of the navy on victim identification and inspect barges and ships traveling through the major waterways. • Revise the definition of human trafficking under law 4788/12 to ensure force, fraud, or coercion are essential elements of the crime as established under the 2000 UN TIP Protocol.

**PROSECUTION**

The government decreased prosecution efforts. The Comprehensive Anti Trafficking Law 4788 of 2012 criminalized sex trafficking and labor trafficking and prescribed penalties of up to eight years’ imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with international law, Law 4788/12 established the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime. Articles 129b and 129c of Law 3440/08 also criminalized international trafficking for the purpose of sexual exploitation and forced labor, respectively.

The Paraguayan National Police Anti-Trafficking Unit was responsible for investigating trafficking crimes, while the Anti-Trafficking Unit (ATU) was the lead prosecuting agency. In 2018, authorities initiated 110 trafficking investigations, 60 for sex trafficking and 50 for forced labor (134 investigations in 2017). The ATU indicated that 25 of those investigations led to filing preliminary charges (53 in 2017) and 15 to convictions (17 in 2017) under Law 4788/12; sentences for trafficking offenses averaged five years.

Government funding for police anti-trafficking activities decreased, leading to the termination of five officers specializing

in trafficking and the permanent closure of a critically important anti-trafficking office in Encarnacion. In 2018, the ATU cooperated with Argentina, Bolivia, France, Spain, EUROPOL, and INTERPOL on cases that led to the arrest of 14 traffickers and the identification of nine victims. With assistance from a foreign government, the ATU participated in four training sessions on labor trafficking reaching 800 government officials, including judges, prosecutors, investigators, labor inspectors, and immigration officials. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government did not report investigating reports of official complicity, and civil society organizations continued to allege police involvement in trafficking activities. Such reports included officials taking bribes to issue passports for Paraguayan trafficking victims exploited abroad, and from massage parlors and brothels where trafficking crimes allegedly occur. The government did not open a formal investigation into allegations that police facilitated sex trafficking of women and girls on barges operating along the Paraguay River. The government did not investigate crimes of child sex tourism in Ciudad del Este and the Tri-Border area as trafficking crimes.

**PROTECTION**

The government decreased protection efforts. The government lacked a comprehensive database to aggregate efforts taken by various ministries and did not provide comprehensive data; however, it reported identifying 70 victims during the reporting period, compared with 90 in 2017. The Ministry of Children and Adolescents (MINNA) reported all of the victims identified this year, whereas the Ministry of Women Affairs (MWA) reported all the victims identified in 2017. In 2016, with the assistance of an international organization, the government developed a formal victim identification protocol and national referral guide for prosecutors, police, labor inspectors, and border officials. However, use of these tools was inconsistent and ad hoc. In practice, some government entities had protocols for the proactive identification of victims, but valuable statistical information on trafficking cases was not aggregated as the government did not have a database for adequate data collection.

There were two shelters dedicated for female trafficking victims, one managed by the MWA for adults and the other co-managed by MINNA and an NGO for child and adolescent victims. MINNA assisted 48 victims (12 in 2017), while the MWA assisted 15 victims (15 in 2017). In addition to shelter and food, the government provided psychological support, social assistance, legal advice, and reintegration programs for victims. The government did not have a shelter to assist male trafficking victims; however, the ATU continued to provide psychological assistance, food, and immediate shelter at hotels on an ad hoc basis before facilitating the return of male victims to their community of origin. The government did not have significant engagement with civil society and, besides some funding provided to the NGO operating the MINNA shelter, the government did not provide assistance for NGOs to help in the protection victims. Lack of substantive cooperation with civil society limited the government’s ability to provide comprehensive, trauma-informed care. The overall quality of care for victims was insufficient due to limited resources and the lack of qualified personnel. The ATU continued to provide basic assistance to victims of trafficking, going beyond its core investigative responsibilities. The government continued to rely heavily on international partners to provide assistance for victims, including in reintegration. In 2018, authorities cooperated with Argentina, Bolivia, France, Spain, EUROPOL,

and INTERPOL on cases involving five Paraguayans and four foreign victims of trafficking. Government officials reported funding was insufficient to assist victims adequately. In 2018, the government provided approximately 314 million guaranies (\$52,720) for short-term victim assistance to the MWA. The ATU had approximately \$16,000 for victim assistance provided by an international organization. In addition, MINNA provided approximately \$50,000 to the NGO that operated the specialized shelter for underage victims. The government helped repatriate five victims and referred them to care facilities. Authorities did not provide any training for government officials on victim protection for the second consecutive year.

## PREVENTION

The government maintained inadequate prevention efforts. The Office of the Director General for Consular Affairs (DGCA) was the government entity responsible for coordinating anti-trafficking programs and an interagency roundtable that included representatives from 16 government agencies. In 2018, the roundtable did not convene any formal meetings. Poor and informal interagency coordination limited the government's ability to monitor, collect, and report statistics. Law 4788/12 did not require participation of civil society in the roundtable and authorities provided them a limited role. The government lacked a national anti-trafficking secretariat, despite the 2012 law mandating its creation. Several observers reported the absence of a dedicated agency limited the effectiveness of anti-trafficking efforts. One NGO continued to serve as a liaison between the roundtable and civil society; however, observers indicated that engagement was cursory and insufficient. Despite the roundtable's efforts to draft the 2014-2018 national plan to combat trafficking, the plan expired before ever receiving presidential approval for its implementation.

In 2018, the MWA reported conducting training for more than 1,500 individuals in at-risk communities and high-risk industries, such as the hospitality sector. The government continued to post brochures and posters in bus terminals, airports, and border crossings to promote awareness. The government maintained a hotline to report crimes against children, including trafficking; however, authorities did not report how many reports of trafficking it received. Authorities continued to operate a cell phone app version of the hotline to promote use among younger audiences; however, the government did not report identifying any trafficking cases through the app. The government launched public awareness campaigns targeting tourists to prevent child sex tourism in high-risk areas such as Ciudad del Este in the Tri-Border area. In addition, it continued to investigate these trafficking crimes as separate offenses. The government sponsored training for taxi drivers in Encarnacion that included awareness on sex trafficking. In the Chaco region, where there was a high prevalence of trafficking, the government convened meetings with employers to raise awareness on forced labor. Authorities did not report any other efforts to reduce the demand for commercial sex or forced labor. The ATU provided anti-trafficking training to diplomatic personnel serving in border areas, and the DGCA trained its staff on anti-trafficking laws, protocol, and interagency coordination. However, the government did not provide anti-trafficking training for all diplomatic personnel deployed abroad.

## TRAFFICKING PROFILE

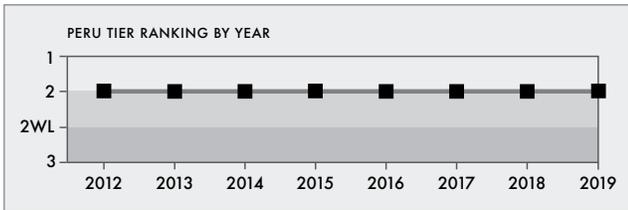
As reported over the past five years, human traffickers exploit domestic and foreign victims in Paraguay, and traffickers

exploit victims from Paraguay abroad. The practice of child domestic servitude, *criadazgo*, is the most visible and common form of trafficking in the country. Middle- and upper-income families in both urban and rural areas take on children, almost exclusively from impoverished families, as domestic workers and provide varying compensation that includes room, board, money, a small stipend, or access to educational opportunities. An estimated 46,000 Paraguayan children work in situations of *criadazgo*; many of these children are highly vulnerable to sex and labor trafficking. Although *criadazgo* mainly affects young girls, boys are increasingly at risk. Boys are often victims of forced labor in the agriculture industry, domestic service, criminality, and in some cases as horse jockeys. Traffickers exploit Paraguayan women and girls in sex trafficking within the country, and transgender Paraguayans are vulnerable to sex trafficking. In the Chaco region, traffickers exploit indigenous persons in forced labor. Children engaged in street vending and begging and working in agriculture, mining, brick making, and ranching are vulnerable to trafficking. Paraguayan victims of sex trafficking and forced labor have been identified in Argentina, Brazil, Chile, China, Colombia, Mexico, Spain, and other countries. Traffickers recruit Paraguayan women as couriers of illicit narcotics to Europe and Africa, where they subject them to sex trafficking. Paraguayan women and girls are vulnerable to trafficking on ships and barges navigating along the country's major waterways. Traffickers exploit Paraguayan children in forced labor in the cultivation and sale of illicit drugs in Brazil. Reports from 2015 indicated isolated instances of the now-defunct organized criminal group, the Armed Peasant Association (ACA), forcibly recruiting children and adolescents to participate in logistical and communication support roles. Foreign victims of sex and labor trafficking in Paraguay are mostly from other South American countries. The Tri-Border Area between Argentina, Brazil, and Paraguay is vulnerable to trafficking given the lack of regulatory measures, insufficient transnational cooperation, and the fluidity of illicit goods and services. Civil society and victims reported instances of officials—including police, border guards, judges, and public registry employees—facilitating sex trafficking, including taking bribes from brothel owners in exchange for protection, extorting suspected traffickers to prevent arrest, and producing fraudulent identity documents.

## PERU: TIER 2

The Government of Peru does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Peru remained on Tier 2. These efforts included convicting an increased number of traffickers, including the conviction and stringent sentencing of a foreign sex trafficker in a high-profile case. The government also increased the number of victims it identified and opened a new shelter for trafficking victims. In response to the continued influx of large numbers of Venezuelan migrants, many of whom were vulnerable to trafficking, authorities identified 102 Venezuelan trafficking victims and provided short-term protection services to all child victims and some adults. The government increased efforts to enforce laws against illegal mining—which fuels the demand for sex and labor trafficking in Peru—but it did not always apply victim-centered procedures in illegal mining operations. The government did not meet the minimum standards in several key areas. It decreased its anti-trafficking

budget, and many ministries reported a lack of adequate funding to fulfill their anti-trafficking mandates, particularly victim protection. Poor interagency coordination continued to hinder victim identification and assistance, and most victims did not receive adequate care. Complicity of some government officials undermined efforts to combat trafficking, but the government did not report any new investigations of complicit officials.



### PRIORITIZED RECOMMENDATIONS:

Increase funding for, and access to, specialized, comprehensive services—to include legal, medical, psycho-social, shelter, case management, educational or vocational, and reintegration assistance—for all victims, including adults, LGBTI children, and labor trafficking victims. • Increase cooperation among criminal justice officials and between those officials and service providers and increase efforts to employ victim-centered, trauma-informed procedures in law enforcement operations, investigations, and criminal justice proceedings. • Increase efforts to make victim services available to victims immediately following law enforcement operations, and prioritize effective victim screening and prompt removal of victims to secure locations. • Investigate and prosecute trafficking-related corruption and official complicity, and convict and punish complicit officials for these crimes. • Increase efforts to prosecute both sex and labor trafficking offenses, convict and punish traffickers, and apply adequate sentences to convicted traffickers, which should include significant prison terms. • Develop, fully implement, and train officials on government-wide protocols to guide proactive identification and referral of suspected sex and labor trafficking victims, including screening for indicators of trafficking among vulnerable groups and with a focus on de-conflicting trafficking from related crimes. • Cease holding victims in police stations, especially children. • Increase efforts to systematically screen for indicators of trafficking among Venezuelan migrants and continue to identify potential victims and provide them with protective services. • Amend the anti-trafficking law to prescribe penalties for sex trafficking that are commensurate with penalties for other grave crimes. • Strengthen and institutionalize training on enforcing anti-trafficking laws and employing victim-centered procedures for police, prosecutors, and judges and enforce policies to slow turnover among specialized police. • Improve efforts to collect and report comprehensive, harmonized, disaggregated data on anti-trafficking efforts. • Dedicate adequate funding in ministry and regional government budgets to carry out anti-trafficking responsibilities and increase overall resources for fighting trafficking. • Enforce laws against crimes that facilitate trafficking, such as fraudulent job recruitment, illegal mining and logging, and counterfeit operations.

### PROSECUTION

The government increased prosecution efforts. Article 153 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of eight to 15 years' imprisonment for offenses involving adult victims, 12 to 20 years' imprisonment for offenses involving victims between the ages of 14 and 18

years old, and a minimum of 25 years' imprisonment for offenses involving victims younger than the age of 14. These penalties were sufficiently stringent; however, with respect to sex trafficking, these penalties were not commensurate with those prescribed for other serious crimes, such as rape. The law defined trafficking broadly to include all forms of labor exploitation and illegal adoption or child selling without the purpose of exploitation. In 2017, Legislative Decree No. 1232 amended the penal code to include separate offenses for "forced labor," "sexual exploitation," and "slavery and other forms of exploitation" that carried penalties of six to 12 years' imprisonment, 10 to 15 years' imprisonment, and 10 to 15 years' imprisonment, respectively. These articles criminalized certain forms of sex and labor trafficking and overlapped significantly with trafficking crimes prohibited in Article 153. The government continued to introduce the New Criminal Procedures Code, implementing it in 31 of 34 judicial districts. The new criminal code did not require victims of trafficking to submit a complaint in order for the government to prosecute a suspected trafficker.

Police conducted an increased number of operations that included anti-trafficking activities and arrested 423 suspected traffickers, compared with 410 suspected traffickers arrested in 2017. Prosecutors from the public ministry's anti-trafficking unit participated in 201 anti-trafficking operations, compared with 122 in 2017. The prosecutors also detained 142 suspects and opened 800 investigations; in 2017, they investigated 228 suspects. Several operations involved large, coordinated raids in remote locations. At times, law enforcement officials did not employ victim-centered procedures, particularly during raids on venues where commercial sex occurred. The government reported convicting 46 traffickers in 2018, an increase from 33 traffickers convicted in 2017. The government did not report complete prosecution data or sentencing data for convicted traffickers in 2017 or 2018. In May 2018, police and prosecutors conducted a raid in the mining town of La Pampa in Madre de Dios that led to the arrest of seven suspected traffickers. In February 2019, the government launched a large-scale operation to expel illegal miners in La Pampa; among the more than 1,500 criminal justice sector officials were 20 police and 10 prosecutors from anti-trafficking units. Officials detained eight alleged traffickers during the operation. The government did not report progress in the 2017 prosecution of a case in which an industrial fire at an illegal counterfeiting workshop resulted in the deaths of two workers who employers had locked inside; one suspect remained in preventative prison detention and one was under house arrest awaiting trial. In March 2019, the government convicted and sentenced to 27 years in prison a U.S. citizen for running a sex trafficking operation that exploited Peruvian women and girls in sex tourism.

Although several ministries collected data to track their anti-trafficking law enforcement and victim protection efforts, the government lacked a coordinated data collection system, making it difficult for authorities to verify statistics, assess efforts, and respond to trends. With support from a foreign donor, the government developed a data collection system to monitor implementation of its national plan, but it had not begun using the system by the close of the reporting period. Peru's overlapping legal framework further complicated data collection efforts, as authorities often charged trafficking cases as similar offenses such as sexual exploitation. Some officials applied a more narrow definition of trafficking than what was defined in Peruvian law, such as considering recruitment an essential element of a trafficking crime.

The government more than doubled the number of police in its anti-trafficking unit, totaling 398, and it maintained eight specialized anti-trafficking regional prosecutor offices with 35 prosecutors. However, it did not implement a ministerial resolution requiring anti-trafficking police to remain in their units for at least two years, and high police turnover undermined efforts to build this unit's capacity to fight trafficking. Only cases charged under Article 153 of the penal code could be assigned to specialized prosecutors; trafficking cases charged under other statutes such as forced labor or sexual exploitation were referred to generalized prosecutors, and local observers reported such cases often did not advance. Judges did not receive adequate training on trafficking. Officials reported judges often reduced sex trafficking charges to lesser crimes; required proof of force, fraud, or coercion for child sex trafficking offenses; or disregarded victims' ages and failed to apply relevant penalty provisions applicable in child trafficking cases. NGOs and government officials reported that poor communication and mistrust between police and prosecutors at both the national and regional level severely hampered anti-trafficking law enforcement efforts. The public ministry provided more than 25 training sessions to prosecutors and police, and the government partnered with NGOs and international organizations to provide training for additional officials on trafficking. The government reported cooperating with the Government of Brazil on a trafficking investigation. Peru signed a new bilateral agreement for combatting trafficking with Spain and maintained similar agreements with Bolivia, Colombia, Ecuador, Chile, and Argentina.

NGOs and government officials reported official complicity in trafficking crimes and widespread corruption in Peruvian law enforcement and judicial systems severely hampered anti-trafficking law enforcement efforts. Some judges and prosecutors may have accepted bribes to downgrade trafficking charges to lesser crimes. Some officials' involvement in the mining industry posed a conflict of interest that impeded law enforcement action against trafficking in mining areas. Government officials and NGOs reported some police officers, including members of the specialized anti-trafficking units, accepted bribes from traffickers to prevent raids, close investigations, or reduce charges. In November 2018, authorities arrested a former police general for suspected trafficking crimes related to an illegal adoption ring; it was unclear whether these crimes amounted to trafficking under international law. The government did not report any other investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Authorities appeared to have dropped an investigation from a previous year of a former member of congress for allegedly operating a hotel where child sex trafficking occurred.

## PROTECTION

The government increased efforts to identify and protect trafficking victims, but overall victim protection remained weak. Peruvian law required the ministries of education, health, women and vulnerable populations, transport and communications, and labor to proactively identify and appropriately refer suspected victims from among the high-risk populations they served. However, the government did not report complete data on the number of victims these ministries identified and referred during the reporting period. Police reported identifying 1,600 suspected victims in 2018—including 287 children and 1,313 adults—compared with 1,229 suspected victims identified in 2017. The public ministry reported 882 suspected victims in 2018; of these, 738 were female and 144 were male, and at least 374 were children. It was unclear to what

extent police and prosecutors' statistics overlapped. Authorities identified 235 foreign victims, an increase from 59 in 2017; almost all were female and approximately half, 102, were Venezuelan. Police and prosecutors identified 96 suspected trafficking victims in La Pampa during the May 2018 raid and the government reported identifying 51 trafficking victims in La Pampa in February 2019, though some reports disputed this claim. Labor inspectors coordinated on operations with police and, additionally, identified eight suspected domestic servitude victims, and the transportation ministry participated in joint operations with law enforcement that resulted in the identification of 95 female victims. The government lacked standardized procedures for officials to screen for indicators of trafficking among the vulnerable populations they assisted and refer suspected victims to services. Local observers reported some officials were reluctant to identify and refer suspected trafficking victims due to fears of retaliation by traffickers. Police and prosecutors had difficulty identifying indicators of trafficking among women in prostitution, and officials had difficulty distinguishing between trafficking and similar crimes, including sexual exploitation and forced labor.

The anti-trafficking law (Law 28950) required the government to protect victims by providing temporary lodging, transportation, medical and psychological care, legal assistance, and reintegration assistance; but the government did not wholly fulfill this mandate. Authorities had both inter- and intra-ministerial protocols for providing protection to trafficking victims but implemented them unevenly due to insufficient resources and poor interagency coordination. The Ministry of Women and Vulnerable Populations (MIMP) was responsible for coordinating and providing services to victims in partnership with regional governments, although confusion over whether the national or regional government was ultimately responsible for service provision at times hampered victim assistance. The government began implementing provisions from a 2017 decree that established new MIMP units responsible for the protection of vulnerable children including trafficking victims, and it developed a protocol to guide these units in providing protection to child trafficking victims.

MIMP provided services to 128 child trafficking victims, including 112 girls and 16 boys. The public ministry's program for victims and witnesses provided short-term services immediately following law enforcement operations to 684 trafficking victims in 2018, an increase from 521 victims assisted in 2017. The government continued to operate two shelters exclusively for trafficking victims and expanded the capacity of one of these shelters; these facilities served 71 victims in 2018. In February 2019, the government opened a third trafficking-specific shelter for girl victims, in a property seized from a convicted money launderer during a previous reporting period, and refurbished this facility with support from a foreign donor. Together, the three shelters could comfortably accommodate 60 trafficking victims at a time, though they were often filled beyond their capacity. The government operated 48 residential centers for children that assisted an unknown number of child trafficking victims during the year; staff lacked the expertise and resources to provide adequate protection services to trafficking victims. MIMP operated 295 emergency centers for women victims of domestic violence and sexual abuse, an increase from 222 in 2017; these non-residential centers provided drop-in legal, psychological, and social services to an unknown number of female sex trafficking victims. Many civil society organizations operated shelters or provided other services for victims without government support, although few offered trafficking-specific services. MIMP classified children based on the charges filed

in their legal cases; because MIMP labeled many child sex trafficking victims as sexual exploitation victims, they could not access specialized trafficking victim services. There were limited shelter facilities for adult women and labor trafficking victims and no facilities that could accommodate adult male victims. There were no specialized services for LGBTI victims; transgender victims, in particular, did not receive adequate care. Authorities provided minimal, if any, services to reintegrate victims into communities. The government drafted guidelines for providing victims individual reintegration plans, but it did not finalize or implement them before the close of the reporting period. The Ministry of Interior held 15 workshops to more than 500 service providers on victim care and protection protocols.

Criminal justice officials often did not employ a victim-centered approach and at times they conducted anti-trafficking operations without adequate resources, such as safe places to screen potential victims and provide immediate care. Local observers reported MIMP did not participate in the February 2019 operation in La Pampa, and law enforcement officials failed to transfer victims to a secure location. Coordination problems between ministries often meant services for victims were unavailable immediately following law enforcement operations. Some prosecutors temporarily accommodated child trafficking victims in makeshift shelter spaces inside their office buildings. Lack of incentives to participate in investigations and prosecutions and limited access to specialized services, such as livelihood support, led many adult victims to decline government services. Officials cited the lack of adequate protective services as a key impediment to their ability to effectively combat trafficking in Peru; most victims did not receive sufficient protective services, leaving them at high risk of re-trafficking.

The law required the government to provide legal representation to victims, to safeguard their legal rights and guide them through the legal system. The Ministry of Justice reported providing legal assistance to 361 trafficking victims in 2018, a decrease from 394 victims in 2017. The government did not report whether any victims received restitution in 2018. Foreign victims were eligible for temporary and permanent residency status under Peruvian refugee law, but the government did not report what services it provided foreign victims during the year. It reported coordination with NGOs to repatriate some foreign victims exploited in Peru, but did not specify its contributions or the number of victims; nor did the government report assisting in the repatriation of any Peruvian victims exploited abroad. Inadequate victim identification procedures may have led authorities to arrest, detain, or otherwise penalize trafficking victims for unlawful acts traffickers compelled them to commit. At times, authorities placed child victims in police stations among children apprehended for crimes, where victims faced conditions similar to detention while waiting for referral to shelter.

## PREVENTION

The government maintained prevention efforts. The interagency commission, which also included NGOs, met regularly and coordinated implementation of the national plan against trafficking in persons, in effect through 2021. Unlike past years, the government did not produce a required annual report to congress on the government's anti-trafficking efforts. The national government provided training and technical assistance to Peru's twenty-four regional governments, all of which maintained working groups that varied in capacity and effectiveness to address trafficking at the local level. Eight

regional governments approved new or strengthened regional anti-trafficking plans. The government dedicated approximately eight million soles (\$2.37 million) to anti-trafficking activities in 2018, a decrease from 11 million soles (\$3.26 million) in 2017, though it could not quantify its total expenditures as many victims received assistance that was not specialized for trafficking and several ministries that conducted anti-trafficking activities did not have a line-item budget for trafficking. Officials noted a lack of adequate funding hindered ministries' and regional governments' ability to implement their duties as outlined in the national plan, especially victim protection efforts. The government had a separate commission, inter-ministerial protocol, and plan for combating forced labor and child labor. The government implemented a plan to increase protection for domestic workers, which included strengthened oversight of employment agencies and improved responses to suspected forced or child labor, and labor inspectors referred eight suspected cases of domestic servitude to the police during the year. The government opened two new regional labor inspection offices in 2018, increased the number of labor inspectors across the country from 480 to 636, and created 11-member inspection units in each regional office that are specialized in forced and child labor. In response to the influx of more than 700,000 Venezuelan migrants arriving in Peru since 2016, the government continued to issue permanent resident permits that allowed them to work legally in the country, reducing their vulnerability to trafficking; it issued approximately 300,000 permits during the year. The government launched a radio drama in Quechua to warn indigenous populations about risks of trafficking. Various ministries conducted additional awareness-raising efforts, often in partnership with international organizations and NGOs and with foreign donor funding. Some of these efforts focused on preventing child sex tourism and providing information for reporting suspected abuses. The government increased efforts to enforce laws against illegal mining, which fuels the demand for sex and labor trafficking. The government did not report efforts to reduce the demand for commercial sex acts. The government made efforts to reduce the demand for forced labor; in February 2019, it arrested two labor recruiters for fraudulent recruitment that facilitated the trafficking of Peruvian victims in Brazil.

## TRAFFICKING PROFILE

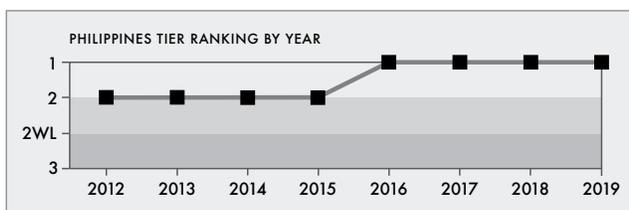
As reported over the past five years, human traffickers exploit domestic and foreign victims in Peru, and traffickers exploit victims from Peru abroad. Indigenous Peruvians are particularly vulnerable to trafficking. Traffickers exploit Peruvian and foreign women and girls, and to a lesser extent boys, in sex trafficking within the country; traffickers often recruit victims through false employment offers and, increasingly, on social media platforms. Traffickers exploit Peruvian women and children in sex trafficking in other countries, particularly within South America, and they exploit women and girls from neighboring countries in Peru. LGBTI Peruvians, especially transgender women and girls, are vulnerable to sex trafficking. Communities located near illegal mining operations are often isolated and lack a permanent government presence, increasing the likelihood of illicit activity, including sex and labor trafficking. The high demand for commercial sex in these towns increases incentives for traffickers to bring in women and girls from various regions in Peru, including Venezuelan migrants, or Bolivia. Women and girls exploited in sex trafficking near mining communities are often indebted due to the cost of transportation and unable to leave due to the remoteness of camps and complicity of miners in their exploitation. Tourists from the United States and Europe purchase sex from child trafficking victims in areas such as

Cuzco, Lima, and the Peruvian Amazon. In the Loreto region, criminal groups facilitate transportation of foreign tourists by boat to remote locations where traffickers exploit women and children in sex trafficking in venues on the Amazon River.

Traffickers exploit Peruvian and foreign men, women, and children in forced labor in the country, principally in illegal and legal gold mining and related services, logging, agriculture, brick-making, unregistered factories, counterfeit operations, organized street begging, and domestic service. Traffickers subject Peruvians to forced labor in artisanal gold mines and nearby makeshift camps that provide services to miners; traffickers compel victims through deceptive recruitment, debt-based coercion, restricted freedom of movement, withholding of or non-payment of wages, and threats and use of physical violence. Traffickers subject children to forced labor in begging, street vending, domestic service, cocaine production and transportation, and other criminal activities. The narco-terrorist organization Shining Path recruits children using force and coercion to serve as combatants or guards, and it uses force and coercion to subject children and adults to forced labor in agriculture, cultivating or transporting illicit narcotics, and domestic servitude, as well as to carry out its terrorist activities. Traffickers subject Peruvian men, women, and children to forced labor in other South American countries, the United States, and other countries. Since 2016, more than 700,000 Venezuelans fleeing the humanitarian crisis in their country have entered Peru; traffickers subject Venezuelan adults and children to sex and labor trafficking en route to or after arrival in Peru. Migrants along Peru's southern border with Chile were reportedly vulnerable to sex and labor trafficking. NGOs and government officials reported official complicity in trafficking crimes continued to occur and widespread corruption in Peruvian law enforcement and judicial systems continued to hamper anti-trafficking efforts.

## PHILIPPINES: TIER 1

The Government of the Philippines fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore the Philippines remained on Tier 1. These efforts included implementing prosecution procedures that reduce the potential for further harm to child sex trafficking victims; convicting and punishing traffickers; and robust efforts to prevent trafficking of Filipino migrant workers and to assist those who become victims of trafficking overseas. Although the government meets the minimum standards, it did not vigorously investigate and prosecute officials allegedly involved in trafficking crimes, consistently criminally prosecute labor traffickers, or increase the availability of specialized protection and assistance services for child victims of sex trafficking or services for male victims. Access to mental health services, employment training, and job placement for survivors also remained inadequate.



## PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict perpetrators of trafficking, particularly complicit officials and labor traffickers.

- Provide increased support to government and NGO shelter programs that provide specialized shelter and psycho-social care for child victims of online sexual exploitation and male trafficking victims.
- Expand the use of investigative methods that reduce the number of victim interviews and collect corroborative evidence to reduce the reliance on victim testimony in court.
- Increase resources for anti-trafficking task forces to conduct timely, coordinated operations and preliminary investigations while ensuring robust victim protection, including support for law enforcement logistics and sufficient prosecutors.
- Increase efforts to identify and assist child labor trafficking victims.
- Expand government support for reintegration services for trafficking victims, including access to job training and in-country employment.
- Increase the number of victim-witness coordinators to assist anti-trafficking task forces.
- Develop and implement programs aimed at increasing awareness of the harmful impact of online child sexual exploitation and child sex tourism.
- Increase efforts to protect children demobilized from armed groups.
- Implement comprehensive, unduplicated data collection across agencies.

## PROSECUTION

The government increased its law enforcement efforts. The 2003 and 2012 anti-trafficking acts criminalized sex trafficking and labor trafficking and prescribed penalties of up to 20 years' imprisonment and fines of between 1 and 2 million pesos (\$19,050 to \$38,100). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Authorities investigated 407 suspected trafficking cases, compared with 488 in 2017. These actions led to the arrest of 689 suspects, an increase from 283 in 2017. The government initiated prosecution of 227 alleged traffickers (177 in 2017); these included 18 labor trafficking defendants, 195 sex trafficking defendants, and one defendant charged with using a child for soldiering. The government convicted 77 traffickers (65 traffickers in 2017), including three for labor trafficking and 27 for sex trafficking children online. Sentences imposed ranged from four years to life imprisonment. In three cases prosecuted in prior years, the appellate courts reversed the acquittal of eight alleged traffickers and sentenced them to life imprisonment.

The government increased the Philippine National Police (PNP) Women and Children's Protection Center budget in 2018; however, government agencies continued to report inadequate resources for anti-trafficking investigations and prosecutions. With donor support, the National Bureau of Investigation (NBI) Anti Human Trafficking Division developed standard operating procedures for trafficking investigations, including victim care, and set up a specially equipped room for child forensic interviews. The PNP and NBI increased their capacity to investigate online sexual exploitation of children by partnering with foreign law enforcement agencies and an NGO to establish the Philippine Internet Crimes Against Children Center. As more cases involving online sexual exploitation of children reached the courts, these cases continued to present challenges, including difficulty in obtaining timely search warrants and inadequate resources for operational logistics, analysis and investigation of cybercrime leads, computer evidence forensic analysis, and courtroom equipment for presentation of videotaped evidence and testimony. Endemic judicial inefficiencies, the nationwide shortage of prosecutors, the reduction in number of prosecutors assigned to anti-trafficking task forces, and the assignment of

task force-designated prosecutors to other cases contributed to case congestion and delays. Countering these challenges, prosecutors increased the use of plea bargaining for cases of online sexual exploitation of children and increased the use of recorded victim interviews at the inquest stage, which reduced the potential for re-traumatization of child victims who served as witnesses and significantly decreased the time to case resolution. With donor support, the Interagency Council Against Trafficking (IACAT) began implementation of a case management system for prosecutors working with 16 anti-trafficking task forces to facilitate monitoring of prosecutions.

The government sustained its efforts to provide anti-trafficking training to its officials by supporting the provision of basic and advanced skills training through 136 programs that included a focus on the investigation and prosecution of cases involving forced labor, child soldiers, child victims of online sexual exploitation, as well as the provision of trauma-informed care in residential facilities. The IACAT-Department of Justice (DOJ) and regional anti-trafficking task forces conducted 19 anti-trafficking training programs, while other IACAT member agencies and partners organized 117 anti-trafficking training programs, reaching 6,593 participants from government agencies, NGOs, and the private sector, compared to 6,400 the previous year. IACAT member agencies also provided in-kind support for numerous donor-funded anti-trafficking training programs for local, regional, and national government officials, including law enforcement, prosecutors, judges, and social service personnel. Philippine officials continued to cooperate with other governments on the investigation and prosecution of trafficking cases and conducted an international exercise for ASEAN law enforcement and prosecutors to enhance the capacity of ASEAN member states to conduct joint international anti-trafficking investigations. Despite continued reports of corruption at all levels of government and the government's reported concerns about the involvement of Bureau of Immigration (BI) officers and employees in immigration act violations, such as allowing the illegal departure of minors for overseas work, the government did not convict any officials for complicity in trafficking. Additionally, the government did not provide updated information on complicity cases initiated in prior years, including the investigation of two BI employees for trafficking a female victim in the Middle East, the investigation of two police officers and Department of Foreign Affairs (DFA) officials, and administrative cases against four immigration officers.

## PROTECTION

The government increased protection efforts. The government continued to implement formal procedures to identify trafficking victims in the Philippines and overseas and to refer them to official agencies or NGO facilities for care. While comprehensive unduplicated data was not available, the government reported identifying 2,953 potential victims of trafficking through law enforcement activities, compared to 1,839 potential victims in 2017. The Department of Social Welfare and Development (DSWD) reported serving 2,318 possible trafficking victims, at least 1,269 of whom were female, compared with 1,659 victims in 2017. While compilation of services data for victims of different types of trafficking remained a challenge, DSWD reported assisting 672 victims of sex trafficking, 425 victims of labor trafficking, and 159 victims of illegal recruitment, compared with 516 victims of sex trafficking, 646 victims of labor trafficking, and 298 victims of illegal recruitment the prior year. The Philippine Overseas Employment Administration (POEA)

reported identifying 215 female trafficking victims, all but two of whom were victims of domestic servitude, but did not report information about services provided to these victims. Through its recovery and reintegration program for trafficked persons, DSWD provided case management, psycho-social support, medical services, legal assistance, livelihood assistance, skills training, and reintegration services to identified victims and implemented the national referral system and maintained the national recovery and reintegration database. The government allocated 25.13 million pesos (\$478,760), an increase from 24.8 million pesos (\$472,470) in 2017, to implement this program. DSWD continued to operate 44 residential care facilities that provided services to victims of trafficking and other forms of exploitation. Of these facilities, 24 served children, 13 served women; the government also began construction of a new shelter to serve men. DSWD provided trauma-informed care and temporary shelter for 917 trafficking victims in its facilities, local government shelters, or an NGO facility, but most shelters were above capacity thus compromising the quality of care provided to victims. Specialized assistance services such as mental health services, community reintegration, job training, and access to employment remained inadequate to address the individual needs of trafficking victims, including child victims of online sexual exploitation and male victims. The government also provided an unknown amount of support for two NGO-operated halfway houses at border entry points and a facility in the national capital region that serves as a safe space and processing center where law enforcement officials, working with DSWD, interviewed suspected victims immediately after police removed them from a trafficking situation.

During the reporting period, the IACAT revised immigration and law enforcement guidelines for the proactive identification of potential trafficking victims in airports and seaports. The government continued to support victims who served as witnesses during trials by providing assistance, security, and transportation. Two regional task force victim-witness coordinators provided support and assistance to 225 victims who participated as witnesses in criminal proceedings. In addition, 12 victims entered the witness protection program in 2018 and DOJ allotted 2.97 million pesos (\$56,580) for the newly admitted victims. Under this program, justice officials protected 86 victims from reprisals by providing security, immunity from criminal prosecution, housing, livelihood and travel expenses, medical benefits, education, and vocational placement. Judicial officials awarded 600,000 pesos (\$11,430) in moral and punitive damages in at least one case to the minor victims; however, victims were often unable to navigate the complex legal process required to obtain the compensation from convicted traffickers. Through its Inter-Agency Council Against Child Pornography, the government issued new guidelines for the management of compensation that foreign courts order foreign perpetrators to pay to young Filipino survivors of online sexual exploitation. Staff permitted adult victims residing in shelters to leave unchaperoned, provided there were no threats to their personal security or psychological care issues. While the government did not identify foreign victims in the Philippines during the reporting period, it had long-term alternatives to deportation of victims to countries where victims may face hardship or retribution. In the Bangsamoro Autonomous Region in Muslim Mindanao, armed conflict and violence displaced an estimated 80,000 persons, and reports of recruitment and use of child soldiers by armed groups continued. There were reports soldiers of the Armed Forces of the Philippines detained a child suspected of associating with an armed group and used him to perform support duties on a base.

The government continued its robust services for Filipino victims abroad. The DFA, in coordination with DSWD social welfare attaches and DOLE labor attaches, assisted 2,591 potential Filipino trafficking victims in the Middle East, Asia, and Europe, compared to 1,476 potential victims in the preceding reporting period. Assistance included referral to appropriate agencies, coordination with the host government, contract buy-out, repatriation, shelter, provision of personal necessities, medical aid, financial assistance, and payment of legal fees. Some overseas posts maintained resource centers that included temporary shelter where female and male trafficking victims resided while awaiting the resolution of their cases or their repatriation. DSWD deployed social welfare attachés to Philippine diplomatic missions in Saudi Arabia, the UAE, Kuwait, South Korea, Qatar, Malaysia, and Hong Kong. DFA increased its expenditures for the Assistance to Nationals (ATN) Fund, which covered assistance such as airfare, meal allowance, medical care, and other needs of overseas Filipino workers (OFW) from 22.7 million pesos (\$432,460) the previous year to 1 billion pesos (\$19.05 million). DFA also expended 160.8 million pesos (\$3.06 million) through its Legal Assistance Fund (LAF) for OFW; a decrease from 184 million pesos (\$3.51 million). The Overseas Workers Welfare Authority (OWWA) and DSWD social workers assisted an unknown number of OFWs with services ranging from airport assistance, air tickets, or halfway home accommodation. With 5.3 million pesos (\$100,970) allocated by the IACAT, the Commission of Filipinos Overseas (CFO) responded to 3,853 calls and assisted nine possible victims.

## PREVENTION

The government increased its efforts to prevent trafficking. The IACAT, which the secretaries of DOJ and DSWD chaired and included three NGO members, and the government task forces involved in anti-trafficking activities met regularly during the reporting period to share information and coordinate policies. The IACAT member agencies and organizations conducted an assessment of the government's third strategic action plan against human trafficking (2017–2021), including analysis of ongoing efforts, key challenges and priorities, best practices, and stakeholder sustainability. The government increased the number of staff supporting the IACAT and anti-trafficking regional task forces; however, it decreased the IACAT's budget from 95.28 million pesos (\$1.82 million) in 2017 to 80.39 million pesos (\$1.53 million) in 2018 following underspending of IACAT's budget the preceding year. The government collaborated with NGOs, international organizations, and foreign donors to improve data collection on trafficking cases and services, but comprehensive data remained a challenge. The IACAT and its member agencies continued to lead national and regional trafficking awareness raising events. The CFO conducted a national prevention campaign across 12 provinces and reached 4,122 persons. The POEA held 48 seminars on illegal recruitment and trafficking for 3,239 participants and provided information about worker protection, legal recruitment, and government services available to OFWs to 30,517 individuals through community-based pre-employment orientation seminars and to 798,589 individuals through online seminars, compared to 722,132 total the prior year. DOLE distributed informational materials to 34,634 individuals within communities that were vulnerable to illegal recruitment and trafficking. In response to the increased number of underage females identified prior to departing from Mindanao for domestic work in Middle East, DOLE created a task force against illegal recruitment, recruitment of minor workers, and trafficking in persons. IACAT member agencies and local government units also partnered with an NGO and private recruitment agencies to conduct six awareness-

raising events that reached 1,245 stakeholders in Mindanao.

NBI and POEA officials investigated 278 cases of alleged illegal recruitment and recommended 123 cases for filing in the courts; the government reported 11 convictions. This compared with 309 investigations and eight convictions in 2017. The POEA filed 1,432 administrative charges against licensed recruitment agencies for fraudulent employment or exorbitant fees, resulting in the cancellation of 40 agencies' licenses. The BI Travel Control and Enforcement Unit continued to screen departing passengers and deferred the departure of 24,753 passengers due to incomplete or missing travel documents or misrepresentation, referred 286 potential cases of suspected trafficking to IACAT task forces for further investigation, identified 286 potential victims of trafficking, and arrested nine suspected traffickers. The government stopped 199 foreign registered sex offenders from entering the country and the government increased its efforts to reduce the demand for commercial sex acts. POEA reviewed 30 bilateral and multilateral labor agreements with other countries and signed two multilateral and nine bilateral agreements aimed at preventing trafficking and reducing the vulnerability of OFWs.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in the Philippines, and traffickers exploit victims from the Philippines abroad. An estimated 10 million Filipinos reside or work abroad and the government processes approximately 2.3 million new or renewed contracts for Filipinos to work overseas each year. A significant number of these migrant workers become victims of sex and labor trafficking—predominantly via debt-based coercion—in the fishing, shipping, construction, manufacturing, education, home health care, and agricultural industries, as well as in domestic work, janitorial service, service industry, and other hospitality-related jobs, particularly in the Middle East and Asia, but also in all other regions. Traffickers, typically in partnership with local networks and facilitators, engage in illegal recruitment practices that leave migrant workers vulnerable to trafficking, such as charging excessive fees, producing fraudulent travel and contract documents, and confiscating property and identity documents. In addition to using student, intern, exchange program, and tourist visas, illegal recruiters increasingly use social networking sites and digital platforms to recruit and circumvent the Philippine government and destination countries' regulatory frameworks for foreign workers, as well as travel through porous maritime borders and other countries to evade detection. Traffickers also recruit Filipinos already working overseas through fraudulent offers of employment in another country.

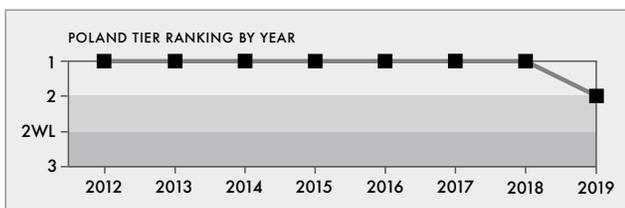
Forced labor and sex trafficking of men, women, and children within the country remains a significant problem. Women and children from rural communities, conflict- and disaster-affected areas, and impoverished urban centers are most vulnerable to sex trafficking, domestic servitude, and other forms of forced labor around the country, while men become victims of forced labor and debt bondage in the agricultural, fishing, and maritime industries. Sex trafficking also occurs in tourist destinations, such as Boracay, Angeles City, Olongapo, Puerto Galera, and Surigao, where there is a high demand for commercial sex acts. Although the availability of child sex trafficking victims in commercial establishments declined in some urban areas, child sex trafficking remains a pervasive problem, typically abetted by taxi drivers who have knowledge of clandestine locations. In addition, traffickers, who are often the victims'

parents or close relatives, induce young Filipino girls and boys to perform sex acts for live internet broadcast to paying foreigners in other countries; this typically occurs in private residences or small internet cafes. NGOs note an increase in demand for the online sexual exploitation of children and an increased risk for male victims. Many sex tourists in the Philippines are convicted or charged sex offenders or pedophiles in their home countries and are most commonly citizens of Australia, New Zealand, the United Kingdom, and the United States with an increasing number of reports from Japan, Morocco, Iraq, and Denmark. Filipino men also purchase commercial sex acts from child trafficking victims. Organized crime syndicates allegedly transport sex trafficking victims from China through the Philippines in route to other countries.

The UN reports armed groups operating in the Philippines, including the New People's Army, Maute Group, the Moro National Liberation Front, the Abu Sayyaf Group, and the Bangsamoro Islamic Freedom Fighters, recruit and use children, at times through force, for combat and noncombat roles; the Islamic State is reported to subject women and girls to sexual slavery. Officials, including those in diplomatic missions, law enforcement agencies, and other government entities, allegedly have been complicit in trafficking or allowed traffickers to operate with impunity. Some corrupt officials, particularly those working in immigration, allegedly accept bribes to facilitate illegal departures for overseas workers, reduce trafficking charges, or overlook illegal labor recruiters. Reports in previous years asserted police conduct indiscriminate or fake raids on commercial sex establishments to extort money from managers, clients, and victims. Some personnel working at Philippine embassies reportedly withhold back wages procured for their domestic workers, subject them to domestic servitude, or coerce sexual acts in exchange for government protection services.

## POLAND: TIER 2

The Government of Poland does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included sentencing more convicted traffickers to prison without suspending their sentences and increasing coordination among prosecutors, border guard, and police through a prosecutorial review mechanism. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. The government liquidated its high-level interagency coordination body and replaced it with an auxiliary body subordinate to the Minister of the Interior. Government efforts to identify and protect child victims remained inadequate. The government continued to make minimal efforts to address forced labor, and courts failed to adequately hold labor traffickers accountable in the reporting period despite NGOs serving approximately 520 victims of forced labor in the past five years. Funding for victim services remained relatively stagnant for six years, which continued to constrain service provision despite increasing need. Therefore Poland was downgraded to Tier 2.



## PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking crimes, particularly forced labor cases, and increase training for law enforcement and prosecutors on evidence collection. • Increase funding for comprehensive victim services, including specialized accommodation for child and male victims. • Improve central operational coordination and data collection for anti-trafficking activities. • Sentence convicted traffickers to penalties proportionate with the severity of the crime, and increase training for prosecutors and judges on the importance of prosecuting under the anti-trafficking statute, the severity of the crime, and a trauma-informed, victim-centered approach to conducting trial. • Appoint trauma-informed officials to conduct child victim witness interviews in a child-friendly manner. • Create specialized prosecution units for trafficking crimes. • Improve training and efforts to identify victims proactively, particularly among unaccompanied children, migrants, and children exploited in commercial sex. • Create and widely distribute resources notifying foreign workers of their rights, responsibilities, and victim service providers. • Increase referrals of victims to services. • Enhance training for labor inspectors on trafficking indicators so victims are identified, and instruct labor inspectors to always use independent interpreters when interviewing workers. • Facilitate victims' access to compensation by encouraging prosecutors to request restitution during criminal cases.

## PROSECUTION

The government decreased law enforcement efforts. Article 189a of Poland's penal code criminalized sex trafficking and labor trafficking and prescribed punishments of three to 15 years' imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Article 189a replaced Article 253 of the old criminal code, which prosecutors used in cases that started when Article 253 was in effect and the first instance conviction was under Article 253. Article 253 of the old criminal code also prescribed punishments of three to 15 years' imprisonment. In addition, Article 203 criminalized inducing an adult into prostitution through force, fraud, or coercion, and Article 204.3 criminalized inducing a child into prostitution; both articles prescribed punishments of one to 10 years' imprisonment.

The government lacked a central mechanism to cross-reference and consolidate law enforcement statistics, did not disaggregate sex and labor trafficking data, and only considered convictions and sentences issued after appeals to be final. The national police and the border guard initiated trafficking investigations. In cases that merited prosecution, law enforcement authorities transferred investigations to prosecutors, who initiated their own investigations of the same cases. Law enforcement authorities initiated 33 investigations under Article 189a in 2018 (27 in 2017). Prosecutors initiated 79 investigations of cases referred by police and border guard; the government did not report how many involved forced labor as it had reported in previous years (34 of 135 involved forced labor in 2017 and 12 of 45 in 2016). In 2018, there were 47 prosecutions under Article 189a (47 in 2017); the government did not report the number of prosecutions under Article 203 or Article 204.3. The vast majority of prosecutions were for sex trafficking crimes. First-level courts issued a total of 33 convictions (30 in 2017), which were subject to appeal—17 convictions under Article 189a (six in 2017, 33 in 2016, and 36 in 2015); 16 convictions under Article 203 (24 in 2017); the government did not track first instance convictions under Article 204.3. In 2017, the most

recent year for which post-appeal judgments were available, judges issued a total of 42 final convictions (58 in 2015 and 58 in 2016)—24 final convictions under Articles 189a and 253 of the old criminal code (34 in 2016 and 30 in 2015); 11 final convictions under Article 203 (17 in 2016 and 16 in 2015); and seven final convictions under Article 204.3 (seven in 2016 and 12 in 2015). The government did not report whether courts achieved any final convictions for forced labor in the reporting period; media sources did not report any final forced labor convictions. Forty-three percent of convicted traffickers served less than one year of prison time. Sixty percent of sentences were for two years or less (55 percent in 2016, 58 percent in 2015 and 78 percent in 2014); two for one year; 12 for one to two years; eight for two years; three traffickers received a fine, community service, and wage penalties, respectively, instead of prison sentences. Authorities suspended 36 percent of prison sentences for trafficking convictions (43 percent in 2016), including nine sentences for one to two years and six for two years. In addition to imprisonment, 17 traffickers received a fine, 11 of which were suspended.

Authorities provided training on victim identification to 57 police, 18 border guards, 164 consular officers (154 in 2017), 29 labor inspectors (30 in 2017 and 99 in 2016), 43 employees of crisis intervention centers (94 in 2017 and 79 in 2016), and 20 officials who interview asylum-seekers (13 in 2017). The border guard organized training for 835 officers on standard operating procedures for assisting child victims of trafficking (410 in 2017 and 2,065 in 2016). Police and prosecutors, however, acknowledged authorities lacked the expertise to identify forced labor victims and child victims. Law enforcement had a list of indicators for interviewing potential victims; sample questions focused on freedom of movement and did not take psychological coercion or subtle forms of force into consideration. Authorities held one trafficking training session for 61 prosecutors and judges (111 in 2017 and 236 in 2016).

The National Prosecutor Office introduced a formal mechanism in 2018 to improve coordination among prosecutors, the border guard, and police, whereby law enforcement could refer discontinued or dismissed trafficking investigations and prosecutions for review. The prosecutor responsible for coordinating trafficking investigations within the National Prosecutor Office could review decisions made by lower-level prosecutors, including whether to discontinue or dismiss cases, and make assessments of the accuracy of these decisions. He served as a consultant on final resort appeals to the Supreme Court in cases of inadequate punishment. In 2018, the police referred eight cases to the National Prosecutor Office, and, in all eight cases, the office agreed with the police that the cases involved trafficking. The National Prosecutor Office sent the cases back to regional prosecutors' offices, who were obliged to look into the investigations and respond to the National Prosecutor Office with a planned course of action; in three cases authorities reopened investigations and in five cases authorities expanded charges to include human trafficking. The border guard did not use this review mechanism in 2018.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Authorities collaborated on investigations with counterparts in the United Kingdom (UK), requested extradition of a Polish citizen from the Netherlands, and extradited two Polish nationals to the UK on trafficking-related charges. Despite NGOs assisting approximately 520 victims of forced labor in the last five years, authorities reported there were very few prosecutions for forced labor for several reasons:

law enforcement had difficulty identifying this type of crime; there was no clear definition of what constitutes forced labor in the Polish criminal code; and prosecutors and judges often lacked expertise in labor trafficking cases. Observers reported prosecutors and judges lacked familiarity with a victim-centered approach to trial, the impact of trauma on victims, and the severity and complexity of the crime. One ongoing prosecutorial investigation involved suspected forced labor of 107 North Korean potential victims in the agricultural sector with trafficking indicators, such as workers paying money to middlemen in advance to obtain employment; none of the workers were referred to services.

## PROTECTION

The government maintained insufficient protection measures. Police and border guard identified 162 potential trafficking victims (155 in 2017 and 144 in 2016) and referred 47 to care facilities (21 in 2017); the government reported all victims were offered services but chose not to accept them. The National Intervention-Consultation Center for Victims of Trafficking (KCIK) provided assistance to 168 potential victims, three of which were child victims, compared with 169 in 2017, 200 in 2016, and 229 in 2015. Of these, 109 were victims of forced labor; 41 of sexual exploitation and abuse; four domestic slavery; four forced begging; three forced criminality; two combined sexual exploitation and domestic servitude; two combined forced labor and sexual exploitation; one degrading treatment; one forced begging and sexual exploitation; and one forced marriage. KCIK offered adult and minor victims medical and psychological care, legal counseling, shelter referrals (or in the case of children, referrals to orphanages and foster care), welfare support, and reintegration services. Experts expressed concern changes may be made to KCIK that would impact funding levels. KCIK included two shelters for adult female victims and one apartment with capacity to accommodate three adult male victims. The shelters and apartment housed a combined total of 38 victims in 2018, (46 in 2017). KCIK arranged accommodations for an additional 48 victims, using crisis centers, hotels, and hostels for this purpose (61 in 2017). Victims also could receive comprehensive assistance (social, medical, psychological, legal) in 174 crisis intervention centers operated and funded by local governments; the government did not report whether staff at these centers were trained in assisting trafficking victims or the number of trafficking victims served by these non-specialized centers. In addition to KCIK services, all foreign victims from outside the European Economic Area (EEA) formally identified by law enforcement were entitled to social welfare benefits, including crisis intervention assistance, shelter, meals, necessary clothing, and financial assistance; 24 non-EEA national victims received assistance through the welfare system in 2017, the most recent year for which statistics were available. EEA victims had access to the full scope of welfare benefits offered to Polish citizens if they could prove habitual residency; NGOs reported victims from Romania and Bulgaria had problems proving habitual residency. The government did not track whether EEA nationals received social welfare assistance. Five non-EEA national victims received a certificate from law enforcement, which was the basis for legalizing their stay for the reflection period and accessing social services. The government did not fund specialized care or accommodation for child victims, who typically were placed in orphanages or with foster families. Observers reported orphanages often were not well prepared to assist child victims of trafficking. Law enforcement referred one child victim to KCIK in 2018 (none in 2017). The border guard reported it had a formal procedure for screening unaccompanied children for trafficking; the border

guard did not identify any unaccompanied child victims in 2017 or 2018. NGOs and academics reported there was no clear system of assistance to meet the needs of unaccompanied children.

In 2018, the government allocated 1.1 million zloty (\$293,100) to two NGOs that run KCIK, of which 105,000 zloty (\$27,980) went to operate the hotline. Funding for victim services remained relatively stagnant for the sixth year; the last increase was for 10 percent in 2015. Experts said limited government funding for victim assistance constrained service provision and shelter capacity for male victims was insufficient with the increasing number of male victims of labor trafficking. Civil society infrastructure to protect and assist victims was limited, especially outside of Warsaw and Katowice. The government allocated 84,000 zloty (\$22,380) to train welfare assistance personnel on assisting trafficking victims and witnesses, compared with 79,800 zloty (\$21,260) in 2017.

The government closed its witness protection program for trafficking victims because KCIK incorporated all relevant services offered within the program, and cooperated with police. Foreign victims were entitled to a three-month reflection period, during which they could stay legally in Poland to decide whether to assist in the criminal process; five victims used this three-month reflection period (12 in 2017, 23 in 2016, and 33 in 2015). Foreign victims were eligible for a residency permit valid for up to three years, which entitled them to work, and could apply for permanent residency. The government did not know how many victims received temporary or permanent residency. The government, in cooperation with an international organization, assisted two foreign victims to return to their home countries (four in 2017). Polish law permitted victims to provide testimony via video or written statements; audio-video recording of testimony was obligatory for victims younger than 15 years of age and for victims of sexual crimes, including sex trafficking. The law imposed a limit of one recorded interview for some victims at the trial stage. Experts noted law enforcements' and prosecutors' interviewing techniques lacked a trauma-informed approach, hindering opportunities to build rapport with traumatized victims, who then were unlikely to provide reliable testimony. NGOs reported judges interviewed children and did not receive training on child-friendly, victim-centered, or trauma-informed interviewing techniques, which re-traumatized victims. The labor inspectorate inspected all companies employing North Korean workers, but did not report finding actionable evidence to justify recommending formal law enforcement investigations, despite media reports showing indicators of trafficking. Officials acknowledged that inspections usually were confined to paperwork and investigators typically relied on interpreters provided by employers. Labor inspectors did not identify any victims in 2018; police and labor inspectors noted challenges in determining whether a given offense constituted a violation of workers' rights or forced labor. Prosecutors rarely requested compensation for victims and courts did not order any traffickers to pay restitution in post-appellate cases.

## PREVENTION

The government decreased prevention efforts. The government liquidated the inter-ministerial anti-trafficking team that met at the deputy minister level twice a year and reported to the prime minister, curtailing high-level inter-ministerial coordination of efforts to combat trafficking. Before this took place, the inter-ministerial team approved the implementation report for the 2016-2018 action plan, but it still needed additional approvals. In 2018, the government allocated 135,000 zloty (\$35,970) for the implementation of the 2016-2018 action plan, on par with

2017 funding, but a 43 percent decrease from 235,000 zloty (\$62,620) allocated in 2016. The interior ministry approved an assessment of the government's anti-trafficking activities in June 2018. The MOI established a new auxiliary body, including interagency representatives but subordinate to the Minister of Interior, in February 2019, tasked with evaluating the implementation of anti-trafficking projects, monitoring national action plan implementation, and preparing annual reports. NGOs expressed concern that the new body operated at a lower level and presumably would not be able to compel other ministries to devote resources to specific tasks. During the reporting period, provincial-level interagency anti-trafficking teams in all 16 regions conducted prevention and public awareness campaigns and organized trafficking-related trainings and conferences for NGOs and professional associations. Observers noted these provincial-level anti-trafficking teams were uncoordinated and uneven in their effectiveness.

The government sponsored information campaigns on trafficking, several of which targeted students, at-risk Polish communities, and Poles seeking work abroad, but efforts to reduce vulnerability among migrant workers were weak. The ministry of interior's web portal continued to operate, offering information on prevention, the system of victim support, and relevant statistics and publications. The government lacked a central mechanism to cross-reference and consolidate trafficking-related statistics, hindering officials' ability to assess the scope of trafficking in Poland and the efficacy of law enforcement efforts. A government-funded NGO operated a hotline (10 hours per day on weekdays and 24 hours per day on weekends) for trafficking victims and witnesses, which received approximately 9,000 calls during the reporting period; the hotline did not maintain statistics on how many calls were trafficking-related or how many victims were identified. Local authorities could ban employers previously convicted of trafficking from hiring foreigners; the government did not know whether any entities were banned. Labor inspectors conducted 655 inspections of job recruitment agencies (735 in 2017), but did not identify any cases of trafficking or any agencies presenting fraudulent job offers. The National Labor Inspector identified 33 job recruiting agencies operating illegally (35 in 2017) and removed them from the official registry of legally operating recruitment agencies. The National Labor Inspector continued an awareness campaign, targeting employers and workers, to encourage legal employment among migrant workers, in particular from Ukraine, and to provide practical information to employers on legally hiring foreign workers. The government did not make efforts to reduce the demand for commercial sex acts during the reporting period. The government did not provide anti-trafficking training for its diplomats posted abroad.

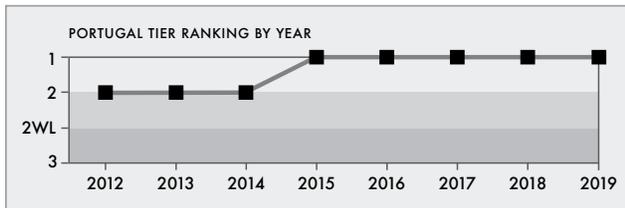
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Poland, and traffickers exploit victims from Poland abroad. Labor trafficking is increasing in Poland; victims originate from Europe, Asia, and Africa. There is an increasing vulnerability to labor trafficking among Poland's growing Ukrainian, Belarusian, Filipino, and Vietnamese migrant populations, particularly in restaurants and construction, and North Korean workers dispatched by the DPRK government, particularly in shipyards, construction, and agriculture. Traffickers recruit children, particularly Roma, for forced begging in Poland. Traffickers subject men and women from Poland to forced labor in Europe, primarily Western and Northern Europe, in particular the UK and Sweden. There is an increasing number of Polish victims of forced labor for

construction in the UK. Traffickers subject women and children from Poland to sex trafficking within the country and also in other European countries. Traffickers subject women and children from Eastern Europe, particularly Bulgaria, Romania, and Ukraine, to sex trafficking in Poland. A growing number of Vietnamese victims transit Poland en route to Western Europe after traffickers subject them to labor trafficking in Russia.

## PORTUGAL: TIER 1

The Government of Portugal fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Portugal remained on Tier 1. These efforts included increasing the number of investigations, prosecutions and convictions, identifying more victims, and increasing victim resources. Although the government meets the minimum standards, it lacked legal safeguards to protect victims against potential prosecution, delayed issuance of victim residency permits, and granted few victims state compensation or restitution from their traffickers.



### PRIORITIZED RECOMMENDATIONS:

Enact a legal provision to protect victims from prosecution for acts that traffickers coerced them to commit. • Develop an expedited process for granting residency permits to victims. • Increase victims’ access to compensation and train police, prosecutors, and magistrates on victims’ right to restitution and compensation. • Increase resources for law enforcement and labor inspectors monitoring for labor trafficking. • Increase victim identification training within the health care sector. • Continue to increase and document use of victim services, such as shelters and residence permits, and ensure availability of a sufficient number of places to accommodate all victims in need of shelter. • Strengthen monitoring and regulation of temporary employment agencies, including employing and recruiting domestic workers.

### PROSECUTION

The government increased law enforcement efforts. Article 160 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of three to 10 years’ imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. Some child sex trafficking offenses could also be prosecuted under Article 175, which addressed pimping crimes; it prescribed penalties of one to 10 years’ imprisonment. Article 159 prohibited slavery and prescribed penalties of five to 15 years’ imprisonment.

In 2018, the government initiated 114 trafficking investigations, compared with 103 in 2017 and 83 in 2016. Authorities prosecuted 55 defendants, compared with 45 in 2017. Courts

convicted and sentenced 25 traffickers (17 sex trafficking and eight forced labor), compared with 12 in 2017 (one sex trafficking and 11 forced labor). Courts sentenced traffickers to significant prison terms; 20 of the 25 sentences issued were more than five years’ imprisonment, and the average sentence was approximately eight years’ imprisonment. Authorities suspended five sentences, compared with one in 2017. Prosecutors charged two national police officials for the exploitation of eight domestic workers; judges acquitted the accused due to lack of evidence. The judiciary police provided training on investigations and victim identification to 80 of its senior officials and 120 new inspectors. Over 100 magistrates from the public prosecutor’s office received compulsory anti-trafficking training. The immigration and border service continued to provide institutionalized victim identification training to hundreds of border officers at all levels of seniority. The government trained law enforcement personnel assigned to the Lisbon airport. Authorities cooperated with Moldova on the extradition request for a suspected trafficker.

### PROTECTION

The government increased protection efforts. The government’s Observatory on Trafficking in Human Beings (OTSH) provided updated checklists to law enforcement, NGOs, health care professionals, and social workers on identifying victims of forced prostitution, forced labor, and forced begging and criminality. The government also provided victim identification guidelines to labor inspectors. Civil society continued to report the health care sector lacked sufficient training on identification for victims of sexual exploitation. Upon encountering a potential victim, law enforcement personnel conducted an initial standardized risk assessment and referred individuals deemed vulnerable or at risk to one of five regional multidisciplinary NGO teams to receive specialized shelter and assistance. The multidisciplinary teams comprised psychologists and social workers. First responders and social service providers could refer potential victims to services, but only law enforcement officials could officially “confirm” an individual as a victim of trafficking. GRETA reported there was no timeline for authorities to confirm official victim status; the process depended on the duration of the related prosecution. Potential victims received the same access to services as confirmed victims.

In 2018, authorities identified 203 potential victims and 49 confirmed victims, compared with 171 potential and four confirmed victims in 2017. Thirty-two of the confirmed victims were male, 17 were female, and 10 were children. The majority of the confirmed victims were forced labor victims from Moldova. The government provided approximately €1.5 million (\$1.72 million) to shelters and the multidisciplinary regional teams, an increase from €1 million (\$1.15 million) in 2017. Victims and their minor children had the right to shelter, health care, psycho-social, legal, and translation and interpretation services, as well as education and employment training. Three government-funded NGO-operated shelters were exclusively for adult trafficking victims—two for female victims and their minor children, and one for adult male victims. GRETA reported the shelters could each accommodate a limited number of victims and noted a growing need for additional shelter places. Adult victims could leave the shelters at will unless authorities determined victims’ safety was at risk. In 2018, the government funded Portugal’s first shelter for child victims, which offered housing and comprehensive care services for up to six children. Child victims also received care under Portugal’s child protection system. The government, working through its five regional multidisciplinary teams, conducted 162 training

and awareness sessions, which reached 4,606 beneficiaries, including health care professionals, law enforcement, lawyers, social services professionals, and students.

During the reporting period, courts permitted some victims to testify by deposition or videoconference. The government offered victims a reflection period of 30 to 60 days, during which they could recover before deciding whether to cooperate with law enforcement. The law also provided for a one-year residence permit for victims based on cooperation with law enforcement or a personal situation regarding their security, health, family situation, or vulnerability; authorities could renew this permit indefinitely. Civil society reported delays in the issuance of residency permits for victims. Portuguese law allowed victims to receive restitution from and file criminal proceedings against their traffickers; victims could seek compensation from the government if the convicted trafficker was unable to pay the awarded restitution. The government did not report whether any victims received restitution from traffickers or compensation from the government; GRETA reported few victims received compensation. NGOs reported many victims were unwilling to come forward and cooperate with authorities for fear of prosecution. GRETA reported the lack of a specific provision in Portuguese law protecting victims from prosecution for unlawful acts traffickers coerced them to commit could leave victims vulnerable to individual prosecutors' decisions to bring charges.

## PREVENTION

The government maintained prevention efforts. The government maintained a multi-stakeholder anti-trafficking network, led by the national rapporteur on trafficking, which included representatives from various central and local government agencies and three NGOs. In June 2018, the government published its fourth national action plan for 2018 to 2021. The plan was created with input from the full anti-trafficking network and focused on victim assistance, awareness, and combating criminal networks. OTSH, responsible for the collection and dissemination of trafficking data, published an annual security report detailing the trafficking situation in the country. The government launched a national anti-trafficking campaign and multidisciplinary regional teams held awareness campaigns on sexual and labor exploitation throughout the reporting period. The government screened vetted visa applicants' work contracts and travel documents. GRETA noted, however, a need to strengthen monitoring and regulation of temporary employment and recruitment agencies, especially those employing and recruiting domestic workers. The government continued to conduct a corporate social responsibility campaign to address labor exploitation, which targeted Portuguese companies operating inside and outside of Portugal. The government did not make efforts to reduce the demand for commercial sex. Laws prohibiting sexual crimes against children had extraterritorial reach, allowing the prosecution of suspected child sex tourists for offenses committed abroad; there were no reported investigations of Portuguese citizens engaging in child sex tourism abroad. Each of the five multidisciplinary teams operated a hotline available in several languages; the hotlines received over 800 calls relating to victim assistance.

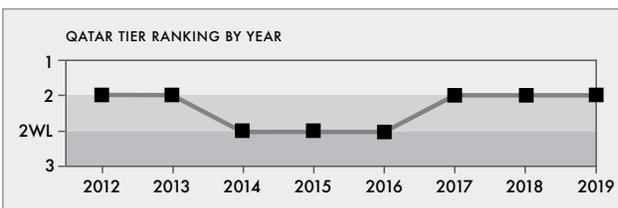
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Portugal, and traffickers exploit victims from Portugal abroad. Trafficking victims primarily

originate from West Africa, Eastern Europe, Asia, and, to a lesser extent, Latin America. Labor traffickers exploit foreign victims in agriculture, construction, and domestic service, with seasonal migrant workers especially vulnerable. Traffickers exploit Portuguese victims in restaurants, agriculture, and domestic service, primarily in Portugal and Spain. Poor and uneducated Portuguese in the country's rural interior are especially vulnerable to forced labor networks in Spain, which may extend into Northern and Eastern Europe. Authorities noted an increase in recent years in labor trafficking victims from Bangladesh, India, Nepal, and Pakistan. Sex traffickers exploit foreign women and children, mostly from Africa and Eastern Europe, and Portuguese women and children within the country. Sex traffickers have exploited Portuguese in other countries, mostly in Europe. Traffickers exploit children from Eastern Europe, including those of Roma descent, for forced begging and forced criminal activity in Portugal. Authorities report traffickers bring women and children, many from West Africa, to Portugal to claim asylum and obtain false documents before bringing them to other European countries for sex trafficking. Sub-Saharan trafficking networks increasingly use Portugal as a route into the Schengen area to exploit children for both sex trafficking and forced labor.

## QATAR: TIER 2

The Government of Qatar does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Qatar remained on Tier 2. These efforts included collaborating with civil society in opening its first trafficking-specific shelter; repealing the problematic exit permit requirement for migrants covered under Qatari labor law; and employing its existing Grievance Committee to adjudicate exit permits for more than 1,000 domestic workers and other expatriates not currently covered under the labor law. In addition, it established e-visa centers in four primary labor sending countries—a total of 12 centers—in part to reduce instances of contract substitution, and it increased prosecutions of trafficking-related crimes. However, the government did not meet the minimum standards in several key areas. It did not report investigating or prosecuting any Qatari employers or recruitment agencies for forced labor. The government did not investigate for trafficking indicators among other related crimes such as passport retention, withholding of wages, labor violations, and complaints of abuse; and authorities reportedly arrested, detained, and deported potential trafficking victims for immigration violations, prostitution, or for fleeing their employers or sponsors. The government did not report identifying any trafficking victims or referring them for care.



## PRIORITIZED RECOMMENDATIONS:

Increase the number of trafficking investigations, especially by

investigating as potential crimes indicators such as passport retention, withholding of wages, labor violations, and complaints of abuse. • Increase efforts to prosecute trafficking offenses, particularly forced labor crimes, and convict and punish traffickers under the anti-trafficking law. • Cease the practice of converting potential trafficking crimes to labor law violations. • Undertake serious efforts to prevent penalization of trafficking victims by screening for trafficking among those arrested for immigration violations, prostitution, or those who flee abusive employers and face counter-charges and deportation. • Routinely apply formal procedures to proactively identify and refer to care victims of all forms of trafficking and institute regular trainings for all officials on how to employ these procedures. • Extend labor law protections and the suspension of exit permit requirements for all workers in the country, including domestic and expatriate government workers. • Continue to implement reforms to the sponsorship system so it does not provide excessive power to sponsors or employers in granting and maintaining the legal status of migrant workers, for example, by removing the No Objection Certificate requirement for workers to change employers prior to the end of their contract period. • Develop standard operating procedures and institute trainings for officials to fully implement the 2018 domestic worker law. • Financially and logistically support the operationalization of the new shelters for male and female victims of trafficking. • Increase regular trainings for government officials on the identification of forced labor crimes, targeting the judicial sector and labor inspectorate. • Broaden implementation of the Labor Dispute Resolution Committees (LDRCs) to expedite cases pertaining to contract or employment disputes and refer suspected trafficking cases for criminal investigative proceedings. • Provide adequate staff and resources to manage the two existing Qatar Visa Centers, and open additional centers in critical countries, to reduce instances of contract substitution. • Ensure the Wage Protection System (WPS) covers all companies, including small and medium-sized companies, joint ventures, and foreign-owned companies. • Collect and report data pertaining to the number of victims identified and the services provided to them.

## PROSECUTION

The government maintained overall anti-trafficking law enforcement efforts. The 2011 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed penalties of up to seven years' imprisonment and a fine of up to 250,000 Qatari riyal (\$68,680) for offenses involving adult male victims, and up to 15 years' imprisonment and a fine of up to 300,000 Qatari riyal (\$82,420) if the offense involved an adult female or child victim. Heads of recruiting agencies found guilty of trafficking faced up to five years' imprisonment and a fine of up to 200,000 Qatari riyal (\$54,950). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Under Law number 4 of 2009, the government criminalized the confiscation of workers' passports by a sponsor, punishable by a maximum fine of 25,000 Qatari riyal (\$6,870).

Despite numerous referrals of potential trafficking and trafficking-related cases to the Public Prosecution Office (PPO), the government did not prosecute any Qatari or foreign employers or recruitment agencies for forced labor under the anti-trafficking law. Although labor officials originally reported referring 109 cases involving forced labor for prosecution in the previous year, the PPO ultimately converted these cases to non-payment of wages cases. However, it referred six sex trafficking cases to prosecutors during the current reporting period. One

reported prosecution under the anti-trafficking law against a suspected sex trafficker remained ongoing for the second consecutive year. During the reporting period, the government convicted six sex traffickers and sentenced each of them to prison time between three and five years plus a deportation order following their obligated time served. Additionally, the PPO prosecuted thousands of trafficking-related cases exhibiting various trafficking indicators; namely, 2,852 cases against companies and individuals for unscrupulous hiring and employment practices, 1,164 cases of non-payment of wages, 67 cases of fraudulent visa selling, 43 cases of passport confiscation, and six cases of recruitment agencies operating illegally. However, it did not report prosecuting such suspects under the anti-trafficking act, but rather under Qatari labor laws. For illegal visa trading, the government administered the maximum sentence of three years in prison plus fines to the vast majority of perpetrators during the year. Additionally, for non-payment of wages cases, the government applied fines (2,000-6,000 Qatari riyal or \$550-\$1,650, multiplied by the number of unpaid workers) for all those in violation. One prosecutor within the PPO specialized in trafficking crimes, and the government remained without a dedicated police or prosecution unit, although it commenced development of the latter during the year via an official mandate. The Labor Dispute Resolution Committees (LDRC) received 6,161 complaints, from which resulted 1,339 judiciary verdicts (up from 763 the previous period), 93 out-of-court settlements, and 1,088 archived grievances due to incomplete evidence. In more than 70 percent of total workplace complaints, the government reported it issued verdicts in favor of the employees vice their employers; however, the government did not report investigation of potential trafficking indicators within these cases or their subsequent referral to PPO for criminal prosecution. The law mandated the LDRCs must reach resolution within three weeks for any contract or labor dispute, which aimed to help reduce the heavy financial burdens placed on laborers often left without income or housing while waiting on case closure. In addition, the government reached settlements in 197 other cases mostly pertaining to non-payment of wages. In 2018, the government enforced the law prohibiting passport retention by prosecuting 43 cases, compared to 53 in 2017. However, the government did not investigate such instances as potential trafficking offenses. The government did not report investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses.

Several government entities did not routinely categorize forced labor or exploitative working conditions—particularly of domestic workers—as human trafficking, but rather as criminal assaults and immigration or labor law violations. Prosecutors almost universally used the Qatari penal code to address trafficking crimes rather than the anti-trafficking law due to higher likelihood of successful prosecution under charges that were easier to prove. Consequently, authorities rarely punished trafficking offenders with dissuasive penalties and instead prosecuted victims regularly for immigration and prostitution, rather than identifying them as trafficking victims and referring them to care. The government lacked a clear and efficient judicial process to prosecute trafficking offenses or enforce labor law violations, and its primary solution for resolving labor violations continued to be a transfer of employer sponsorship, mandated back payment of wages and fines, and blacklisting of companies, with limited efforts to investigate whether the violations constituted forced labor.

As in previous years, government entities financed and conducted specialized trainings on trafficking issues. The government

continued its coordination with several international organizations and civil society stakeholders to improve training programs for federal employees in trafficking-related disciplines, and the police training institute of the Ministry of Interior (MOI) conducted courses and workshops for officers and staff who investigate and work on trafficking cases. Qatar University's Law Clinic conducted training related to human trafficking at the local police training center. In addition, Qatar concluded its multi-year training program with an international organization on combating trafficking and held four trafficking trainings in 2018. The Ministry of Justice's Center for Judicial and Legal Studies partnered with a foreign government and an international organization to organize a workshop entitled "Combating Trafficking in Persons and Forced Labor in Qatari Laws," attended by roughly two dozen representatives from various government entities who discussed challenges inherent to implementation of the anti-trafficking law.

## PROTECTION

The government increased its protection efforts. Similar to the previous reporting period, the government did not report identifying any trafficking victims or referring them for care, although it did report assisting 219 potential trafficking victims in its shelters, all of whom were expatriate women, and improved its institutional capacity to protect victims. During the reporting period, the government signed collaborative agreements with local civil society to assist in running the daily operations of six 20-person capacity villas specifically designated for both male and female trafficking victims and allocated a budget of 3 million Qatari riyal (\$824,180). It also consulted two foreign NGOs regarding best practices and standard operating procedures for establishing and operating trafficking shelters. The government partnered with an international organization and foreign officials to organize a two-day workshop for shelter service providers designed to ensure the adequacy of protective provisions. The government-funded Aman Protection and Social Rehabilitation Center shelter continued to provide basic medical care, social services, psychological treatment, housing, rehabilitation, repatriation assistance, and reintegration for female and child victims of domestic abuse, including female workers who fled their sponsors. The shelter had a budget of 15 million Qatari riyal (\$4.12 million). Victims possessed the right to leave of their own volition without supervision, although chaperones were on-call in the event security was needed. Victims were also able to access the shelter even if their employers filed charges against them. Several foreign diplomatic missions ran all-purpose shelters for their female nationals, which trafficking victims also used.

Government shelter officials did not customarily use established protocols to proactively screen vulnerable individuals for trafficking indicators. Some officials reportedly used a manual to proactively identify human trafficking victims, but law enforcement personnel and other government entities did not report proactively screening for any trafficking indicators among domestic workers, a vulnerable population typically isolated and mostly excluded from protections under labor laws. Authorities revised the national victim referral system to coordinate victim identification and referral efforts between government authorities and NGOs; the referral system included the provision of shelter, health care, and legal assistance to trafficking victims. The Supreme Committee for Delivery and Legacy (SCDL) conducted extensive interviews with workers to identify potential trafficking victims who had paid recruitment fees prior to arrival in Qatar, which numbered at more than 1,200 at the end of 2018. At the close of the current reporting

period, the SCDL reimbursed roughly \$20 million to laborers to cover their unlawful recruitment fees, blacklisted six employment agencies as a result of its internal auditing process, and placed 106 additional contractors on a special watch list. Although the SCDL targeted more than 16,000 workers for the recruitment fee payback initiative, it did not classify any workers specifically as trafficking victims from among this population.

Systemic hurdles continued to limit victim protection and impeded access to justice. The March 2018 Domestic Worker Law stipulated that domestic workers were required to have government-verified contracts; receive adequate employer-provided food, accommodation, medical benefits, one day off per week, limited 10-hour workdays, sick leave, return flight tickets once each year, three weeks paid vacation per year, and full end-of-service payments; guaranteed access to the new dispute resolution committees to resolve workplace grievances; and allowances to leave their employers in cases of exploitation or violation of contract terms. However, at the close of the current reporting period, enforcement and knowledge of the law remained very low, thereby leaving significant vulnerabilities to forced labor among this population and victims without care or justice.

The government regularly charged and deported victims for contravening Qatari labor and immigration laws. The Qatari legal system lacked adequate privacy laws to protect victims against potential retribution and often did not provide adequate assistance or protection for victims during legal proceedings. Victims who lodged complaints were sometimes the subject of spurious counter-charges by their respective employers that resulted in administrative deportation proceedings. Officials stated that absconding charges were not considered until after the resolution of labor disputes, but advocates and foreign officials in the country noted, in practice, some workers experienced difficulty in surmounting the burden of such charges. Police often detained workers without legal status for immigration violations and fleeing their employers or sponsors, including potential trafficking victims. Police sometimes detained workers for the failure of their sponsors to register employees or renew their residency documents as required by Qatari law. Authorities also charged an unreported number of potential sex trafficking victims with *zina* (sex outside of wedlock) and subsequently deported them. The government generally encouraged victims to testify against their traffickers by providing free legal counseling and allowing them to pursue financial compensation; it provided free legal services for 12 cases taken to court, including some potential trafficking cases, during the reporting period.

In September 2018 the Amir signed Law No.13 for 2018, which legally granted the vast majority of expatriate workers covered under the labor law the right to depart the country without employer approval during the course of an employment contract. However, employers still possessed the right to designate as critical no more than five percent of their workforce, who required permission prior to exiting the country, and Law No.13 of 2018 did not cover domestic workers and government expatriate workers. During the year, the MOI Grievance Committee evaluated and adjudicated employer refusals against workers not fully covered under Qatari labor laws or Law No.13 of 2018—domestic workers and expatriate government employees—to grant their employees exit permits. In 2018, the Grievance Committee reviewed 1,869 requests to overturn the employer refusals of an exit permit, of which the MOI approved 1,850, giving a vast number of vulnerable employees permission to leave the country. The government assisted workers who wished to prematurely terminate their contracts and transfer

employers, or return to their respective countries of origin, in the event of employment malfeasance. The government reported the transference of 5,094 workers after reports of abuse or other contract violations, which is a significant decrease from the 10,485 workers transferred in 2017 and an increase from 1,784 transferred in 2016. The MOI's Search and Follow Up and Human Rights departments coordinated with embassies to provide 11,775 return tickets to assist in the repatriation of migrant workers, including potential trafficking victims. The government reported it did not deport those who faced harms or abuse in their country of origin.

## PREVENTION

The government continued robust efforts to prevent trafficking in persons. The national anti-trafficking committee collected inputs from a foreign government, Qatar University's Law Clinic, and two international organizations to re-draft its national strategy to combat trafficking, which spanned 2017-2022 and prioritized prevention, protection, prosecution, and regional and international cooperation. For the first time, the government also compiled comprehensive research and released its own human trafficking report on Qatar. This report highlighted relevant laws, case statistics, and a primary list of recommendations for the government to address over the coming year. In 2018, the government placed more than 12 articles in local news outlets focused on trafficking to raise awareness among the general populace. The government-funded Aman Center continued to promote awareness campaigns on various forms of abuse, including trafficking, and outlined where to receive help; these campaigns targeted women, domestic workers, and employers. The Slavery Museum in Doha—part of a government museum consortium—hosted regular visits from school groups and others, and held public ceremonies to highlight trafficking issues that received wide local press coverage. The government maintained its publication of manuals for expatriates in Arabic, English, and several labor exporting country languages on proactive victim identification, domestic worker rights, and ways to combat trafficking in Qatar. It continued to publish and disseminate “worker rights” pamphlets in English, Arabic, Hindi, Bengali, Nepali, and Tagalog that contained relevant articles from the labor and sponsorship laws. Qatar Airways sponsored a joint training with an international organization for airline crew members to better identify potential trafficking victims onboard aircrafts. Furthermore, in partnership with an international organization, in October 2018 government entities produced a major conference on fair recruitment to help curb the charging of fees by unscrupulous recruiters. The SCDL, in conjunction with private sector firms in the hospitality and construction industries, held public dialogues to discuss effective ways to protect workers from the threat of trafficking. Officials maintained multiple hotlines for use by vulnerable migrant worker populations, to include trafficking victims; as in the previous year, the government did not report how many calls any line received during the reporting period. The government made discernible efforts to reduce the demand for commercial sex acts and forced labor. The quasi-governmental Qatar Foundation and the Qatar 2022 Supreme Committee published workers' mandatory standards documents, which injected workers' rights into corporate social responsibility to provide contractual incentives to contractors and subcontractors to follow the labor law and general Islamic principles or risk losing lucrative, multiyear projects. The government's Diplomatic Institute held a train-the-trainer style course that provided information about legal employer obligations for Qatari diplomats posted abroad.

During the latter half of 2018, the Ministry of Development, Labor, and Social Affairs (MADLSA) conducted 496 inspections of recruitment companies, which resulted in the issuance of warnings to 19 agencies and the cancellation or revocation of the licenses of nine agencies that MADLSA's routine monitoring mechanism found to be noncompliant with Qatari labor law. The government did not report if it criminally investigated, prosecuted, or convicted any of these companies, or their owners or staff. It also signed a memorandum of understanding with a foreign government that focused on labor inspections writ large, complaint and referral mechanisms for domestic workers, and awareness raising on employer rights and responsibilities. During the reporting period, the government formally opened the ILO office in Doha to strengthen anti-trafficking operating capacity and generate sustainable labor reform efforts throughout Qatar. Committing itself to the ILO landmark agreement, signed during the previous year, the Qatari Cabinet created a new Supreme Committee for ILO Agreement Implementation, which included undersecretaries from all relevant government bodies to solely oversee the implementation of the activities contained therein. The government continued its rollout of the Wage Protection System (WPS), which requires employers to pay workers electronically and increases penalties for labor code contraventions. Officials blacklisted more than 14,000 companies for being in violation of the WPS, as compared to the blacklisting of 18,000 companies in the previous reporting period. The government received 450 domestic worker complaints, of which 258 involved delayed payments and 131 were related to denial of other employment benefits; however, authorities did not report referring any potential trafficking cases flagged by the WPS for criminal investigation. The government continued to address recruitment issues and worker rights through 50 bilateral agreements and five memoranda of understanding with labor-sending countries, and it worked with individual countries to certify vetted labor recruitment offices to reduce fraud or excessive debts that may lead to forced labor conditions.

In November 2018, the government opened its inaugural Qatar Visa Center (QVC) in Sri Lanka followed by the opening of two additional offices in Pakistan and two in Bangladesh by the year's end. At the beginning of April seven centers opened in India. The centers were responsible for finalizing all procedural elements pertaining to recruitment, including fingerprinting, medical examinations, verifying educational certificates, signing contracts in local languages, issuing Qatari residency permits prior to source country departure, conducting rights awareness training, and opening bank accounts for workers. The QVCs aimed to reduce instances of contract bait-and-switch, in which recruiters lured workers under one contract in home countries and subsequently forced them to sign new ones with lower wages once in Qatar. Under this new system, one unified contract was concurrently filed abroad and in Qatar. At the close of the reporting period, officials commenced plans to roll out new QVCs in six additional countries; in total, the eight countries comprised 80 percent of the total workforce in Qatar.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Qatar. Men and women from Nepal, India, Pakistan, Bangladesh, the Philippines, Indonesia, Sri Lanka, Sudan, Kenya, Nigeria, Uganda, and other countries voluntarily migrate to Qatar as unskilled laborers and domestic workers, often paying illegal and exorbitant fees to unscrupulous recruiters in the labor-sending countries, thereby increasing their vulnerability to debt bondage. Some workers subsequently face conditions indicative of labor trafficking, to include restricted

movement, payment withholding, denial of employment-associated benefits, passport confiscation, exit permit retention, threats of deportation, and, in a small number of cases, threats of serious physical or financial harm or physical, mental, and sexual abuse. In addition, traffickers force some women who migrate for other employment offers to work in prostitution. Instances of delayed or unpaid salaries continue to be a leading indicator of forced labor in Qatar.

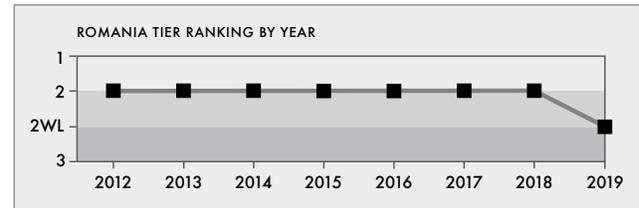
Qatar's unskilled migrant workers continue to comprise the largest group at risk of trafficking, while domestic workers remain the most vulnerable. Recruiters in labor-source countries and employers in Qatar continued to exploit widespread economic migration to prey on workers. In some cases, migrant workers reportedly pay inflated fees to recruiters in their home countries, and some predatory recruitment agencies in labor-sending countries lure foreign workers to Qatar with fraudulent or, upon arrival, vastly disparate employment contracts that bear no legal consideration in Qatar, rendering workers vulnerable to forced labor once in the country. Among foreign workers, female domestic workers are particularly vulnerable to trafficking, as Qatar's culture of privacy can lead to isolation in private residences because officials lack authority to enter them. Additionally, individuals in Qatar sell "free" visas to migrants and occasionally demand regular payments, enabling migrant workers to work illegally and without legal recourse against their respective sponsors. Many businesses fail to pay their employees in a timely manner, or at all, forcing workers to choose between leaving the country with heavy debts in the absence of fair compensation, or staying in Qatar with the hope of eventually being paid.

Qatar's employment-based sponsorship system, which is undergoing significant reform, currently places control disproportionately in the hands of employers, who have unilateral power to cancel residence permits, prevent workers from changing employers and, up until the current reporting period, deny permission to leave the country. Debt-laden migrants who face abuse or are misled often avoid reporting their exploitation due to fear of reprisal or deportation, the protracted recourse process, or lack of knowledge of their legal rights, thereby exacerbating or prolonging their forced labor situation. Many migrant workers often live in confined, unsanitary conditions, and many complain of excessive working hours and hazardous working conditions. Reports allege the vast majority of expatriate workers' passports were in their employers' possession, despite laws against passport confiscation.

## ROMANIA: TIER 2 WATCH LIST

The Government of Romania does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts include indicting more suspected traffickers and adopting a five-year national strategy and national action plan. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Courts convicted significantly fewer traffickers and officials identified considerably fewer victims, continuing a multi-year decline in such efforts. Endemic corruption and alleged complicity in trafficking crimes persisted without punishment, particularly with officials exploiting minors while in the care of government-managed placement centers. Judges continued to lack specialized training on working with trafficking cases and victims, which had detrimental effects on

witness protection, restitution for victims, and sentencing for perpetrators. Moreover, lack of sufficient government funding for assistance and protection services remained problematic, leaving most victims without services, susceptible to re-traumatization, and vulnerable to re-trafficking. Therefore Romania was downgraded to Tier 2 Watch List.



### PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking cases under the trafficking statute and punish convicted traffickers with prison sentences. • Significantly increase efforts to investigate, prosecute, and convict complicit officials, and issue stringent sentences that are proportionate with the severity of the crime. • Proactively identify potential victims, especially among vulnerable populations, such as migrants and asylum-seekers, children in government placement centers, and individuals in prostitution, through enhanced training for police officers and labor inspectors on recognizing indicators of exploitation. • Expand efforts to train officials involved in judicial proceedings, particularly judges, on working with trafficking cases and victims, sensitivity to trafficking issues, and understanding all forms of trafficking. • Increase the number of police officers investigating trafficking crimes and financial investigators specializing in trafficking cases. • Provide financial support to NGOs for victim services and develop and institute a formal mechanism for administering the funds. • Significantly increase anti-trafficking training for law enforcement officials on working with victims, evidence collection, and understanding psychological coercion. • Amend legislation to allow authorities to sanction recruiting agencies for crimes contributing to trafficking. • Increase the quality of psychological counseling and improve access to medical assistance for victims. • Exempt all trafficking victims who testify in trials from the online disclosure of their names to protect participating witnesses from retaliation and stigma and to incentivize greater victim participation in prosecutions. • Provide knowledgeable legal counsel and courtroom protections for victims assisting prosecutions. • Revise the restitution mechanism to include minimizing court fees and increasing efforts to ensure victims receive compensation. • Allocate adequate financial resources for the implementation of the 2018-2022 national strategy and national action plan.

### PROSECUTION

The government decreased law enforcement efforts. Articles 210 and 211 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of three to 10 years' imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Authorities opened 695 new trafficking cases in 2018, compared with 675 in 2017 and 864 in 2016. Prosecutors indicted 399 suspected traffickers (362 in 2017, 358 in 2016). Courts convicted 130 traffickers in 2018, continuing a multi-year decline from 222 in 2017 and 472 in 2016. Thirty-seven convicted traffickers (29 percent) received suspended sentences; the remaining traffickers received sentences of imprisonment that ranged from

one to more than 10 years. Law enforcement often charged suspected traffickers for crimes other than trafficking, such as pandering and pimping. A split reporting structure hindered police efficiency and coordination with investigations and prosecutions. Likewise, limited dedicated financial investigators impeded financial investigations and asset seizures, inhibiting evidence collection in trafficking cases to corroborate witness testimony. Authorities participated in 36 joint investigative teams with European counterparts but did not extradite any suspected traffickers, compared with 44 in 2017.

Failure to prioritize trafficking, widespread corruption, and sweeping legal and judicial reforms hampered effective law enforcement. Observers reported endemic corruption and alleged complicity in trafficking crimes by government officials, particularly with officials exploiting minors while in the care of government-managed placement centers and acting as accomplices to traffickers. The manager of a government placement center in a southern Romanian town allegedly engaged in sex trafficking of the children in his/her care. Nonetheless, the government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Furthermore, recently adopted changes to the criminal code could diminish the capacity of police to gather evidence in various types of criminal investigations, including trafficking cases. New legal provisions on the early retirement of police officers required 30 percent of the workforce to retire, resulting in overextended officers handling multiple cases simultaneously and struggling to build strong cases for prosecutors. Additionally, a new law reducing prison sentences for prisoners held in inappropriate conditions resulted in the early release of more than 500 convicted traffickers from prison during the reporting period.

Knowledge gaps limited prosecution efforts. NGOs reported many police officers and judges lacked specialized training and sensitivity toward sex trafficking cases and trafficking issues, including a basic understanding of trafficking. Judges typically did not differentiate between prostitution and sex trafficking as distinct crimes, which had detrimental effects on sentencing for perpetrators and compensation for victims. Additionally, observers frequently criticized police, particularly in rural areas and small towns, for being unaware of the exploitation potential in prostitution, leading to a failure to check for indicators of force, fraud, or coercion when encountering individuals in prostitution, including minors. While the government mostly used donor funding to train police and prosecutors, it organized a series of anti-trafficking training programs for 25 border police officers during the reporting period.

## PROTECTION

The government decreased efforts to protect victims. Public officials and NGOs identified 497 victims in 2018, the lowest number of identified victims in more than a decade and a decline from 662 in 2017 and 757 in 2016; these statistics included victims from ongoing investigations and prosecutions initiated in previous years. Of these victims, 73 percent were female and 67 percent were victims of sex trafficking. As in past years, fewer than half of identified victims received assistance. In 2018, 48 percent (236) of identified victims received assistance provided by public institutions, public-private partnerships, and NGOs (46 percent in 2017, 41 percent in 2016). Authorities used the existing national victim identification and referral mechanism to identify and refer victims, and during the reporting year, with support from NGOs, the National Anti-Trafficking Agency (ANITP) drafted new procedures for implementation in 2019.

Observers reported authorities did not proactively identify victims, particularly in key places such as placement centers, and identification typically occurred after a criminal investigation started. Observers also reported authorities fined persons in prostitution, even if they were minors, without looking for trafficking indicators. Authorities referred identified victims to ANITP if the victim was an adult and child protective services if the victim was a minor. Victims received protection and assistance services in government-run facilities and in NGO-run trafficking shelters. The government maintained five government-run shelters and one shelter jointly run by the government and an NGO that were designated for trafficking victims; the shelters also housed domestic violence victims. Authorities placed child victims in general child facilities or in facilities for children with disabilities run by the child protection service, which, despite children representing 43 percent of identified victims, did not offer specialized services and frequently re-traumatized children. Perennial problems of abuse and neglect of institutionalized children and the lack of proactive identification in government facilities left children in placement centers vulnerable to trafficking. Romanian victims abroad, who accounted for 44 percent of identified victims, received free travel documents issued by Romanian embassies; however, the government did not pay for repatriation expenses, leaving NGOs and an international organization to cover the costs. In 2018, there were no foreign victims identified among refugees and asylum-seekers, but observers suspected dozens of cases. The law permitted foreign victims to request asylum and granted asylum-seekers the right to work after three months. The law also permitted foreign victims who cooperated with authorities to receive a renewable, six-month temporary residence permit.

Lack of government funding for NGO assistance and protection services continued to be problematic. While the government relied on NGOs to accommodate and assist victims, it did not allocate grants directly to NGOs due to legislation precluding direct funding. The law entitled all victims to psychological and medical care; however, the government did not provide for more than one mental health counseling session and did not finance medical care costs. NGOs paid for all psychological services costs for victims due to the government's refusal to reimburse psychologists who assisted victims and for emergency medical care costs because the government lacked financial assistance and medical care required payment upfront. Moreover, access to medical care required Romanian victims to return to their home districts to obtain identity documents. The process presented logistical and financial hurdles for many trafficking victims; NGOs also covered those costs.

In general, victims lacked adequate support during criminal cases. In 2018, 349 victims participating in criminal proceedings accessed services available to victims assisting law enforcement; these services included transporting victims to court and returning them home. While the government provided legal aid to victims, the lawyers assigned often lacked experience working with trafficking victims. Additionally, the Ministry of Justice published the names of all trial witnesses, including minors, on its public website, putting victim-witnesses at risk of retaliation. The law entitled victims to compensation from their traffickers; however, victims generally could not afford the fees necessary to initiate civil trials or, in cases in which judges ordered restitution, to pay court officers to collect the money owed from traffickers. Additionally, NGOs reported victims rarely received restitution money because when ordered by courts to pay restitution, traffickers did not do so.

## PREVENTION

The government maintained prevention efforts. The government adopted a 2018-2022 national strategy and national action plan, focusing on prevention, victim protection, and anti-trafficking policies. While the action plan identified potential sources of funding, it did not allocate financial resources to any of the activities or goals. ANITP executed a national campaign focused on forced labor funded by a three-year €160,000 (\$183,490) EU internal security grant. ANITP organized a number of additional campaigns raising awareness and continued to publish yearly reports and statistics on trafficking. The government made efforts to reduce the demand for commercial sex acts; however, it did not make efforts to reduce the demand for forced labor. Despite the criminal code prohibiting Romania-based recruitment companies from facilitating the exploitation of citizens abroad, the government did not have the power to punish recruitment agencies for crimes that contribute to trafficking, such as illegal recruitment fees. Police remained unresponsive to reports of labor trafficking, and labor inspectors lacked the competency for detecting trafficking and the legal authority for unannounced inspections to several categories of worksites. The UN reported an allegation of sexual exploitation and abuse against a Romanian peacekeeper deployed to the Democratic Republic of the Congo; the investigation was pending at the end of the reporting period. ANITP operated a hotline during regular business hours that primarily focused on informing Romanians about working abroad safely; the hotline received 13 calls regarding potential trafficking cases.

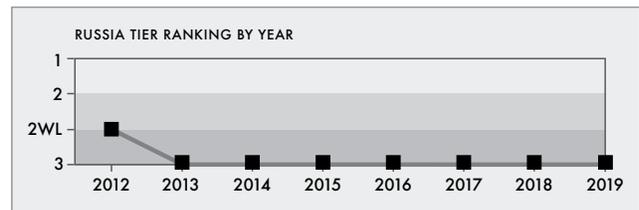
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Romania, and traffickers exploit victims from Romania abroad. Romania remains a primary source country for sex trafficking and labor trafficking victims in Europe. Traffickers subject Romanian men, women, and children to labor trafficking in agriculture, construction, hotels, manufacturing, and domestic service, as well as forced begging and theft in Romania and other European countries. Traffickers subject Romanian women and children to sex trafficking in Romania and other European countries. Experts report a rise in Romanian women recruited for sham marriages in Western Europe; after entering these marriages, traffickers force the women into prostitution or labor. Minors represent nearly 50 percent of identified trafficking victims in Romania. Traffickers subjected some children to trafficking while in the care of the state, particularly in small towns. Romani children, as young as 11 years old, are particularly vulnerable to forced begging and sex trafficking. Romania is a destination country for a limited number of foreign trafficking victims, including trafficking victims from Vietnam and the Philippines. Traffickers subject Romanians living in government run institutions for the mentally disabled to forced labor.

## RUSSIA: TIER 3

The Government of Russia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Russia remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by removing officials who may have been complicit in forced labor, facilitating the return of Russian children from Iraq and Syria, and identifying some victims, including foreign nationals. However, the number of

victims identified by the government remained negligible and authorities routinely deported potential forced labor victims without screening for signs of exploitation and prosecuted sex trafficking victims for prostitution offenses. While estimates vary, the Russian government reported the number of North Korean workers in Russia declined from 30,000 to approximately 11,500 in 2018. It was not clear that the government screened laborers for trafficking indicators. Throughout 2018, the government maintained bilateral contracts with the Democratic People's Republic of Korea (DPRK) under which the DPRK operated work camps in Russia and subjected thousands of North Korean workers to forced labor. The government offered no funding or programs for trafficking victims' rehabilitation, while several privately run shelters remained closed due to lack of funding and the government's crackdown on civil society. Authorities lacked a process for the identification of victims and their referral to care. The government did not consistently provide comprehensive information on prosecution efforts, but the limited available data and media reports suggest prosecutions remained low compared with the scope of Russia's trafficking problem. As in previous years, the government did not draft a national strategy or assign roles and responsibilities to government agencies.



## PRIORITIZED RECOMMENDATIONS:

Investigate allegations and prevent the use of forced labor in construction projects and North Korean-operated labor camps.

- Screen for trafficking indicators before deporting migrants, including from the DPRK.
- End all bilateral labor agreements with the DPRK that perpetuate forced labor and cease the issuance of work permits under these contracts.
- Allocate funding to state bodies and anti-trafficking NGOs to provide specialized assistance and rehabilitative care to victims.
- Develop formal national procedures to guide law enforcement, labor inspectors, and other government officials in identifying and referring victims to service providers, particularly among labor migrants and individuals in prostitution.
- Increase efforts to investigate and prosecute trafficking offenses and convict traffickers, including complicit officials, respecting due process.
- Create a national anti-trafficking action plan and establish a central coordinator for government efforts.
- Ensure victim identification and protection measures are not tied to the prosecution of a trafficker and allow all first responders to officially identify potential trafficking victims and refer them to care.
- Implement a formal policy to ensure identified trafficking victims are not punished or deported for unlawful acts their traffickers compelled them to commit.
- Ensure screening among children returned from Iraq and Syria for child soldiering indicators and provide with rehabilitation and reintegration support.
- Provide victims access to legal alternatives to deportation to countries where they face hardship or retribution.
- Create a central repository for publicly available information on investigation, prosecution, conviction, and sentencing data for trafficking cases.
- Increase efforts to raise public awareness of both sex and labor trafficking, including among minors.
- Amend the trafficking law to align the definition of trafficking with international standards.

## PROSECUTION

The government maintained minimal law enforcement efforts. It did not report comprehensive data on trafficking criminal cases, making it difficult to assess the adequacy or effectiveness of law enforcement efforts. Media reports and publicly available data revealed some details on trafficking cases investigated and prosecuted, including some conviction information, during the reporting period, although the limited number of cases reported did not constitute an adequate law enforcement response compared to the scale of trafficking in Russia. From the limited available information, authorities prosecuted trafficking suspects through Articles 127.1 and 127.2 of the criminal code, which criminalized “trade in people” and “use of slave labor.” These articles prescribed punishments of up to five years of forced labor or up to six years of imprisonment for “trade in people” and up to five years’ imprisonment for “use of slave labor.” These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. However, inconsistent with the definition of trafficking under international law, these articles established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime.

Russia’s federal-level Investigative Committee publicly reported 14 investigations, 11 under article 127.1 and three under 127.2, a decrease from 19 reported in 2017. The Supreme Court publicly reported 18 convictions of persons under article 127.1 and three convictions under article 127.2, compared with 26 convictions under article 127.1 and one under 127.2 in 2017. The government published sentencing information for 2018 that included for article 127.1, three paroles, 11 prison terms, one compulsory labor, and one fine; and for article 127.2, five prison terms and one parole. The government reported three acquittals. Media reports about these investigations and prosecutions revealed several cases involving baby-selling, a crime that falls outside the international definition of trafficking. An NGO reported that tens of thousands of trafficking-related cases were reported to authorities, but the government processed most under different articles, which suppressed statistics and masked the scale of the problem.

Law enforcement training centers provided instruction on trafficking identification. NGOs conducted limited trafficking training for local officials. Russian authorities cooperated in some international investigations involving Russian nationals subjected to trafficking abroad and extradited some alleged traffickers wanted in their home country. The government maintained bilateral contracts with the DPRK government, which continued to operate work camps in Russia throughout 2018. Despite credible reports of forced labor and slave-like conditions of North Koreans working in Russia, the Russian government did not report any investigations into those conditions. Media reported the dismissal of several officials, including the director, of prison IK-14 in Mordavia; the director was alleged to have engaged the female prisoners in forced labor for his personal benefit. The investigation of this case remained on-going. Corruption and official complicity remained significant concerns, inhibiting law enforcement action during the year.

## PROTECTION

The government maintained negligible efforts to protect victims. The government did not provide funding or programs for protective services dedicated to trafficking victims. Without specific legislation differentiating trafficking victims from victims of other crimes, government agencies claimed they

had neither the means nor authority to provide assistance programs specifically for trafficking victims. NGOs provided all protection services, including shelter, food, legal services, language interpretation, facilitating the return of documents or wages, and assisting in the resettlement or repatriation of victims. The last dedicated trafficking shelters closed in 2015 due to lack of funding; however, government-funded homeless shelters could accommodate Russian and foreign victims. Authorities did not routinely screen potential victims seeking assistance at these shelters for trafficking indicators; in prior years, the shelter provided medical and psychiatric aid, and referred victims to international NGOs and other homeless shelters located in many of Russia’s regions. There were no reports of victims assisted in these shelters in 2018. A shelter “for women in difficult life situations,” run by the Russian Orthodox Church, continued to accept victims and offered them food housing and psychological care, although not medical assistance; the government did not provide financial support for the shelter. Similar to the previous reporting period, the government took steps to limit or ban the activities of other civil society groups, including some dedicated to anti-trafficking activities. Further, the government’s efforts to exert pressure on NGOs through the implementation of restrictive laws also targeted those providing protective services for trafficking victims; the government continued to designate two locally registered NGOs working on trafficking issues as “foreign agents” and blocked one of these NGOs from a government-linked social media site in 2018. An unknown person attacked and stabbed the leader of an anti-trafficking NGO, inflicting non-fatal wounds. The “Yarovaya” package of anti-terror laws made it a crime for individuals or organizations to provide material assistance to people considered to be in Russia illegally; authorities could prosecute NGOs who assist unlawfully present victims of trafficking. There were limited examples of government cooperation with civil society. In July 2018, local authorities worked with NGOs to remove Nigerian sex trafficking victims from their exploiters; the victims had entered Russia with promises of employment and World Cup fan identification documents from their exploiters. An NGO reported repatriating 40 Nigerian victims. NGOs reported law enforcement worked with NGOs to remove victims from brothels and slave labor situation, obtain documents, and help repatriate victims from Nigeria, Ukraine, and Uzbekistan. Authorities reportedly covered repatriation costs on a case-by-case basis.

The government reported the identification of 19 trafficking victims in 2018. According to law enforcement statistics, of these 19 identified victims, 16 were Russian and three were from unspecified Central Asian countries; five were female sex trafficking victims, one female and three males were victims of forced labor, and 10 were children, although many of these were baby-selling cases. An NGO assisted approximately 193 victims in 2018, but it estimated the number of victims to number in the thousands. Police regularly avoided registering victims in criminal cases that were unlikely to be solved in order not to risk lower conviction rates. The government did not develop or employ a formal system to guide officials in proactive identification of victims or their referral to available services. NGOs reported a significant number of cases go unreported due to the lack of a formal referral mechanism, victims’ fears, and the lack of government assistance to victims. Despite the lack of formal procedures, observers reported some working-level officials referred potential victims for assistance on an ad hoc basis. However, observers also noted other authorities often did not recognize foreign victims when they were unlawfully present in Russia, which resulted in the penalization of foreign victims rather than their referral to

care. Frequently, authorities criminally charged victims with prostitution or unlawful presence in country. Authorities punished child victims of forced criminality. Authorities did not screen other vulnerable populations, such as migrant workers or foreign women entering Russia on student visas despite evidence of their intention to work or other vulnerabilities to trafficking. In limited instances, Moscow city police informally provided “permit letters” valid for one year to individuals the police determined were trafficking victims. While the letters offered no official status to the migrants, they allowed victims to remain in the Moscow region without risk of deportation or prosecution while police investigated their trafficking case. Authorities reportedly prosecuted Russian citizens returning from Syria and Iraq, where some were subjected to trafficking, under anti-terror laws without being screened for indicators of trafficking. The government, after a temporary suspension of operations, resumed the repatriation of Russian minors, including potential trafficking victims, whose parents were alleged fighters with the Islamic State in Iraq and Syria (ISIS). ISIS was known to use child soldiers and perpetrate other forms of trafficking. The government did not report screening specifically for indicators of trafficking, but media reports indicated the children received counseling. An estimated 200 children had returned to Russia since this program first became public in 2017; the government estimated 1,400 remained in Iraq and Syria.

A February 2016 agreement between Russia and DPRK enabled Russian authorities to deport North Koreans residing “illegally” in Russia, possibly even for those with refugee status; this may increase the risk of labor trafficking for North Koreans working under the state-to-state agreement. Moreover, DPRK authorities reportedly arrested, imprisoned, subjected to forced labor, tortured, and sometimes executed repatriated trafficking victims. In February 2018, government officials announced that in accordance with UNSCRs 2375 and 2397, Russia would cease issuing new work permits to North Korean laborers and repatriate those workers whose contracts had expired. Media reports indicated Russia had begun to repatriate the laborers whose permits had expired. Russian government officials stated they were taking steps to fulfill its obligations under the relevant UN Security Council resolution to repatriate all of these workers by the end of 2019, and reported the number of DPRK workers in Russia declined steadily throughout 2018 from 30,023 to 11,490 by the end of 2018. Media reported the government continued to issue new work permits. Some government officials noted an allowance for the extension of contracts for North Korean laborers who had valid contracts as of September 11, 2017 and were still in Russia, while a government spokesperson stated new workers were arriving if authorities had finalized their work authorizations prior to the adoption of UNSCR 2375. Although government representatives publicly stated authorities asked DPRK workers to leave voluntarily, it was not evident that authorities screened workers for trafficking indicators or offered them options to legally remain in the country.

## PREVENTION

The government maintained limited efforts to prevent trafficking. The government continued to operate regional migration centers where migrants could obtain work permits directly from the government; however, the permits contained large upfront fees and sometimes required multiple time-consuming trips to the center to obtain. An NGO reported some hospitals began to issue birth certificates to all children born in the country, regardless of the parents’ immigration status. In October 2018, the government signed an agreement

with Uzbekistan on the organized recruitment of Uzbek citizens for temporary employment in Russia. In February 2019, the government agreed to allow the Kyrgyz Republic Ombudsman to appoint five special representatives in Russia to monitor for violations of human rights of Kyrgyz citizens, including trafficking. Authorities conducted scheduled and unannounced audits of firms employing foreign laborers to check for violations of immigration and labor laws—with penalties in the form of revoking foreign worker permits. While these raids took place with some regularity, the use of undocumented or forced labor remained widespread due to complacency and corruption. Russia did not have a national action plan, nor was there a designated lead agency to coordinate anti-trafficking measures; legislation that would implement such a framework continued to languish at the highest levels within the presidential administration. The government did not have a body to monitor its anti-trafficking activities or make periodic assessments measuring its performance. The government made no efforts to develop public awareness of forced labor or sex trafficking and provided no funds to NGOs to carry out prevention and awareness campaigns. Prevention campaigns were hampered by a law that made it a crime to talk to children younger than 16 about sexual issues and exploitation. Authorities denied an NGO’s request to put up billboards advertising hotlines in advance of the World Cup. There were two media reports of government-compelled labor of civil servants for snow removal; in one of them the government decided to investigate the issue. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Russia, and victims from Russia are exploited abroad. Although labor trafficking remains the predominant human trafficking problem within Russia, sex trafficking continued. Traffickers subject workers from Russia and other countries in Europe, Central Asia, and Southeast Asia—including Vietnam and DPRK—to forced labor in Russia. Instances of labor trafficking have been reported in construction, manufacturing, logging, saw mills, agriculture, sheep farms, brick factories, textile, grocery stores, maritime industries, and domestic service, as well as in forced begging, waste sorting, and street sweeping. There are between five and 12 million foreign workers in Russia, of which the government estimates 2 million are irregular migrants. Many of these migrant workers experience exploitative labor conditions characteristic of trafficking cases, such as withholding of identity documents, non-payment for services rendered, physical abuse, lack of safety measures, or extremely poor living conditions. According to press reports, 2.3 million Ukrainians resided in Russia, including more than 1 million who went east to escape Russian aggression in Ukraine. International organizations estimate up to 40 percent of these migrants were working unofficially and vulnerable to both forced labor and sex trafficking. Subcontracting practices in Russia’s construction industry result in cases of non-payment or slow payment of wages, which leave workers at risk of labor trafficking. There are reports of Russian citizens facing forced labor abroad. Traffickers lure minors from state and municipal orphanages to forced begging, forced criminality, child pornography, and sex trafficking, and use by armed groups in the Middle East.

Women and children from Europe (predominantly Ukraine and Moldova), Southeast Asia (primarily China and the Philippines), Africa (particularly Nigeria), and Central Asia are victims of

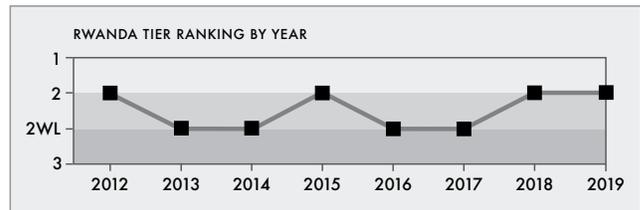
sex trafficking in Russia. During the 2018 World Cup, Russia relaxed its visa requirements, allowing visa-free entry for all Fan ID holders to enter and exit Russia without a visa through December 31, 2018. According to official government statistics, nearly 5,000 foreigners who entered on Fan IDs remained unlawfully in Russia at the beginning of 2019, including 1,863 Nigerians. Sex trafficking occurs in brothels, hotels, and saunas, among other locations. Homeless children are exploited in sex trafficking. Russian women and children are reportedly victims of sex trafficking in Russia and abroad, including in Northeast Asia, Europe, Central Asia, Africa, the United States, and the Middle East. Russian criminal groups threaten family members in order to coerce women into prostitution in Russia and abroad. Women from Russia's North Caucasus region as well as women from Central Asia residing in Russia were recruited to join ISIS through online romantic relationships and subjected to exploitation once they arrived. Wives and children of foreign fighters were sold after their spouse or father was killed in action.

The ILO Committee of Experts noted its deep concern in 2016 that some provisions of the Russian criminal code, which included compulsory labor as possible punishment, are worded broadly enough to lend themselves to application as a means of punishment for the expression of views opposed to the government. Corruption among some government officials and within some state agencies creates an environment enabling trafficking crimes. In recent years, criminal cases have involved Russian officials suspected of allegedly facilitating trafficking by enabling victims' entry into Russia, providing protection to traffickers, and returning victims to their exploiters. Employers sometimes bribe Russian officials to avoid enforcement of penalties for engaging illegal workers. Prior to 2018, the DPRK sent approximately 20,000 North Korean citizens to Russia annually for work in a variety of sectors, including logging in Russia's Far East—an estimated 11,490 North Korean citizens are believed to be present in Russia; many of these North Korean citizens are subjected to conditions of forced labor.

## RWANDA: TIER 2

The Government of Rwanda does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Rwanda remained on Tier 2. The government demonstrated overall increasing efforts by investigating and prosecuting more suspected perpetrators of transnational trafficking crimes. The government adopted a comprehensive anti-trafficking law and provided rehabilitation services to more former child combatants associated with armed groups in the Democratic Republic of the Congo (DRC). The government reported providing protection services to victim witnesses in government-run safe houses and training more front line officials than the previous reporting period, including facilitating an international anti-trafficking training event attended by 41 countries. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers for internal trafficking crimes, despite the presence of sex trafficking and forced labor within the country. The government did not systematically or proactively identify victims or establish a formal mechanism to refer trafficking victims to care. The government identified fewer trafficking victims, did not identify any victims of internal trafficking, and

did not adequately screen individuals in government detention facilities. The government did not cooperate with civil society to provide assistance to victims, or operate sufficient long-term care facilities for all trafficking victims. The government did not adopt an updated National Anti-Trafficking Action Plan to coordinate national anti-trafficking efforts.



### PRIORITIZED RECOMMENDATIONS:

Systematically and proactively identify trafficking victims, especially among vulnerable populations, including persons in prostitution and homeless children. • Cooperate and coordinate with civil society to provide all foreign and Rwandan trafficking victims with appropriate long-term protection services, including shelter and psycho-social care. • Develop and implement a victim-witness support program and expand training for prosecutors working with victim-witnesses. • Develop a formal mechanism to systematically refer trafficking victims to appropriate care. • Institutionalize training and provide resources, as feasible, to law enforcement officials, judicial officials, labor inspectors, and social workers on the implementation of the trafficking law and case prosecution, and victim identification procedures. • Increase effective trafficking investigations and prosecutions, particularly perpetrators of forced labor and sex trafficking and focusing especially on internal trafficking, while respecting the rule of law and human rights, and administer adequate sentences to convicted traffickers. • Adopt and implement an updated National Anti-Trafficking Action Plan. • Continue to implement trafficking protection measures for Rwanda's refugee population. • Expand anti-trafficking awareness campaigns.

### PROSECUTION

The government increased law enforcement efforts to combat cross-border trafficking crimes but continued to make inadequate efforts to address internal trafficking crimes. In September 2018, the government adopted a standalone anti-trafficking law, the Law on the Prevention, Suppression, and Punishment of Trafficking-in-Persons and Exploitation of Others, which criminalized sex trafficking and labor trafficking. The law prescribed penalties of 10 to 15 years' imprisonment and a fine of 10 million to 15 million Rwandan francs (\$11,240 to \$16,850), which increased to 20 to 25 years' imprisonment and a fine of 20 million to 25 million Rwandan francs (\$22,470 to \$28,090) if the offense was transnational in nature. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. However, the law defined trafficking broadly to include illegal adoption without the purpose of exploitation.

The National Public Prosecution Authority (NPPA) reported increased efforts compared to the government's previously reported timeframe, initiating 86 trafficking case investigations and prosecuting at least 53 alleged traffickers in 53 cases of suspected trafficking between October 2017 and September 2018. Of the 16 cases that courts ruled on, the NPPA reported

obtaining convictions for at least 13 traffickers in 13 cases and prescribing penalties ranging from two to seven years' imprisonment and fines between 1 million Rwandan francs (\$1,120) and 10 million Rwandan francs (\$11,240). During the previous reporting period, the government reported investigating 65 cases, prosecuting 25 cases, and convicting 12 traffickers. In 2018, the government did not vigorously prosecute and did not convict any perpetrators of internal sex and labor trafficking crimes, despite the presence of trafficking within the country. The government admitted difficulty prosecuting and convicting trafficking offenders due to limited investigative and prosecutorial anti-trafficking knowledge and resources, lack of victim testimony, and lack of cooperation by other governments. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

The Rwanda Investigation Bureau (RIB) continued to operate a 15-officer anti-trafficking unit in its Criminal Investigations Division. The Rwanda National Police (RNP) directorate for anti-gender-based violence (GBV) had three officers in each of the country's 78 police stations who served as points of contact for trafficking victims. The government continued to provide anti-trafficking training as a part of standard training and professional development for immigration officers, police, labor inspectors, judicial officials, and social workers; the government provided training to 40 officials on referral and treatment of victims and 32 officials on investigation, interviewing, and reporting on trafficking crimes. The RNP continued to convene quarterly meetings of provincial and district police, investigators, prosecutors, and immigration officials to provide ongoing training on Rwanda's anti-trafficking laws, trafficking indicators and investigation techniques, which reached an additional 57 investigators. However, the government did not report provision of training to law enforcement personnel on a victim-centered approach and victim-witness support mechanisms. In partnership with international organizations, the government facilitated an international anti-trafficking training for 100 police, military and corrections officers from 41 African countries.

## PROTECTION

The government maintained protection efforts, but did not address screening at transit centers, internal trafficking victim identification, or long-term shelter and assistance for victims of all forms of trafficking. Law enforcement and immigration officials identified 33 transnational trafficking victims in 2018; officials referred all 33 victims for assistance at the government's one-stop centers, and provided rehabilitation assistance for 19 ex-child combatants in 2018. This compared to 56 transnational victims and four internal victims identified and assisted in 2017. However, the government did not report efforts to identify or assist any internal trafficking victims during the reporting period. The government reported providing counseling and funding the repatriations of three Burundian trafficking victims during the reporting period. Law enforcement and immigration officials and social workers in victim centers had victim identification guidelines; however, implementation appeared limited and officials still noted difficulty in screening specifically for trafficking indicators among the broader population of victims of GBV assisted at the centers. The government remained without a national referral mechanism for trafficking victims. The government did not adequately collaborate with civil society to identify and assist trafficking victims and did not provide protection services specifically catered to the needs of trafficking victims as distinct from victims of other crimes.

The government reportedly continued to detain vulnerable persons, including persons in prostitution, destitute individuals, and homeless children at these centers, and advocacy groups continued to report that the transit centers operated without judicial oversight and functioned as de facto detention facilities in which the government did not screen for trafficking and held vulnerable individuals for arbitrary periods of time. The government reported that immigration officials continued screening children crossing the border for trafficking indicators and to verify they were traveling with the permission of their parents.

The government continued to operate its network of 44 Isange One-Stop Centers to assist GBV and trafficking victims. The government's one-stop centers, located in hospitals and district capitals, provided short-term care and various psycho-social, medical, legal, and law enforcement services to victims. One-stop centers typically have "safe rooms" available that victims may use as temporary shelter for a few days. The government acknowledged that the extent and quality of services varied between locations, particularly regarding the provision of adequate psycho-social counseling, and that it did not always screen and identify trafficking victims as distinct from GBV victims. However, the government did not report how many trafficking victims it assisted at the one-stop centers. NGOs highlighted gaps in communication between investigators in rural areas and police at one-stop centers, which may have impeded investigation and prosecution of crimes. In 2018, an international organization reported separating eight Rwandan children from armed groups in the DRC. The government continued to operate a rehabilitation center for former child combatants associated with armed groups in the DRC, which assisted approximately 19 children in 2018, an increase from the previous year; the center provided accommodation, psycho-social support, education, and reintegration services. However, in general, the government lacked long-term care facilities for the vast majority of trafficking victims. The NPPA continued to operate two safe houses for witnesses in criminal cases, which could include trafficking victims and reported using the safe houses for six trafficking victims during the reporting period for stays of approximately one month in duration. Participation of victims in the investigation and prosecution of traffickers continued to be a challenge and lack of sufficient victim testimony continued to hinder prosecution of traffickers. An NGO previously reported that seven of the one-stop centers were equipped with video recording equipment to help encourage the cooperation of witnesses in prosecutions via recorded testimony, but the government did not report utilizing this option. The anti-trafficking law protected the identity of victims by allowing court proceedings to be conducted in camera and allowing the use of a video link; but the government did not report providing any victims with these protections during the reporting period. The 2018 anti-trafficking law ensured that victims would be provided information in a language they understood and be provided with legal assistance. The anti-trafficking law permitted foreign victims to remain in Rwanda for a minimum of six months and until legal proceedings concluded, but the government did not report any victims obtaining such benefits during the reporting period. The anti-trafficking law did not provide foreign trafficking victims with specific legal alternatives to their removal to a country where they may face hardship or retribution; but, in practice, the government made efforts not to deport foreign victims who faced retribution in their home country. Government assistance to victims was not contingent upon a victim's participation in law enforcement investigations. The anti-trafficking law allowed victims to file civil suits against traffickers and stated

that victims are exempt from paying any associated filing fees, but the government did not report any suits filed during the reporting period.

## PREVENTION

The government maintained efforts to prevent trafficking. The government continued to operate its interagency anti-trafficking technical committee, which met once a quarter to coordinate public awareness campaigns and continued to work on adopting an updated National Anti-Trafficking Action Plan in partnership with an international organization. International organizations and NGOs reported that insufficient coordination among government agencies and resource constraints continued to hinder the government's anti-trafficking efforts. Throughout the reporting period, the government continued to conduct multiple national and local awareness raising anti-trafficking campaigns in schools and at community events; the awareness campaigns reached approximately 5,000 primary and secondary school students in six districts, a decrease compared to the previous reporting period. The government trained an unknown number of parents and community leaders on trafficking risk factors and how to identify potential trafficking victims; it continued to train volunteers at the local level on child protection issues, including forced labor, and how to report cases to the police. These campaigns focused primarily on transnational trafficking and did not adequately address internal trafficking. The RIB continued to operate a national GBV hotline, which was staffed by social workers trained to identify and refer trafficking cases; however, the government did not report how many trafficking victims were identified or assisted in 2018 through use of this hotline. The government had policies to regulate labor recruitment companies, which required their registration with the Rwandan Development Board, licensing from the Ministry of Labor, and submission of monthly reports to the government. The government reportedly prosecuted fraudulent companies in the past; however, there were no reports of prosecutions during the reporting period. The government made efforts to reduce demand for commercial sex and forced labor. The government provided anti-trafficking training to its diplomatic personnel. With funding from an international organization, the government provided training to all Rwandan troops on gender sensitivity, human rights, and trafficking prior to their deployment as peacekeepers.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Rwanda, and traffickers exploit victims from Rwanda abroad. Traffickers exploit Rwandan children and young adults, some of whom are secondary school students between the ages of 13 to 18, in commercial sex in hotels, at times with the cooperation of hotel owners. Local human rights groups reported in 2017 that some Rwandan girls in domestic work who were terminated by their employers after becoming pregnant, and were therefore unable to return to their home villages, were subsequently exploited in prostitution. Homeless underage girls, between ages eight and 17, remain highly vulnerable to trafficking and there were reports that some men would coerce these girls into staying at their homes, for the purpose of sexual exploitation, by convincing them that the police had plans to arrest homeless youth. Traffickers subject some Rwandan men, women, and children to sex trafficking and forced labor in domestic work and in agricultural and industrial sectors in destinations around the world; the primary destinations for Rwandan victims are Uganda, the DRC, and other parts of East Africa. Traffickers reportedly

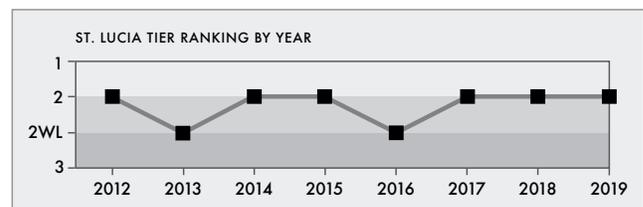
exploit Rwandan victims in domestic servitude in the Middle East and sex trafficking in China. In 2016, some Rwandan girls were forced into marriages with men in Tanzania and may have experienced commercial sexual exploitation through these marriages. In 2018, an international organization reported separating eight Rwandan children from armed groups in the DRC. Traffickers in neighboring countries continue to pose as labor recruitment agents and recruit and transport small numbers of victims through and out of Rwanda.

Refugees fleeing conflict and political violence in Burundi and the DRC remain highly vulnerable to trafficking in Rwanda or are subjected to exploitation by traffickers in third countries after transiting Rwanda. According to an international organization, there has been an increase in sex trafficking of Burundian male and female teenagers through Rwanda to third countries since 2015. Traffickers subjected female child refugees in a Congolese refugee camp in Rwanda to sex trafficking in nearby towns in 2015, allegedly facilitated by one civilian and three Rwandan Defense Forces soldiers assigned to the camp.

Between May and September 2015, traffickers recruited Burundian refugees residing in Mahama refugee camp in Rwanda into non-state armed groups supporting the Burundian opposition; Rwandan security forces charged to protect the camp population reportedly facilitated or tolerated the recruitment activity. Whistleblower refugees in 2015 alleged that recruiters—including both Rwandan officials and other refugees—threatened, intimidated, harassed, and physically assaulted those who refused recruitment attempts. Most recruits were adult males, but in three verified cases in 2015, Burundian refugee children were also identified as recruits from Mahama refugee camp. In 2015, refugees reported that Rwandan military personnel trained Burundian recruits, including women and children, in weaponry at a training camp in southwestern Rwanda. There were no reports of forcible or coerced recruitment out of Mahama refugee camp by Rwandan government officials since 2015.

## ST. LUCIA: TIER 2

The Government of St. Lucia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore St. Lucia remained on Tier 2. These efforts included passing a national action plan, investigating suspected traffickers, funding anti-trafficking prevention, conducting baseline trafficking research, and training its personnel in measures to combat trafficking. However, the government did not meet the minimum standards in several key areas. The government did not identify any victims for the third consecutive year, has not initiated a prosecution since 2015, and has never convicted a trafficker. The government did not formally approve standardized written procedures to identify victims, although they were used informally by law enforcement.



## PRIORITIZED RECOMMENDATIONS:

Increase efforts to identify victims. • Investigate, prosecute, convict, and punish perpetrators of sex trafficking and forced labor. • Amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment. • Provide sufficient resources to fully implement the 2016-2019 national action plan. • Approve and implement standard operating procedures on a victim-centered approach to guide police, immigration, labor, child protection, judicial, and social welfare officials on victim identification and referral. • Continue to train government officials to implement written procedures to proactively identify sex and labor trafficking victims among vulnerable populations, such as children exploited in sex trafficking and migrant workers, and refer them to appropriate services. • Develop and implement labor recruitment policies and increase labor inspections to prevent trafficking. • Provide legal mechanisms for victims to work and receive temporary formal residency status.

## PROSECUTION

The government increased law enforcement efforts. The 2010 Counter-Trafficking Act criminalized sex trafficking and labor trafficking and prescribed penalties of up to five years' imprisonment or fines up to 100,000 Eastern Caribbean dollars (\$37,040) for offenses involving an adult victim; the maximum imprisonment penalty increased to 10 years' imprisonment for those involving a child victim. This penalty was sufficiently stringent; however, by allowing for a fine in lieu of imprisonment, the prescribed punishment for sex trafficking was not commensurate with those for other serious crimes, such as rape. The government conducted two investigations during the reporting period, compared to none in 2017 and three in 2016. The police participated in an INTERPOL operation targeting trafficking and initiated raids on nightclubs and areas of prostitution. The government has not initiated any prosecutions since 2015. The government has never convicted a trafficker. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

The police force has three officers dedicated to trafficking investigations and specially trained police interviewed potential victims during raids on commercial sex establishments. The Anti-Trafficking Task Force conducted training in victim identification and referrals, investigations, the trafficking law, money laundering, digital investigations of trafficking cases, and gender awareness in trafficking for 78 police officers and recruits, 22 immigration, customs, and ports officers, and 35 forensic lab staff and officers from the ministries of commerce and labor with the assistance of an international organization. The government conducted a capacity building workshop for 21 officers from the Department of Home Affairs and National Security. With technical assistance from an international organization, the government continued to develop a database to manage and process trafficking cases.

## PROTECTION

The government decreased protection efforts. The government did not identify any trafficking victims in the past three reporting periods, compared with 10 in 2015. Authorities did not report screening vulnerable children for trafficking, despite government and outside observer reports that parents and others induced children into sex trafficking. The government completed drafting the National Child Protection Action Plan with an international agency to address child vulnerabilities. The government

completed drafting standard operating procedures for victim identification, referral, and protection with an international organization. Although the government reported that it informally used the procedures, they have not been formally approved. The police used the draft victim screening form as a uniform guide. The government conducted two workshops on victim identification and referrals for civil society and health care providers. Authorities provided two workshops on victim identification and referral for diplomatic personnel and external affairs department staff. The government did not allocate any funds for victim protection in 2018 and 2017, compared to 1 million Eastern Caribbean dollars (\$370,370) in 2016 for victim care related to a 2015 labor trafficking prosecution.

Trafficking victims could be referred through the Office of Gender Relations to various organizations for legal, health, advocacy, and crisis services. Although there was no dedicated shelter for trafficking victims, the government had six facilities available to house victims. Adult victims were able to leave at will but the government did not allow them to work or receive formal residency status because it considered victims wards of the state. The 2018 Child Care, Protection, and Adoption Act designated the Human Services Department within the Ministry of Equity as lead on child protection issues, which increased coordination of child victim services. The 2010 anti-trafficking act contained victim protection provisions, such as privacy measures, the ability to testify via video link, and witness protection, to encourage victims to participate in the investigation and prosecution of traffickers. The act provided for victim restitution and other compensation in cases of traffickers' conviction.

## PREVENTION

The government increased efforts to prevent trafficking. The home affairs and national security ministry led an anti-trafficking task force, consisting of relevant agencies and NGOs, and passed an updated national action plan through 2019. The government provided 80,000 Eastern Caribbean dollars (\$29,630) to the anti-trafficking task force and received the support of an international organization to implement the national action plan against trafficking. The task force joined with international and local NGOs to develop a national awareness campaign and conducted two anti-trafficking capacity building and public awareness workshops for teachers and civil society representatives. The campaign opened January 2019 in native French Creole as well as English and ran on the government television station. The government worked with another country to institute computer games teaching about child labor and commercial sex in seven schools.

Authorities coordinated with another government on safe recruitment and labor protection policies for St. Lucian seasonal agricultural workers. Authorities provided training in identifying trafficking indicators for commercial licensing officials who were responsible for vetting applications for business licenses. The government established the first trafficking hotline in January 2019. The government conducted a baseline study on public understanding and perception of trafficking with the support of an international organization, the results of which informed the design of the national awareness campaign. The government did not take measures to reduce the demand for commercial sex or forced labor.

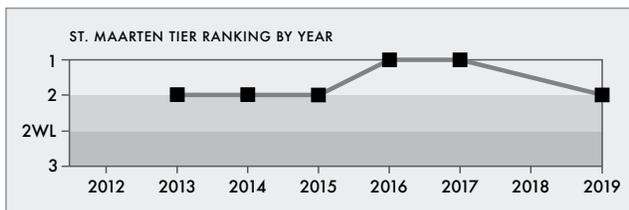
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit

domestic and foreign victims in St. Lucia, and traffickers exploit victims from St. Lucia abroad. Local children are subjected to sex trafficking. Government officials, civil society, and educators reported St. Lucian children from economically disadvantaged families are vulnerable to unorganized commercial sexual exploitation often encouraged or forced by parents and caretakers in exchange for goods or services. Civil society has also reported women, or in some cases older teenagers, recruiting younger adolescents to provide commercial sex with adults at street parties. Documented and undocumented migrants from the Caribbean and South Asia, including domestic workers, are vulnerable to trafficking. Foreign women who work in strip clubs and in prostitution are also vulnerable to sex trafficking. NGOs report that disadvantaged young women from rural areas are vulnerable to sex trafficking. According to the government, business owners from St. Lucia, India, China, Cuba, and Russia are the most likely trafficking perpetrators in the country.

## ST. MAARTEN: TIER 2<sup>‡</sup>

The Government of St. Maarten does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included the appointment of a new anti-trafficking coordinator and continued cooperation with civil society. However, these efforts were not serious and sustained compared to efforts made during the previous reporting period. The government did not provide adequate protection services for victims identified and it penalized them with detention and deportation back to their country of origin. For the fourth consecutive year, the government did not secure any convictions. Therefore St. Maarten was downgraded to Tier 2.



### PRIORITIZED RECOMMENDATIONS:

Significantly increase efforts to prosecute and convict traffickers.

- Screen all migrant workers for trafficking indicators, provide adequate protection to those identified, and cease the deportation of victims.
- Fund protection services, including shelters.
- Train law enforcement officials, prosecutors, and judges on proactive victim identification and victim-centered approaches to trafficking cases.
- Establish a new central reporting bureau to improve coordination of victim protection and prevention efforts.
- Adopt and implement formal standard operating procedures to guide officials, including health workers, on victim identification and referral.
- Increase outreach to all incoming migrants, including domestic workers and foreign women on temporary entertainment visas, to ensure they are informed of their rights, the anti-trafficking hotline, and ways to seek assistance.
- Raise awareness among the general public and vulnerable groups about trafficking in St. Maarten.

### PROSECUTION

The government decreased prosecution efforts. The penal code criminalized sex trafficking and labor trafficking, prescribing penalties ranging from 12 to 24 years of imprisonment or a fine, which were sufficiently stringent, and with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Authorities conducted one investigation of forced labor in a case involving three domestic workers (one in 2017 involving one suspect and three in 2016 involving five suspects) but did not prosecute the traffickers implicated despite strong indicators of forced labor. Victims claimed exhausting hours, restricted freedom of movement, sleeping in inappropriate spaces, receiving fewer wages than agreed, confiscated passports, and possible debt-based coercion. There were uncorroborated media reports that officials from the public prosecutor's office attempted to intimidate the victims into signing paperwork needed to receive a one-way ticket back to their country of origin. Victims refused to sign and demanded receipt of unpaid wages. At the end of the reporting period, authorities indicated victims received unpaid wages and were returned to their country of origin. The government did not prosecute or convict any traffickers in 2018; over the last six years, the government has only convicted three traffickers. Law enforcement officials, including police and immigration personnel participated in an annual regional training event focused on investigations of trafficking crimes.

### PROTECTION

The government decreased efforts to identify and protect victims. Authorities identified 42 victims (96 in 2017), but the government did not report providing any with protection services (five in 2017). In 2018, St. Maarten continued recovery efforts from the devastation left by Hurricane Irma, which placed a strain on resources and hindered the government's ability to provide services. Authorities deported victims identified to their country of origin. While the government did not have standard operating procedures for the identification or referral of victims, informal agreements between government agencies were in place, and immigration officials and other stakeholders continued to use an NGO-developed checklist of trafficking indicators. Officials routinely screened for trafficking among adult entertainment workers during immigration procedures, labor inspections, and required medical screenings. During the reporting period, the National Reporting Bureau on Human Trafficking (NRB)—the lead agency for coordinating the government's efforts to combat trafficking and emergency response to cases—ceased to operate. Victims received shelter through the Red Cross and local NGOs. The government provided one NGO with a subsidy to assist in providing victim services and support; however, it did not provide any services to victims of trafficking in 2018. The temporary residence program served to encourage victim assistance in the investigation and prosecution of traffickers; however, the government did not report granting such benefits during the year. The government had a formal policy to protect identified victims from being punished for unlawful acts committed as a direct result of their trafficking; however, the government detained identified victims and deported them back to their country of origin. The anti-trafficking law allowed victims to request restitution as part of criminal cases or file a civil suit against traffickers; however, victims identified during the reporting period did not stay in

<sup>‡</sup> St. Maarten is an autonomous entity within the Kingdom of the Netherlands. For the purpose of this report, St. Maarten is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how St. Maarten would be assessed if it were a separate, independent country.

the country long enough for prosecutors to seek restitution or for victims to file a civil suit.

## PREVENTION

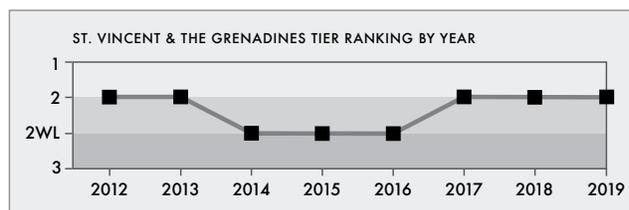
The government decreased efforts to prevent trafficking. The 2013-2018 national action plan for the elimination of trafficking expired during the reporting period. The government appointed a new anti-trafficking coordinator focused on prevention efforts and coordination of services. Authorities continued making public service announcements, generating social media and news releases, and participating in radio and television shows; however, it was unclear if any were specific to trafficking. The government did not make any efforts to reduce the demand of commercial sex or forced labor. The government did not conduct any new awareness campaigns during the reporting period. The government informed employers of migrant workers about applicable laws and made the national hotline accessible by phone and email.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in St. Maarten. Women and girls from Latin America, the Caribbean, Eastern Europe, and Russia are the most vulnerable to sex trafficking, including women working in regulated and unregulated brothels and dance clubs. There are indications that some traffickers target foreign women in St. Maarten's commercial sex industry with debt-based coercion. Government officials' reports indicate a significant number of migrant workers are vulnerable to traffickers' coercive schemes in domestic service, construction, Chinese-owned markets, retail shops, landscaping, and housekeeping. Government officials report that traffickers may be coercing workers from Asia and the Caribbean in exploitative conditions indicative of forced labor. Migrants transiting St. Maarten en route to the United States and Canada may also be vulnerable to human trafficking, specifically Cuban and Brazilian nationals. There are indicators Colombian and Venezuelan women may travel to the islands under false pretenses and become victims of trafficking.

## ST. VINCENT AND THE GRENADINES: TIER 2

The Government of St. Vincent and the Grenadines does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore St. Vincent and the Grenadines remained on Tier 2. These efforts included passing an act that allowed authorities to screen for suspected traffickers and trafficking victims, increasing training to relevant government officials, increasing cooperation with foreign governments to combat trafficking, extending and updating the national action plan through 2020, and improving its public awareness campaigns. However, the government did not meet the minimum standards in several key areas. Authorities have not prosecuted a trafficking case since 2015 and have never convicted a trafficker. The government's anti-trafficking law, which allowed for fines in lieu of imprisonment, was not commensurate with penalties for other serious crimes. Government agencies cited a lack of resources for anti-trafficking efforts.



## PRIORITIZED RECOMMENDATIONS:

Increase investigations of suspected sex and labor trafficking cases, particularly among children. • Vigorously prosecute and convict traffickers. • Improve the quality and specialization of victim services. • Amend the trafficking law to remove sentencing provisions allowing fines in lieu of imprisonment for sex trafficking offenses. • Increase government funding across all relevant agencies to combat trafficking. • Raise awareness about forced labor and sex trafficking and the need for public cooperation in law enforcement investigations. • Increase training for law enforcement on evidence collection in human trafficking at all levels. • Create new bilateral agreements with relevant source countries to better coordinate and combat trafficking.

## PROSECUTION

The government maintained law enforcement efforts. The Prevention of Trafficking in Persons Act of 2011 criminalized sex trafficking and labor trafficking and prescribed punishments of up to 15 years' imprisonment, a fine of 250,000 Eastern Caribbean dollars (\$92,590), or both. These penalties were sufficiently stringent. However, by allowing for a fine in lieu of imprisonment, the penalties for sex trafficking offenses were not commensurate with those for other serious crimes, such as rape. The government investigated four suspected cases of trafficking, compared with seven cases in 2017 and three cases each year in 2014, 2015, and 2016. Of the four cases, none resulted in arrest or prosecution due to lack of evidence. The government did not report an update on several 2017 cases of sex traffickers purchasing sex from minors. The government was collaborating with The Bahamian government on a possible trafficking case. The police conducted several spot investigations at ports of entry, marinas, bars, and nightclubs throughout the country to surveil for trafficking. Authorities indicated the police needed additional personnel and resources to more effectively investigate cases of trafficking. The government did not report whether there was trafficking in pending child abuse court cases. There were no prosecutions during the reporting period (the last prosecution was in 2015) and the government has never convicted a trafficker. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government's Anti-Trafficking Unit (ATIPU) funded and conducted trafficking training for 41 new police recruits at the Police Training School and a member of the ATIPU participated in anti-trafficking training in Trinidad and Tobago, The Bahamas, and Belgium.

## PROTECTION

The government maintained victim protection efforts. Authorities identified four potential labor trafficking victims from St. Vincent and the Grenadines in 2018, compared to four potential victims identified in 2017; NGOs did not identify any victims. Procedures existed to guide the ATIPU, immigration department, and labor department in identifying and referring potential victims; some observers noted the government's referral

process requiring officers to identify indicators of trafficking and refer potential victims to higher ranking officers did not always work. The government operated a crisis center that provided medical, psychological, housing, and financial services jointly with NGOs for victims of domestic violence and trafficking, although victims could not leave the shelter at will. There were no shelter facilities for male victims. Outside observers noted that facilities for victims were not well maintained. Provisions in the trafficking act offered protections to victims before, during, and after a trial, such as keeping the names of victims and their families confidential. There were provisions for witness protection programs and facilities for the victims to testify via video. The anti-trafficking law provided foreign victims with the possibility of temporary and permanent residence permits and protected victims from immediate deportation; victim benefits were not linked to cooperation in investigations or trials. Foreign victims who remained in country were allowed to work. Victims could obtain restitution via civil suits from traffickers; however, there were no reported cases of restitution.

### PREVENTION

The government maintained efforts to prevent trafficking. The national task force, led by the prime minister, coordinated the anti-trafficking efforts of various government agencies. The government extended its 2016-2018 national action plan to 2020, added strategic inputs, and reported on outcomes. The government passed the Advance Passenger Information Act, which enabled authorities to pre-screen arriving and outbound passengers for known or suspected traffickers and pass relevant information to warn law enforcement in other countries as well. Government agencies cited a lack of financial resources for anti-trafficking efforts. The government routinely conducted labor inspections of hotels, farms, stores, bars, industries, security workplaces, and domestic work locations, although their stated lack of personnel and funding may have prevented coverage of work sites with the most vulnerable workers. The ATIPU displayed posters and brochures to raise awareness at crime prevention exhibitions in June and December 2018 and at all police stations to urge citizens to alert the authorities of potential cases. The government conducted a summer outreach program for youths from different churches and youth groups and awareness training for teachers and students at primary and secondary schools. In addition, the government held three days of anti-trafficking activities in recognition of UN World Day against Trafficking in Persons in July and distributed more than 1,000 informational brochures to the public. The government operated 24-hour hotlines but the government reported that no calls were received. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

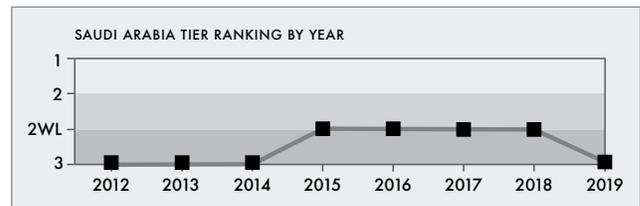
### TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in St. Vincent and the Grenadines, and traffickers exploit victims from St. Vincent and the Grenadines abroad. Foreign women engaged in prostitution in the country may have been subjected to sex trafficking, and foreign workers from South America, the Caribbean, and Asia may have been subjected to forced labor both in the country and while in transit. Foreign workers employed by small, foreign-owned companies may be vulnerable to labor trafficking. Men, women, and children are vulnerable to forced labor, primarily in agriculture; government officials and civil society suspect drug traffickers subject workers to forced labor in the production of marijuana. Vincentians are subjected to both forced labor and sex trafficking in foreign countries. There are reports indicating

child sex trafficking, facilitated by parents and caregivers, is a problem in the country.

## SAUDI ARABIA: TIER 3

The Government of Saudi Arabia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Saudi Arabia was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by establishing 107 trafficking-specific investigative sub-units within the prosecutorial sector to help identify trafficking cases among existing criminal cases. It launched a new anti-trafficking awareness campaign and continued to employ its Wage Protection System (WPS) to better safeguard domestic workers' contracts and train relevant officials on the system. However, the government prosecuted and convicted few traffickers, did not report efforts to address forced labor despite the significant scale of such crimes in the country, and did not pursue criminal investigations against officials purportedly complicit in trafficking crimes despite allegations throughout the reporting period. It continued to fine, jail, or deport migrant workers for prostitution or immigration violations, some of whom were likely unidentified trafficking victims. In addition, the government identified few trafficking victims and regularly treated trafficking crimes (including non-payment of wages and passport withholding) as administrative labor law violations rather than as criminal offenses. Officials did not undertake significant efforts to mitigate the inherent vulnerabilities in its sponsorship-based employment system that exacerbated trafficking risks among the large migrant worker population.



### PRIORITIZED RECOMMENDATIONS:

Substantially increase the number of trafficking investigations, especially by investigating as potential crimes (not just as administrative issues) indicators of trafficking such as passport retention, withholding of wages, labor violations, and complaints of abuse. • Undertake serious efforts to prevent penalization of trafficking victims by proactively screening for trafficking among those arrested for immigration violations, prostitution, or those who flee abusive employers and face counter-charges and deportation. • Increase efforts to prosecute, convict, and sentence trafficking offenders to significant prison terms under the anti-trafficking law. • Reform the sponsorship system, including by removing employers' control over exit permits. • Pursue criminal investigations against officials allegedly complicit in trafficking crimes. • Develop, train officials on, and regularly use proactive identification and referral mechanisms to ensure victims among vulnerable populations, including domestic workers, illegal foreign workers, deportees, male victims, and persons in prostitution, receive proper care and are not wrongfully penalized. • Expand usage of the specialized Public Prosecutor's Office (PPO) sub-units to detect potential trafficking cases across the country. • Institute regular trainings for government officials on identifying cases of both

labor and sex trafficking and how to differentiate between forced labor and labor-related crimes. • Expand country-wide public awareness campaigns on all forms of trafficking.

## PROSECUTION

The government did not report increased law enforcement efforts. The 2009 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed punishments of up to 15 years' imprisonment, a fine of up to one million Saudi Arabian riyal (SAR) (\$266,670), or both; penalties increased under aggravating circumstances, including trafficking committed by an organized criminal group or against a woman, child, or person with disabilities. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Council of Ministers' Decision 166 prohibited withholding workers' passports as a lesser criminal offense, punishable by fines.

During the reporting period, the government reported investigating 79 potential trafficking cases and prosecuting 42 of these cases, which involved 43 defendants and 113 victims; this marked a decrease from its combined investigation and prosecution of 177 cases during the previous reporting period. Of these, it convicted 14 defendants under the anti-trafficking law, compared to 20 traffickers the previous year; the government did not report the status of the remaining 29 verdicts. Officials did not disaggregate law enforcement data by the type of trafficking, which resulted in an imprecise determination of how many crimes involved forced labor or sex trafficking versus related criminal offenses. The government reported it sentenced convicted traffickers to terms of imprisonment ranging from one month to two years; in prior reporting periods, it did not report specific penalties or how many traffickers received prison sentences. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. However, during the reporting period, the Government of Senegal's anti-trafficking task force alleged some Saudi diplomats stationed in Senegal played a principal role in fraudulently recruiting Senegalese women for employment for Saudi families in the Kingdom; the Senegalese task force reported that some of these Senegalese women faced conditions of involuntary domestic servitude once employed in the Kingdom.

Government officials often handled trafficking cases as administrative immigration or labor law violations, without routinely undertaking criminal investigations or prosecutions against traffickers. During the reporting period, the PPO established 107 trafficking-specific investigative sub-units within PPO branch offices throughout the country to identify possible trafficking cases among existing criminal cases; the government did not report whether the staff within these PPO sub-units worked to detect potential trafficking cases during the reporting period. In November 2018, the Human Rights Commission (HRC) sponsored and facilitated a training on victims' rights in trafficking cases for 40 participants from relevant government entities; the program covered victim identification and protection, and the role of law enforcement in these areas. The HRC also led a similarly focused training course in January 2019 for an additional 40 officials.

## PROTECTION

The government maintained limited efforts to protect trafficking victims. It published information pertaining to trafficking indicators on relevant government websites, and distributed

leaflets with similar material to all official stakeholders, but it did not have a standardized mechanism to identify victims and refer them to care. During the reporting period, officials identified and referred to government-run shelters 113 trafficking victims. This is compared to 121 trafficking victims—including 20 victims of forced labor—the government identified during the previous year. Of these, there were 34 child trafficking victims during the reporting period, one of whom was a Saudi national; the remainder were Yemeni. Victim nationalities included Saudi Arabia, Indonesia, Ethiopia, Somalia, the Philippines, Ghana, Yemen, Bangladesh, Rwanda, and Sri Lanka. In March 2019, officials pledged \$2.2 million to an international organization in order to systemically strengthen protection and assistance to vulnerable migrants, to include trafficking victims. In contrast to the previous reporting period, the government did not provide information pertaining to its financial allocation to the Ministry of Labor and Social Development (MOLSD) for victim protection and assistance of trafficking victims specifically. MOLSD remained responsible for the operation of shelters across the country for vulnerable populations and abuse victims, some of whom were likely trafficking victims. These included shelters for child beggars in Mecca, Jeddah, Dammam, Medina, Qassim, and Abha, in addition to welfare centers for female domestic workers in at least 10 locations throughout the Kingdom and for male domestic workers in Riyadh. Each shelter provided accommodation, social services, health care, psychological counseling, education, and legal assistance. All 113 government-identified victims received these services from the government during the reporting period. Diplomats from labor-sending countries had regular access to their nationals residing in government-run shelters and reported conditions and quality of services in the shelters varied slightly across the Kingdom, but were overall satisfactory and safe. Some embassies and consulates—including those of the Philippines, India, Indonesia, and Sri Lanka—also operated shelters for their respective nationals.

Among migrant workers there were persistent complaints of unpaid wages, passport retention, physical or sexual abuse, or substandard working conditions, all of which were trafficking indicators. During this reporting period, officials detained and deported more than one million foreign nationals—including more than 300,000 Ethiopian nationals—for violating work, residence, and entry rules; some of these may have been trafficking victims. The HRC reported law enforcement agencies were trained in screening vulnerable populations for trafficking indicators. Labor-sending diplomats reported the government punished trafficking victims for unlawful acts traffickers compelled them to commit. Furthermore, since the government did not routinely screen for potential trafficking victimization among vulnerable populations, and police frequently arrested and/or deported undocumented migrant workers, authorities likely arrested and deported many unidentified victims during the year.

The government extended to all identified trafficking victims the option of remaining in the country—either in a shelter or via transfer to a new employer—during judicial proceedings, or alternatively an immediate exit visa; these benefits did not require a successful prosecution or cooperation with law enforcement personnel. Officials reported granting more than 880,000 laborers the right to transfer their work permits to alternate employers but did not specify how many trafficking victims were included in this figure. The government reportedly encouraged victims to assist in the investigation and prosecution of trafficking offenders, and the law entitled trafficking victims to legal assistance, security protection, translation

services, and the right to immediate repatriation or continued residence in-country until resolution of the case, in addition to medical and psychological care, shelter, and recovery; as in previous years, it did not report how many victims accessed these provisions during the reporting year. Officials permitted victims to obtain restitution from the government and file civil suits against trafficking offenders; however, such settlements generally occurred outside of civil court proceedings, through government-supported mediation efforts, and did not entail criminal prosecution or, in most cases penalties or interest on the amounts of unpaid wages in dispute. The government reportedly often informally reimbursed workers for back wages and/or assisted in their repatriation to speedily resolve cases of labor violations, including those likely involving trafficking concerns.

## PREVENTION

The government demonstrated sustained efforts to prevent trafficking. It demonstrated mixed progress on implementation of its 2017-2020 national action plan to combat trafficking that focused on monitoring, prevention, building government capacity, inter-ministerial coordination, effective law enforcement, and provision of protective services for victims. During the reporting period, the Ministry of Interior's (MOI) General Directorate for Public Security conducted a workshop for 40 members of their criminal investigative staff on the goals within the government's national action plan. In November 2018, the government signed a bilateral memorandum of understanding (MOU) with a foreign government on technical cooperation on anti-trafficking initiatives and began to implement elements of that agreement. The government reportedly allocated a perennial budget of 36 million SAR (\$9.6 million) for its interagency anti-trafficking secretariat, although the increased dollar amount could not be corroborated during the reporting period. Officials distributed leaflets on trafficking indicators, the anti-trafficking law, and the rights and responsibilities of workers and employers at public cultural events across the Kingdom, such as the Jeddah Book Fair, throughout the year. Additionally, the government launched the "Work with Awareness" campaign in September 2018, which was comprised of videos and radio commercials on various labor and trafficking topics. Officials operated a 24-hour call center that received calls in nine major labor-sending country languages including Arabic, English, Urdu, Hindi, Bengali, Tagalog, Indonesian, Malay, and Amharic. The government did not report how many victims it identified as a result of the calls, or if it initiated any investigations of trafficking crimes resulting from the calls during the reporting period; the call center received approximately 1.3 million general inquiries and requests, labor disputes, employment complaints, and tips, which helped authorities identify four trafficking cases during the previous year. Some workers reported technical difficulties getting through to representatives using this phone line. The government also continued to operate and utilize its online domestic labor portal known as *Musaned*, meaning "support" in Arabic, which consisted of a website and smartphone application that allowed newly arrived domestic employees and individual employers to verify the license of a recruitment agency, review materials on employee and employer rights and responsibilities (in Arabic and English only), complete and sign electronic contracts, and request a visa. This system intended to eliminate unregulated brokers, increase transparency and accountability, and reduce the risk of trafficking. It also included a complaints resolution mechanism and associated resources.

During the reporting period, the government continued

implementation of its WPS, which required employers to pay foreign workers by electronic transfer via a Saudi bank, thereby permitting the government to track disbursements. This requirement applied to all employees who worked for companies with 11 or more employees and covered the vast majority of expatriate workers in Saudi Arabia. In addition, it mandated individual employers of domestic labor to issue prepaid payroll or salary cards as soon as the domestic worker arrived in the Kingdom to ensure a legal working relationship between employer and employee and safeguard employees' prescribed wages. The government did not report how many Saudi companies were in compliance with the system requirements and what penalties it prescribed to those in noncompliance. The government did not report investigating or referring for criminal prosecution any passport retention crimes; during the previous reporting period, however, authorities conducted investigations of 17 cases of passport retention and imposed a fine upon each defendant per passport withheld without consent, and the prosecutor general investigated four Saudi business owners who retained their workers' passports without their employees' consent and referred all four to the judiciary for sentencing of fines in accordance with the ministerial decree.

The government did not report efforts to reduce the demand for commercial sex acts but modestly did so for forced labor. The government sought to eliminate vulnerabilities in labor recruitment through its deployment of labor inspectors—400 of whom specialized in trafficking crimes—and HRC representatives who conducted an unknown number of field visits to monitor the application of employment and recruitment laws; during the prior year, relevant authorities ordered the closure of 14 recruitment offices and the suspension of operations of 40 others that contravened Saudi Arabia's labor laws, in addition to the imposition of fines on 227 work places that violated the government's mid-day work ban during the summer months. However, the government did not report referral of any such cases for criminal investigation and prosecution for potential trafficking crimes. Furthermore, during the current reporting period, diplomatic representatives from multiple countries reported a lack of Saudi government oversight over labor recruitment and proper implementation of labor contracts contributed to an unreported number of potential trafficking cases. In 2018, the government negotiated bilateral labor agreements with Indonesia and Ethiopia, which set minimum wage standards and regulated protections and benefits for laborers such as work hours, mandatory time off, and overarching work conditions. Some diplomatic representatives reported implementation of existing labor agreements improved the ability of embassies to monitor the labor conditions of their nationals and to identify and address trafficking and other labor-related issues. The government did not report prosecuting or convicting Saudis for sex tourism outside the Kingdom. The government did not report providing anti-trafficking training for its diplomatic personnel.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Saudi Arabia. Men and women—primarily from South and Southeast Asia and Africa—voluntarily migrate to Saudi Arabia to work in a variety of sectors, including construction and domestic service; many of these workers are vulnerable to forced labor. Some traffickers or nefarious brokers illegally recruit migrants to work in Saudi Arabia and subsequently force them into domestic servitude or debt bondage. The Kingdom's migrant laborer population

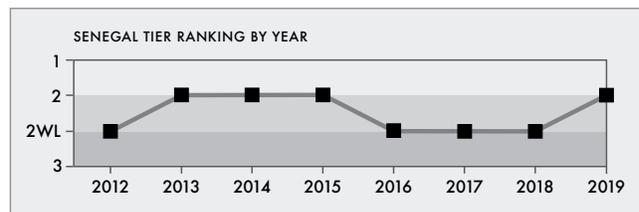
## SENEGAL: TIER 2

continued to be the largest group at risk to human traffickers, particularly female domestic workers due to their isolation inside private residences and subjection to employer abuse. According to a regional news source, there are approximately 9.4 million foreign workers—roughly 29 percent of the total population—in Saudi Arabia, and the largest populations during the reporting period hailed from India, Pakistan, Ethiopia, Yemen, Bangladesh, Egypt, the Philippines, Indonesia, and Sudan. In previous years, the government prosecuted some foreign citizens who may have been subjected to trafficking and sentenced them to death in cases involving murder. Non-payment or late payment of wages remain a recurring complaint from foreign workers in the Kingdom, while employers withholding workers' passports also remains a significant problem. Trafficking perpetrators include businesses of all sizes, private families, recruitment companies in both Saudi Arabia and labor-sending countries, and organized criminal elements.

Due to Saudi Arabia's requirement, under its sponsorship system, for foreign workers to obtain permission for an exit visa from their employers to be able to legally depart the country, some laborers are forced to work beyond their contract term because their Saudi employers use state-sanctioned tools as part of a coercive scheme. Although most migrant workers sign contracts delineating their rights, some report work conditions substantially differ from those outlined in their contracts, while others never see work contracts at all, rendering them vulnerable to forced labor and debt-based coercion. Additionally, some migrant workers voluntarily enter into illegal arrangements where they seek freelance work while concurrently paying a Saudi national to sponsor their initial residency permit, thereby becoming vulnerable to extortion and debt-based coercion by their sponsors. Some migrants from Yemen and the Horn of Africa who enter Saudi Arabia illegally—involuntarily or through smuggling—via the Yemeni border may be trafficking victims.

In Saudi Arabia, begging by women and children remains a problem and a significant vulnerability to forced labor, with reported upticks during the holy month of Ramadan and the Muslim pilgrimages of Hajj and Umrah. The child beggar population is comprised primarily of unaccompanied migrant children, most heavily from Yemen and Ethiopia, but approximately five percent are Saudi national children of unknown parents. Traffickers compel some of these women and children to work as part of organized begging rings. As the leader of a multi-nation coalition that commenced military operations against Houthi rebel forces in Yemen in 2015, Saudi Arabia paid, materially supported, trained, and commanded Sudan's Rapid Support Force. Media reported Sudanese officers associated with Sudan's Rapid Support Force took bribes from families to permit minors to serve as combatants in Yemen during the reporting year. Saudi Arabian officers allegedly trained and commanded some Sudanese combatants. There are reports that Saudi Arabia also may have funded Yemeni militias that in some cases may have hired minors in combatant roles. An international organization reported all parties to the conflict used both boys and girls as uniformed soldiers in combat and to guard checkpoints and military facilities during the reporting period. A second media report claimed the Saudi Arabian government provided salaries, uniforms, and weapons, as well as two to four weeks of weapons training, to Sudanese combatants which included children aged 14-17 years old, who may have been used in direct hostilities in Yemen.

The Government of Senegal does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts to meet the minimum standards compared to the previous reporting period; therefore Senegal was upgraded to Tier 2. The government demonstrated overall increasing efforts by convicting six individuals involved in trafficking, including three traffickers posing as Quranic teachers who exploited children in forced begging under the 2005 anti-trafficking law; only three individuals had been convicted for forced begging since 2005. The government sentenced two of the three traffickers convicted for forced child begging to significant prison terms. The government identified and provided care to more child trafficking victims and increased its engagement with religious communities and the general public to raise awareness of human trafficking. However, the government did not meet the minimum standards in several key areas. Officials rarely used the 2005 anti-trafficking law to prosecute traffickers and all but two sentences imposed during the reporting period were below the minimum penalties prescribed in the law. The government applied administrative penalties to most individuals exploiting children in forced begging rather than criminally investigating and prosecuting offenders. Coordination between government agencies continued to be weak.



## PRIORITIZED RECOMMENDATIONS:

Explicitly direct law enforcement and judicial officials to significantly increase efforts to investigate and criminally prosecute trafficking offenses following due process, including those who exploit children in forced begging, and punish convicted traffickers with significant prison terms consistent with the 2005 anti-trafficking law. • Approve draft legislation to regulate *daaras* (Quranic schools) and allocate adequate inspectors to enforce its implementation. • Allocate sufficient resources and funding to the anti-trafficking task force (CNLTP) and strengthen its ability to coordinate anti-trafficking activities among agencies conducting anti-trafficking work. • Continue implementing the 2018-2020 anti-trafficking national action plan. • Facilitate training of law enforcement, labor, and social welfare officials to adequately identify trafficking victims, including among child beggars, investigate cases, refer victims to services, and prevent their penalization. • Develop and establish a framework to regulate overseas labor recruitment to prevent exploitation of Senegalese workers abroad. • Expand workplace regulations to include labor inspections in the informal sector where forced labor occurs. • Develop and implement pre-departure trainings for labor migrants, including sessions on labor rights, labor laws, and methods to access justice and assistance in destination countries and Senegal to prevent exploitation abroad. • In partnership with NGOs, expand access to protective services for trafficking victims outside of Dakar. • Continue the *daara* mapping project. • Broaden efforts to raise public awareness of trafficking.

## PROSECUTION

The government made uneven anti-trafficking law enforcement efforts. Senegal's 2005 Law to Combat Trafficking in Persons and Related Practices and to Protect Victims criminalized sex trafficking and labor trafficking. The law prescribed penalties of five to 10 years' imprisonment and a fine for sex trafficking and labor trafficking—except forced begging—and prescribed lesser penalties of two to five years' imprisonment and a fine for forced begging. These penalties were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. While the 2005 anti-trafficking law criminalized forced begging, provisions in the penal code that allowed seeking of alms under certain conditions may have hampered law enforcement officials' ability to distinguish traditional alms-seeking and exploitation through forced begging. During the reporting period, the government continued revising the 2005 anti-trafficking law to establish separate laws for human trafficking and migrant smuggling in an effort to prevent conflation of the two crimes.

In data collected from six of Senegal's 14 regions, the government reported investigating at least 12 trafficking cases, prosecuting 12 suspects and convicting six traffickers, compared to 20 investigations, 10 prosecutions, and five convictions the previous reporting period, with data from five regions. Three of the six convicted traffickers had posed as Quranic teachers to exploit children in forced begging and were convicted under the 2005 anti-trafficking law in addition to abuse and child endangerment charges. The three convicted traffickers received sentences of two years suspended sentence, two years' imprisonment, and three years' imprisonment, respectively; two of these sentences were in compliance with the penalties prescribed in the 2015 anti-trafficking law. Judges sentenced the other three convicted traffickers to two years' imprisonment which was below the minimum penalties prescribed in the law. In the previous reporting period, all sentences imposed were below the minimum penalties prescribed in the law. Officials did not consistently use the 2005 anti-trafficking law to prosecute alleged traffickers. When officials identified a potential forced begging case, they often issued administrative penalties to the alleged perpetrators instead of criminally investigating and prosecuting the case; during the reporting period, 136 alleged child forced begging cases were handled administratively. By not criminally investigating or prosecuting these forced begging cases, the government did not adequately hold traffickers accountable. The government created a new Air and Border Police unit at the close of the previous reporting period with responsibility for transnational criminal investigations; the new unit investigated an unspecified number of sex trafficking and forced child begging cases. Despite allegations of government complicity—either by refusing to investigate trafficking offenses or pressuring the judiciary to drop cases—the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The CNLTP continued to lead meetings of a West African sub-regional network, including officials from neighboring countries of bodies focused on combating trafficking, and hosted three meetings in Dakar to share best practices.

As in past years, the CNLTP co-financed and led five trainings with international organizations and NGOs on identifying, investigating, and prosecuting human trafficking. These trainings reached more than 159 judges, prosecutors, and police officers, as compared to reaching 200 officials the previous year. In addition, the Ministry of Justice conducted several training sessions for law enforcement and judiciary officials on the 2005 law, investigation practices, and victim identification

and assistance procedures at the Judicial Training Center as well as at the national police and gendarmerie schools. The CNLTP hosted a workshop on human trafficking and migrant smuggling for 50 judicial, law enforcement, and related ministry officials, as well as civil society and religious leaders. The Ministry of Good Governance and Child Protection (MGGCP) partnered with international donors and an NGO to lead a train the trainers session for juvenile justice practitioners on child protection, especially victims or witnesses of violence, trafficking, or exploitation. In November 2018, the MGGCP also trained 40 community leaders and government officials on identification of trafficking. However, many law enforcement and judicial personnel remained unaware of the provisions of the 2005 law, which, coupled with limited institutional capacity, inhibited efforts to prosecute and convict traffickers under the law, and collect data on such efforts. Although the government continued to roll out a national trafficking database in key regions of the country initiated during previous reporting periods, the government did not fully complete this process or use it during the reporting period.

## PROTECTION

The government increased efforts to identify and provide services to trafficking victims. Law enforcement, immigration, and social services personnel had formal written procedures to proactively identify trafficking victims among high-risk populations. The government, at times in collaboration with NGOs, identified and referred to services at least nine adult trafficking victims and approximately 1,559 potential child trafficking victims during the reporting period—including a significant number of child forced begging victims. This was compared to identifying and providing services to 1,381 potential child trafficking victims during the previous reporting period. The MGGCP partnered with NGOs to repatriate at least 296 child trafficking victims to their home countries. A second NGO in Saint-Louis identified and cared for an additional 340 child trafficking victims without government support.

The MGGCP took the lead for child trafficking victim protection. The Ginddi Center, under the aegis of the MGGCP, provided temporary shelter and basic care to both foreign and domestic victims. In addition to its broader work of caring for child victims of trafficking or other abuse, the Ginddi Center cared for at least 541 child trafficking victims identified during the second phase of the campaign to remove vulnerable children from the streets of Dakar during the reporting period. Nearly all victims identified were child forced begging victims from Senegal, Guinea, Guinea-Bissau, The Gambia, Liberia, and Burkina Faso. There were no reports authorities returned child forced begging victims to alleged perpetrators posing as Quranic teachers and all child forced begging victims received psycho-social care before being reunited with their families—an improvement from previous years' approaches. There were no reports identified children were exploited again in forced begging nor were any alleged perpetrators reported to be repeat offenders. The government provided 90.6 million West African CFA francs (FCFA) (\$159,320) to the Ginddi Center in 2018, the same amount it allocated to the center in the previous year. The center provided meals, shelter, psycho-social care, clothing, medical care, and limited vocational training. The center lacked sufficient staff, resources, and specialized training for social workers and volunteers, and it only had one volunteer doctor to provide basic medical treatment. The center lacked space to accommodate all victims identified, which limited the number of victims authorities could remove from exploitation and how long victims could remain at the center. In order to address

the lack of space at the Ginddi Center, the MGGCP sent some trafficking victims identified during the second phase of the anti-forced begging campaign to the center for immediate services, and then to NGOs or to partner *daaras*—which the government had certified met capacity, hygiene, and security standards and did not engage in forced begging—that provided children with follow-on support until family reunification. The Ministry of Justice operated three shelters (CPAs) for child victims of crime, witnesses, and children in emergency situations, which trafficking victims could access. The government allocated 20 million FCFA (\$35,170) to the centers in early 2018. Several NGOs operated trafficking victim shelters throughout the country. Outside of Dakar, international observers reported NGOs sometimes had to provide critical shelter and trafficking victim services due to a lack of government involvement.

Authorities inconsistently applied the victim referral system, and it was not available in all regions of the country. Authorities referred victims identified along Senegal’s borders to an international organization and government center for questioning before referring them to NGOs or government centers for protective services. In Dakar and rural areas, law enforcement, civil society, and community protection groups generally referred children to the government or NGOs for social services and repatriation; however, members were not always aware of the shelters and services available, especially for adults, which at times caused delays in the provision of services. The law provided alternatives to the removal of foreign victims who may face hardship or retribution upon return, including the option to apply for temporary or permanent residency; the government did not report how many victims received this relief during the reporting period. The 2005 anti-trafficking law has provisions for victim protection during prosecution including allowing video-taped testimony; the government did not report implementing these provisions during the reporting period. Victims could legally obtain restitution and file civil suits against their traffickers; the government reported seeking restitution in all cases prosecuted during the reporting period.

## PREVENTION

The government increased efforts to prevent human trafficking. The government continued implementing the 2018-2020 anti-trafficking national action plan, and it committed to funding the CNLTP for implementation of the plan. The government allocated 80 million FCFA (\$140,680) to the CNLTP in 2018 and committed an additional 80 million FCFA (\$140,680) in 2019, the same amount allocated in 2017. Funding for the CNLTP remained insufficient, and it had to seek additional donor funds to support many of its activities. The Ginddi Center continued to run a hotline for child trafficking in three languages. The hotline received 921 calls during the reporting period, leading to the identification of an unknown number of vulnerable children, many of whom were trafficking victims; three criminal investigations were initiated as a result of the calls. Staff responded to each call, despite the fact that the Ginddi Center did not have a vehicle, forcing it to rent one each time it followed up on a trafficking report. Due to limited funding, the hotline only operated from 7:30am-10:00pm. In collaboration with NGOs, the CNLTP continued awareness-raising programs on child forced begging and sex trafficking, including public forums, televised debates, newspaper articles, and television programs. With a coalition of children’s rights organizations, the MGGCP conducted roundtables on forced child begging in Tambacounda, Kolda, and Ziguinchor. The MGGCP also held a public photo exhibition to highlight the vulnerability of child beggars in June 2018. In November 2018, MGGCP held

a workshop for reporters on issues related to child protection, including child sex and labor trafficking.

In 2016, the then-Ministry of Women, Families, and Childhood implemented the first phase of the president’s campaign to remove vulnerable children from the streets of Dakar, including child trafficking victims. In March 2018, the MGGCP began the second phase of the campaign with increased roles for the Ministries of Interior, Justice, and Health, as well as local officials. The second phase began to address earlier complaints about a lack of government coordination during the first phase of the campaign. While the lack of interagency coordination on trafficking among government structures remained a problem, reports indicated the MGGCP’s efforts began to improve coordination during the reporting period. The MGGCP also actively engaged with religious leaders from all of Senegal’s major religious brotherhoods and the national federation of Quranic teachers to secure their commitment in the campaign. However, most implicated individuals, including men posing as Quranic teacher, received administrative penalties rather than being criminally investigated or prosecuted. During the second phase, the government removed 541 children from the streets and referred them to the Ginddi Center for care.

In June 2018, the CNLTP held a workshop to share results of a study it commissioned with an international organization on trafficking of women in domestic servitude. The study noted the challenges to identifying domestic servitude victims and found some Senegalese women were exploited in domestic servitude abroad, particularly in Saudi Arabia, and often with the complicity of Saudi diplomats in Senegal; the government did not report any investigations into these allegations. The government regulated labor recruiters and brokers but did not report any investigations into fraudulent recruitment during the reporting period. Four local governments continued partnering with an international donor to provide funding and in-kind support to local communities in order to close *daaras* that practiced forced begging, repatriate child forced beggars to their homes, provide food, hygiene, and medical services to children in *daaras*, and decrease the incidence of forced begging; two of the local governments reported a drastic decrease in the incidence of forced begging in their communities, as well as a drastic decrease in local tolerance of the practice, as a result of this effort. To better understand the scope of child forced begging around the country, the MGGCP, with the support of a foreign NGO, continued the *daara* mapping project, and mapped all *daaras* in Dakar. In June 2018, the Council of Ministers approved the draft bill to modernize *daaras*; if passed, the bill would outline requirements that *daaras* must meet in order to be eligible for government subsidies. Furthermore, the draft law and the draft presidential decree that would operationalize the law specified standards that *daaras* would need to maintain; for the first time, the government would have the oversight and authority to approve or deny the opening of new *daaras*, and to close *daaras* that do not meet requirements. The bill and operational decree was pending National Assembly approval at the end of the reporting period. While reliable statistics are lacking, Senegal’s informal sector—where the majority of forced child labor occurred—likely accounted for between 60 and 90 percent of economic activity in the country. Although the government implemented some measures to encourage participants in the informal sector to formalize their businesses and respect labor regulations, progress was minimal and the government did not provide adequate protections for workers. The government did not make efforts to reduce the demand for commercial sex or forced labor. The task force’s tourism police forces continued to monitor the resort areas of Saly

and Cap Skirring for indicators of child sex tourism and other abuses, although they did not report identifying any cases of child sex tourism.

## TRAFFICKING PROFILE

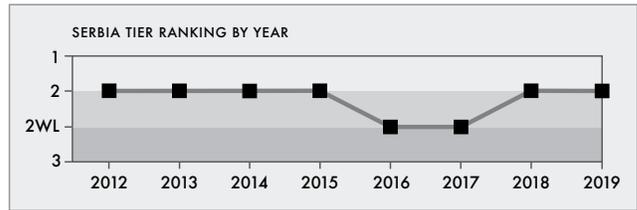
As reported over the past five years, human traffickers exploit domestic and foreign victims in Senegal, and traffickers exploit victims from Senegal abroad. Forced begging is the most prevalent form of trafficking; some Quranic teachers and men who claim to be Quranic teachers force children to beg in Dakar and other major cities in Senegal. A *daara* mapping study conducted during the reporting period by the MGGCP with the support of a foreign NGO indicated that nearly 30,000 children are forced to beg in Dakar alone. In addition, a 2017 NGO-led study identified more than 14,800 child forced begging victims in Saint-Louis and reported that 187 of the city's 197 *daaras* send children to beg for at least part of the day. Traffickers subject Senegalese boys and girls to domestic servitude, forced labor in gold mines, and sex trafficking. Internal trafficking is more prevalent than transnational trafficking, although boys from The Gambia, Guinea, Guinea-Bissau, and Mali are victims of forced begging in Senegalese cities as well as forced labor in artisanal gold mines in Senegal.

Traffickers exploit Senegalese women and girls in domestic servitude in neighboring countries, Europe, and the Middle East, including Egypt. Reports indicate traffickers exploit most Senegalese sex trafficking victims within Senegal, particularly in the southeastern gold-mining region of Kedougou. Traffickers also subject Nigerians, Guineans, Malians, and Burkinabes to forced labor and sex trafficking in mining communities. During the reporting period, authorities identified Ukrainian and Chinese women exploited in sex trafficking in bars and nightclubs. West African women and girls are subjected to domestic servitude and sex trafficking in Senegal, including for child sex tourism for tourists from France, Belgium, Germany, and other countries. During the reporting period, a government and international organization report found some Senegalese women are exploited in domestic servitude in Saudi Arabia, often with the alleged complicity of Saudi diplomats in Senegal. During the previous reporting period, an international organization identified more than 1,100 Senegalese migrants in Libya who were vulnerable to trafficking. The majority of migrants reported traveling through Mali, Burkina Faso, and Niger to reach Libya, with the intent to reach Europe.

## SERBIA: TIER 2

The Government of Serbia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Serbia remained on Tier 2. These efforts included convicting more traffickers, creating a trafficking task force, and consolidating the investigative jurisdiction of trafficking cases under the Criminal Police Directorate (CPD). The government identified more victims and opened the urgent reception center after a delay of five years. However, the government did not meet the minimum standards in several key areas. The government continued to lack formal victim identification procedures, and the national referral mechanism was less effective due to a lack of clear roles and responsibilities for various government agencies. The government did not consistently apply non-

penalization principles for trafficking victims, and judges did not protect victims' rights during court proceedings. The lack of official criteria and standards for NGOs seeking approval to provide victim services created obstacles for NGOs to obtain licenses and for victims to access care.



## PRIORITIZED RECOMMENDATIONS:

Formalize victim identification procedures and ensure their implementation. • Update the national referral mechanism to provide victims all necessary support services by formalizing cooperation with NGOs and delegating specific roles and responsibilities to government agencies. • Vigorously investigate, prosecute, and convict traffickers and sentence them to adequate penalties. • Update the national referral mechanism with specific identification and referral procedures for children. • Implement victim-centered approaches and victim-witness protection measures for victims testifying in court to diminish intimidation and re-traumatization. • Train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases. • Fully implement written guidance to prevent penalization of trafficking victims for crimes committed as a direct result of being subjected to trafficking and amend the law to mandate non-penalization of victims. • Allocate sufficient resources to enable the Center for the Protection of Trafficking Victims to implement victim protection efforts. • Establish transparent standards and procedures for NGOs to obtain licenses for providing support services. • Improve training for government personnel on victim assistance and referral. • Increase efforts to identify victims, including among migrants, refugees and asylum seekers, and unaccompanied children engaged in street begging. • Provide labor inspectors and market inspectors the resources and training necessary to regulate recruitment agencies and investigate cases of fraudulent recruitment.

## PROSECUTION

The government increased law enforcement efforts. Article 388 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties ranging from two to 12 years' imprisonment for offenses involving an adult victim, and three to 12 years' imprisonment for those involving a child victim. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. Law enforcement investigated 22 suspects (13 in 2017). The government prosecuted 20 defendants (24 in 2017). Courts convicted 19 traffickers (13 in 2017). Seventeen traffickers received imprisonment and two received suspended sentences, but the government did not collect or report information on the length of sentences. The CPD maintained an Anti-Trafficking Unit within the Directorate to Combat Organized Crime. The government finished consolidating the jurisdiction to investigate trafficking under the CPD; in previous years, the border police and Foreigners Office split this responsibility, which hindered investigations because of unclear jurisdiction and the implication that trafficking required a transnational element. The government established and trained trafficking units in 27 regional police administrations, with at least two

officers exclusively investigating trafficking. The government formed a trafficking task force that coordinated efforts to proactively investigate trafficking and maintained a separate human smuggling and trafficking task force that also investigated trafficking.

The Public Prosecutor's Office (PPO) maintained specialized prosecutors for trafficking cases, who acted as single points of contact for investigators and care providers and provided operational guidance; however, the government did not have a system to consistently refer trafficking cases to these prosecutors or to judges trained and experienced on trafficking issues. Experts reported strengthened cooperation with the PPO but noted prosecutors faced difficulties in distinguishing between labor rights violations and forced labor. Additionally, prosecutors often plead down sex trafficking cases to mediating prostitution. The government trained police and prosecutors on anti-trafficking issues and worked with the Slovenian police to provide trainings for financial investigations in trafficking cases. Law enforcement charged a police officer involved in sex trafficking.

## PROTECTION

The government increased efforts in victim protection. The government identified 76 victims (40 in 2017). Of these, 34 were victims of sex trafficking, 18 of forced labor, two for forced begging, one for forced criminality, and 21 for multiple types of exploitation (21 were victims of sex trafficking, four of forced labor, four of forced begging, one of forced criminality, and 10 of multiple types of exploitation in 2017). Thirty-two victims were children (18 in 2017) and 57 were female and 19 were male (36 females and four males in 2017). First responders referred 193 potential victims (142 in 2017) to the government's Center for Protection of Trafficking Victims (CPTV); law enforcement referred 89 (44 in 2017), social welfare organizations referred 45 (57 in 2017), other government entities referred 21, and 38 were referred by civil society or other means (41 in 2017).

The government continued to lack formal victim identification procedures, including standardized indicators to screen vulnerable populations. Local centers for social work (LCSW) often did not intervene in cases of potential forced begging, and forced labor involving Roma. The government also used an outdated national referral mechanism that lacked established roles and responsibilities for referring victims to support services. CPTV assessed and officially recognized victims referred by first responders and developed a protection and assistance plan for each victim. CPTV had two units, the protection agency and the urgent reception center (URC). The government updated standard operating procedures for CPTV, but experts continued to report the lack of control and transparency over the official victim assessment. Additionally, GRETA reported CPTV lacked the staff to review cases in a timely manner and resources to travel to the location of potential victims and interview them in person. Observers reported CPTV lacked specific procedures for child trafficking victims. For example, the questionnaire used in the identification process was not adapted to children and children often did not understand the questions. Observers reported there were no child-friendly premises for interviews and the majority of social workers did not receive specific training on working with children. CPTV trained 45 professionals from different sectors on trafficking within migrant flows, 98 social workers on victim identification, and 40 volunteers and professionals on trafficking issues; however, CPTV continued to report many relevant ministries did not consider victim protection as a part of their responsibility.

The government could not provide information on funds allocated for victim protection in 2017 and 2018 and did not provide funding to NGOs despite relying on their victim support and reintegration services. Although the government required that victims be referred only to licensed service providers, only two types of services had official licensing criteria and standards established; of the two major NGOs that work on trafficking issues, one was licensed to provide comprehensive residential and life skills support, and the other was licensed to administer an SOS hotline. Experts continued to report CPTV referred fewer victims to NGOs for support and assistance. The government and NGOs provided psycho-social, legal, educational, medical, financial, and reintegration support. The government opened the URC in February 2019, designed to provide safe shelter and services, after five years of delays; the URC had the capacity to accommodate six victims. Before the URC's opening, an NGO operated the only specialized shelter for female trafficking victims. LCSW operated shelters for domestic violence victims that also accommodated female trafficking victims. GRETA visited a LCSW-run shelter in Sremska Mitrovica and reported "good living conditions," but these shelters generally lacked the specialized programs and trained staff necessary for working with trafficking victims. The government maintained a drop-in shelter for street children and when authorities identified victims, they returned them to their families, referred them to foster care, or placed them in one of the two Centers for Children without Parental Care. The government did not provide specialized accommodation for male victims. An NGO rented accommodation for male victims as needed and male victims could access all other rehabilitation services offered to female victims. CPTV maintained a protocol with the National Employment Service (NES) to assist victims in finding employment; CPTV referred 37 victims to NES for assistance (36 in 2017). The government provided foreign victims temporary residence permits renewable up to one year and passed a law allowing potential victims to stay in Serbia for three months; one victim received a residence permit (two in 2017) and two victims had their residence permits extended. Two additional victims identified in the migrant population were granted asylum.

The government penalized victims for crimes committed as a direct result of being subjected to trafficking, particularly forced criminality. CPTV and civil society organizations intervened to suspend known prosecutions of trafficking victims but were not always successful. Victims' ability to access support services and assistance was not contingent on cooperating with law enforcement investigations, but once a case was reported to police, authorities required victims to cooperate with investigations and testify during prosecution, including children. Observers reported Serbian authorities threatened some victims with prosecution for non-cooperation. Judges did not always grant witness protection to trafficking victims or adequately protect victims' rights during lengthy court proceedings. Although the government passed a law designating officially recognized victims as a "particularly vulnerable group" eligible for special assistance and procedural consideration, judges did not consistently assign the status of "especially vulnerable witness" to trafficking victims, including children; this status allowed witnesses to testify without the defendant present and allowed testimony via video link. Victims frequently appeared in front of their traffickers and did not receive notification when authorities released their traffickers from custody. Observers reported CPTV continued to consistently appoint lawyers to represent victims, but the length of trials and assistance provided to victims depended on the individual prosecutor or judge. The law entitled victims to file criminal and civil suits

against their traffickers for restitution, but judges continued to encourage victims to seek restitution solely by filing civil suits. Civil suits were lengthy, expensive, and required the victim to face the abuser numerous times; only two victims received compensation to date.

## PREVENTION

The government maintained prevention efforts. The government implemented the anti-trafficking strategy for 2017-2022 and adopted a national action plan for 2019-2020. The government allocated 8.02 million *dinars* (\$77,580) to implement the strategy for the first two years. Government agencies signed a memorandum of cooperation defining roles and responsibilities for anti-trafficking efforts. The Council to Combat Trafficking did not meet in 2018 (once in 2017). Seventeen municipal governments maintained multidisciplinary anti-trafficking teams; however, observers reported most teams did not meet and had minimal activities in 2018. The government financed a television show and a media project on trafficking issues and organized educational and outreach activities, but efforts were on an ad hoc basis. The government operated a hotline to collect trafficking-related tips and publicly released information on anti-trafficking efforts, including prosecution data and protection efforts. The government incorporated trafficking issues into grade school curriculums. Police continued to enforce laws against purchasing commercial sex, but the government did not make efforts to reduce demand for forced labor. The government licensed and regulated private employment agencies; however, observers reported in practice, tourist agencies also performed labor recruitment and were largely unregulated. GRETA reported the Market Inspectorate may take up to two months to react to reports of fraudulent employment offers.

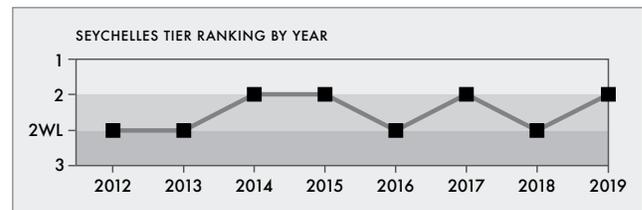
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Serbia, and traffickers exploit victims from Serbia abroad. Traffickers exploit Serbian women in sex trafficking in Serbia, in neighboring countries, and throughout Europe, particularly Austria, Germany, Italy, and Turkey. Traffickers exploit Serbian nationals, primarily men, in forced labor in labor-intensive sectors, such as the construction industry, in European countries (including Austria, Belgium, Croatia, France, Germany, Italy, Montenegro, and Russia) and the United Arab Emirates. Traffickers exploit Serbian children, particularly Roma, within the country in sex trafficking, forced labor, forced begging, and petty crime. Foreign victims identified in Serbia were from Albania, Cameroon, Denmark, Nigeria, and Pakistan. Thousands of migrants and refugees from Afghanistan, Iraq, Syria, and neighboring countries transiting through or left stranded in Serbia are vulnerable to trafficking within Serbia. Alleged traffickers reportedly influenced some trafficking cases through bribery of the victim or judge.

## SEYCHELLES: TIER 2

The Government of Seychelles does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period; therefore Seychelles was upgraded to Tier 2. The government demonstrated overall increasing efforts by investigating and prosecuting more cases, as well as convicting its first trafficker

under the Prohibition of Trafficking in Persons Act of 2014; investigating a senior government official; identifying and providing assistance to more victims; and allocating some funds to assist victims this year. For the first time, the government awarded victims restitution from their traffickers, and the government also established a special task force to inspect migrant worker labor conditions, including inspections in the Seychelles International Trade Zone (SITZ) during the reporting period. However, the government did not meet the minimum standards in several key areas. The government did not have any comprehensive shelters or care facilities available for trafficking victims, and it did not implement its standard operating procedures for victim identification and referral or its victim assistance mechanism. The government did not provide adequate anti-trafficking training for its personnel, nor did it utilize its national centralized anti-trafficking data collection and reporting tool. The government did not provide sufficient resources for victim assistance and did not adopt a National Action Plan (NAP) to address trafficking. Government officials denied the existence of and made negligible efforts to address sex trafficking in Seychelles.



## PRIORITIZED RECOMMENDATIONS:

Implement standard operating procedures to systematically identify and refer trafficking victims. • Establish a shelter for victims. • Provide specialized training to government officials, including members of the National Coordinating Committee of Trafficking in Persons, law enforcement officials, social workers, immigration officials, and labor inspectors, on victim identification and referral procedures, including for victims of sex trafficking. • Using the anti-trafficking law, continue to increase efforts to investigate, prosecute, and convict traffickers, and sentence convicted traffickers to adequate penalties. • Allocate adequate funding and resources for victim services and front-line officials. • Draft a national action plan to drive national efforts to combat all forms of trafficking. • Implement the requirements of the 2014 anti-trafficking act, including establishing a secretariat to support the National Coordinating Committee and a Victim Assistance Fund. • Adopt a law prohibiting the retention of passports by employers of migrant workers. • Remove the required fee for a migrant worker to file a complaint with the Labor Tribunal and screen and refer potential labor trafficking cases for criminal prosecution. • Conduct anti-trafficking awareness campaigns to increase the understanding of the crime among the local population and the large number of foreign tourists and migrant workers entering the country. • Utilize the national centralized anti-trafficking data collection and reporting tool. • Continue to implement labor laws, including strong oversight and inspection authority, in all of Seychelles, including the international trade zone, the residences that employ domestic workers, and migrant workers' work sites.

## PROSECUTION

The government increased law enforcement efforts to combat trafficking during the reporting period. The Prohibition of

Trafficking in Persons Act of 2014 criminalized sex trafficking and labor trafficking of adults and children. The law prescribed penalties of up to 14 years' imprisonment and a fine up to 500,000 Seychelles rupee (\$36,900), and, in cases involving children, a maximum of 25 years' imprisonment and a fine up to 800,000 Seychelles rupee (\$59,040); these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. Provisions in the penal code criminalized elements of human trafficking. Although the anti-trafficking law criminalized child sex trafficking, unclear and conflicting statutes in the penal code did not clearly define the ages of consent, causing confusion between the traditionally understood age of consent (15 years of age) and the legal age of majority (18 years of age). In the prior reporting period, the government, in collaboration with an international organization, began development of implementing regulations for the 2014 anti-trafficking law to address protective measures for trafficking victims; however, the government did not report progress on these regulations.

During the reporting period, the government investigated 45 suspected forced labor cases and, of these, initiated prosecution of three cases and closed 39 due to insufficient evidence. Investigations in the other three cases are ongoing. This compared to zero reported investigations and prosecutions initiated in the prior reporting period. The government convicted its first trafficker under the 2014 anti-trafficking law and prescribed a penalty of three years' imprisonment and a fine of 400,000 Seychelles rupee (\$29,520) on four counts of trafficking. The court ruled that each of the four victims would receive 50,000 Seychelles rupee (\$3,690) in restitution. The government reported initiating an investigation into a senior government official in the Department of Foreign Affairs (DFA), who formerly worked for the Ministry of Employment, Immigration and Civil Status (MOE), for fraudulently issuing work permits to migrant workers for the purpose of exploiting migrant workers in forced labor. In the previous reporting period, immigration officers reported possible high-level corruption, which allowed wealthy citizens from Gulf countries to coordinate the travel of young women aboard private planes, some of whom may have been trafficking victims; however, the government did not report investigating these allegations. In partnership with foreign officials from the United Kingdom, the Department of Immigration reported facilitating training for 25 border control officials. The government also reported that evidence collection remained a challenge and front-line officials required additional training. With support from an international organization, the government has had access to a national centralized anti-trafficking data collection and reporting tool since 2015, but it has never utilized this tool, despite receiving training.

## PROTECTION

The government increased efforts to identify and assist trafficking victims; however, efforts to identify victims of sex trafficking were inadequate. The government identified nine adult male forced labor victims during the reporting period, an increase from zero during the prior reporting period. However, the government did not systematically implement its victim identification and referral tool, which continued to hamper protection efforts. The government did not assist in or facilitate the repatriation of any trafficking victims during the reporting period. There were no shelters for trafficking victims or comprehensive care facilities in the country; however, as in prior years, the Social Affairs Department of the Ministry of Health and Social Affairs provided the nine victims with accommodation in private

guesthouses, homeless shelters, or a facility previously used to hold suspected criminals, where they had freedom of movement. The government also provided per diem to the victims to cover daily living expenses, as well as medical and psychological care to one victim. The Coordinating Committee reported spending approximately 275,000 Seychelles rupee (\$20,300) for victim care in 2018. Without financial assistance from the government, a local NGO identified three victims and provided them with shelter; psychological counseling was provided on an ad hoc basis. The government did not report providing the victims with new work permits, unlike the previous reporting period. The government reported providing training to an unknown number of social workers on implementing the victim identification and referral tool during the reporting period; however, there were continued reports that front-line officials failed to utilize the tool. Migrant workers remained highly vulnerable to trafficking and the government did not report efforts to identify or assist victims of sex trafficking.

The 2014 anti-trafficking law allowed the government to place witnesses under protection and, if the court found it necessary, to hold trafficking trials in private for the sake of the victim or witness' confidentiality and privacy. The government reported providing alternative accommodations and some police protection for 12 victims under witness protection, but did not report holding any trafficking trials in private for victim confidentiality. The anti-trafficking law also ensured victims could testify through closed circuit television and that courtroom accommodations could be made for the psychological comfort of the victim; however, the government did not report utilizing these provisions during the reporting period. The 2014 anti-trafficking law allowed for limited legal alternatives to victim removal to countries in which they would face hardship; the law permitted the Minister of Home Affairs to decide whether to allow a foreign victim to stay in the country for 30 days, issue a permit letting the victim to stay in the country for a period until the completion of legal proceedings, or deport the foreign victim. However, the government did not report issuing any temporary residency permits or gainful occupation permits during the reporting period. Migrant workers with labor-related complaints were often referred to unions where they had access to union representation and help obtaining legal assistance. The anti-trafficking law allowed the government to provide restitution to victims from the fine imposed on the accused or from the Trafficking in Persons Fund; however, the government has never allotted resources to the Trafficking in Persons Fund. For the first time, the government awarded four victims restitution under the anti-trafficking law, while an additional three victims filed civil suits for compensation of salary from their employer. The law protected trafficking victims from detention or prosecution for illegal entry into Seychelles, but it did not protect the victim from prosecution for other unlawful acts traffickers compelled them to commit. There were no reports that the government inappropriately detained or penalized trafficking victims for crimes traffickers compelled them to commit; however, because officials did not use standard victim identification procedures, victims may have remained unidentified in the law enforcement system.

## PREVENTION

The government maintained minimal national-level prevention efforts, while working to better address vulnerabilities among migrant workers. The National Coordinating Committee on Trafficking in Persons, established to direct anti-trafficking efforts across government agencies and drive national policy, began meeting again after being largely inactive during the last

reporting period. The Coordinating Committee began work on a new anti-trafficking national action plan but did not report officially adopting it, and its efforts to drive national anti-trafficking efforts remained limited overall. The government provided the Coordinating Committee with a specific budget to combat trafficking in persons, including for accommodations for identified victims. However, the government did not establish a secretariat to support the Coordinating Committee due to lack of office accommodations. The government did not conduct national public awareness campaigns; but it held sensitization fairs regarding proper labor conditions, including information on forced labor situations, and labor inspectors distributed material on workers' rights during site visits. In the prior reporting period, MOE reported that, in partnership with the Government of the Philippines, it had developed new brochures and leaflets detailing migrant worker rights but still had not disseminated the brochures to any workers. The government maintained two hotlines, one with the police and one with the Department of Immigration, for reporting crimes, including trafficking; however, the government did not report how many calls it received.

The MOE established a new inter-ministerial Special Task Force to address the living and working conditions of migrant workers; the task force comprised representatives from the MOE; the Ministry of Environment; the Ministry of Health; the Seychelles Police Force, the Seychelles Licensing Authority; Seychelles Fire and Rescue Services; and the Industrial Estate Agency. The task force reported inspecting 35 work sites and the MOE inspected 266 sites for indications of trafficking, but it did not report how many inspections resulted in the identification of potential forced labor victims or law enforcement actions. In accordance with the Employment Act, the MOE reviewed all contracts for migrant workers to ensure compliance with its provisions, including acceptable accommodations; however, the government did not have effective policies or laws regulating or providing oversight for labor recruiters. Trafficking vulnerabilities in labor recruitment and monitoring persisted throughout the country during the reporting period. Despite the known vulnerability, seizure and retention of passports by employers remained legal under Seychellois law, unless proved it was specifically for the purpose of further trafficking a person. The MOE employed labor inspectors responsible for inspecting all workplaces in the country and informing all migrant workers of their employment rights. The MOE continued to lack authority to conduct inspections in the SITZ, where many migrant laborers work, as it was considered ex-territorial and managed by the Financial Services Authority (FSA). However, during the reporting period, the task force coordinated with the FSA to conduct two joint inspections in the SITZ; but the MOE's lack of jurisdiction continued to limit its ability to protect migrant workers. The government did not report whether any of these inspections resulted in identification of potential forced labor victims or law enforcement actions.

The MOE required prior approval by the employer before an inspector could enter private homes to monitor employers of domestic workers; four such inspections took place during the reporting period. However, requiring prior employer approval continued to limit the government's ability to identify and investigate indicators of trafficking among this community. The Ministry of Health had authority to inspect migrant worker dwellings but did not have the mandate to investigate potential trafficking crimes or labor violations. The government continued to utilize the Labor Tribunal for labor-related complaints and continued to require a fee for migrant workers to file a complaint. The government provided all citizens and foreign

workers with national identity cards. Due to concerns that historically the majority of identified trafficking victims in Seychelles have been Bangladeshi, the government suspended issuance of work permits to Bangladeshi nationals for 12 months, while it negotiated a bilateral labor agreement with the Government of Bangladesh. In general, such suspensions of work permits have the potential to increase migrant workers' vulnerability to trafficking, since they eliminate the legal means for intending workers to travel to countries for work. The government did not provide anti-trafficking training to diplomats. The government did not make efforts to decrease the demand for commercial sex during the reporting period, despite the prevalence.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Seychelles. Traffickers exploit some Seychellois girls and, according to some sources, boys in child sex trafficking, particularly on the main island of Mahe; peers, family members, and pimps exploit them in bars, guest houses, hotels, brothels, private homes, and on the street. Young drug addicts are vulnerable to sex trafficking, and sex traffickers have exploited Eastern European women in hotels. In 2017, there were reports of possible high-level corruption, which allowed wealthy citizens from Gulf countries to coordinate the travel of young women aboard private planes, some of whom may have been trafficking victims. Traffickers may subject Malagasy women who transit the Seychelles to forced labor in the Middle East. However, the government still does not acknowledge the occurrence of sex trafficking in Seychelles. Migrant workers—including from Bangladesh, India, China, Kenya, Madagascar, and countries in South Asia—make up 20 percent (21,000) of the working population in Seychelles and are primarily employed in fishing, farming, and construction; credible reports indicate traffickers subject migrant workers to forced labor in these sectors. NGOs report migrant workers also face exploitative conditions in fish processing plants, and fishermen aboard foreign-flagged fishing vessels in Seychelles' territorial waters and ports are subjected to abuses indicative of forced labor, including nonpayment of wages and physical abuse. Labor recruitment agents based in Seychelles will exploit migrant workers in labor trafficking, oftentimes with the assistance of a local Seychellois accomplice. Migrant workers often sign their employment contracts upon arrival in the Seychelles and frequently cannot read the language, which increases their vulnerability to fraudulent recruitment tactics. There were reports of employers routinely retaining migrant workers' passports to prevent them from changing jobs prior to the expiration of their two-year contracts, increasing their vulnerability to forced labor.

## SIERRA LEONE: TIER 2 WATCH LIST

The Government of Sierra Leone does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by finalizing and beginning to implement the Labor Migration Policy to improve the government's response to migrants' vulnerability to trafficking in Sierra Leone and abroad, raising awareness of trafficking through radio and television campaigns, continuing regular meetings of the anti-trafficking task force,

and allocating a budget of 132 million leones (\$15,310) to fund anti-trafficking activities in 2019. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Corruption in the judicial process continued to impede prosecution efforts. The government did not convict a trafficker for the eighth consecutive year, and NGOs alleged law enforcement sexually assaulted potential trafficking victims. Government policies to minimize fraudulent labor recruitment inadvertently drove labor migration to informal channels, increasing Sierra Leonean labor migrants' vulnerability to trafficking. The anti-trafficking task force continued to lack enough resources to adequately implement the 2015-2020 anti-trafficking national action plan, and government officials continued to have limited understanding of the trafficking. Therefore, Sierra Leone remained on Tier 2 Watch List for the second consecutive year.



#### PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, following due process, and sentence convicted traffickers with significant prison terms in accordance with the law. • Implement existing witness protection and support measures to encourage greater victim participation in the criminal justice process. • Train police, prosecutors, and judges to investigate and prosecute trafficking cases. • Address procedural delays, including by allowing regional courts to try trafficking cases, and judicial corruption so victims can safely and voluntarily participate in trials and judges cease dismissing cases against alleged traffickers. • Train all actors on the national referral mechanism to ensure trafficking victims receive timely services. • Continue to fully implement the new Labor Migration Policy and end policies that encourage labor migration to occur through informal channels, potentially increasing migrants' vulnerability to trafficking. • Increase financial or in-kind support to NGOs that support trafficking victims. • Sufficiently fund anti-trafficking activities in the national budget and allocate funds to the anti-trafficking task force. • Amend the 2005 anti-trafficking law to remove sentencing provisions that allow for a fine in lieu of imprisonment for sex trafficking offenses. • Improve data collection on anti-trafficking law enforcement and victim assistance efforts.

#### PROSECUTION

The government maintained inadequate anti-trafficking law enforcement efforts. The 2005 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed penalties of up to 10 years' imprisonment, a fine, or both. These penalties were sufficiently stringent; however, by allowing for a fine in lieu of imprisonment, the penalties for sex trafficking were not commensurate with the penalties for other grave crimes, such as rape and kidnapping. The Sexual Offences Act criminalized sex trafficking under its "forced prostitution" and "child prostitution" provisions and prescribed penalties of up to 15 years' imprisonment; these penalties were sufficiently stringent and commensurate with penalties for other grave crimes such as rape and kidnapping. During the reporting period, the

government, in collaboration with NGOs, reviewed the 2015 anti-trafficking law to make recommendations for its revision.

The government reported 13 investigations, three prosecutions, and no convictions, compared to 33 investigations, seven prosecutions, and no convictions in the previous reporting period. No investigations or prosecutions were continued from the previous reporting period. In some cases, traffickers reportedly bribed prosecutors not to prosecute cases, and bribed judges to dismiss cases. Due to lengthy investigations required for trafficking cases, prosecutors sometimes pursued trafficking cases under the Domestic and Gender Abuse Act or the Child Rights Act because of lower evidentiary standards and higher likelihood of conviction. However, the government did not report any data on trafficking cases prosecuted under these acts during the reporting period. The government last convicted an individual for trafficking or trafficking-related offenses in 2011. In February 2019, the president of Sierra Leone declared sexual violence a national emergency and decreed sex with minors would be punishable with life imprisonment; the government did not report whether this would be applied to sex trafficking cases beyond child sex trafficking. Despite past reports of Sierra Leonean women fraudulently recruited to Kuwait for domestic work and sex trafficking, the Transnational Organized Crime Unit (TOCU) and Ministry of Labor and Social Services (MLSS) did not report investigating alleged fraudulent recruitment networks for suspected trafficking. Judicial inefficiencies, general corruption, and procedural delays prevented courts from holding traffickers accountable and diminished faith in the judicial system. As a result, victims' families often accepted payments from traffickers rather than pursue cases in court and families sometimes exerted pressure on victims to not participate in investigations and prosecutions against their alleged traffickers due to security concerns, community ties to alleged traffickers, and the high cost and travel required to participate in such cases. In many cases, victims either did not agree to testify against their traffickers and prosecutors dropped the charges, or victims could not meet the travel requirements for court appearances and judges dismissed their cases. The government began investigating how to expedite trafficking cases by referring trafficking prosecutions directly to the High Court, bypassing the preliminary investigation stage which sometimes was a three year process, during the reporting period; however, the new policy was not finalized or implemented during the reporting period. In an effort to better prosecute trafficking crimes, the judiciary designated Freetown Court Number Two as the dedicated court to hear all human trafficking cases during the previous reporting period although the impact of this designation on improving prosecution of trafficking cases was unclear.

Despite low understanding of trafficking and inadequate training of law enforcement and judges, the government did not provide adequate anti-trafficking training to law enforcement officials. In December 2018, the Ministry of Social Welfare, Gender, and Children's Affairs (MSWGCA) trained 25 social workers on identifying and referring victims to care. An NGO trained an unknown number of government officials on identifying human trafficking. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, corruption, particularly within the judiciary, remained a serious problem and affected the provision of justice to trafficking victims. An NGO alleged police officers raped potential child trafficking victims and, in some cases, transported victims to police stations where they were sexually abused. The government continued regular border security meetings with the Governments of Guinea and

Liberia, which included trafficking, but reported its failure to ratify the ECOWAS Convention on Mutual Assistance in the Fight against Trafficking compounded difficulties in cross-border investigations.

## PROTECTION

The government increased efforts to identify victims but efforts to protect victims remained inadequate. In collaboration with an international organization, the government identified 481 potential trafficking victims during the reporting period, a significant increase from 46 victims identified in the previous reporting period. Of the 481 identified victims, 458 male forced labor victims were identified among returning migrants from Libya, Algeria, Niger, and Mali. The government referred at least 33 victims to services. NGOs reported identifying and assisting an additional 47 trafficking victims. The government relied on NGOs to care for trafficking victims; however, most NGOs were not able to provide shelter for male victims. MSWGCA operated a temporary shelter for victims of gender-based violence that trafficking victims could access; it did not refer any trafficking victims to the shelter during the reporting period. It was unclear how much funding the shelter received. In 2016, the government had committed to devoting approximately 119 million Leones (\$13,810) quarterly to an NGO shelter that cared for the majority of trafficking victims; however, it disbursed only one payment of approximately \$3,940 to the NGO during the previous reporting period, and did not provide any other financial support to this or other NGOs that delivered nearly all victim care. One NGO operated a shelter specifically for trafficking victims and offered medical, psycho-social, legal, and reintegration support. The center cared for both foreign and domestic victims; however, staff did not permit victims to leave unchaperoned. Two additional NGOs operated shelters that cared for vulnerable children, including trafficking victims. The government had standard measures to identify trafficking victims, including victims among vulnerable populations. The government had a national mechanism to refer trafficking victims to services; however, a lack of training on the mechanism caused delays in provision of services to victims. In some cases, victims slept at police stations because authorities did not request appropriate housing, and in several other cases, MSWGCA officials disregarded the standard protocols for referring victims to NGOs for specialized care. No shelters were available to men and, as a result, TOCU housed a Chinese forced labor victim at their headquarters while an NGO provided food and counseling. The Sierra Leonean embassy in Kuwait requested assistance from an international organization to repatriate 33 potential trafficking victims; the embassy provided travel documents for all 33 potential victims. The Ministry of Foreign Affairs engaged with the Government of Kuwait to advocate for humane treatment of Sierra Leonean domestic workers. The government provided a brochure to migrants returning from Libya with information on social services trafficking victims could access.

The government did not provide sufficient protection or support to victims who participated in trials against their traffickers; as a result, many victims could not meet the travel requirements for court appearances and judges dismissed their cases. The anti-trafficking law did not provide for restitution, and while victims could file civil suits against their traffickers, none did so during the reporting period. The Sexual Offenses Act provided for restitution, which sex trafficking victims could access; however, restitution could only be pursued after conviction, and there were no convictions during the reporting period. The law provided alternatives to removal to countries in which

victims would face retribution or hardship, including temporary residency; the government did not report providing these services to any victims during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts traffickers compelled them to commit, but inadequate screening for trafficking may have resulted in some victims remaining unidentified in the law enforcement system.

## PREVENTION

The government maintained uneven efforts to prevent trafficking. The anti-trafficking task force had a 2015-2020 national action plan and met regularly, but the government did not provide an operational budget for the task force or funding for implementation of the plan, which limited activities and impeded law enforcement efforts. MSWGCA participated in several radio and television programs to raise awareness of human rights, including the dangers of human trafficking. While MLSS had strict licensing procedures for new recruitment agencies to prevent exploitation of intending migrant workers, it continued to issue business registration certificates before TOCU had finished vetting the prospective agencies. In February 2019, the government implemented a moratorium on recruitment of Sierra Leoneans for employment abroad; as a result, TOCU suspended its vetting process and issuance of certificates to recruitment agencies. The government's past and current efforts to prevent exploitation of labor migrants by restricting Sierra Leoneans' access to safe and legal migration routes potentially drove Sierra Leoneans to migrate through informal channels inadvertently increasing their vulnerability to trafficking. In July 2018, the MLSS finalized a Labor Migration Policy to improve protections for migrant workers in Sierra Leone and Sierra Leoneans working abroad; the policy implementation action plans required the creation of a technical working group including the anti-trafficking task force. The strategies included in the policy include increasing capacity of Sierra Leonean missions to provide protection services to workers abroad, increasing awareness of labor rights prior to workers' departure through mass communication outlets such as radio, television, and billboards, improving recruitment agency licensing procedures, and developing bilateral labor migration agreements with destination countries on complaint mechanisms and migrants' rights. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel.

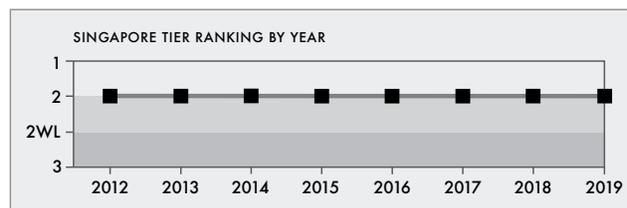
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Sierra Leone, and traffickers exploit victims from Sierra Leone abroad. Traffickers recruit victims largely from rural provinces to urban and mining centers for exploitation in sex trafficking and forced labor in domestic service, artisanal diamond and granite mining, petty trading, portering, making ceramics, rock breaking, quarrying, street crime, and begging. Traffickers exploit victims in fishing and agriculture, and sex trafficking or forced labor through customary practices, such as forced marriages. The government reported child sex trafficking—especially of children from poor homes—was a serious problem, including at beaches and in nightclubs. Local demand fueled the majority of child sex trafficking, although foreign tourists were also clients at beaches and nightclubs. During the reporting period, an NGO reported Chinese-owned companies helped to fuel child sex trafficking in Freetown, citing specifically workers on Chinese-owned fishing vessels who bring girls to their boats at night for commercial

sexual exploitation. During the reporting period, a Chinese man was exploited in forced labor as a domestic worker. Traffickers typically operate individually, convincing parents to hand over their children and promising to provide an education or better life but instead exploiting the children in trafficking. Children from neighboring West African countries have been exploited in forced begging, forced labor, and sex trafficking in Sierra Leone, and Sierra Leonean children are taken to Mali, Niger, and increasingly Guinea for forced labor and sex trafficking. During the reporting period, traffickers exploited Lebanese and Indian men in forced labor in Sierra Leone; in previous years, Chinese, Indian, Kenyan, and Sri Lankan men have been forced labor victims in Sierra Leone. Traffickers exploited boys and girls from Sierra Leone reportedly as “cultural dancers”—and possibly also for sexual exploitation—in The Gambia. During the reporting period, an increasing number of traffickers, including family members, tried to sell Sierra Leonean children for domestic servitude. Sierra Leonean adults voluntarily migrate to other West African countries, including Mauritania and Guinea, as well as to the Middle East and Europe, where traffickers forced some into forced labor and sex trafficking. Sierra Leonean-Kuwaiti trafficking networks increasingly fraudulently recruit Sierra Leoneans for education in Europe and the United States but subject them to domestic servitude in Kuwait. During the reporting period, authorities identified traffickers moving women through Guinea en route to exploitation in Kuwait. Traffickers also exploit Sierra Leonean women in domestic servitude in Egypt and Lebanon. Since 2017, an international organization repatriated at least 1,500 Sierra Leoneans from Libya and other Middle Eastern countries, some of whom were victims of slavery and sex trafficking. In previous reporting periods, an international organization reported some Libyan soldiers sold stranded Sierra Leonean migrants in their custody to Libyan and Middle Eastern traffickers.

## SINGAPORE: TIER 2

The Government of Singapore does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Singapore remained on Tier 2. These efforts included implementing a new work permit condition by which employers of foreign domestic workers agree not to retain any money belonging to the domestic worker. It also altered the work permit system to allow employers or recruitment agents to open a fee-free bank account on behalf of the employee for electronic salary payment, which resulted in more than 60,000 accounts opened. The government identified more trafficking victims in 2018 compared with 2017 and the government permitted five victims who were material witnesses in court cases against their former employers to return to their home countries, at the government’s expense, pending trial procedures. However, the government did not meet the minimum standards in several key areas. The government had yet to secure a labor trafficking conviction since the passage of the 2015 law, as authorities frequently prosecuted and convicted cases with indicators of forced labor under other laws with lower penalties. NGOs continued to express concern that authorities did not fully understand the impact of indebtedness and psychological coercion on a trafficking victim, and that as a result some potential victims who went unidentified as such would have been subject to punishment or deportation.



### PRIORITIZED RECOMMENDATIONS:

Using the 2015 anti-trafficking law, increase investigations and prosecutions, particularly of labor trafficking, including cases involving domestic workers, debt-manipulation, or psychological coercion, and convict and sentence convicted traffickers to penalties proportionate to the seriousness of the crime. • Increase resources for investigative and prosecutorial training on trafficking for Ministry of Manpower (MOM) officials who handle labor violations. • Strengthen efforts to proactively identify trafficking victims, including by conducting training for front-line law enforcement officials with a focus on screening for psychological coercion among women in prostitution and individuals in debt. • Provide legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution. • Continue to implement reforms to the work permit sponsorship system so it does not provide excessive power to sponsors or employers in granting and maintaining the legal status of migrant workers. • Take steps to eliminate recruitment fees charged to workers by Singaporean labor recruiters and ensure any recruitment fees are paid by employers. • Strengthen the legal framework to enhance protection for victims from punishment for unlawful acts the trafficker compelled the victim to commit. • Develop formal policies to provide all victims the right to robust protective services. • Strengthen cooperation and dialogue with NGOs for developing and implementing anti-trafficking policies and assisting victims.

### PROSECUTION

The government’s anti-trafficking law enforcement efforts decreased during the reporting period. The 2015 Prevention of Human Trafficking Act (PHTA) criminalized sex trafficking and labor trafficking and prescribed penalties of up to 10 years’ imprisonment and fines up to 100,000 Singapore dollars (SGD) (\$73,480), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In addition, Article 140 of the Women’s Charter criminalized forced prostitution involving detention or physical force and Article 141 criminalized the movement of women and girls for “trafficking” but did not define this term. Penalties prescribed for these offenses included a maximum of five years’ imprisonment, which were lower than the penalties available under the anti-trafficking law. The government investigated most suspected labor trafficking cases as labor law offenses under the Employment of Foreign Manpower Act (EFMA), or the Employment Act, which carried lower penalties than the anti-trafficking law.

In 2018, authorities investigated 16 trafficking cases, a decrease compared with 34 in 2017. Of these, 10 were cases of suspected sex trafficking, compared with 22 cases in 2017. MOM investigated six suspected labor trafficking cases, a decrease compared with 12 cases in 2017. MOM determined that none of the cases in 2018 violated the PHTA and prosecuted the majority of these cases under the EFMA for failure to pay

fixed monthly salaries, collection of kickbacks, and illegal employment. The government prosecuted three alleged sex traffickers under the PHTA in 2018, the same number as in 2017 when three alleged labor traffickers were prosecuted. The government reported the prosecution of four sex trafficking cases and five labor trafficking cases, initiated in an earlier reporting period, were ongoing due to their complexity.

The government had yet to prosecute any cases of domestic servitude or obtain a labor trafficking conviction under the 2015 trafficking law. The government did not convict any traffickers under the PHTA in 2018, compared with one trafficker convicted under the PHTA in 2017. The government reported one individual was convicted under the Women's Charter and sentenced to six months' imprisonment and a fine of 16,000 SGD (\$11,760). The government also convicted and imprisoned several employers of foreign domestic workers under non-trafficking laws for cases involving physical assault, non-payment of wages, not providing a day off, and/or adequate food. Some NGOs believed authorities set unreasonable standards for what qualified as the crime of trafficking and lacked an understanding of trafficking indicators such as indebtedness, psychological coercion, and deception, which hampered PHTA enforcement.

The government reported police, immigration, and MOM officials were continuously trained on anti-trafficking measures; during 2018, more than 400 such officials received training on the identification of potential trafficking victims. The government continued to partner with and participate in international trainings with foreign governments and to work closely with international counterparts on several cross-border investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking. However, the government did convict an immigration official in December 2018 for warning three Chinese women about impending law enforcement raids for prostitution-related crimes and for receiving sexual services as bribes from the women in exchange for extending their immigration passes; the court sentenced the official to three years' imprisonment.

## PROTECTION

The government increased protection efforts. Police, labor, and immigration officials had standard operating procedures for identifying victims, and the government had a victim referral process among government officials, civil society organizations, and foreign embassies. The government reported identifying 32 potential trafficking victims (nine sex and 23 labor trafficking victims), an increase compared with 20 potential victims (eight sex trafficking victims and 12 labor trafficking victims) in 2017. All police officers received basic training on victim identification; however, several NGOs reported officials failed to recognize key indicators of trafficking when interviewing potential victims, particularly in cases involving psychological coercion or debt bondage, and among migrant workers. NGOs also voiced concern that police did not consistently screen for trafficking indicators when police raided unlicensed brothels; as a result, the government may have prosecuted or punished unidentified sex trafficking victims for immigration violations or public solicitation. NGOs reported they provided services to several thousand migrant workers who experienced varying degrees of labor law violations or exploitation in 2018. Several of these NGOs believed a significant number of the cases they encountered were of forced labor.

The government guaranteed food, shelter, psycho-social services, and other basic assistance to trafficking victims under the PHTA and used administrative discretion to provide additional support measures, customized according to victims' needs, including interpreters, medical services, temporary work permits, and resettlement assistance. However, absent a formal policy mandating the provision of these services to all victims, and due to front-line officers' incomplete understanding of the effect of psychological coercion on a person, some victims likely did not receive all services necessary for rehabilitation.

The government allocated 2.8 million SGD (\$2.06 million) in 2018 in its annual budget, a decrease compared with 3.2 million SGD (\$2.35 million) in 2017, for anti-trafficking activities, including shelter and protection services. The government fully funded shelters for the cost of caring for trafficking victims. The Ministry of Social and Family Development funded four NGO-run shelters for women, one of which specifically served as a shelter for up to 48 female trafficking victims and exploited foreign domestic workers. MOM funded two shelters, with a total capacity of 68 individuals, for male foreign workers, one of which is designated for use by male trafficking victims. The government provided partial funding and oversight to 22 homes serving vulnerable children. Authorities permitted freedom of movement outside of the shelter for most shelter residents but restricted movement for any residents deemed to be under physical threat. Several other NGOs and two foreign government embassies also provided shelter to trafficking victims and others who had experienced labor exploitation.

The government allocated funding for an NGO to provide victims with trauma recovery and safe resettlement services including counseling and medical care, skill development, legal support, employment, and assistance with resettlement in the victim's home country. In 2018, the NGO continued to support 11 foreign labor trafficking victims referred by the government in an earlier reporting period and provided trauma recovery services for 106 foreign domestic workers who were victims of abusive labor conditions but not identified by the government as trafficking victims. In 2018, the government permitted five victims who were material witnesses in court cases against their former employers to return to their home country, at the government's expense, pending trial procedures, compared with four victims in 2017. The government granted seven victims short-term work permits, available for the duration of their legal processes, the same number as in 2017.

In October 2018, the Chief Justice, in collaboration with an NGO, state courts, and legal organizations, launched a toolkit to help children and other vulnerable witnesses understand court proceedings. In March 2018, the High Court stipulated that in criminal cases of abuse of foreign domestic workers, courts should consider compensation for pain and suffering as well as restitution for wages. NGOs reported they offered victims of trafficking pro bono legal assistance to pursue civil court claims for restitution; all victims declined this offer in 2018. The government did not provide long-term alternatives to removal to countries where victims may face hardship or retribution.

## PREVENTION

The government increased efforts to prevent trafficking. The interagency task force, co-chaired by the Ministry of Home Affairs and MOM, coordinated anti-trafficking efforts through

its “National Approach against Trafficking in Persons, 2016-2026.” The task force held its annual stakeholder consultation with 60 participants from NGOs, business, and academia in July 2018 to review the implementation of the national approach; some NGOs continued to express a desire for more dialogue with the task force. The government continued to budget 80,000 SGD (\$58,780) to provide grants to civil society for awareness-raising campaigns; in August 2018, a local songwriter held a concert and launched a song about the importance of addressing trafficking.

Singapore’s Employment Agencies Act (EAA) mandated licensing and regulation of recruitment agents. The EAA rules capped the maximum recruitment fee an employee may pay an agent at one month’s salary for each year of a valid work permit or the period of the employment contract, whichever was shorter, and subject to an overall maximum of two months’ salary. The majority of migrant workers in Singapore paid fees to agents in Singapore as well as to recruitment agents in their home country, which contributed to the workers’ vulnerability to debt bondage. During 2018, MOM prosecuted 10 recruitment agencies for not being licensed, prosecuted two agencies for recruiting foreign domestic workers under the age of 23, and took administrative action against an additional 80 agencies for failing to ensure the minimum age requirement for foreign domestic workers; this is compared with the prosecution of 25 unlicensed agents in 2017.

MOM managed the work permit process for foreign workers. Singaporean employers applied to MOM to sponsor skilled and semi-skilled workers whose employment and legal immigration status was tied to that specific employer. NGOs stated this restriction on job mobility coupled with the ability of employers to terminate a worker’s employment at any time without the need to show cause created a form of “structural coercion” which prevented some foreign migrant workers from resisting and contesting exploitation. Under certain circumstances, MOM permitted foreign workers to transfer their immigration status to a new employer without their previous employer’s consent; however, the majority of such workers were reportedly unable to find new employment. Singapore law did not prescribe a minimum wage. Under the Employment Act, wages were negotiated and outlined in individual contracts of service. Requirements were less detailed for foreign domestic workers and fishing crews employed locally, who were covered under the EFMA, and for whom employers were legally required to provide a document containing employment terms such as monthly salary, number of rest days, and agency fees. In 2018, MOM began to implement a policy stating that if employers reduced a migrant worker’s salary from what was stated on the application for the employee’s work permit, they must notify MOM after both the employer and employee had agreed to the change in writing. An NGO noted this policy did not address the unequal power dynamic between employer and employee given the vulnerability of those who paid recruitment costs to be coerced to sign a new salary agreement through the threat of immediate termination and repatriation.

During the reporting period, MOM prosecuted 22 employers who made false declarations of higher salaries in order to obtain employee work permits; in one example, authorities fined the company 94,500 SGD (\$69,430). As of January 1, 2019, MOM implemented a new work permit condition requiring employers of foreign domestic workers to not retain any wages or money belonging to the domestic worker. In 2018, two NGOs and a local bank introduced fee-free bank

accounts for all foreign domestic workers and low-wage migrant workers, into which their salaries can be electronically paid. MOM altered its work permit system to allow employers or recruitment agents to open one of these bank accounts on behalf of the employee as part of the recruitment process; in eight months in 2018, more than 60,000 bank accounts were opened for low-wage migrant workers with an additional smaller number opened for foreign domestic workers.

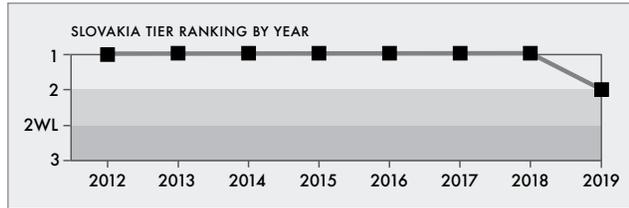
In October 2018, the government made the 2017 “settling in program” mandatory for all foreign migrant workers in the construction industry. Migrant workers must attend the one-day orientation class, entirely delivered by an NGO, within 14 days of arriving in Singapore; one of the five modules covers employment rights and information on how to get help if necessary. The government continued to screen a pre-departure video at overseas testing centers for construction workers to explain foreign workers’ employment rights in Singapore. MOM continued to publicize its phone number and a mobile phone app as well as three NGO-operated 24-hour hotlines for migrant workers who experience problems. MOM conducted ongoing campaigns to inform employers of the consequences for withholding passports or salaries. The government provided anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts.

#### TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Singapore. Some of the 966,000 foreign work permit holders that comprise more than one-quarter of Singapore’s total labor force are vulnerable to trafficking. Most victims migrate willingly for work in construction, domestic service, performing arts, manufacturing, the service industry, or commercial sex. In order to migrate, many workers assume large debts to recruitment agents in their home countries and sometimes in Singapore, making them vulnerable to debt bondage. Traffickers compel victims into sex trafficking or forced labor through threats of forced repatriation without pay, restrictions on movement, physical and sexual abuse, and withholding wages and travel documents, such as passports. Some recruitment agencies illegally engage in contract switching and charge workers fees over the legal limit. Foreign workers have credible fears of losing their work visas and being deported, since employers have the ability to repatriate workers legally at any time during their contracts with minimal notice. Unscrupulous employers exploit the non-transferability of low-skilled work visas to control or manipulate workers. Some employers, including traffickers, rely on repatriation companies to seize, confine, and escort foreign workers to the airport for departure from Singapore, including through the use of assaults, threats, and coercion, to prevent them from complaining about abuses to authorities. Foreign women sometimes arrive in Singapore with the intention of engaging in prostitution, but under the threat of serious harm or other forms of coercion, they become victims of sex trafficking. Some fishing vessel captains engage in forced labor by using physical abuse to force men to perform labor on long-haul boats that transit or dock at Singaporean ports. A small number of Singapore residents facilitate and engage in child sex tourism abroad, including in nearby Batam, Indonesia.

## SLOVAKIA: TIER 2

The Government of the Slovak Republic, or Slovakia, does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included implementing a new victim protection law, approving a new national program to fight trafficking, granting full medical treatment to all trafficking victims, and issuing a brochure on trafficking for temporary workers. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. Convictions decreased and Slovak courts suspended every convicted traffickers' sentence, resulting in none of them spending time in prison. The government identified fewer victims, and authorities did not adequately identify foreign or domestic trafficking victims within the country or adequately sensitize the growing foreign worker population to trafficking risks, its rights, and available victim assistance; the government did not utilize witness protection programs for trafficking victims; and the government rarely awarded compensation to victims. Therefore Slovakia was downgraded to Tier 2.



### PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers, and sentence those convicted to significant prison terms. • Increase training and capacity for investigators, prosecutors, and judges on a victim-centered, trauma-informed approach to law enforcement efforts and trial. • Protect victims from potential retaliation and intimidation in the course of law enforcement and judicial proceedings, including by employing trauma-informed approaches to interviewing victims and implementing the new exemption from direct confrontation. • Improve sentencing norms by sensitizing judges to the severity of trafficking crimes and the full range of penalties available in the law. • Improve identification of and enhance coordination of service provision for child victims. • Issue revised formal written procedures for victim referral that outline roles for all officials and stakeholders in order to improve victims' access to and the quality of assistance, and train all relevant officials on the revised procedures. • Improve efforts to proactively identify domestic and foreign victims within the country, including by updating victim identification protocols and training government officials, particularly border police, labor inspectors, and municipal law enforcement, on proactive victim identification among vulnerable groups. • Amend the law on the non-punishment of victims to ensure that trafficking victims are not inappropriately penalized for unlawful acts traffickers compelled them to commit, including administrative offenses. • Increase efforts to inform foreign worker groups of worker rights and responsibilities and victim assistance resources in native languages, including at foreign registration centers. • Streamline definitions and methodologies for gathering law enforcement and victim data.

### PROSECUTION

The government decreased law enforcement efforts. Section 179 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of four to 10 years' imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Section 246 of the old criminal code was also utilized during the reporting period to prosecute offenses which occurred before the new code went into effect; it prescribed penalties of three to 10 years' imprisonment for offenses involving a victim over 15 years of age, and five to 12 years' imprisonment for those involving a victim under the age of 15.

Government officials initiated 27 investigations (37 in 2017 and 25 in 2016). Prosecutors indicted 21 alleged traffickers—17 under Section 179 of the criminal code (25 in 2017, 10 in 2016, and 22 in 2015) and four under Section 246 of the old criminal code. Prosecutors obtained convictions of eight Slovak citizens under Section 179 (14 in 2017, four in 2016, and 21 in 2015); seven received 36-month suspended sentences with probation, one received a 36-month suspended sentence without probation, so no convicted traffickers spent any time in prison. Over the past five years, approximately 73 percent of trafficking convictions resulted in fully suspended sentences; the absence of effective sentences in Slovakia contributed to impunity for traffickers. Slovak authorities said the high percentage of suspended sentences and plea bargains was due to a weak body of evidence, unreliable victim testimony, and many perpetrators being low-level recruiters and not the actual organizers of the trafficking operation. National police cooperated with United Kingdom (UK) police on three international investigation teams, identifying 18 Slovak victims, as well as other police authorities abroad, EUROPOL, and INTERPOL. The government extradited one alleged trafficker to the UK. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

There was no dedicated trafficking unit within the prosecution service, but the government routinely assigned cases to those with experience prosecuting trafficking. The government assigned trafficking cases without organized crime elements to district prosecutors in the regular court system, while the Office of the Special Prosecutor prosecuted cases with a nexus to organized crime in the specialized criminal court. An electronic system randomly assigned cases to judges. The national police provided training for and cooperated with the financial intelligence unit of the national criminal agency to uncover suspicious transactions indicative of trafficking, but did not uncover any trafficking cases as a result of the cooperation. The Irregular Migration Unit within the Bureau of Border and Alien Police (BBAP) coordinated law enforcement efforts. While the Ministry of Interior (MOI) and police enhanced coordination and cooperation on gathering law enforcement and victim identification statistics, differences in how various institutions gathered law enforcement statistics continued to hinder the effective comparison and monitoring of trafficking-related efforts. The MOI and BBAP prepared a new manual for interviewing trafficking victims and distributed it to all law enforcement working in BBAP's Irregular Migration Unit. The government provided anti-trafficking training for 105 members of the specialized national police unit and more than 300 additional officers, and the police academy trained approximately 2,000 police investigators on the protection of victims of crime. The law enforcement vocational school in Bratislava delivered a specialized trafficking curriculum for 300 students. The judicial academy provided in-kind support for

a workshop on a victim-centered, trauma-informed approach for 47 prosecutors, police, and judicial personnel.

## PROTECTION

The government maintained efforts to protect victims. The government identified 46 victims (75 in 2017 and 32 in 2016). NGOs identified an additional 10. Of the 56 total victims identified, 34 were female (including two foreign nationals and 12 children) and 22 were male. Forced begging was the most common form of trafficking, with 24 cases reported by police, followed by sex trafficking (17 victims, including seven children), forced labor (seven victims), forced marriage and domestic servitude (six victims, including five children), forced marriage for the purposes of exploitation, and sex trafficking (two child victims); some cases included multiple forms of exploitation. The national police reported 38 of the 46 victims identified by law enforcement involved Slovak victims exploited in other countries. As previously reported by GRETA, the identification of foreign national, unaccompanied minor, and Slovak victims within the country remained a challenge, and the statistics on identified victims did not reflect the actual scale of this phenomenon in the country. While the government made some effort to increase identification of foreigners, experts reported there were still persistent weaknesses. The government did not adequately identify foreign trafficking victims, and NGOs warned the situation could further deteriorate with the growing number of foreign workers arriving in Slovakia. Experts criticized government screening, outreach, and prevention efforts among foreign workers as insufficient. Experts suspected border police did not always proactively screen migrants for indicators of trafficking, despite having received victim identification trainings. Experts criticized BBAP, which registered all foreigners in the country, for not providing information to foreigners about trafficking risks and victim assistance contacts. Experts alleged the government deported unidentified foreign victims arrested for illegal employment, including a large group of Serbian nationals. An NGO administering the victim care program conducted 12 visits to asylum-seeker facilities and irregular migrant detention facilities to screen 32 individuals; the NGO did not identify any victims on these visits. Slovak embassies abroad separately reported identifying 26 victims and assisted six, including two children, with voluntary returns to Slovakia; these victims were not included in Slovak statistics because they often chose not to return to Slovakia. The government offered repatriation services for foreign victims, but it did not repatriate any victims in the reporting period. Experts said efforts to identify domestic victims could be increased by improving training of police officers and civic patrols working in marginalized Romani settlements and municipal police patrolling areas with populations of homeless people.

The MOI state secretary acted as the national coordinator on anti-trafficking efforts and approved the official identification of victims and their enrollment into the victim assistance program. Although the government had not denied a suspected victim entry into the program since 2015, some NGOs continued to criticize the government's victim assistance program for allowing too much discretion by law enforcement to decide whether a potential victim could enroll in the program, which could impede access to services. While law enforcement and social workers had procedures to refer victims to the national coordinator or care facilities, other officials lacked such procedures, including health care specialists, employees of foster homes, and counselors of offices of labor, social affairs, and family. The MOI continued updating the national reference framework to include procedures for these professionals, but

did not finalize them. Of the 56 victims, 16 (nine men and seven women) entered the government-funded victim care program in 2018 (19 of 88 in 2017 and 21 of 45 in 2016); police referred six and civil society referred 10. The program continued to assist an additional 25 victims enrolled from previous years. In 2018, the government provided €275,000 (\$315,370) to one NGO that provided the victim assistance program, voluntary return, and the national trafficking hotline, equal to the amount in 2017.

The government-funded, NGO-run assistance program provided Slovak and foreign victims shelter, financial support, repatriation to Slovakia, health care, psycho-social support, legal assistance, interpretation services, and job training. Foreign victims, including both EU nationals and third country nationals, had access to the same scope and quality of victim care and support. The victim care program accommodated victims in domestic violence shelters, with men and women housed separately, or homeless shelters. There were limited accommodations for victims with families. The government did not fund a specialized victim care provider dedicated to child victims. Authorities placed unaccompanied child trafficking victims in the care of child protective services in government-run children's homes or an NGO-run crisis home for children; no children entered the care program in 2018 (none in 2017 and six in 2016). Experts said government ministries' lack of clarity on their roles and responsibilities hampered service provision to children, particularly if a legal guardian was not involved. The government amended the public health insurance law so all victims enrolled in the care program received full medical treatment despite outstanding payments for health insurance.

All potential victims were eligible for at least 30 days of crisis care; victims enrolled in the assistance program were eligible for up to 180 days of care without having to participate in an investigation, including temporary residence and the right to work for foreign victims. The law authorized permanent residency to foreign victims who would face hardship or retribution if returned to their country of origin; authorities issued no such residence permits. All 46 victims identified by police cooperated with police and prosecutors. The pre-trial and trial process was lengthy and not always adapted, nor law enforcement, prosecutors, or judges sufficiently trained, to avoid re-traumatization of victims. The 2018 crime victims protection act provided psychological assistance to victims in pre-trial proceedings, banned direct cross-examination of victims, and allowed recorded testimony as official trial evidence, among other protections. NGOs reported the government implemented and applied the new law inconsistently, and police did not have proper interviewing equipment or training to implement the law. Officials expressed concern the new law's limit of one victim interview would hinder opportunities to build rapport with traumatized victims, who are unlikely to provide reliable testimony in a single interview session. Judges were generally willing to accommodate requests to provide a separate waiting area for victims and remove the suspected trafficker from the courtroom during victim testimony. Witness protection programs existed but had not been used to protect trafficking victims. The 2018 law also provided for victim restitution directly by the state after the trafficker was convicted and sentenced without possibility of further appeal. NGOs said progress was slow in providing restitution to victims under the new act and criticized the maximum amount of restitution authorized by the state, €5,200 (\$5,960). Under the new law, victims who sought compensation from their traffickers through a civil suit could not request restitution from the state through criminal proceedings. Experts noted judges did not award

damages in the majority of cases, whether criminal or civil proceedings, and victims lacked legal and financial support to pursue damage claims in the various stages of extremely lengthy proceedings. The government awarded compensation to one trafficking victim. As reported by GRETA, the law outlined a narrow interpretation of the non-punishment of victims, giving prosecutors discretion to terminate criminal prosecution only for offenses committed by negligence and offenses carrying a maximum sentence of imprisonment of five years; it did not cover administrative offenses.

## PREVENTION

The government increased efforts to prevent trafficking. The government approved a new national program to fight trafficking in November 2018, covering 2019-2023, which included specific tasks for ministries, acknowledged the need for various ministries to improve their anti-trafficking capacity, and emphasized protection of child victims. The Expert Working Group (EWG), which included representatives from the relevant ministries, the prosecution service, police, and NGOs, provided input for the program. Some EWG participants criticized the level of preparedness and commitment of some of the government ministries in the group. The MOI's crime prevention office and information center coordinated the government's anti-trafficking activities, served as the secretariat of the EWG, administered the victim care program, and functioned as the national rapporteur. The center also collected and published data on victims but faced challenges reconciling the data from different institutions. The MOI allocated €39,700 (\$45,530), compared to €90,000 (\$103,210) in 2017, in grants for prevention activities and awareness-raising on a variety of crimes, including trafficking. The MOI and a local government opened a second regional information center in the far east of Slovakia dedicated to trafficking prevention, including of persons departing for work abroad. Additionally, the MOI appointed eight officials in Slovakia's regional centers to offer information and assistance on trafficking prevention, victim identification, and assistance, in addition to other crimes; these officials participated in more than 3,000 meetings, lectures, and seminars during the reporting period.

The government launched extensive trafficking prevention and public awareness campaigns to engage the general public, students, employers, and at-risk children in orphanages. The MOI prepared a leaflet on self-identification in six languages and distributed it to employees and clients of asylum facilities, migration detention centers, and border police stations. The labor ministry issued a brochure for temporary workers on trafficking indicators, the labor code, and the rights and obligations of foreign employees in Moldovan, Serbian, Ukrainian, and Vietnamese, and distributed it to Serbian labor offices, relevant Slovak embassies, and in areas with a sizeable community of foreign workers in Slovakia through local employers and municipalities. Foreign workers employed by agencies registered in another EU member state and seconded to work in Slovakia, which made up a significant portion of the migrant labor force, did not have access to the information because they did not pass through Slovak embassies in their home countries. Experts said government-run integration programs for foreigners, except for asylum seekers, did not exist, and this contributed to their vulnerability to traffickers. NGOs said there were inadequate government efforts in other languages to inform foreign worker populations of their rights, and lack of awareness of availability of services and the language barrier prevented some foreign victims from seeking help

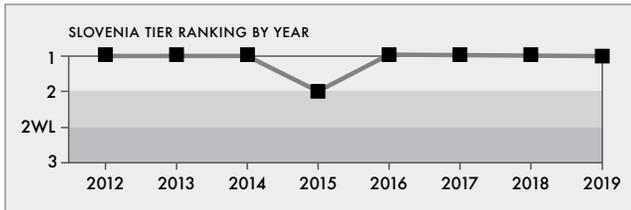
from authorities. The labor inspectorate and BBAP conducted 330 joint inspections (340 in 2017) of worksites, screening approximately 3,000 individuals (3,200 in 2017), including approximately 1,200 foreign workers, and did not uncover any victims. A publicly supported anti-trafficking hotline operated by an NGO for 12 hours per day received approximately 690 calls related to trafficking; seven victims were identified through the hotline. The government ran a nationwide public awareness campaign for three months to promote the hotline. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Slovakia, and traffickers exploit victims from Slovakia abroad. Traffickers exploit Slovak men and women in forced labor in agriculture and construction in Western Europe, primarily the UK. Traffickers exploit Slovak women in sex trafficking in Austria, Denmark, Germany, Switzerland, the UK, and other European countries, as well as the United States. NGOs report Bulgarian, Filipino, Moldovan, Romanian, Serbian, Thai, Ukrainian, and Vietnamese men and women are vulnerable to forced labor in Slovakia and may be unable or afraid to seek assistance from authorities. Some temporary workers from Moldova, Serbia, and Ukraine, recruited for the manufacturing and construction industries, are subjected to conditions indicative of forced labor, including non-payment of wages. Filipina and Thai women are vulnerable to sex trafficking and forced labor in domestic service, restaurants, massage parlors, or spas. Eastern European women are reportedly transported to and through Slovakia and forced into prostitution within the country and throughout Europe. Slovak women of Romani descent are particularly vulnerable to sex trafficking; they are transported to the UK by force or deception for sham marriages for the purpose of sex trafficking or forced labor. Slovak children of Romani descent are subjected to sex trafficking through forced marriage in Slovakia and forced criminal behavior in the UK. Slovak men, women, and children of Romani descent and Slovaks with physical and mental disabilities are forced to beg throughout Western Europe. Children without family or relevant support structures who leave institutional care facilities are subjected to sex and labor trafficking.

## SLOVENIA: TIER 1

The Government of Slovenia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Slovenia remained on Tier 1. These efforts included adopting the 2019-2020 national action plan, training a broad range of government personnel with an increased emphasis on labor trafficking, funding an NGO project to support reintegration of survivors of trafficking, and investigating and prosecuting large-scale trafficking crimes. Although the government meets the minimum standards, it did not consistently provide proper facilities and support to assist child victims of trafficking. Authorities did not report ordering restitution for or helping victims receive compensation and did not impose on all convicted traffickers adequate penalties that included significant prison terms.



### PRIORITIZED RECOMMENDATIONS:

Establish a process to ensure systematic provision of care and designated facilities for child victims of trafficking, including enhanced training of caregivers and foster care parents. • Vigorously prosecute sex and labor trafficking offenses, and impose on all convicted traffickers adequate penalties that include significant prison terms. • Establish and maintain a comprehensive and publicly available statistical system on measures taken to protect and promote the rights of victims, including data on investigations, prosecutions, and judicial determinations. • Amend the definition of trafficking under Slovenian law to align more closely with the definition in the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and children. • Increase efforts to order restitution for both EU and non-EU citizen victims, as well as access to the state fund for crime victims. • Expand prevention outreach that targets vulnerable populations, such as Roma. • Increase efforts to provide potential victims with information about rights and access to services in languages they understand.

### PROSECUTION

The government increased law enforcement efforts. Article 113 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties ranging from one to 10 years' imprisonment for offenses involving an adult victim and three to 15 years' imprisonment for those involving a child victim or other aggravating factors. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. However, inconsistent with the definition of trafficking under international law, Article 113 established the use of force, fraud, or coercion as an aggravating factor rather than an essential element of the crime. Police conducted three trafficking investigations involving 26 suspected traffickers, compared to five investigations involving 15 suspects in 2017. Authorities initiated prosecution of all 26 suspected traffickers, compared to 19 in 2017. The government convicted five traffickers, compared with 10 in 2017. Courts sentenced all five to prison terms ranging from 2.5 to eight years, a similar range of sentences as imposed in 2017. In July, the government indicted two Slovenian and four Chinese citizens for human trafficking stemming from the January 2018 investigation of a fraudulent phone bank facility that identified 32 trafficking victims from Taiwan who traffickers forced to call private individuals in China under false pretenses to gain access to personal bank account information. Slovenian and Croatian police collaborated to disrupt a similar operation in Croatia. In another noteworthy case in January 2019, law enforcement arrested eight suspects for allegedly trafficking up to 300 individuals since 2014. Police identified 47 potential victims, mostly Romanian women, during the initial action. Most declined assistance from NGO representatives who were present and ready to assist. The government continued to conduct specialized training for investigators, prosecutors, judges, border control officials, and police. Each of the eight police districts had at least one officer specializing in trafficking

investigations, together operating as a de facto nation-wide coordination network. Two prosecutors specializing in serious criminal cases also had dedicated expertise on trafficking prosecutions.

### PROTECTION

The government maintained victim protection efforts. The government allocated €85,000 (\$97,480) for housing victims in 2018, the same level as in the previous three years. During the reporting period, the government identified 70 victims—68 adult sex trafficking victims and two victims of forced begging, compared to 98 victims of sex trafficking and the 32 Taiwan victims of labor trafficking in 2017. The government continued its annual trainings for officials of the International Protection Division of the Ministry of Interior, particularly in screening for trafficking indicators among applicants for asylum, and provided arriving migrants with information on risks of trafficking. Relevant government officials also received the Manual for Identification of Victims of Trafficking in Persons, first adopted in 2016. The 2019-2020 national action plan, approved by the government in January 2019, included providing health insurance for victims, increasing the focus on trafficking within the Roma community, and ensuring the legal status of non-EU and non-Slovenian victims was not dependent on cooperation in police criminal investigations.

The Ministries of Interior (MOI) and Labor funded two NGOs that provided crisis and safe housing for victims, supplemented by private donations and support from the Catholic Church. Both NGOs were among a wider range of organizations providing such assistance as counseling, psycho-social support, legal representation during investigations and court proceedings, and filing of documentation for residency status. Victims could receive crisis shelter for an initial 30 days and up to an additional 90 days of safe housing. Child victims of trafficking continued to lack adequate assistance, and there were no designated facilities for unaccompanied child trafficking victims, who instead stayed in shelters together with unaccompanied migrant minors. They received care through the Center for Social Work. GRETA highlighted a concern over unaccompanied child victims disappearing from public care, urging development of more suitable accommodations for children with fully trained staff or foster parents. NGOs reported virtually all minor victims, mostly males between ages 14 and 18, left their accommodation without notice.

Non-EU foreign victims had a 90-day reflection period to remain in Slovenia while recovering and considering whether to participate in an investigation, with accommodations based on their temporary residence permit, although they were not authorized for employment during this period. Those victims cooperating in criminal proceedings could extend their stay by 180 days, longer if needed for the trial of their trafficker. When participating in pre-trial and criminal proceedings, victims also had a right to interpretation services and a protective escort. The 2018 GRETA report urged improving the process of providing comprehensive information to victims in a language they could understand in order to assess their options, including participation in programs to resist re-victimization. In response to the GRETA recommendation, the MOI provided €54,600 (\$62,610) to fund a 2019-2020 NGO project to support reintegration of survivors. The government also funded two NGO hotlines offering assistance to both domestic violence and trafficking victims, although the hotlines did not track the number of calls received or how many callers' situations had trafficking indicators. One NGO providing shelter and

reintegration support for victims reported an increased percentage of Slovenian citizens among female potential victims of trafficking seeking assistance. Only citizens of EU countries were eligible to apply for compensation from the state fund for crime victims, although all victims could seek compensation through the courts. NGOs also noted there were insufficient professional interpreters fully trained in translating the details of rights of potential trafficking victims for asylum intake proceedings. Some victims were reluctant to speak with transparency with social workers and counselors about their situation, when the same interpreters assisted in the different contexts of law enforcement investigations and court proceedings on their case.

## PREVENTION

The government increased prevention efforts. The government elevated the position of the national coordinator for countering trafficking in persons to the level of state secretary within the MOI. As leader of the interdepartmental working group (IWG), the coordinator oversaw establishment of the Anti-Trafficking Service Office within the MOI, with dedicated staff, implementing a key recommendation of the 2018 GRETA Report, to provide comprehensive support for investigators and providers of services to victims. The IWG included NGO representatives and met every two months to organize and coordinate awareness efforts that included producing an annual monitoring report. Slovenia did not have an independent national anti-trafficking rapporteur, also a key GRETA recommendation. The government communications office allocated €25,000 (\$28,670), compared to €20,000 (\$22,940) in 2017 and 2016, for five NGO-funded awareness projects for the general public and particularly vulnerable populations, including youth, migrant workers, refugees, and Roma communities. A government website in both English and Slovenian promoted awareness of forced labor and labor exploitation with international research, information on investigations, and prosecutions, and a mechanism for contacting NGOs providing assistance to potential victims. The website received 8,500 visits in 2018 and included the government's Manual for Companies and Employers addressing labor trafficking, as well as a portal for anonymous reporting of potential trafficking cases and victims. Even with these efforts, the government communications office remained underfunded on trafficking in persons-specific outreach, particularly in light of new trends in trafficking methods and the need to expand public awareness.

The Labor Inspectorate regularly trained inspectors and emphasized regulation of the recruitment process. NGOs, however, noted labor trafficking received insufficient attention and resources for conduct of investigations. Slovenian officials provided anti-trafficking training to Serbian police and prosecutors. The government did not make efforts to reduce the demand for commercial sex.

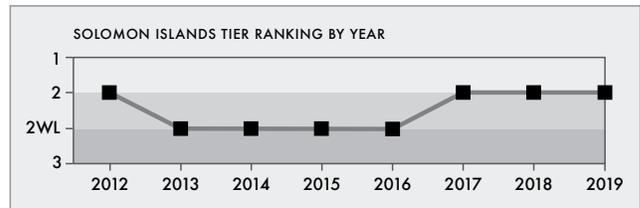
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Slovenia, and, to a lesser extent, traffickers exploit victims from Slovenia abroad. Foreign workers and undocumented migrants from countries such as Bosnia and Herzegovina, Romania, Serbia, Slovakia, and Ukraine are among the most vulnerable to labor trafficking, exploited in the construction sector, forced begging, or domestic servitude. Sometimes these persons are in transit to Western Europe, particularly Italy, Austria, or Germany, where they experience forced labor. Women and children from Slovenia, Eastern

European, the Western Balkans, and Latin American countries are subjected to sex trafficking within Slovenia, and many also transit to Western Europe, primarily Italy and Germany, where they are at risk of sexual and labor exploitation. Ethnic Roma are particularly vulnerable to trafficking in Slovenia.

## SOLOMON ISLANDS: TIER 2

The Government of the Solomon Islands does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore the Solomon Islands remained on Tier 2. These efforts included investigating more alleged incidents of trafficking, identifying more victims than in prior years, and advancing its first trafficking prosecution initiated in the previous reporting period. However, the government did not meet the minimum standards in several key areas. General lack of awareness of the crime and applicable legislation among front-line officers, coupled with under-resourced protection services and widespread observance of informal justice models, exacerbated the government's slow response to trafficking cases. Reports of official complicity in trafficking continued, and authorities identified few cases of internal sex trafficking despite its prevalence throughout the country. Although officials jointly conducted and participated in some awareness-raising activities with assistance from international organizations, the government did not initiate or conduct any anti-trafficking training for law enforcement.



## PRIORITIZED RECOMMENDATIONS:

Investigate and prosecute both sex trafficking and labor trafficking offenses and convict and punish traffickers, including complicit officials, with dissuasive prison sentences. • Amend the Immigration Act to remove sentencing provisions that allow fines in lieu of imprisonment for sex trafficking offenses occurring outside Solomon Islands. • Increase efforts to identify Solomon Islander and foreign victims of sex trafficking and labor trafficking within the country, including in agriculture, the fishing, logging, and mining industries, and in relation to illicit commercial activities. • Provide training on trafficking laws and victim identification procedures to immigration officials, law enforcement officers, and social service providers, including at the provincial level. • Increase government support for victim protection, including through the allocation of funding to trafficking-specific shelter services benefiting both male and female victims. • Increase efforts to collect data on trafficking trends in the Solomon Islands and disseminate among interagency anti-trafficking stakeholders. • Institute a campaign to raise public awareness of trafficking. • Increase and allocate funding to relevant ministries to implement the national action plan for combating trafficking in persons. • Accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government increased law enforcement efforts. The penal code, together with the Immigration Act, criminalized sex trafficking and labor trafficking. Article 143 of the penal code criminalized child sex trafficking under its “child commercial sexual exploitation” provision and prescribed penalties of up to 15 or 20 years’ imprisonment, based on the child’s age. Article 145 of the penal code criminalized sex trafficking and labor trafficking when the offense occurred within the country. Article 145(2) applied to trafficking offenses involving an element of force, fraud, or coercion; it prescribed penalties of up to 20 years’ imprisonment for offenses involving adult victims and up to 25 years’ imprisonment for offenses involving child victims. Article 145(3) prescribed penalties of up to 15 years’ imprisonment for offenses, which did not involve an element of force, fraud, or coercion. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping. The Immigration Act criminalized other forms of trafficking, including crimes in which the recruitment, transportation, harboring, or receipt of the trafficking victim occurred outside the Solomon Islands. The Immigration Act prescribed penalties of up to five years’ imprisonment, a fine of up to 45,000 Solomon Islands dollars (\$5,800), or both for the trafficking of adults; it prescribed a penalty of up to 10 years’ imprisonment, a fine of up to 90,000 Solomon Islands dollars (\$11,610), or both for the trafficking of children. These penalties were sufficiently stringent, but with respect to sex trafficking, by allowing for a fine in lieu of imprisonment, they were not commensurate with penalties prescribed for other serious offenses. With technical assistance from an international organization, the government completed a review of the Immigration Act in an effort to identify gaps in the trafficking-specific provisions, among others, but it had taken no further action by the end of the reporting period.

The government reported investigating six potential trafficking cases involving at least six suspects during the reporting period, up from two investigations in 2017. Two cases involving four suspects remained under investigation at the end of the reporting period. Authorities also reported ongoing investigations into three forced labor cases involving an unspecified number of alleged traffickers. Authorities continued prosecutions initiated in 2017 against two foreign nationals for allegedly subjecting Solomon Islands children to sex trafficking in logging camps; these ongoing proceedings, filed under Section 77 of the Immigration Act, represented the country’s first trafficking prosecutions. One of the alleged perpetrators appeared for a preliminary hearing in January 2019 and was referred to the Honiara Central Magistrate for further hearing. The other case was awaiting a court date at the end of the reporting period. Both cases featured tandem investigations into the victims’ parents for allegedly engaging in and benefiting from their exploitation, but authorities did not report the status of those inquiries.

In partnership with two international organizations, the Solomon Islands Immigration Division conducted a joint training for an unspecified number of law enforcement and other anti-trafficking stakeholders on definitions, investigations, and psycho-social care for victims. Insufficient funding of enforcement agencies, lack of technical expertise, and pervasive lack of awareness of the crime and of the relevant legislation among front-line officers continued to exacerbate the government’s slow response to trafficking cases. Traditional justice practices referred to as “customary rule,” often involving retribution or informal restitution arrangements between

victims’ families and their traffickers, continued to supplant formal law enforcement efforts and further complicated victims’ access to justice. Despite reports of systemic corruption that may have been permissive of trafficking, especially in relation to irregular migration and the fishing and logging industries, authorities did not investigate, prosecute, or convict any government officials for complicity in trafficking offenses.

## PROTECTION

The government increased efforts to protect trafficking victims. The system through which it identifies and refers victims was developed in a prior reporting period under the Ministry of Health and Medical Services (MHMS) and remained in place during the reporting period. The Immigration Division maintained separate standard operating procedures for victim identification and protection. According to statistics available at the end of the reporting period, the government identified at least 39 victims of trafficking, including 35 Indonesian male labor trafficking victims in the logging industry; three female sex trafficking victims under the age of 18; and one unspecified male victim under the age of 18 (compared with two victims in 2017). Due to the tendency for some officials to conflate human trafficking with smuggling and other abuses, these numbers may include cases that did not involve forced labor or commercial sexual exploitation.

No trafficking-specific services existed in the country; however, the Royal Solomon Islands Police operated a shelter in Honiara for domestic violence victims that could provide services to adult women and children subjected to sex trafficking. Police referred two boys to shelter and psycho-social services through an international religious organization, but the government did not report if these were victims of trafficking or other forms of abuse. The Ministry of Justice and Legal Affairs allocated an unspecified amount of funding to support court witnesses, including one child trafficking victim. The government provided a total of 308,000 Solomon Islands dollars (\$39,730) to fund investigations, public awareness, and victim protection and assistance from the Immigration Division’s budget, compared with 200,000 Solomon Islands Dollars (\$25,800) for shelter services and victim care in 2017. The Ministry of Women, Youth, Children and Family Affairs also provided 500,000 Solomon Islands Dollars (\$64,500) primarily for victims of gender-based violence, but this funding was available to trafficking victims as well. A lack of long-term protective services left victims vulnerable to re-trafficking after authorities returned them to their home communities. No specialized shelter services existed for victims of labor trafficking or male victims.

The Immigration Act granted the government authority to provide temporary residence permits for foreign victims to assist police with investigations, and it insulated victims against prosecution for immigration-related crimes traffickers compelled them to commit. However, the government did not report identifying any foreign victims during the reporting period, nor did it report providing services to foreign victims identified in previous years. The government did not report if it would extend these protections to victims whose cases were investigated under the penal code. Authorities reported returning all 35 labor trafficking victims identified to Indonesia with the assistance of an international organization. Authorities may have arrested and prosecuted sex trafficking victims for prostitution violations without screening to determine whether they were trafficking victims. Due to lengthy legal processes, fear of retaliation by traffickers or prosecution by police, and a lack of incentives to remain and participate in cases, it was

likely some unidentified foreign victims opted to return to their home countries. The government reported trafficking victims were able to seek compensation from their employers through civil suits, although no victims had filed such suits during the reporting period.

## PREVENTION

The government increased efforts to prevent trafficking. The Anti-Human Trafficking Advisory Committee (AHTAC), which included members of the government and civil society, met on a quarterly basis. The AHTAC continued implementation of the Solomon Islands' 2015-2020 national action plan, including by conducting awareness raising activities for more than 1,000 students, village residents, Provincial Assembly members, and laborers. The Labor Division reported conducting monitoring and inspection activities at two logging operations sites; unlike in prior years, it did not report conducting such oversight in the fishing or mining sectors. The government did not report taking action to reduce the demand for commercial sex acts, but it began collaborating with a local chamber of commerce to establish a policy for discouraging abuses in labor-intensive industries, including a component aiming to prevent labor exploitation.

During the reporting period, the MHMS and the Ministry of Home Affairs jointly introduced a civil birth registration program to improve statistical recordkeeping on local populations—a step international organizations had previously recommended as a way to better understand and address trafficking vulnerabilities throughout the 900 islands within the country's diffuse maritime territory. The government did not provide anti-trafficking training for its diplomatic personnel. The Solomon Islands was not a party to the 2000 UN TIP Protocol; however, with the assistance of an international organization, the AHTAC established a working group to prepare the government to accede to and ratify the United Nations Convention against Transnational Organized Crime and its supplementary protocols.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers subject domestic and foreign individuals to trafficking in the Solomon Islands, and they subject Solomon Islander individuals to trafficking abroad. Local, South Asian, and Southeast Asian men and women are subjected to forced labor and forced prostitution in the Solomon Islands, and local children are subjected to sex trafficking and labor trafficking. Women from China, Indonesia, Malaysia, and the Philippines often pay large recruitment fees for jobs in the Solomon Islands and upon arrival are forced into prostitution. Men from Indonesia and Malaysia are subjected to forced labor in the logging, fishing, and mining industries. Fishermen from Indonesia, the Philippines, Vietnam, Sri Lanka, the Democratic People's Republic of Korea, and Fiji have reported situations indicative of labor trafficking, including non-payment of wages, severe living conditions, violence, and limited food supply on Taiwan-flagged fishing vessels in the Solomon Islands' territorial waters and ports.

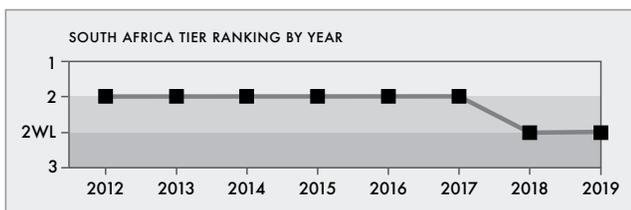
Traffickers subject Solomon Islander children to sex trafficking and forced labor within the country, sometimes in exchange for money or goods, particularly near foreign logging camps, on foreign and local commercial fishing vessels, and at hotels, casinos, nightclubs, and other entertainment establishments. Some official corruption—especially in relation to facilitating irregular migration and involvement in the fishing and the

forestry sectors—may be permissive of trafficking. Some boys, girls, and young women are recruited for domestic work and subsequently exploited in prostitution at logging camps. Under informal justice practices referred to as “customary rules,” parents frequently receive payments for sending young women and girls into forced marriages with foreign workers at logging and mining companies, where many of them are exploited in domestic servitude or prostitution. Often these payments are rendered after the victims escape or are returned home as informal restitution brokered by local leadership. In this way, local community leaders may also be benefiting financially from these arrangements. Mining and logging camp leadership reportedly force boys to serve as *solairs*—illicit brokers procuring girls for sexual and domestic servitude in worker lodging facilities—and logging camp personnel force young males to work as domestic servants and cooks. Following the government's decision to cease issuance of new logging licenses, a decline in the industry has contributed to an increase in internal economic migration of communities located in former logging areas; these displaced communities may be at higher risk of sexual and labor exploitation. Elsewhere, Solomon Islander children may be subjected to forced labor in the agricultural sector, forced harvesting of seafood, and forced criminality in the manufacturing and transportation of drugs and in pickpocketing. To pay off debts, some parents reportedly sell their children to other families via “informal adoption” that often involves forced labor or sexual servitude. Traffickers also use the Solomon Islands as a transit point to subject foreign individuals to trafficking in other countries.

## SOUTH AFRICA: TIER 2 WATCH LIST

The Government of South Africa does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included prosecuting more traffickers and, in coordination with international organizations, training front-line responders on trafficking. The government provided stipends to NGOs providing care; approved a National Policy Framework, which included a national action plan; and conducted numerous public awareness-raising activities throughout the country. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government investigated and convicted fewer traffickers. The government made little progress in prosecution of traffickers connected to international syndicates, which facilitated sex and labor trafficking with impunity throughout the country. The government did little to address reports of official complicity in trafficking crimes and efforts by officials to stymie law enforcement action as a result of corruption, which created a culture of impunity for offenders, raised concerns over victim protection, and inhibited the government's prosecution, protection, and prevention efforts. Poor understanding of trafficking and the lack of consistent training hindered the government's overall anti-trafficking efforts and sometimes resulted in arrests and detentions of trafficking victims. The government identified fewer victims, referred fewer than half of the identified victims to protective care, and sometimes denied foreign nationals protective services, especially if they chose not to participate in an investigation. The implementing regulations for the Prevention and Combating of Trafficking in Person's (PACOTIP) immigration provisions have not been

promulgated since the enactment of the Trafficking in Persons act in 2013 and the government's insufficient funding of anti-trafficking efforts prevented front-line responders from fully implementing the anti-trafficking law. Therefore South Africa remained on Tier 2 Watch List for the second consecutive year.



### PRIORITIZED RECOMMENDATIONS:

Investigate and prosecute officials suspected of complicity in trafficking crimes. • Increase efforts to investigate, prosecute, and convict traffickers involved in organized crime syndicates that facilitate trafficking. • Promulgate the immigration provisions in Sections 15, 16, and 31(2)(b)(ii) of PACOTIP and cease efforts to deny trafficking victims access to immigration relief, including through the asylum process. • Fully implement PACOTIP and pass Department of Home Affairs implementing regulations. • Increase resources and training to identify trafficking victims, including by screening for trafficking indicators among vulnerable populations, such as women in prostitution and migrants. • Amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment for sex trafficking crimes. • Increase efforts to investigate, prosecute, and convict traffickers, including employers who use forced labor. • Ensure victims are issued appropriate immigration identification documents in order to receive protective services. • Train law enforcement and social service providers to use a victim-centered approach when interacting with potential victims. • Provide translators to assist foreign trafficking victims in seeking justice. • Replicate the coordinated anti-trafficking law enforcement and victim referral mechanisms of KwaZulu-Natal (KZN) and Western Cape in all provinces. • Extend the availability of drug rehabilitation services to trafficking victims. • Accredite or establish additional trafficking-specific shelters for male and female victims. • Fully implement the Southern African Development Community (SADC) regional data collection tool. • Dedicate sufficient resources to the National Human Trafficking Resource Line, the official anti-trafficking hotline in South Africa.

### PROSECUTION

The government maintained prosecution efforts. It did little to address reports of official complicity in trafficking crimes and efforts by officials to stymie law enforcement action as a result of corruption, which created a culture of impunity for offenders. PACOTIP criminalized sex trafficking and labor trafficking and prescribed penalties of up to life imprisonment, a fine of up to 100 million South African rand (\$6.97 million), or both. The penalties were sufficiently stringent; however, with regard to sex trafficking, by allowing for a fine in lieu of imprisonment, the prescribed punishment was not commensurate with those for other serious crimes, such as rape. The implementing regulations for PACOTIP's immigration provisions found in Sections 15, 16, and 31(2)(b)(ii) have not been promulgated, therefore critical sections of the act remained inactive. The Criminal Law (Sexual Offenses and related matters) Amendment Act of 2007 (CLAA) also criminalized the sex trafficking of children and adults and

prescribed penalties of up to life in prison; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes, such as rape. The Basic Conditions of Employment Act of 1997 (BCEA), amended in 2014, criminalized forced labor and prescribed maximum penalties of three to six years' imprisonment. In addition, the Children's Amendment Act of 2005 prescribed penalties of five years to life imprisonment or fines for the use, procurement, or offer of a child for slavery, commercial sexual exploitation, or to commit crimes. Where relevant, prosecutors sometimes relied on the Prevention of Organized Crime Act of 1998 in combination with CLAA, which added additional charges—such as money laundering, racketeering, or criminal gang activity—and increased penalties of convicted defendants.

The Directorate of Priority Crime Investigation (the Hawks) reported that it investigated 36 potential trafficking cases, including both sex and labor trafficking cases, compared to 82 potential cases during the previous reporting period, and it collaborated closely with the National Prosecuting Authority (NPA) to compile evidence and build cases. The government initiated prosecutions of 27 cases, involving 77 alleged traffickers, compared to 23 cases in the previous year. The government convicted nine traffickers in seven cases, compared to eight traffickers convicted in 2017. The government sentenced five traffickers to life imprisonment; two traffickers to 12 and 18 years, respectively; and one trafficker, in one case, awaited sentencing at the close of the reporting period. In one case, the government received 45,000 rand (\$3,140) restitution for the victim through a plea deal, although the deal resulted in no jail time for the trafficker. NGOs reported that the South Africa Police Service (SAPS) officers were sometimes slow to respond to requests for investigations of potential trafficking cases if they responded at all and that they sometimes failed to identify victims. In some cases, disregard toward foreign nationals from other parts of Africa may have impacted police willingness to investigate potential trafficking cases. Observers reported that the Hawks also often ignored cases referred by NGOs or directly refused to assign an investigator to a potential trafficking case. The government did not comprehensively monitor or investigate forced child labor or the labor trafficking of adults in the agricultural, mining, construction, and fishing sectors. Department of Labor (DOL) inspectors continued to use administrative provisions within the BCEA as their primary enforcement mechanism and rarely referred cases for criminal investigation. One NGO criticized the NPA's common approach to prosecute trafficking cases as domestic violence or rape cases and, in another instance, a prosecutor dismissed a case of forced labor due to the victim being an irregular migrant with fraudulent documents. The government made little progress in prosecution of traffickers connected to international syndicates that dominated the commercial sex industry in several South African cities and operated with impunity. NGOs reported that police and border control officers received bribes from these syndicates; some police did not pursue traffickers out of fear of reprisals.

Despite serious concerns, the government did not prosecute or convict any complicit officials or address efforts by officials to stymie law enforcement action. For the second consecutive year, the government did not sufficiently fund agencies responsible for implementing the PACOTIP, leading to uneven enforcement of the law, including insufficient investigations into reports of official complicity. NGOs alleged widespread official complicity, including but not limited to officials requesting sex acts or bribes in exchange for visas or residence permits, in order to not prosecute sex trafficking crimes, and to facilitate deportation

of migrants so farm or factory managers would not have to pay their workers. When NGOs lodged complaints of alleged complicity, the government did little to investigate and sometimes transferred the suspected official to another position. This increased the risks for whistleblowers to report alleged complicity, as the government afforded them little protection and took no substantive action to address the concerns. One NGO reported transfers of trusted law enforcement stakeholders away from the anti-trafficking portfolio after investigating potential trafficking cases too thoroughly. In one case involving a sex trafficking victim identified during a brothel raid, the victim reported that police called the trafficker shortly before the raid to alert him so he could escape.

The government did not have a systematic mechanism for training front-line officials across all agencies, which hindered the government's anti-trafficking efforts as a whole and sometimes resulted in unlawful arrests and detentions of trafficking victims. Nonetheless, the government conducted many trainings during the reporting period. In collaboration with an international organization, the government trained labor inspectors, Department of Home Affairs (DHA) officials, social workers, and traditional leaders on trafficking. In coordination with international organizations and NGOs, the government trained prosecutors and a range of front-line officials like nurses, doctors, social workers—including those with substance abuse expertise, and community leaders. The training topics included push and pull factors for trafficking in persons, identification and protection of victims, victim-centered interview techniques, investigation of trafficking cases, and legislation. The government also trained immigration officers, border officials staffing at least two border posts, and law enforcement officers, and held a joint training of border officials from Zimbabwe and South Africa. An international organization partnered with the government to train task teams in several provinces.

## PROTECTION

The government decreased the number of victims it identified, but it continued to provide protective services to victims. The government and non-government entities identified 260 victims, compared to 399 victims in 2017. Of the 260 victims identified, 201 were men, 21 were women, 34 were boys, three were girls, and one was of an unknown gender; this included 244 foreign nationals, including children from the Democratic Republic of Congo, Zimbabwe, and Mozambique and adults from Nigeria, Uganda, Rwanda, Ghana, and Thailand; 14 South Africans; and two victims of unknown nationalities. Traffickers exploited 238 victims in forced labor, 20 in sex trafficking, and two in an unknown type of trafficking. The government referred 118 victims to shelters across seven provinces; 17 victims voluntarily returned to their countries or communities; an international organization assisted in repatriating victims. Thirty-two victims absconded from care facilities, at times because the government failed to take law enforcement action against their traffickers.

SAPS, the Department of Social Development (DSD), NPA, and the Department of Justice (DOJ) had shared formal procedures to identify and refer trafficking victims to care, in accordance with PACOTIP. Implementation of these procedures varied by department and province; not all officials were aware of referral procedures, particularly with vulnerable groups, including trafficking victims. Some officials had difficulty identifying labor trafficking victims and differentiating between trafficking and smuggling crimes. NGOs criticized SAPS for not identifying

victims; some SAPS officers failed to follow referral guidelines. Furthermore, the government sometimes denied undocumented foreign nationals protective services, especially if they chose not to participate in investigations. The DHA had no formal, written procedures to guide the handling of trafficking cases. Although a range of government and non-government entities identified victims, DSD was responsible for designating and certifying trafficking victim status and authorizing the provision of protective services. In addition, DSD was responsible for monitoring the provision of protective services, preparing victim-witnesses for court, and accompanying them through trial and repatriation, if applicable. NGOs reported that front-line officials responsible for receiving referrals were often unreachable and that DSD and SAPS were sometimes not informed of their responsibilities to certify and refer victims, a necessary step before victims could receive care of any kind. NGOs reported that SAPS sometimes left victims at shelters without first contacting DSD, left limited contact details for the case officers, or failed to follow-up on cases. Observers reported there was an insufficient number of shelters; some DSD shelters occasionally refused to accept trafficking victims due to security, drug addiction, or cultural concerns. Police indicated they often struggled to find interpreters to acquire victim-witness statements within the two-day window during which charges had to be filed, even if interpreters existed in the province.

The government continued oversight and partial funding of 14 accredited NGO-run multipurpose shelters and continued to oversee 17 NGO-run safe houses designed to temporarily shelter victims before transfer to an accredited shelter, in which trafficking victims were provided care during the reporting period. The government provided a stipend on a per-person, per-night basis to the safe houses. However, NGOs reported they could not always access available funds with the urgency required after identifying victims. Only one shelter provided care exclusively for trafficking victims. Only one shelter provided care for male trafficking victims; no shelters provided care exclusively for male victims. Shelters accessible to persons with disabilities provided limited services; however, it is unclear if any victims received these services during the reporting period. Traffickers were reportedly able to occasionally locate and collect victims from some shelters. The overall quality of victim care varied dramatically by province, gender, and circumstance. Gauteng, KZN, and Western Cape provinces generally offered adequate standards of care in urban areas; trafficking victims in these provinces, even if identified in a rural area, were generally able to access care. Victim care in other provinces was sometimes inadequate. DSD ran a nine-week rehabilitation program to address the psycho-social well-being of victims; however, the government did not report how many victims participated in the rehabilitation program during the reporting period. DSD paid for victims to receive residential treatment at drug rehabilitation centers to overcome addiction, though not all provinces had such centers. The government operated a network of 55 Thuthuzela Care Centers (TCCs)—full service crisis centers to assist victims of rape and sexual violence, including potential trafficking victims; it is unknown if TCCs assisted any victims of trafficking during the reporting period. Not all TCCs screened patients for trafficking indicators. Per DSD policy, staff generally prevented both adults and children from leaving shelters unaccompanied. NGOs reported that government shelter staff sometimes failed to keep victims informed about their case status, or provide dependency counseling and adequate security. Victims could not seek employment while receiving initial assistance, but South African citizens, South African residents, and registered refugees could seek employment while a court case was pending; other foreign

victims could not seek employment, even if they cooperated with law enforcement and their trials extended several years.

The government did not regularly screen foreign men, leaving male labor trafficking victims largely unidentified and resulting in their detention, deportation, or penalization. The government acknowledged that police sometimes arrested trafficking victims during raids along with perpetrators, due to a lack of training on victim identification. SAPS did not always screen women and LGBTI persons in prostitution for trafficking indicators; officials sometimes charged them with prostitution and other violations. LGBTI persons, particularly transgender persons, were especially vulnerable to trafficking due to social stigmatization; there was one shelter dedicated solely for victims from the LGBTI community, in the Western Cape.

Officials encouraged victims to participate in the investigation and prosecution of traffickers; during the reporting period, 108 victims assisted law enforcement officials in ongoing investigations of 19 trafficking cases; however, fear of reprisal from traffickers and lengthy cases served as a disincentive for victims to testify. One victim received witness protection during the reporting period. However, some hurdles inhibited progress in providing justice and protection for victims. A lack of language interpretation continued to impede the investigation of trafficking cases, prosecution of suspected offenders, and screening of victims. PACOTIP allowed for trafficking victims to receive relief from deportation; however, regulations to implement this provision were not promulgated. As a result, if undocumented foreign national victims did not participate in law enforcement investigations, the government sometimes deported them. DHA required foreign nationals to renew their immigration paperwork every two weeks, which placed an unnecessary financial and logistical burden on them and the NGOs providing their care. NGOs reported that in some cases DHA doubted trafficking victimization or provided a rationale of preventing trafficking as justification to deny access to immigration documentation and the asylum process. In instances in which DHA denied such access, DHA did not always coordinate with the appropriate front-line responders to identify potential trafficking victims. During the reporting period, the DHA issued standard operating procedures (SOPs) for Section 3(c) of the Refugees Act regarding procedures for petitioning for family members to join in refugee and asylum cases that further created barriers to issuing dependents, including children, asylum status with their parents. Although the SOPs addressed some gaps in the 3(c) family joining process, it limited the government's ability to address trafficking, as it left dependents applying to join a family member's refugee file without documentation. Furthermore, the SOPs did not require officials to provide any rationale to those who were not able to have their dependents join. In cases of children who were denied status, the SOPs did not outline further action and resulted in children who were forcibly undocumented and increased their vulnerability to trafficking.

## PREVENTION

The government increased efforts to prevent trafficking. The government approved its National Policy Framework, a strategic plan including a national action plan intended to improve capacity and coordination to combat trafficking among government agencies. The NPA and DOJ oversaw the National Intersectoral Committee on Trafficking in Persons (NICTIP) and six provincial task teams, which met quarterly to coordinate counter-trafficking efforts and worked to address

challenges. Both the NICTIP and the provincial task teams often exhibited poor coordination and communication. Some of the provincial task teams ceased meeting or functioning. There was no accountability to require these groups to function; officials in positions of authority with the ability to facilitate change rarely attended meetings. The government continued to work towards implementation of the SADC regional data collection tool. The DOJ included, for the first time, an indicator on trafficking in its annual performance plan, the department's strategic plan through which Parliament held it accountable.

The government conducted national awareness-raising activities during the reporting period. The NPA, DOJ, SAPS, and the Department of Education conducted six awareness-raising activities for students throughout the country. The DSD hosted an awareness-raising talk on best practices in responding to child trafficking, which was attended by 200 delegates from across the country and supported by NPA and several provincial task teams. The NPA, Department of Health, local government, NGOs, the fire department, and religious leaders raised awareness of community members and distributed leaflets and brochures on the role of TCCs as related to trafficking. The government spoke about trafficking on live radio broadcasts. The Western Cape Department of Education partnered with an NGO to incorporate content from the NGO's curriculum called "Bodies Are Not Commodities" into the province's life orientation classes in grades nine and 10. The Western Cape provincial government also developed an outreach program taking social services from NGOs and government agencies to rural communities and vulnerable groups. At a transport hub in Johannesburg, various government departments partnered with a national anti-trafficking network to raise awareness amongst commuters.

The Labor Relations Act provided protection to all workers in South Africa, without regard to citizenship, immigration status, or the possession of a valid work visa. The act limited temporary employment to three months, after which employees were considered permanent and entitled to full labor protections and benefits. This provision was intended to protect vulnerable temporary workers, but many of the most vulnerable workers were in the informal sector, which falls beyond protections under the Labor Relations Act. In July 2018, South Africa's Constitutional Court clarified the act, holding that temporary workers were deemed to be employees of the clients of the labor brokers and entitled to working conditions no less favorable than those under which regular employees of the company worked. NGOs raised concerns about draft amendments to the birth registration process DHA proposed during the reporting period. DHA operated a hotline that could receive reports of potential trafficking cases; however, it is unknown how many calls the hotline received or whether any victims were identified as a result of calls to the hotline. An NGO operated a National Human Trafficking Resource Line, which received 2,543 calls that led to the identification of 22 victims from South Africa, Eswatini, Ghana, and Malawi. The hotline often received calls from community members who were unable to get help from police stations on trafficking cases, as front-line officials did not know how to assist. Moreover, the hotline received calls from victims who were turned away from police stations when asking for assistance. The government did not make efforts to reduce demand for commercial sex or forced labor. The government did not provide anti-trafficking training to its peacekeepers prior to their deployment abroad on international peacekeeping missions. In coordination with an international organization, the government provided anti-trafficking training for its diplomatic personnel.

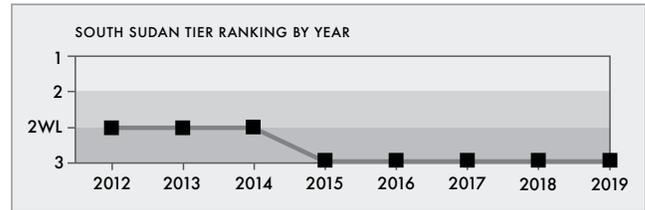
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in South Africa, and traffickers exploit victims from South Africa abroad. Traffickers recruit victims from poor countries and poor and/or rural areas within South Africa to urban centers, such as Johannesburg, Cape Town, Durban, and Bloemfontein, where traffickers force victims into sex trafficking, domestic servitude, criminal activities, and agriculture. Syndicates—often dominated by Nigerians—facilitate trafficking in the commercial sex industry. To a lesser extent, syndicates recruit South African women to Europe and Asia, where traffickers force some into prostitution, domestic servitude, or drug smuggling. Traffickers sometimes employ forced drug use to coerce sex trafficking victims. Traffickers increasingly hail from Nigeria, the Democratic Republic of the Congo, and Cameroon. Mozambican crime syndicates facilitate trafficking from the eastern border of the Kruger National Park, using the same route to facilitate other illicit crimes.

Traffickers increasingly force women from Lesotho into sex trafficking in South Africa. Traffickers coerce victims through traditional spiritual practices. Traffickers force foreign and South African LGBTI persons to engage in sex. Traffickers exploit foreign male victims aboard fishing vessels in South Africa's territorial waters; NGOs estimated 10 to 15 victims of labor trafficking disembark each month in Cape Town. Traffickers exploit young men from neighboring countries who migrate to South Africa for farm work; some were subsequently arrested and deported as illegal immigrants. Forced labor is reportedly used in some fruit and vegetable farms across South Africa. Traffickers subject Pakistanis and Bangladeshis to bonded labor in businesses owned by their co-nationals. Official complicity—especially by police—in trafficking crimes remains a serious concern. Some well-known brothels previously identified as locations of sex trafficking continue to operate with officials' tacit approval.

## SOUTH SUDAN: TIER 3

The Government of the Republic of South Sudan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore South Sudan remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including cooperating with the National Disarmament, Demobilization and Reintegration Commission (NDDRC) and an international organization to release 955 child soldiers, as well as signing the 2018 Civil Registry Act into a law aimed to increase registration of children with birth certificates. However, the government continued to recruit and use child soldiers unlawfully, at times by force; did not fully implement its existing action plan to demobilize child soldiers; and did not hold any members of the South Sudan People's Defense Forces (SSPDF)—formerly the Sudan People's Liberation Army (SPLA)—criminally accountable for these unlawful acts. Authorities did not report any investigations or prosecutions of forced labor or sex trafficking crimes for the seventh consecutive year, and did not train officials on the existing laws that prohibit human trafficking. The government made negligible efforts to proactively identify and protect trafficking victims and continued to indiscriminately arrest and imprison individuals for prostitution violations, including child sex trafficking victims, without screening for indicators of trafficking.



## PRIORITIZED RECOMMENDATIONS:

Cease all recruitment and use of children by the SSPDF and its associated militias. • Pursuant to article 2.1.10 of the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS), immediately release child soldiers under the command or influence of the SSPDF and affiliated militias and, in partnership with international organizations, transfer them to appropriate civilian rehabilitation and reintegration programs. • Investigate and prosecute suspected trafficking offenses under existing anti-trafficking laws, and convict and punish traffickers, including complicit government officials. • Train law enforcement officials, prosecutors, and judges on the 2008 Child Act, 2008 Penal Code, and 2017 Labor Act so officials can more effectively investigate, prosecute, and convict traffickers, including military officials complicit in the unlawful recruitment, use, and sexual exploitation of children. • Provide financial or in-kind support to the SSPDF's Directorate of Child Protection to facilitate efforts to identify perpetrators and refer cases to civilian courts. • Establish and implement screening and referral procedures to prevent penalization of trafficking victims for crimes committed as a direct result of being subjected to trafficking. • Train law enforcement and social workers to recognize trafficking victims, particularly among vulnerable groups such as children, individuals in prostitution, and internally displaced persons. • Develop an inventory of service providers and train government officials on procedures to refer victims to these entities to receive care. • Conduct a public awareness campaign to educate the public on all forms of human trafficking. • Incorporate anti-trafficking training into the National Aliens Committee's programming and increase coordination with government ministries, law enforcement, NGOs, and civil society actors. • Amend the 2008 Penal Code to criminalize adult sex trafficking and increase the penalty so it is commensurate with penalties for other grave crimes, such as rape. • Accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government maintained negligible anti-trafficking law enforcement efforts. The 2008 penal code, 2008 Child Act, and the 2017 Labor Act criminalized some forms of sex trafficking and labor trafficking. Article 277 of the penal code prohibited forced labor and prescribed penalties of up to two years' imprisonment, or a fine, or both; these penalties were not sufficiently stringent. Article 276 criminalized buying or selling a child for the purpose of prostitution and prescribed a punishment of up to 14 years' imprisonment and a fine, which was sufficiently stringent and commensurate with punishment prescribed for other serious crimes, such as rape. Articles 254 and 258 criminalized the procurement of a child for prostitution and the facilitation of the prostitution of a child by the child's parent or guardian and prescribed penalties of up to 10 years' imprisonment and a fine; these penalties were also sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The criminal code did not explicitly criminalize adult sex trafficking. Article 282 prohibited and prescribed a sufficiently stringent punishment of up to seven

years' imprisonment for the sale of a person across international borders. Articles 31 and 32 of South Sudan's 2008 Child Act prohibited the recruitment and use of children for military or paramilitary activities, and prescribed punishments of up to 10 years' imprisonment for such crimes. The 2018 Labor Act prohibited forced labor and prescribed penalties of up to five years' imprisonment, a fine, confiscation of property, cancellation of a business license, or closure of business, or a combination of these penalties; these penalties were sufficiently stringent.

The government did not report any investigations, prosecutions, or convictions for trafficking crimes for the seventh consecutive year. Despite the ongoing unlawful recruitment and use of child soldiers by the SSPDF and its allied militias, the government has never held an offender criminally or administratively accountable for such crimes. Lack of capacity and corruption throughout the justice sector impeded law enforcement efforts. Courts lacked lawyers, judges, and defense attorneys knowledgeable of trafficking issues and laws, and resources to investigate and prosecute most crimes, including human trafficking, were severely limited. The government did not report efforts to train officials on trafficking crimes and existing legal provisions either directly or in partnership with relevant experts. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns and impeded law enforcement action during the year.

## PROTECTION

The government maintained protection efforts; while it demobilized and assisted some child soldiers, it demonstrated negligible efforts to protect victims of other forms of forced labor and sex trafficking. The government cooperated with the NDDRC and an international organization to release 955 child soldiers (690 boys and 265 girls), an increase from 311 during the previous reporting period; however, government forces continued to recruit and use child soldiers. Security forces continued to lack a formal mechanism to identify potential victims, resulting in officials indiscriminately arresting individuals in prostitution without screening, including known child sex trafficking victims. The Ministry of Women, Child, and Social Welfare ran a transition center in Yambio with support from an international organization, which provided interim care and support to children and mothers formerly associated with violent extremist organizations, including potential trafficking victims. The government did not provide specialized services for trafficking victims.

Social stigma and fear of punitive law enforcement actions discouraged victims—particularly those subjected to sex trafficking—from reporting crimes to law enforcement authorities. There were no laws or policies to protect victims from prosecution for unlawful acts traffickers compelled them to commit. The government did not provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution, nor did it offer legal assistance or other mechanisms to encourage victims to assist in the investigation and prosecution of trafficking crimes.

## PREVENTION

The government maintained negligible efforts to prevent trafficking. The National Aliens Committee—tasked in 2015 to address migration and trafficking issues—met during the

reporting period, but did not undertake any significant anti-trafficking efforts, instead focusing on labor issues unrelated to trafficking. The government did not have a national action plan to combat trafficking, and trafficking awareness remained low among government officials and the public. Although senior SSPDF representatives acknowledged the military's recruitment of children into its ranks, forces actively continued to recruit child soldiers, at times by force, and did not implement its existing action plan to demobilize identified child soldiers currently within the forces. While formal enlistment procedures required an age assessment, many South Sudanese lack birth certificates. In addition, implementation was lacking due to poor command and control among SSPDF units and ongoing conflict throughout the country. In November 2018, the government signed the 2018 Civil Registry Act into law, aimed to increase registration of children with birth certificates, decreasing their vulnerability to trafficking. The government continued its annual campaign against sexual exploitation, designed to raise awareness among vulnerable groups and how to identify, prevent, and report gender-based violence crimes, including trafficking. Authorities failed to make efforts to prevent or address the labor exploitation of South Sudanese nationals working abroad or foreign nationals within South Sudan. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. South Sudan is not a party to the 2000 UN TIP Protocol. In September 2018, the government signed the UN Convention on the Rights of the Child Optional Protocol on the prohibition of the Recruitment and Use of Children in Armed Conflict, although the government continued to recruit and use child soldiers.

## TRAFFICKING PROFILE

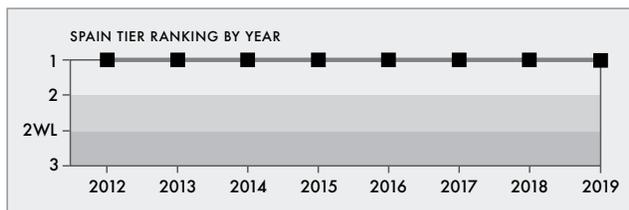
As reported over the past five years, human traffickers exploit domestic and foreign victims in South Sudan, and traffickers exploit victims from South Sudan abroad. South Sudanese women and girls, particularly those from rural areas or who are internally displaced, are vulnerable to domestic servitude throughout the country. Male occupants of the household sexually abuse some of these women and girls or traffickers force them to engage in commercial sex acts. South Sudanese and foreign businesspeople subject South Sudanese girls to sex trafficking in restaurants, hotels, and brothels in urban centers—at times with the involvement of corrupt law enforcement officials. Children working in construction, market vending, shoe shining, car washing, rock breaking, brick making, delivery cart pulling, gold mining, and begging may be victims of forced labor. Families force girls into marriages, at times as compensation for inter-ethnic killings or as a way to survive severe food insecurity; traffickers may then subject some of these girls to sexual slavery or domestic servitude. South Sudanese and foreign business owners recruit men and women from neighboring countries—especially Eritrea, Ethiopia, Kenya, Uganda, and Somalia—as well as South Sudanese women and children, with fraudulent offers of employment opportunities in hotels, restaurants, and construction, and force them to work for little or no pay or subject them to sex trafficking. Some traffickers operate in organized networks within the country and across borders. East African migrants transiting through South Sudan to North Africa are vulnerable to forced labor and sex trafficking.

Violent conflict continued throughout the year, increasing the number of internally displaced persons from 1.9 to two million and creating approximately 2.28 million refugees as of

February 2019. These groups, including orphaned children, are at increased risk of trafficking and other forms of exploitation within South Sudan and neighboring countries. Unaccompanied minors in camps for refugees or internally displaced persons are particularly vulnerable to abduction for sex or labor trafficking. Inter-ethnic abductions, as well as abductions by external criminal elements, continue between some communities in South Sudan, especially in legacy Jonglei, Unity, and Upper Nile states. Traffickers subject abductees to forced labor or sex trafficking. An international organization estimated government and opposition-affiliated forces recruited more than 19,000 child soldiers since the start of the conflict in 2013, and armed groups continued to recruit and use children during the reporting period. Government forces use children to fight and perpetrate violence against other children and civilians; to serve as scouts, escorts, cooks, and cleaners; or to carry heavy loads while on the move. According to the Revitalised Agreement on the Resolution of the Conflict in South Sudan signed in September 2018, the parties committed to refrain from the recruitment or use of child soldiers by armed forces or militias in contravention of international conventions. Both groups continued to retain, recruit, and use child soldiers during the reporting period, including on the front-line, and evidence persists of the widespread re-recruitment of children. Experts note more children fight on behalf of locally organized armed groups rather than formally organized groups with centralized command and control structures. International observers reported opposition groups recruiting and using child soldiers in the country's legacy states, including Unity and Western Equatoria.

## SPAIN: TIER 1

The Government of Spain fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Spain remained on Tier 1. These efforts included increasing resources for victim assistance, prosecuting and convicting more traffickers, issuing significant prison terms and fines for convicted traffickers, and requiring anti-trafficking training for all new judges. Although the government meets the minimum standards, it identified fewer victims compared to the previous year, and lacked a comprehensive national strategy on labor trafficking.



### PRIORITIZED RECOMMENDATIONS:

Increase investigations, prosecutions, and convictions of trafficking offenses, particularly for forced labor. • Increase training on proactive victim identification, in particular among irregular migrants, unaccompanied minors, and workers in industries and agricultural regions with high incidences of labor exploitation. • Draft and implement a new national action plan that adequately addresses all forms of trafficking. • Protect

migrant unaccompanied minors from traffickers operating in immigration detention centers. • Expand victim service centers to all regions and autonomous cities. • Standardize protocols for child victim identification and care. • Increase witness protection resources available to victims and expert witnesses. • Increase resources to victim service centers. • Increase resources to the office of the national rapporteur. • Increase efforts to reduce demand for forced labor. • Train all prosecutors and judges on a victim-centered approach to law enforcement. • Provide victims with access to state compensation and assets seized from traffickers.

### PROSECUTION

The government increased law enforcement efforts. Article 177 of the criminal code criminalized sex trafficking and labor trafficking, prescribing penalties from five to eight years' imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. The rapporteur, NGOs, and GRETA reported the penal code did not clearly define forced labor, which made prosecutions difficult. The government is developing a stand-alone trafficking law that addresses this issue. According to provisional data, the Office of the Prosecutor initiated 137 new investigations, compared to 135 in 2017 and 272 in 2016. Law enforcement conducted targeted operations against 48 criminal organizations involved in trafficking in 2018 (37 sex trafficking, 11 labor trafficking). For example, in November 2018, the national police arrested 37 suspects of a Vietnamese transnational criminal organization for the labor exploitation of Vietnamese women in nail salons across Catalonia. The judiciary initiated prosecutions of 71 defendants (63 for sex trafficking, five for labor trafficking, and three for forced criminality), compared with 67 in 2017 (60 for sex trafficking and seven for labor trafficking). Courts convicted 61 traffickers (46 for sex trafficking and 15 for forced begging), compared with 28 convictions in 2017 (26 for sex trafficking and two for labor trafficking). The government reported several cases in which convicted traffickers received significant penalties. In June 2018, the Madrid provincial court sentenced four traffickers to 32 to 37 years in prison and ordered them to pay each of their three victims €75,000 (\$86,010). In March 2018, a Barcelona court sentenced a Nigerian woman to seven years in prison and ordered her to pay €10,000 (\$11,470) in victim compensation for forcing a woman into prostitution using voodoo threats. In January 2019, an Oviedo court sentenced four Romanians to 20 to 55 years in prison for forcing 12 Romanian women into prostitution. In 2018, all convicted traffickers received prison sentences more than one year. Traffickers served an average of 75 percent of their sentence before being eligible for parole, and courts imposed separate sentences on multiple criminal offenses.

The Interior Ministry coordinated law enforcement efforts to combat trafficking. Authorities collaborated with Colombian, Portuguese, Romanian, and Spanish law enforcement on transnational investigations. Law enforcement officials trained South American officials on best practices at two seminars held in Guatemala and Uruguay. The government provided anti-trafficking training for new police officers, labor inspectors, consular and immigration officials, and judges. In 2018, the civil guard held 11 sessions that trained almost 400 police. The government included NGO input to evaluate proposed changes to police training. Specialized trafficking prosecutors maintained liaisons with the police and attended an annual training conference. The judiciary does not have courts that specialize in trafficking. In November 2018, the government,

after consultation with the NGO community, published a comprehensive interagency legal guide on combating trafficking for the entire law enforcement community. The government incorporated the guide into the training curriculum of all new judges. The government did not report any new investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

## PROTECTION

The government increased protection efforts. Authorities reported identifying 200 victims (115 of sex trafficking and 85 of labor trafficking), compared with 213 victims (155 of sex trafficking and 58 of labor trafficking) in 2017. Since the police could only identify victims who cooperated in criminal investigations and the government predominantly focused on sex trafficking, GRETA believed official victim statistics were underreported. Since 2013, the government has used a victim identification protocol developed with NGO input. Formal victim identification usually took place in the presence of an NGO that assumed care for the victim. The Intelligence Center against Terrorism and Organized Crime provided victim identification training to national police and civil guard personnel working at ports of entry. In 2018, the government implemented victim identification protocols at the Madrid airport.

The government allocated €4 million (\$4.59 million), compared to €2 million (\$2.29 million) in 2017, plus an unspecified amount from regional governments, for NGOs providing victims with temporary shelter and access to legal, medical, and psychological services. Additionally, these NGOs received €2.3 million (\$2.64 million) in funding from tax revenues. The government, through 26 victim service offices, referred victims to NGO care providers and directly provided free healthcare, legal assistance, social welfare benefits, and funds for repatriation to victims. There were specialized centers for child victims of crime and seven trafficking shelters—all NGO-run—to assist child victims. GRETA cited NGO reports that unaccompanied migrant children in Ceuta and Melilla were vulnerable to trafficking in immigration detention centers, with reported cases of children disappearing from these centers. Two multipurpose NGO-run shelters were available for adult male victims. The government, collaborating with NGOs, continued to bi-annually update and use a victim resource guide, available in 12 languages, which listed by region 44 centers providing in-house services and 143 centers that provided services without lodging, including social, psychological, medical, legal, training, housing, and job search tools. GRETA reported victim services were available in all regions except Castilla La Mancha, La Rioja, and the autonomous cities of Ceuta and Melilla.

The government continued to utilize a regional program that assigned NGO-supplied “social interlocutors” (usually survivors of trafficking themselves) to act as a liaison for victims during legal proceedings and court testimony. In 2018, the 54 social interlocutors received training from law enforcement officials, NGOs, unions, and business associations. In February 2019, a government academic institution and an NGO implemented a distance-learning course on mediation for victim service providers.

Prosecutors are required to seek victim compensation from defendants through civil action during all criminal proceedings unless the victim expressly waived that right. The crime victims statute provided victims with the right to state compensation, but authorities had not reported any cases of state compensation to date. Assets seized from convicted defendants supported a

fund used to fight trafficking and assist victims. NGOs continued to report inconsistent application of victim protections by judges and called for legal reform to protect witnesses better, including permitting video testimony in all cases and increasing measures to protect the identity of expert witnesses from NGOs, whose testimony cannot be anonymous under current law. Foreign victims could request a renewable residence permit for up to five years based on their cooperation with law enforcement and could apply for permanent residency after that five-year period. Victims could also receive assistance to return to their country of origin. The government allowed non-EU victims to apply for reflection periods of 90 days, during which they could recover while deciding whether to assist law enforcement. A number of victims received this benefit during the reporting period. In both of its evaluations, GRETA expressed concern that reflection periods for non-EU citizens were contingent upon an application to the immigration police. Citizens of EU member states, however, were not limited to the 90-day reflection period and faced no deadline for claiming social services or cooperating with authorities.

## PREVENTION

The government maintained prevention efforts. The national rapporteur was responsible for analysis and assessment of efforts across the government and held frequent coordination meetings with representatives from government, NGOs, law enforcement, and international partners. NGOs lauded the rapporteur for continued efforts to include them in proceedings. Despite the large scope of work, the rapporteur’s office had a staff of only three personnel. GRETA criticized the office of the rapporteur’s ability to evaluate government efforts due to its prominent inter-ministerial coordination function and asked the government to consider creating a fully independent evaluation body. The government continued to publish data on its law enforcement efforts and victims identified. The government’s Delegation Against Gender-based Violence played a central role in coordinating efforts against sex trafficking and coordinated meetings for the Social Forum made up of central and regional government officials and NGO representatives. The government’s new national action plan was under development; the existing plan on sexual exploitation of women and girls covering 2015-2018 was still in effect at the close of the reporting period, and other active strategic plans had anti-trafficking objectives. GRETA reported the government lacked a national strategy for labor trafficking, despite the growing number of forced labor victims identified. Several regional governments also had anti-trafficking protocols to reinforce national laws and promote awareness. In 2018, lawmakers approved the release of the €200 million (\$229.36 million) allocated for the State Pact against Gender Violence, which included programming to combat sex trafficking at the regional level.

The government continued to conduct public awareness campaigns, including a new campaign on forced labor and sex trafficking as well as a two-week media initiative aimed at reducing the demand for prostitution. The government and NGOs operated 24/7 hotlines for reporting suspected trafficking cases. In 2017, the most recent year complete data was available, the Spanish authorities conducted 2,228 inspections in places where prostitution occurred and 5,102 in centers of labor activity, which resulted in the identification of many potential victims.

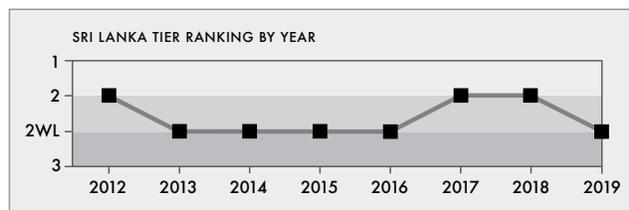
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit

foreign victims in Spain and, to a lesser extent, Spanish victims abroad. Sex traffickers exploit women from Eastern Europe (particularly Romania and Bulgaria), South America (particularly Paraguay, Brazil, Colombia, and Ecuador), Central America (particularly Honduras, El Salvador, and Nicaragua), China, and Nigeria. Authorities report Nigerian women now make up the largest demographic of sex trafficking victims. Sex traffickers exploit Venezuelan women fleeing the collapsing social and economic conditions at home. Labor traffickers exploit men and women from Bulgaria, Romania, and South and East Asia, particularly China and Vietnam, in the textile, agricultural, construction, industrial, beauty, and service sectors. Spanish law does not permit nor prohibit prostitution, and NGOs believe a large percentage of individuals in prostitution in Spain are trafficking victims. Sex traffickers are increasingly using online apartment rental platforms to make their illicit operations difficult to track. An increasing number of victims arrived in southern Spain by sea via Morocco. Nigerian criminal networks recruit victims in migrant reception centers in Italy for forced prostitution in Spain. Unaccompanied migrant children continue to be vulnerable to sex trafficking and forced begging. The increased numbers of newly arrived refugees and asylum-seekers are vulnerable to trafficking.

## SRI LANKA: TIER 2 WATCH LIST

The Government of Sri Lanka does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. These efforts included convicting more traffickers than previous years, including the first conviction under the trafficking statute in five years; identifying more potential trafficking victims; and continuing to conduct numerous anti-trafficking trainings and awareness-raising events for government officials and civil society. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. While it convicted more traffickers, it issued suspended sentences to some of those convicted and initiated significantly fewer prosecutions. Despite numerous trainings, officials did not make adequate efforts to screen individuals arrested or charged for prostitution, vagrancy, or immigration offenses for indicators of human trafficking; the government detained child sex trafficking victims and did not provide appropriate care. Complicity remained a serious problem and the government did not initiate any new investigations into allegedly complicit officials, despite multiple reports of official complicity in trafficking. Therefore Sri Lanka was downgraded to Tier 2 Watch List.



### PRIORITIZED RECOMMENDATIONS:

Respecting due process, improve efforts to vigorously investigate and prosecute suspected traffickers, and convict and sentence convicted traffickers to adequate penalties involving significant prison terms. • Hold government officials criminally accountable for complicity in trafficking or trafficking-related offenses—including fraudulent recruitment, sex trafficking,

and accepting bribes to ignore sex trafficking. • Increase efforts to proactively identify trafficking victims, including screening among vulnerable populations, and conduct targeted training for officials to ensure victims are not penalized for unlawful acts traffickers compelled them to commit. • Improve victim services, including their quality and accessibility, to ensure all identified victims, including men and victims exploited abroad, receive shelter and specialized services. • Increase regular monitoring of licensed recruitment agencies and, as necessary, assess penalties and refer allegations of criminal violations to law enforcement. • Vigorously improve efforts to address child sex tourism, including proactive identification of victims, engagement with hotels and tourism operators to prevent the crime, and investigation of hotels, tourism companies, and intermediaries who allegedly facilitate the crime. • Take steps to eliminate all recruitment fees charged by labor recruiters to workers. • Expand the foreign employment bureau's mandate to include the regulation of sub-agents. • Promote safe and legal migration, ensure migration regulations do not discriminate based on gender, and increase awareness among prospective migrant workers of the steps necessary for safe migration and resources available while abroad. • Improve protection measures for victims who participate in trials against their traffickers, including the cost of lodging and travel expenses during trials. • Through the anti-trafficking task force, continue to institutionalize sustained government coordination efforts.

### PROSECUTION

The government maintained mixed law enforcement efforts to address human trafficking—while it convicted more traffickers, it issued suspended sentences to some of those convicted, initiated significantly fewer prosecutions, and did not take sufficient action to investigate allegations of official complicity in trafficking. Section 360(C) of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of two to 20 years' imprisonment and a fine, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious offenses, such as rape. The government also frequently used Section 360(A), a procurement statute that criminalized obtaining a person to become a prostitute, with or without the consent of the person, to prosecute sex trafficking cases. Procurement crimes carried lesser penalties of two to 10 years' imprisonment and fines, and prosecutors often brought these cases before magistrate judges who generally only had the authority to issue sentences of up to two years' imprisonment.

During the reporting period, the Criminal Investigation Department's (CID) anti-trafficking unit and police initiated 14 trafficking investigations—three for sex trafficking and 11 for forced labor—similar to 15 investigations in the previous reporting period. All investigations remained ongoing at the close of the reporting period. The government initiated 10 prosecutions, including seven under the procurement statute, Section 360(A), and three under the trafficking statute, Section 360(C). This is a decrease from 28 prosecutions initiated in the previous reporting period and 35 initiated in 2016. Fifteen cases under Section 360(C) initiated in previous reporting periods remained pending in the high courts; an additional 38 cases under Sections 360(A) and 360 (C) initiated in previous reporting periods remained pending trial. For the first time in five years, the government secured a conviction under Section 360(C). However, the judge suspended the sentences of imprisonment for all three convicted traffickers. He also ordered the defendants to pay 50,000 Sri Lankan Rupees (LKR) (\$274) in compensation to the victim and ordered one of the

defendants to pay a 10,000 LKR (\$55) fine. Courts convicted five persons under the procurement statute, compared with three persons convicted under the procurement statute in the previous reporting period. The court sentenced three persons to three years' imprisonment and a fine of 10,000 LKR (\$55) each, and sentenced the other two persons to 10 years' imprisonment and a fine of 20,000 LKR (\$110) each. In addition, the court ordered 500,000 LKR (\$2,740) in compensation to the victim. This was a positive change from the previous reporting period, when courts suspended two of the three sentences of imprisonment for persons convicted under Section 360(A). Lack of thorough human trafficking investigations for elements of force, fraud, or coercion, difficulty securing evidence from victims, and judges' lack of understanding of the severity of the crime contributed to both the government's general reliance on procurement charges and the lenient sentences applied under Section 360(C). Prosecutors could pursue procurement cases without the cooperation of the victim.

In November 2017, the government amended the Assistance to and Protection of Victims of Crime and Witnesses Act to authorize Sri Lankan diplomatic missions to record evidence and take statements from a victim or witness outside Sri Lanka. Of the 14 trafficking investigations initiated during the reporting period, the anti-trafficking unit of the Sri Lanka Bureau of Foreign Employment (SLBFE) referred seven of the cases and MFA referred one—all transnational forced labor cases—to CID's anti-trafficking unit, a decrease from 12 referrals from SLBFE and 19 referrals from MFA in the previous reporting period. Civil society organizations reported referring cases of suspected trafficking to SLBFE, including cases of nonpayment of wages and contract fraud; SLBFE reportedly mediated some of these cases in lieu of criminal investigation. Sri Lankan diplomatic missions did not refer any witness and victim affidavits from abroad to CID for investigation, compared to referring 29 affidavits in the previous reporting period. The government allocated 5.7 million LKR (\$31,220) to the SLBFE's anti-trafficking unit; it had not previously reported the unit's budget. With donor funding and technical assistance, many government entities continued to conduct anti-trafficking training. For example, police trained more than 260 officers on the identification and interviewing of trafficking victims, and the police college provided the same training to 90 newly recruited immigration and emigration officers. The Department of Probation and Child Care Services further trained 126 police officers from the women and children's units on trafficking trends, applicable legal provisions, and the role of police in trafficking cases. With an international organization, the Attorney General's Office finalized a handbook on prosecution of trafficking cases and began training state prosecutors.

The government did not report any new investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, corruption and alleged official complicity in trafficking remained significant concerns, inhibiting law enforcement action during the year. Some local government and security sector officials forced women who asked for information about their missing husbands, or widows who attempted to claim government benefits from their deceased husbands' military service, to perform commercial sex acts in exchange for information and/or government benefits. The government did not report efforts to investigate these allegations. The former head of the government's National Child Protection Agency (NCPA) uncovered allegations that one state-run orphanage, in collaboration with tuk-tuk drivers, used children from the orphanage in a child sex trafficking ring. NCPA opened an investigation, but local police and prosecutors closed

the investigation without explanation, and the government did not extend the tenure of the NCPA director who made the allegations. The government did not report any efforts to further investigate the allegations, the orphanage staff, or close the orphanage. Media reported some "massage parlors" that function as brothels used children in sex trafficking and bribed police officers to avoid raids. Some sub-agents reportedly worked with officials to procure forged or modified documents, or genuine documents with falsified data, to facilitate travel abroad. In 2016, the Ministry of Foreign Employment (MFE) referred to the police six cases of officials allegedly creating fraudulent documents. One case ended in conviction the previous reporting period, and both criminal and administrative investigations were ongoing in the remaining five cases at the close of the reporting period.

## PROTECTION

The government maintained mixed efforts to identify and protect trafficking victims; while authorities identified more potential trafficking victims, they did not provide adequate services to victims. The government identified 66 potential trafficking victims in 14 cases, an increase from 46 potential victims identified the previous reporting period and 23 in 2016. Among the 66 potential trafficking victims, authorities reported 56 males and 10 females, including three girls. Officials identified 11 cases of forced labor and three cases of sex trafficking but did not report the total number of victims exploited in each type of trafficking; all identified victims were Sri Lankan nationals, and all identified forced labor victims were male. The government had standard operating procedures (SOPs) for the identification and referral of potential victims to services, but they did not implement them uniformly; both the government and members of civil society stated the capacity of local officials to identify trafficking victims remained low, especially among women in prostitution. Aside from SLBFE, the government did not issue circulars or directives to other relevant agencies to guide staff to follow the SOPs. Some front-line officials within the Ministry of Women and Child Affairs Women's Bureau and the Department of Immigration and Emigration, who routinely worked with vulnerable groups such as female victims of violence and migrant workers, reported their offices did not screen for trafficking.

The Ministry of Women and Child Affairs continued to fund and operate a shelter for female victims of violence, including trafficking victims, although the shelter did not serve any trafficking victims during the reporting period. The government shelter could not accommodate male victims, including the 56 male victims identified. The government reported all seven potential adult female trafficking victims opted to live independently in lieu of the women's shelter. Under the supervision of the National Anti-Human Trafficking Task Force (NAHTTF), various government ministries could provide legal, medical, and psycho-social support to trafficking victims; the government reported none of the 66 victims sought these services during the reporting period. Media and NGOs reported Sri Lankan authorities jailed and charged individuals, possibly including children, for prostitution, vagrancy, or immigration offenses without adequate efforts to screen for trafficking. An NGO reported that some children who were not identified as victims and arrested for prostitution crimes were held in government detention centers; the government acknowledged the possible arrest and detention of potential child sex trafficking victims. When properly identified, the government did not penalize trafficking victims for unlawful acts traffickers compelled them to commit. Law enforcement reported many victims were reluctant to pursue cases against

their alleged traffickers due to the social stigma attached with being a trafficking victim and the inadequate support during the law enforcement process, including a lack of financial assistance to travel to courts to participate.

When authorities officially identified foreign victims of trafficking, they had access to the same rehabilitation services as domestic victims. Foreign victims who cooperated in prosecutions could receive a visa extension until the end of the trial; however, Sri Lankan law did not provide foreign victims with legal alternatives to deportation to countries where they might face hardship or retribution after trial completion or for victims who did not cooperate in the prosecution of traffickers. The government did not identify any foreign victims in Sri Lanka during the reporting period.

SLBFE continued to operate 11 short-term shelters at Sri Lankan diplomatic missions in nine countries for female migrant workers in distress. The shelters served 1,806 workers during the reporting period, a large decrease from serving 2,392 migrant workers in the previous reporting period. NGOs continued to identify large numbers of Sri Lankan female labor trafficking victims in Gulf countries, so while SLBFE reported screening this population for trafficking, the efficacy of such screening was unclear. SLBFE reported 1,140 migrant workers from its 11 shelters returned to Sri Lanka in 2018; it did not report if the government assisted with repatriation. SLBFE trained staff at four of its embassies on guidelines to identify and protect trafficking victims, including non-penalization of victims and data collection. In addition, it issued official circulars on implementation of the guidelines. Despite these circulars, some officials at SLBFE reported that, contrary to the SOPs, SBLFE officials only referred trafficking victims to services after initiating a police investigation. With technical assistance, the Ministry of Foreign Affairs launched an electronic training course on trafficking victim identification, protection, and referral for officials assigned to overseas diplomatic missions and began training officials to use the database. SLBFE continued to operate a transit shelter near the Colombo airport for returned migrant workers who suffered abuse abroad. SLBFE reportedly did not identify any trafficking victims among the migrant workers assisted at this shelter during the reporting period; however, as NGOs continued to identify large numbers of Sri Lankan labor trafficking victims among returned migrant workers, the efficacy of such screening was unclear. In 2017, SLBFE had assisted 3,238 migrant workers at the transit center, some of whom might have been trafficking victims. Sri Lankan diplomatic missions provided logistical support to an international organization that repatriated 16 Sri Lankans from situations of trafficking abroad. The government did not report if it assisted with the repatriation of any of the 20 Sri Lankan labor trafficking victims in Taiwan that returned home. In UAE, the Sri Lankan embassy provided documentation to two forced labor victims to allow them to return home, but volunteers funded the workers' travel expenses.

## PREVENTION

The government maintained efforts to prevent trafficking. NAHTTF met 14 times during the reporting period, compared to seven meetings of both NAHTTF and its steering sub-committee on prevention activities the previous reporting period. The Minister of Foreign Affairs and Minister of Justice chaired NAHTTF meetings. The government continued to implement the 2016-2021 anti-trafficking national action plan. In partnership with an international organization, it maintained a public awareness campaign on television that featured a hotline run

by an international organization; the organization referred 14 cases of Sri Lankans exploited abroad to law enforcement for investigation. The government continued additional campaigns on trafficking in persons, including, distributing leaflets, posters, and brochures to local officials, NGOs, and the public.

SLBFE maintained its ban on migration of male and female domestic workers younger than 21, female domestic workers younger than 25 to Saudi Arabia, and female domestic workers younger than 23 to other parts of the Middle East. SLBFE also required all female migrant workers younger than 45 to submit a "family background report" to ensure the woman did not have children younger than age five and that she had obtained either her husband or a guardian's consent to work abroad; authorities did not require spousal or guardian consent for male migrant workers. Observers reported any ban on migration increased the likelihood of migrating illegally and therefore heightened vulnerability to human trafficking. The Department of Immigration and Emigration issued directives to all ports of entry to screen for trafficking among vulnerable populations upon arrival and to screen Sri Lankans departing to Middle Eastern countries on visit visas who they suspected might be traveling for work without proper documentation. In January 2019, the Sri Lankan diplomatic mission in Singapore held an event for migrant workers to, among other objectives, familiarize workers with the mission's labor welfare and consular services, provide information on skills training for domestic workers available through partner organizations, and register any unregistered migrant workers. With an international organization, SLBFE trained 380 licensed foreign employment agents to increase their capacity to adhere to ethical recruitment practices and be compliant with the government's labor recruitment code of conduct, including preventing forced labor and fraudulent recruitment. In March 2018, SLBFE issued a circular to inspectors that they could use reports or complaints of human trafficking to deny an agency annual renewal of its operating license. SLBFE did not report if it used this method to deny any license renewals during the reporting period. During the reporting period, SLBFE suspended 59 foreign recruitment agencies and four local employment agencies for illegal practices. It did not report if it initiated criminal investigations into these agencies. SLBFE raided 159 illegal recruitment agencies during the reporting period and subsequently filed 109 cases against licensed and unlicensed recruiters for illegal practices, compared to 157 cases filed in 2017 and 315 in 2016. Authorities reported all 109 cases from this reporting period resulted in convictions under the SLBFE Act, including some for practices that increased workers' vulnerability to trafficking. SLBFE did not have the legal authority to regulate sub-agents, which officials recognized contributed to trafficking. The government continued to draft an amendment to the Foreign Employment Act to address the oversight of sub-agents and the investigative authority of MFE officials, including SBLFE. The government made efforts to reduce the demand for commercial sex. NCPA continued awareness campaigns on child abuse, including child sex tourism in Sri Lanka's Coastal Belt. In addition, NCPA ran a trilingual hotline to report child abuse, including child sex tourism; the hotline did not receive any reports of child sex tourism during the reporting period. The government provided anti-trafficking training to its troops prior to their deployment as peacekeepers.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Sri Lanka, and traffickers exploit victims from Sri Lanka abroad. Sources estimate there

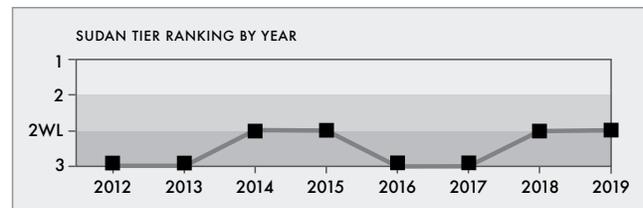
are approximately 1.5 million Sri Lankans working in the Middle East, predominately in construction and domestic work. In 2018, the majority of Sri Lankan female migrant workers sought employment in Saudi Arabia, Kuwait, Qatar, Japan, and South Korea. Some Sri Lankan men, women, and children who migrate to the Middle East, Asia—including Southeast Asia and Afghanistan—Europe, and the United States to work in the construction, garment, and domestic service sectors are victims of forced labor. Before leaving Sri Lanka, many migrant workers accumulate debt to pay high recruitment fees imposed by unscrupulous labor recruitment agencies—most of them members of Sri Lanka’s association of licensed foreign employment agencies—and their unlicensed sub-agents. An international organization interviewed 51 Sri Lankan migrant workers after returning from employment abroad, and 49 reported that traffickers had retained their identity documents, including passports and work permits, which restricts freedom of movement and is a common means of coercion for labor and sex trafficking. Some recruitment agencies commit fraud by changing the agreed upon job, employer, conditions, or salary after the worker’s arrival. Some recruitment agencies lure workers with promises of work abroad but send them with fraudulent or incorrect documents—including tourist visas instead of work visas—so victims are subject to penalization, including jail time and deportation, if they seek assistance abroad. Sub-agents collude with officials to procure fake or falsified travel documents to facilitate travel of Sri Lankans abroad. According to media, at least six government-licensed recruitment agencies in Sri Lanka admitted that, if prospective Middle Eastern employers request, they force female migrant workers to take contraceptives before departure to provide a “three-month guarantee” maids will not become pregnant after arrival. Sources allege this is also used to cover up sexual exploitation by recruitment agents and employers, including sex trafficking. Traffickers force Sri Lankan women to engage in commercial sex acts in Cyprus, Malaysia, Maldives, Singapore, Thailand, and elsewhere. Sri Lanka is a transit point for Nepali women subjected to forced labor in the Middle East.

Within the country, traffickers exploit women and children in sex trafficking. Traffickers exploit boys and girls in commercial sex in coastal areas for child sex tourism, including in hotels, on beaches, and during annual festivals. Reports allege some hotels allow clients to book “services” with children for child sex tourism, and some hotels use intermediaries to provide their guests with males and females—including those younger than 18—for commercial sex. In addition to foreign tourists—including from Germany, Russia, India, and China—researchers report significant local demand for child sex tourism. In recent years, traffickers have subjected women from other Asian countries to sex trafficking in Sri Lanka. Some police reportedly accept bribes to permit brothels to operate, some of which exploit adults and children in sex trafficking. Government officials acknowledged reports that local government and security sector officials forced women who asked for information about their missing husbands, or widows who attempted to claim government benefits from their deceased husbands’ military service, to perform commercial sex acts in exchange for information and/or government benefits. NCPA alleged a state-run orphanage, in collaboration with tuk-tuk drivers, exploited children from the orphanage in child sex trafficking. Traffickers force children, individuals with physical deformities, and those from socially vulnerable groups to beg or engage in criminal activity in Sri Lanka’s largest cities. Some child domestic workers in Colombo, generally Tamils from the tea estate region, are subjected to physical, sexual, and mental abuse, non-payment of wages, and restrictions of movement—

indicators of labor trafficking. Traffickers subject children to forced labor in small boutiques and informal markets. During the reporting period, an international charity organization found that wage slips from 17 workers at nine “fair trade” tea estates showed deductions often exceeding 75 percent of daily earnings for fees and repayment of debts. The government does not grant asylum or refugee status, nor does it allow refugees or asylum-seekers to work or attend school. This renders such persons, including Rohingya, vulnerable to trafficking.

## SUDAN: TIER 2 WATCH LIST

The Government of Sudan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by convicting more traffickers; identifying more potential trafficking victims and referring them to services; developing standard operating procedures in partnership with international organizations to identify trafficking victims within vulnerable populations; and training more officials to effectively identify trafficking in persons. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Government military officials forcibly recruited a minor to serve in a combat role and reportedly recruited and provided forged documents for minors to serve as combatants in Yemen. The government did not demonstrate efforts to address sex trafficking or identify any sex trafficking victims, and failed to amend its 2014 anti-trafficking law. Therefore Sudan remained on Tier 2 Watch List for the second consecutive year.



### PRIORITIZED RECOMMENDATIONS:

Cease all recruitment and use of child soldiers in all of Sudan’s military services and increase efforts to investigate, prosecute, and convict officials complicit in child soldier recruitment and use. • Ensure authorities do not punish victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as women compelled to engage in commercial sex acts. • Implement the anti-trafficking law to facilitate increased efforts to prosecute and convict traffickers and complicit officials, including recognizing and distinguishing those allegedly responsible for sex trafficking as distinct from migrant smuggling or kidnapping crimes. • Amend the 2014 anti-trafficking law to criminalize sex trafficking of children in the absence of coercion and define exploitation. • Clearly define the roles and responsibilities of the National Committee to Combat Trafficking (NCCT) and the Higher Committee to Combat Human Trafficking (HCCHT) to increase the effectiveness of the government’s anti-trafficking response. • Increase training for security officials in Darfur on distinguishing trafficking from other crimes such as smuggling, and ensure recipients use this guidance to train additional government officials. • Establish procedures for authorities to identify and provide services for adult sex and labor trafficking victims. •

Implement and dedicate adequate resources to the 2018-2019 national anti-trafficking action plan. • Develop a data collection and information management system in collaboration with international organizations to more effectively organize law enforcement data.

## PROSECUTION

The government increased law enforcement efforts. The 2014 anti-trafficking law criminalized some forms of sex trafficking and some forms of labor trafficking, but failed to define what constituted exploitation. Additionally, inconsistent with international law, Sudan's anti-trafficking legal framework required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The law prescribed between three and 10 years' imprisonment for base offenses involving adult male victims and between five and 20 years' imprisonment for offenses involving adult female and child victims or involving additional aggravating circumstances; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as rape. Article 14 of the Sudan Armed Forces Act of 2007 criminalized recruiting children younger than 18 years old by members of the armed forces, enslaving civilians, or coercing civilians into prostitution, and prescribed penalties between three years' imprisonment and death.

The Ministry of Interior (MOI) reported investigating 150 trafficking cases involving an unknown number of suspects in 2018. The government prosecuted 30 of those cases involving an unknown number of suspects and convicted 45 individual traffickers under the 2014 anti-trafficking law. Sentences for those convicted ranged from fines of 1,000 Sudanese pounds (\$21) in lieu of imprisonment to more than three years' imprisonment. In 2017, the government reported investigating 99 cases, prosecuting 94 suspects, and convicting seven individual traffickers. As in past years, some of the government-reported cases may have been smuggling crimes due to a lack of trafficking knowledge among some officials and challenges in disaggregating trafficking in persons and smuggling crimes. The government's continued denial of sex trafficking occurring in Sudan coupled with authorities inconsistent screening of vulnerable populations likely resulted in law enforcement officials arresting women whom traffickers forced into prostitution.

The UN reported the Kassala Anti-Trafficking Court heard 40 trafficking cases in 2018 involving 80 suspects charged under the 2014 anti-trafficking law. Kassala government officials convicted 54 traffickers in 24 cases, sentencing them to imprisonment ranging from two and 20 years. Thirty-one of those convicted were Eritreans, and 23 were Sudanese. In August 2018, the government's Criminal Investigation Department collaborated with INTERPOL to arrest 14 suspected traffickers (12 women and two men) in Khartoum. The government did not report the outcomes of those arrests.

Experts noted some government officials were complicit in—or otherwise profiting from—trafficking crimes, and the MOI reported investigating two cases involving complicit officials. In one of the cases, the government reported convicting an unknown number of police officers in Kassala state and sentencing them to three years' imprisonment. The accused officials are appealing the second case. In 2017, the government reported prosecuting and convicting two officials, sentencing one to 10 years' imprisonment.

The MOI reported organizing 30 trafficking-related trainings for 925 total law enforcement officials in 2018. In 2017, the government reported partnering with international organizations to provide anti-trafficking trainings for approximately 103 officials. The government's Commissioner of Refugee Affairs (COR) partnered with the UN to provide four anti-trafficking and refugee protection trainings for officers from the Police Investigation Department, prosecutors, and judges in eastern Sudan. The government-funded Judicial and Legal Sciences Institute collaborated with an international organization in Khartoum to train justice sector and law enforcement officials on data collection and reporting in April 2018.

## PROTECTION

The government increased overall protection efforts. It increased efforts to identify and refer trafficking victims to care but failed to identify victims of sex trafficking. Due to a lack of consistent screening, officials likely penalized some victims for unlawful acts traffickers compelled them to commit. In 2018, the MOI reported identifying approximately 1,400 potential trafficking victims, compared with 400 during the previous year. The UN reported the Criminal Investigation Department's anti-trafficking unit referred 142 victims to a shelter run by an international organization; the government did not report referring any victims to care or directly providing such support in 2017. The majority of these potential victims were Eritrean, Ethiopian, and Somali whose fraudulent labor recruiters lured to Sudan. In close partnership with an international organization and a foreign government, the government-funded Judicial and Legal Sciences Institute developed and disseminated standard operating procedures (SOPs) in 2018 to assist law enforcement, prosecutors, and the judiciary to identify child victims of trafficking. The SOPs were intended to standardize victim identification procedures; however, the government did not report the extent of dissemination or implementation. Officials discontinued the practice of detaining witnesses to secure their cooperation in trials with the establishment of safe houses in partnership with the UN.

COR officials partnered with UNHCR in eastern Sudan to establish identification and referral SOPs to proactively identify victims of trafficking within asylum-seeking and refugee populations, defining roles and processes for law enforcement, security personnel, and international organizations. In Khartoum, the National Council for Child Welfare (NCCW), Ministry of Social Welfare, and NGOs coordinated to provide care for child victims of trafficking. The effectiveness of coordination and quality of service provision varied widely from region to region and across government agencies. This inconsistency resulted in one case of law enforcement officials temporarily detaining children, although NCCW staff intervened and ensured government officials provided the victims shelter, food, medical care, and psycho-social support.

During the reporting year, the NCCW and the Ministry for Social Welfare continued efforts to prevent the use of child soldiers within the Sudanese Armed Forces (SAF) and its auxiliaries through the implementation of the National Action Plan to Prevent the Recruitment and Use of Children in Armed Conflict. Unlike previous years, the government did not report identifying or reintegrating any child soldiers in 2018. Officials coordinated with the UN to conduct monitoring and verification visits, although observers reported security officials intermittently denied access to conflict areas in Darfur. In 2018, an international organization reported at least one case of child soldier recruitment and use by security forces in

2018. Media outlets reported government officials recruited children—particularly from Darfur—into combat roles in Yemen. In 2017, the government coordinated with international organizations to conduct monitoring and verification visits in eight conflict states, and officials from the NCCW facilitated the release of 21 child soldiers from non-governmental armed forces in the Darfur region.

The Secretariat of Sudanese Working Abroad coordinated with an international organization to provide medical services, shelter, counseling, reintegration support, and financial assistance for 730 Sudanese returning from Libya—many of whom were potential victims of trafficking. The Domestic Workers Act of 2008 provided a legal framework for employing and registering domestic workers with limited labor rights and protections; however, the government did not report registering or protecting any domestic workers under the law during the reporting period.

An international organization reported the government installed video and camera equipment in courthouses across the country allowing victims and witnesses to give testimony in separate rooms to prevent re-traumatization as a result of involvement in criminal proceedings. The government built a mock trial room with this technology at its Judicial and Legal Sciences Institute.

## PREVENTION

The government decreased efforts to prevent trafficking. Although individual ministries and law enforcement personnel continued to implement anti-trafficking programming in 2018, unclear divisions of responsibility between the NCCT and HCCHT impeded the government's overall anti-trafficking coordination. Despite this shortcoming, the NCCT met at least three times in 2018, on par with the previous year. As in 2017, the government did not allocate a budget for its 2018-2019 national action plan. At the local level, the Kassala state government began drafting a state-level action plan designed to mirror the national action plan. The government did not report developing national awareness campaigns, nor did it make efforts to reduce the demand for commercial sex acts and forced labor, and it did not report providing anti-trafficking training for its diplomatic personnel. Due to the government's restrictions on foreigners' movement within Sudan, some individuals utilized smugglers for internal travel from eastern Sudan to Khartoum, increasing their risk of trafficking.

Ministry of Labor inspectors were responsible for providing oversight on recruitment agencies, but they did not report investigating or sanctioning fraudulent recruiters and claimed a lack of training and guidance from the ministry impeded their ability to enforce existing laws. The MOI reported two hotlines were available for reporting trafficking tips—one for child trafficking, and one for other trafficking cases—but did not disclose the numbers of calls it received.

## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Sudan, and traffickers exploit victims from Sudan abroad. Traffickers subject homeless children in Khartoum—including Sudanese and unaccompanied migrant children from West and Central Africa—to forced begging, forced labor in public transportation and large markets, and sex trafficking. Human rights groups observe children working in brick-making factories, gold mining, collecting medical waste, street vending, and agriculture; these children are exposed to threats, physical and sexual abuse, and hazardous working conditions, with limited access to education or health services,

making them highly vulnerable to traffickers. Criminal groups exploit Sudanese women and girls—particularly internally displaced persons or those from rural areas—in domestic work and Sudanese girls to sex trafficking. Sudanese law prohibits the recruitment of children as combatants and provides criminal penalties for perpetrators; however, an international organization reported SAF elements forcibly abducted a minor for the purpose of recruitment in 2018. Media reported complicit officials associated with Sudan's Rapid Support Force recruited children and provided forged documents for minors to serve as combatants in Yemen. Sudanese military forces denied observers' access to conflict areas in Darfur making verification of child soldier recruitment more challenging.

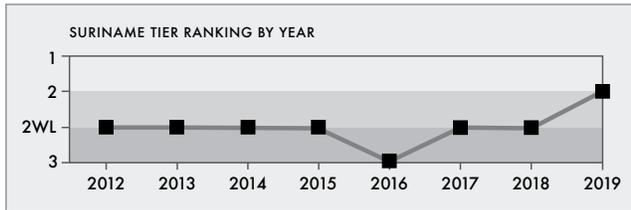
Because of regional instability and conflict, Sudan hosts approximately 3.3 million people of concern, including over 1 million refugees (primarily South Sudanese), and asylum-seekers, and 1.9 million internally displaced persons. These individuals are vulnerable to trafficking due to their lack of economic stability and access to justice.

In 2018, a human rights organization reported approximately 30,000 Eritrean, Ethiopian, and other African asylum seekers—populations vulnerable to trafficking due to their economic fragility and lack of access to justice—were temporarily housed in Khartoum waiting to travel to Europe. During the reporting year, Eritreans represented the highest number of trafficking victims in Sudan—mainly in the east—due to traffickers targeting the consistent flow of refugees and asylum-seekers. Sudanese traffickers compel Ethiopian women to work in private homes in Khartoum and other urban centers. Increasingly well-organized and cross-border criminal syndicates force some Ethiopian women into prostitution in Khartoum by manipulating debts and other forms of coercion. Somalis represent a significant portion of smuggled individuals who become, or are at risk of becoming, victims of trafficking. Seeking to escape conflict and poverty, many East African victims of trafficking initially seek out the services of smugglers, who coerce the migrants into forced labor or sex trafficking. Due to the ongoing conflict in South Sudan, there was an increase in South Sudanese refugees across Sudan, many of whom remained vulnerable to forced labor and sex trafficking in Sudan. An international organization continued to document cases of traffickers exploiting West and Central African nationals—primarily from Chad, Mali, and Niger—arriving in Sudan via irregular migratory routes. Anecdotal evidence also suggests business owners subject Chinese women working for small-scale Chinese firms such as restaurants and hotels to forced labor or sex trafficking.

Darfur remained a favored route for Sudanese attempting to travel through Libya to Europe, as the porous border and sustained insecurity allow traffickers to operate with impunity across the region. Experts reported Libyan officials held 427 Sudanese in Libyan detention centers where they were vulnerable to forced labor and other forms of abuse. The government reported Darfuri armed groups increasingly exploit some migrants in forced labor or sex trafficking. In past years, criminals exploited in trafficking some Sudanese nationals en route to Europe via Egypt. Smugglers linked to the Rashaïda and Tabo tribes abduct Eritrean nationals at border crossings, extort them for ransom, and subject them to abuse, including trafficking. Other cross-border tribes also force abductees to perform domestic or manual labor and subject them to other forms of abuse, including trafficking. Sudanese government officials allegedly facilitate trafficking in persons in eastern Sudan and allow victims to be transported across security checkpoints or international borders without intervention.

## SURINAME: TIER 2

The Government of Suriname does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Suriname was upgraded to Tier 2. These efforts included approving a new action plan, developing a new formal victim referral process, convicting more traffickers and imposing significant prison terms, and launching a new trafficking hotline and campaign. However, the government did not meet the minimum standards in several key areas. Authorities investigated and prosecuted fewer cases and identified fewer victims amid inadequate efforts to screen vulnerable individuals, including detained migrants prior to deportation.



### PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers with significant prison terms. • Increase efforts to identify victims, particularly in the interior and in brothels. • Continue to prosecute child sex trafficking cases under the trafficking statute and protect children in those cases as victims. • Increase efforts to screen vulnerable populations for trafficking, particularly undocumented migrants. • Hold public officials found complicit in trafficking criminally accountable. • Conduct targeted labor inspections with an aim of identifying forced labor. • Provide additional training and resources to law enforcement, immigration, health care, labor, and judicial officials to better identify and protect victims. • Provide reintegration support for all trafficking victims, and offer specialized processes for assisting foreign victims.

### PROSECUTION

The government decreased prosecution efforts. Article 334 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of up to nine years' imprisonment and a fine of 100,000 Surinamese dollars (SRD) (\$13,300) for offenses involving a victim 16 years of age or older, and up to 12 years' imprisonment and a fine of 100,000 SRD (\$13,300) for those involving a victim under the age of 16. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Police reported three investigations (one for sex trafficking of a child, one for sex trafficking of an adult, one for labor trafficking of an adult), a decrease from 10 in 2017. The government launched trafficking investigations when discovering cases of children exploited in prostitution, including in cases where the parents were the traffickers. After evidence was burned in a fire, the government terminated the 2015 investigation of Alien Affairs Department staff who sold residence permits to criminal networks allegedly using the documents to exploit Chinese workers in forced labor. The prosecutor's office did not initiate any new prosecutions in 2018, compared with four new prosecutions for sex trafficking

in 2017. The government convicted seven traffickers in two cases of sex trafficking, an increase from three traffickers in 2017, with prison sentences ranging from one to five years. The court ensured that convicted traffickers stayed in prison after pre-trial detention to serve their full terms of three and five year sentences. The government did not report the status of four prosecutions involving 12 suspected traffickers initiated in previous years. The government did not report any new investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

The dedicated police anti-trafficking unit (ATU) responsible for investigating cases lost three of 15 staff as part of staff turnover, which affected their ability to provide training and pursue cases. All incoming police recruits received basic trafficking training. One ATU member, one staff from the prosecutor's office, and two immigration officers participated in an international training on trafficking sponsored by another country. An international organization provided training to 34 officials from the police and prosecutor's office, promoting cooperation between units. The ATU provided training to 265 persons from within the police organization as well as members of the military and healthcare providers. The police attaché at the Brazilian embassy met with the government to plan bilateral cooperation against trafficking. Authorities extradited a Haitian to Brazil who was wanted on sex trafficking charges.

### PROTECTION

The government maintained protection efforts. The government did not effectively identify victims among migrants in the interior and in brothels emerging in private homes. Police identified one child Surinamese victim of sex trafficking, compared with five victims identified in 2017. The female victim received counseling, medical assistance, specialized services as necessary, and the option to use the state-run female victim shelter. The victim opted to return home after counseling and assisting with the prosecution. Police determined a second case initially investigated as a child sex trafficking case was not trafficking and transferred it to the police youth affairs department. Police also screened 21 other potential trafficking victims in two other cases, which they later determined not to be trafficking. The government developed and funded a new formal referral process to refer all victims to the Bureau of Victim Services for shelter, medical assistance, counseling, and other care. Health care workers did not have a protocol for victim identification and assistance. The government worked with the Guyanese embassy and Haitian consulate to investigate the increasing numbers of vulnerable Haitians who entered the country through the border with Guyana. The government also worked with the Haitian consulate to reunite a vulnerable group of Haitian minors with their families after authorities found them transiting Suriname en route to Brazil or French Guiana.

The ATU continued to perform regular inspections of brothels and screen for trafficking victims, although authorities did not adequately screen other vulnerable populations, such as undocumented migrants applying to legalize their status with the government. The government increased its efforts to screen migrants in their languages with the assistance of foreign embassies, consulates, or with bilingual government staff. As part of the screening process, the government assessed whether foreign victims wanted to return home or stay in country and guided victims through the process of applying for residency for those who wanted to stay. Victims had the option of pursuing civil suits against their traffickers, but the government reported no such cases during the year. There was no witness protection

## SWEDEN: TIER 1

program. Courts implemented a policy of obtaining testimony from victims in the early stages of judicial investigations in case victims were not available during the trial process, although this could hamper law enforcement in cases where victims did not have time to rehabilitate before providing testimony. The government did not report whether it screened migrants who overstayed their visas and may have deported unidentified trafficking victims.

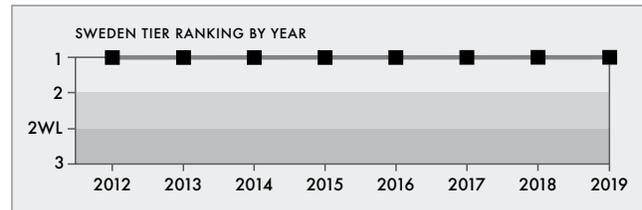
### PREVENTION

The government increased prevention efforts. The government renewed the mandate of the inter-ministerial Trafficking in Persons Working Group for three years, and approved a new national action plan in January 2019. For the first time, the plan included partnering with civil society, using metrics for specific goals, and receiving dedicated funding from the Ministry of Justice and the police budget. Police provided trafficking awareness training to 20 diplomats for the first time since 2016. The working group organized and funded a nationwide campaign that encouraged the public to report potential trafficking cases and held a conference training civil society, NGOs, faith-based organizations, and the media on how to identify and report trafficking jointly with a foreign embassy. The working group translated the campaign materials into the languages of vulnerable populations and placed them at points of entry into Suriname, as well as in high risk areas and schools. The government launched a new 24-hour trafficking hotline but did not report any calls during the reporting period. The police youth affairs department included trafficking information on the youth hotline in its outreach campaign to schools but reported that there were no investigations resulting from hotline calls. Suriname passed the 2014 Protocol to the Forced Labor Convention of 1930, which required governments to develop a plan of action to strengthen labor inspections and suppress forced labor. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

### TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Suriname, and traffickers exploit victims from Suriname abroad. Reported cases of trafficking in Suriname's remote jungle interior, which constitutes approximately 80 percent of the country, have increased in recent years; limited government presence in the interior renders the full scope of the problem unknown. The increasing influx of migrants, particularly those from Haiti and Venezuela, as well as those from Brazil, Cuba, the Dominican Republic, and Guyana, are vulnerable to exploitation by traffickers. Migrant women and girls are especially vulnerable to sex trafficking in Suriname, including in remote and illegal gold mining camps in Suriname's interior. Some Surinamese parents exploit their daughters in sex trafficking. Migrant workers in agriculture and on fishing boats off Suriname's coast are highly vulnerable to forced labor, as are children working in agriculture, small construction, gold mines, and informal urban sectors. Chinese associations, and allegedly some Hong Kong traffickers, recruit and exploit Chinese immigrants in sex and labor trafficking in the mining, service, and construction sectors. Surinamese women in neighboring countries are vulnerable to sex trafficking. Traffickers may transport victims through routes in Suriname's interior that bypass official checkpoints. There are reports of corruption and local official complicity in trafficking crimes that may impede anti-trafficking efforts.

The Government of Sweden fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Sweden remained on Tier 1. These efforts included establishing a crime unit composed of specialized prosecutors handling all trafficking cases, increasing funding to NGOs for victim services, and prosecuting and convicting more traffickers. Although the government meets the minimum standards, authorities did not proactively identify trafficking victims, identifying significantly fewer victims than in past years, including among asylum-seekers and unaccompanied children. Judges lacked a sufficient understanding of all aspects of trafficking, including the application of anti-trafficking laws.



### PRIORITIZED RECOMMENDATIONS:

Increase efforts to proactively identify trafficking victims, including among asylum-seekers and unaccompanied children. • Vigorously prosecute and convict traffickers using the anti-trafficking statute. • Train officials involved in judicial proceedings, particularly judges, on all aspects of trafficking and the application of the anti-trafficking law. • Increase awareness efforts to educate asylum-seekers and unaccompanied children on the risks of labor trafficking, forced criminality, and forced begging. • Identify and vigorously prosecute Swedish child sex tourism offenders. • Establish specialized housing for trafficking victims, including for male victims.

### PROSECUTION

The government increased law enforcement efforts. Chapter 4 Section 1a of the Penal Code criminalized sex trafficking and labor trafficking and prescribed penalties of two to 10 years' imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Through a 2018 amendment to the penal code, Chapter 4 Section 1b criminalized a lesser offense of "human exploitation," which included the exploitation of individuals for labor or begging, and prescribed penalties of up to four years' imprisonment; these penalties were also sufficiently stringent. In 2018, police investigated 214 trafficking cases (93 sex trafficking, 65 labor trafficking, 56 unconfirmed), compared with 212 cases in 2017. Of the cases in 2018, 14 sex trafficking cases involved children and 40 of the labor trafficking cases were forced begging. Authorities prosecuted 17 traffickers (14 for forced begging) and convicted 15 (12 for forced begging), compared with six prosecutions and five convictions in 2017. Sentences ranged from one year and six months to five years and six months' imprisonment. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Swedish authorities collaborated with foreign governments on transnational investigations.

According to the national anti-trafficking coordinator and national rapporteur, a reorganization of the National Police and shift in focus away from trafficking crimes hindered law enforcement anti-trafficking efforts and effectiveness; consequently, the government issued a directive that compels the National Police to improve its anti-trafficking capabilities, including through reorganization and assigning personnel duties within the force. The police appointed regional trafficking coordinators in each of the seven police regions to manage anti-trafficking efforts and serve as a resource for professionals handling trafficking cases. A new statute entered into force requiring the public prosecutor's office to manage trafficking cases through the newly formed international and organized crime unit, comprising specialized prosecutors with relevant experience. The prosecutor's office produced a checklist for prosecutors working potential trafficking cases, providing guidance on how to identify and handle cases. The national courts offered training for judges and lawyers that included sections on sex trafficking and child victims; however, experts reported some judges lacked a sufficient understanding of trafficking and did not apply current law in trafficking cases, impacting rulings. The national rapporteur conducted training for police and judges. The Swedish Coast Guard, police, and customs officials participated in joint regional intelligence operations in trafficking cases involving travel by sea.

## PROTECTION

The government maintained victim protection efforts. Authorities identified 213 victims (92 sex trafficking, 65 labor trafficking, and 56 unidentified) in 2018, compared with 212 victims in 2017 (82 sex trafficking and 130 labor trafficking). Sixty of these new victims were children. The migration agency's anti-trafficking coordinator identified 384 suspected trafficking victims among asylum-seekers in 2018 (44 were children), a 14 percent decrease from 2017. Reports indicated tightened migration policy curbed the inflow of asylum-seekers, allowing authorities more time to process and screen applicants for trafficking indicators. Nonetheless, the number of migrants and unaccompanied children seeking asylum remained high (approximately 944), and experts expressed concerns that many unaccompanied children were either at risk or victims of trafficking, particularly for sexual exploitation and forced criminality. Additionally, experts noted shortcomings in the proactive identification of unaccompanied children and expressed concern that the number of reported cases misrepresented the real scale of child trafficking in Sweden.

Municipalities, in collaboration with NGOs and other government agencies, provided victim services, including medical and psychological care, shelter, and social assistance. In 2018, the government allocated 800,000 krona (\$89,510) to a civil society platform representing 20 NGOs that provided care to victims, whereas the government did not allocate funding in 2017 and allocated 500,000 krona (\$55,940) in 2016. Although the country lacked shelters dedicated solely to trafficking victims, some municipalities ran shelters offering services to sex trafficking victims. The national coordinator led a network of approximately 40 NGO-run safe houses, and adult female trafficking victims could receive services at women's shelters for victims of domestic and honor-related violence. Shelters assisted non-Swedish victims with immigration issues, medical care, and educational and employment needs, including Swedish language training. Authorities referred child victims to social services officials, who placed child victims in foster care or group housing. There was no protected housing available to male trafficking victims.

The Aliens Act entitled victims to a 30-day reflection period to contemplate cooperation with law enforcement, during which they were eligible for emergency financial aid; however, only an investigating police officer or prosecutor could file the application, limiting availability to victims already in contact with law enforcement. Victims in trafficking cases who cooperated with authorities received temporary residence permits, which allowed them to seek employment. Fifty-four trafficking victims received permits in 2018 (13 in 2017). Prosecutors had the power to file applications for permanent residence permits on behalf of victims based on protection needs, such as in cases in which victims would face retribution in their countries of origin; the government did not issue any permanent residence permits in 2017 or 2018.

## PREVENTION

The government increased prevention efforts. The government adopted a national action plan for 2018, focusing on combating, preventing, and improving the detection of human trafficking. The National Police issued a report outlining police efforts, best practices, ongoing initiatives, and interagency collaborations. The newly created Gender Equality Agency incorporated the office of the national anti-trafficking coordinator; however, most of its employees did not transfer to the new agency, raising concerns over the loss of knowledgeable staff. Experts also expressed concern the new agency would focus on sexual exploitation, neglecting other forms of trafficking. The government coordinated a conference for the Nordic countries to share experiences and discuss common challenges in combating trafficking, including the legal process from identifying and supporting victims to delivering court decisions. The government organized awareness campaigns focusing on safe travel and conducted or funded awareness training for taxi, hotel, and restaurant staff to detect trafficking at their places of work. The government made efforts to reduce the demand for commercial sex acts. Authorities conducted mandatory interviews with foreign workers who were employed in at-risk sectors and seeking to extend their work permits. The migration agency conducted background checks on companies employing foreign workers and occasionally denied work visas in cases where employment contracts did not meet the necessary requirements. Multiple agencies carried out joint workplace inspections as part of a major EU effort against unfair labor exploitation.

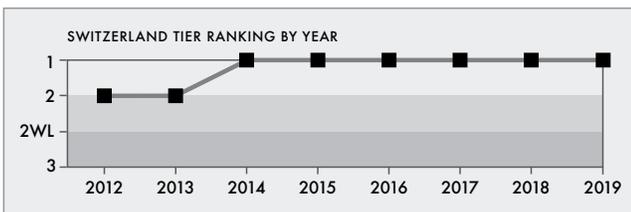
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Sweden, and traffickers exploit victims from Sweden abroad. Most traffickers are the same nationality as their victims and are often part of criminal networks engaged in multiple criminal activities, although an increasing number of reported cases involve traffickers who are family members or have no ties to organized crime. Most sex trafficking and labor trafficking victims originate from Eastern Europe, Africa, East Asia, and the Middle East. Reported cases of labor trafficking and forced begging are increasing. Victims of labor trafficking, who largely originate from Eastern Europe, East Asia, and West Africa, face exploitation in the service, cleaning, and construction industries; cases among seasonal berry pickers have decreased significantly in recent years. Roma, primarily from Romania and Bulgaria, are subjected to forced begging and criminality and, to a lesser extent, sex trafficking. Asylum-seekers, particularly those from Nigeria, Vietnam, Morocco, Turkey, and Pakistan, as well as many stateless individuals, are subjected to human trafficking. Unaccompanied children are especially vulnerable; reports indicate a majority of suspected child

trafficking victims arrived in Sweden as unaccompanied minors, primarily from Africa and the Middle East. Approximately 944 unaccompanied foreign children applied for asylum in Sweden in 2018. Approximately 4,000 to 5,000 Swedes commit child sex tourism offenses abroad annually, primarily in East Asia.

## SWITZERLAND: TIER 1

The Government of Switzerland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Switzerland remained on Tier 1. These efforts included increasing interagency coordination, updating victim identification guidelines, and proposing new regulations for those employed in the around-the-clock nursing services sector to prevent labor exploitation. Although the government meets the minimum standards, it continued to partially or fully suspend sentences for the majority of convicted traffickers, prosecuted and convicted fewer traffickers, and identified fewer victims.



### PRIORITIZED RECOMMENDATIONS:

Vigorously prosecute and convict traffickers and punish them with significant prison terms. • Develop safeguards for victims to protect them against traffickers freed on suspended sentences. • Increase law enforcement efforts against labor trafficking. • Strengthen or revise existing criminal code articles, particularly Article 182, to explicitly define labor trafficking. • Increase victim identification training for all front-line officials, including labor inspectors. • Establish a standardized referral and assistance system for all victims. • Increase access to specialized services, especially for forced labor, asylum-seekers, male, child, and transgender victims. • Improve the process for issuing short- and long-term residency permits for potential victims, especially those in the asylum process.

### PROSECUTION

The government decreased law enforcement efforts. Articles 180, 181, 182, 195, and 196 of the penal code criminalized sex trafficking and labor trafficking with penalties from one to 20 years' imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. NGOs stated the lack of an explicit legal definition for labor exploitation under Article 182 complicated forced labor investigations and limited data collection necessary for prevention efforts. As in previous years, the government did not disaggregate data on law enforcement efforts between sex trafficking and forced labor and did not provide annual investigative data. In one noteworthy case from April 2018, the Geneva police launched an investigation of forced domestic servitude of up to six persons. Cantonal authorities prosecuted 124 defendants in 2018, compared with 143 in 2017. The government convicted

13 defendants on trafficking charges in 2017 (the most recent year for which complete data were available), compared to 13 in 2016. Of the 13 convictions in 2017, courts fully suspended the sentences of five traffickers and partially suspended three traffickers' sentences. Of the seven sentenced to prison terms, three were over one year in duration. The highest sentence issued for trafficking crimes was for approximately 6.5 years in prison. The government did not report complete sentencing data but confirmed several cases in which traffickers received significant prison terms during the reporting period. In July 2018, the regional court of Bern Jura-Seeland sentenced a Thai woman to 10.5 years in prison for sex trafficking at least 75 female and transgender victims in the government's largest trafficking case to date. In December 2018, Lausanne's criminal court sentenced a Nigerian woman to three years in prison and a fine for sex trafficking four Nigerian women.

Trafficking investigations and prosecutions fell strictly under the jurisdiction of individual cantons except for cases involving organized criminal networks, which fell under federal police (FedPol) jurisdiction. Several cantons had their own specialized anti-trafficking police units. Civil society continued to report the government's predominant focus on sex trafficking hindered the identification and prosecution of forced labor. Authorities continued to prosecute few labor trafficking cases, and civil society reported labor inspectors frequently regarded foreign victims as criminals working illegally. The government conducted multiple training events for law enforcement. In May 2018, the Swiss police institute held a weeklong trafficking seminar for police, prosecutors, and border guards. In June 2018, FedPol held a workshop focused on evidence collection in labor trafficking investigations for cantonal police, labor inspectors, and prosecutors. The government continued to hold annual trafficking training for cantonal prosecutors, which focused on victim testimony and assistance during criminal proceedings.

The government continued to participate in international investigations and criminal trials. One joint investigation with Romania led to the arrest of nine suspected traffickers and the identification of 15 potential victims. Police also participated in several EUROPOL sex and labor trafficking investigations that led to the arrest of seven suspected traffickers and the identification of over 54 potential victims. According to GRETA, Switzerland had a network of 10 police attachés posted abroad, which provided support to government prosecution authorities in combating trans-border crime, including human trafficking. The government did not report whether it investigated any Swiss nationals for child sex tourism abroad. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking.

### PROTECTION

The government maintained protection efforts. In 2018, cantonal authorities identified 170 victims (228 in 2017), 106 of whom were victims of "forced prostitution" (120 in 2017). The federal government continued to lack standard procedures across cantons for victim protection and victim identification. The government updated widely distributed victim identification guidelines to include labor trafficking and the "lover boy" coercion phenomenon. Assistance for victims of violence was available in 24 out of the 26 cantons but did not always include anti-trafficking services and varied canton to canton. In 2017, the latest year for which assistance data was available, 164 potential victims received government-funded trafficking-specific counseling, compared with 101 in 2016. For the third consecutive year, there was an increase in the number

of potential trafficking victims among asylum-seekers. The State Secretariat for Migration identified 111 potential victims undergoing the asylum process in 2018 (100 in 2017). The government's border police screened newly arrived asylum-seekers alone to eliminate the potential influence of traffickers operating within migrant camps. However, NGOs continued to report asylum accommodations did not provide adequate assistance and counseling services to possible victims and asylum-seekers remained vulnerable, as they could be deported back to their first country of EU entrance without first receiving victim protection.

The Swiss Victim Assistance Law entitled all trafficking victims to access the government-funded women's shelters or assistance centers for victims of abuse and to special safeguards during criminal proceedings. Cantonal authorities maintained jurisdiction on providing protection for victims, and trafficking victims were entitled to free and immediate assistance centers that varied from canton to canton. Some cantons had formal referral systems in place with NGO-operated victim assistance facilities specialized in trafficking. While the provisions of local victim assistance centers varied from canton to canton, they generally provided victims with a minimum of four weeks of emergency lodging and living allowance, several hours of consultations with a lawyer, mental health counseling, medical treatment, transportation, and translation services. If recovery required more time, the victim assistance law obligated the government to assume the additional cost of longer-term care. The government granted 373,520 Swiss francs (\$379,590) to five NGOs from a total annual allocation of 400,000 Swiss francs (\$406,500). Federal and cantonal government sources financed the vast majority of a leading NGO's 2.6 million Swiss francs (\$2.64 million) operating costs for its trafficking victim protection program. The NGO reported the government did not provide adequate victim assistance funding for the increased number of victims in the asylum system. In 2018, the NGO assisted 80 new victims; 76 percent of new victims were sex trafficking victims, 21 percent were forced labor victims, and the remaining three percent fell into other categories. Twenty-three percent of victims were referred by cantonal or federal police and judicial authorities. Services for labor trafficking victims were limited, and the government lacked case management resources for victims in the asylum system. Services for child and male victims were limited, especially shelter, counseling, and victim referral resources. The government provided male victims temporary shelter in hotels, or NGO-operated shelters for men, and NGOs that received government support provided limited services to such victims. The government also facilitated assistance to foreign victims of trafficking; however, authorities granted few long-term residency permits and instead provided victims with repatriation assistance to help them return home. In 2018, the government provided repatriation assistance to 17 victims (16 in 2017), the majority from Eastern Europe. The government did not have a legal provision protecting victims from unlawful acts their traffickers coerced them to commit.

Cantonal immigration authorities were required to grant victims a minimum 30-day reflection period to decide whether to participate in judicial proceedings against their traffickers. The government granted 56 individuals reflection periods, 91 short-term residence permits, and 16 hardship-based residence permits (55 reflection periods, 90 short-term residence permits, and 14 hardship-based residence permits in 2017). The government provided cultural sensitivity training to law enforcement personnel to improve the identification referral process for foreign victims. Thirty-one victims received state compensation payments in 2017, the most recent year for which

data was available for comparison, compared with 23 in 2016.

## PREVENTION

The government increased prevention efforts. The government reorganized the national coordinating body under FedPol and renamed it the Specialized Unit against the Trafficking in Persons and Smuggling of Migrants (FSMM). FSMM coordinated national efforts, including anti-trafficking policy, information exchange, cooperation, and training. The frequency of interagency trafficking coordination meetings increased from annually to bi-annually with the new reorganization. In November 2018, FSMM hosted its fifth national meeting of the heads of the cantonal anti-trafficking roundtable and focused in particular on trafficking awareness and victim identification in the healthcare sector. The government had an active national action plan focused on standardizing the issuance of residency permits and victim identification guidelines for police, as well as minimizing the unintentional punishment of victims. However, civil society reported the government had not allocated adequate human or financial resources for its implementation. The government published an annual assessment of its anti-trafficking efforts. In June 2018, the government launched an anti-trafficking national awareness campaign for medical professionals. The government also continued to co-host and co-fund several awareness events organized by cantonal authorities and NGOs. Programs to fund Romanian NGOs providing victim assistance and anti-trafficking assistance to Bulgaria, Hungary, and Nigeria continued during the reporting period. The government proposed to the cantons labor contract reforms for the around-the-clock nursing services sector that clearly defined working hours and conditions, minimizing the potential for exploitation. The government did not demonstrate efforts to reduce the demand for commercial sex. The government funded an NGO to operate a national victim hotline and email.

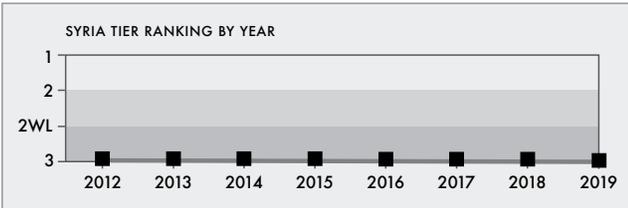
## TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Switzerland. Sex traffickers exploit women, children, and transgender people. Labor traffickers exploit men, women, and children in domestic service, health care, agriculture, catering, construction, tourism, and forced criminal activity. Foreign trafficking victims originate primarily from Central and Eastern Europe—particularly Romania, Hungary, and Bulgaria, with increasing numbers from Nigeria and Thailand. Victims also come from China, Brazil, Cameroon, and the Dominican Republic. Authorities report an increase in young male traffickers, known as "lover boys," coercing vulnerable Swiss girls and women into sex trafficking, often through a sham romantic relationship. Female victims among asylum-seekers from Nigeria, Eritrea, and Ethiopia were often forced into prostitution and domestic servitude. Male victims among asylum-seekers came primarily from Eritrea and Afghanistan and were exploited in forced labor.

## SYRIA: TIER 3

The Government of Syria does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Syria remained on Tier 3. The government did not hold any traffickers criminally accountable, including complicit government officials, nor did

it identify or protect any trafficking victims. The government's actions directly contributed to the population's vulnerability to trafficking and it continued to perpetrate human trafficking crimes routinely. The government and pro-Syrian regime affiliated militias continued to forcibly recruit and use child soldiers, resulting in children facing extreme violence and retaliation by opposition forces; it also did not protect and prevent children from recruitment and use by armed opposition forces and designated terrorist organizations such as ISIS. The government continued to arrest, detain, and severely abuse trafficking victims, including child soldiers, and punished them for unlawful acts traffickers compelled them to commit.



### PRIORITIZED RECOMMENDATIONS:

Criminalize all forms of human trafficking. • Stop the forcible recruitment and use of child soldiers by government forces and pro-government militias. • Proactively identify victims of all forms of trafficking and provide them with appropriate protection services, including long-term care for demobilized child soldiers. • Ensure trafficking victims are not punished for crimes traffickers compelled them to commit, such as child soldiering. • Investigate, prosecute, and convict perpetrators of sex and labor trafficking and the unlawful recruitment and use of child soldiers, including complicit officials.

### PROSECUTION

The government made no discernible anti-trafficking law enforcement efforts, and the government and government-affiliated militias remained complicit in the unlawful recruitment and use of child soldiers. The violent conflict continued to directly amplify the magnitude of human trafficking crimes occurring within Syria. Decree No.3 of 2011 appeared to criminalize some forms of sex trafficking and labor trafficking, but did not include a clear definition of human trafficking. This decree prescribed a minimum punishment of seven years' imprisonment and a fine between 1 million and 3 million Syrian pounds (\$1,940 to \$5,830), a penalty that was sufficiently stringent but, with respect to sex trafficking, not commensurate with those prescribed for other serious crimes, such as rape. Law No.11/2013 criminalized all forms of recruitment and use of children younger than the age of 18 by armed forces and armed groups; however, the government made no efforts to prosecute child soldiering crimes perpetrated by government and pro-regime militias, armed opposition groups, and designated terrorist organizations. The government did not report investigating, prosecuting, or convicting suspected traffickers, nor did it investigate, prosecute, or convict government officials complicit in human trafficking. The government did not provide anti-trafficking training for officials.

### PROTECTION

The government did not identify or protect trafficking victims. The government did not protect children from forcible recruitment and use as soldiers, human shields, and in support

roles by government forces and pro-government armed groups, armed opposition groups, and terrorist organizations. The government continued to severely punish victims for unlawful acts traffickers compelled them to commit, such as child soldiering and prostitution. It routinely arrested, detained, raped, tortured, and executed children for alleged association with armed groups; the government made no effort to offer these children any protection services. The government neither encouraged trafficking victims to assist in investigations or prosecutions of their traffickers nor provided foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

### PREVENTION

The government made no effort to prevent human trafficking; the government's actions continued to amplify the magnitude of human trafficking crimes in the country. The government did not implement measures to prevent children from unlawful recruitment and use as combatants and in support roles by government, pro-regime militias, opposition armed groups, and terrorist organizations. The government did not raise awareness of human trafficking among the general public or officials. The government did not report efforts to reduce the demand for commercial sex acts or forced labor, nor did it prevent child sex tourism by Syrian nationals abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

### TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Syria, and traffickers exploit Syrian victims abroad. The situation in Syria continues to deteriorate amid the ongoing conflict with sub-state armed groups of varying ideologies exerting control over wide geographic swathes of the country's territory. As of March 2018, human rights groups and international organizations estimate more than 500,000 people have been killed since the beginning of protests against the Bashar al-Assad regime in March 2011. More than half of Syria's pre-war population of 23 million has been displaced; as of February 2019, more than five million have fled to neighboring countries and, as of December 2018, approximately 6.2 million are internally displaced. Syrians that remain in the country and those living as refugees in neighboring countries are extremely vulnerable to traffickers. Syrian children are reportedly vulnerable to forced early marriages—which can lead to commercial sexual exploitation and forced labor—and children displaced within the country continue to be subjected to forced labor, particularly by organized begging rings.

While ISIS has lost the majority of the Syrian territory it once controlled, throughout 2018 it continued to force local Syrian girls and women in ISIS-controlled areas into marriages with its fighters and it routinely subjected women and girls from minority groups into forced marriages, domestic servitude, systematic rape, and other forms of sexual violence. Incidents of human trafficking increased and trafficking victims were trapped in Syria, particularly when ISIS consolidated its control of the eastern governorates of Raqqqa and Deir al-Zour in 2014. In June of that year, ISIS announced the establishment of an Islamic "Caliphate" in Iraq and Syria. In December 2014, ISIS publicly released guidelines on how to capture, forcibly hold, and sexually abuse female slaves. As reported by an international organization in 2015, ISIS militants' system of organized sexual slavery and forced marriage is a central element of the terrorist group's ideology. In 2016, ISIS began moving thousands of

abducted women and girls from the Yezidi minority group in Iraq into Syria ahead of Iraqi government forces' push to drive ISIS out of Mosul, Iraq. As of the end of 2018, 2,500 Yezidi women and girls remain missing; reports indicate some of these women and girls remained with ISIS in eastern Syria. Additionally, following the February 2015 ISIS incursion into Assyrian villages in the northeastern province of al-Hasaka, it captured as many as 30 Assyrian Christian women and forced them into sexual slavery.

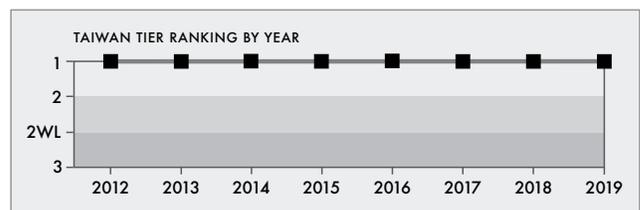
The recruitment and use of children in combat in Syria remains commonplace, and since the beginning of 2018 international observers reported a steady increase in incidents of recruitment and use by armed groups. Syrian government forces, pro-regime militias, and armed non-state actors, including the Free Syrian Army (FSA) and FSA-affiliated groups, Kurdish forces, ISIS, Ahrar al-Sham, and Jabhat al-Nusra—the al-Qa'ida affiliate in Syria—recruit and use boys and girls as child soldiers. Jabhat al-Nusra and ISIS have also used children as human shields, suicide bombers, snipers, and executioners. Militants also use children for forced labor and as informants, exposing them to retaliation and extreme punishment. Some armed groups fighting for the Syrian government, such as Hezbollah, and pro-regime militias known as the National Defense Forces (NDF), or “shabiha,” forcibly recruit children as young as six years old. ISIS actively deploys children—some as young as eight years old—in hostilities, including coercing children to behead Syrian government soldiers; the terrorist group has deliberately targeted children for indoctrination and used schools for military purposes, endangering children and preventing their access to education. Before its liberation in October 2017, ISIS operated at least three child training camps in Raqqa, where it forced children to attend indoctrination seminars and promised children salaries, mobile phones, weapons, a martyr's place in paradise, and the “gift” of a wife upon joining the terrorist group. The Kurdish People's Protection Units (YPG/YPJ) continue to recruit, train, and use, boys and girls as young as 12 years old; international observers reported in 2017 and 2018 that YPG forces recruit children from displacement camps in northeast Syria. Several credible sources continue to widely report that Iran's Islamic Revolutionary Guard Corps (IRGC) and the Iranian Basij Resistance Force (Basij) actively recruit and use—through force or coercive means—Afghan children and adults, Afghan migrant and refugee men and children living in Iran, as well as Iranian children, to fight in IRGC-led and -funded Shia militias deployed to Syria. Extremist groups, including ISIS, reportedly forced, coerced, or fraudulently recruited some foreigners, including migrants from Central Asia, to join their ranks.

The Syrian refugee population is highly vulnerable to sex trafficking and forced labor in neighboring countries, particularly Jordan, Lebanon, Iraq, and Turkey. International organizations continue to report a high number of child and early marriages of Syrian girls among refugee populations, which increases their vulnerability to trafficking. Syrian refugee women and girls are also vulnerable to forced or “temporary marriages”—for the purpose of prostitution and other forms of exploitation—and sex trafficking in refugee camps, Jordan, and cities in the Iraqi Kurdistan Region (IKR), including Sulaimaniya. Illicit prostitution rings in Turkey and Lebanon compel Syrian refugee women and girls into sex trafficking. In Turkey, some female Syrian refugees are reportedly exploited after accepting fraudulent job offers to work in hair salons. In Turkey, Lebanon, and Jordan, Syrian refugee children continue to engage in street begging or peddling goods, some of which may be forced or coerced. Syrian children are also observed working in Turkey's

agricultural sector and informally in textile workshops and the service sector where they experience long working hours, low wages, and poor working conditions; children in these sectors may be vulnerable to forced labor. In Jordan and Lebanon, traffickers force Syrian refugee children to work in agriculture alongside their families; in Lebanon's Bekaa Valley, Syrian gangs force refugee men, women, and children to work in agriculture under harsh conditions, including physical abuse, with little to no pay. LGBTI persons among the Syrian refugee population in Lebanon are reportedly vulnerable to sex trafficking by Lebanese pimps.

## TAIWAN: TIER 1

Taiwan authorities fully meet the minimum standards for the elimination of trafficking. Authorities continued to demonstrate serious and sustained efforts during the reporting period; therefore Taiwan remained on Tier 1. These efforts included investigating significantly more traffickers and labor recruitment agencies than in previous years; for the first time, conducting random inspections of fishing vessels on the high seas; repatriating an increased number of foreign victims; and amending legislation to improve protections for migrant workers. Although Taiwan met the minimum standards, separation of purview between the Ministry of Labor (MOL) and the Fisheries Agency (FA), coupled with insufficient inspection protocols, continued to impede efforts to address forced labor on Taiwan-flagged and -owned fishing vessels in the highly vulnerable Distant Water Fleet (DWF). Authorities detained, investigated, and in some cases charged dozens of Taiwan individuals formally designated by a foreign government as victims of forced criminality.



### PRIORITIZED RECOMMENDATIONS:

Increase efforts to prosecute and convict traffickers under the anti-trafficking law. • Sentence convicted traffickers to adequate penalties, which should include significant prison terms. • Increase inspections and, where appropriate, prosecute the senior crew and owners of Taiwan-owned and -flagged fishing vessels suspected of forced labor in the Distant Water Fleet. • Conduct comprehensive, victim-centered interviews to screen foreign fishing crewmembers for forced labor indicators during portside and at-sea vessel inspections, and ensure these interviews take place away from the main vessels, separate from vessel senior crew, and with the assistance of a qualified interpreter. • Train maritime inspection authorities on victim identification, referral, and law enforcement notification procedures. • Reduce the incidence of debt-based coercion among migrant workers in Taiwan by amending relevant policies and legislative loopholes to eliminate the imposition of all recruitment and service fees on workers, and by coordinating with sending countries to facilitate direct hiring. • Strengthen efforts to screen for trafficking among individuals returned to Taiwan in connection with alleged overseas criminal activity, and