



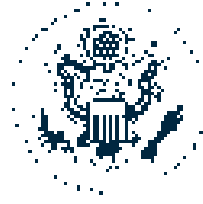
# TRAFFICKING IN PERSONS REPORT

JUNE 2008





GIVE ME YOUR TIRED, YOUR POOR,  
YOUR HUDDLED MASSES YEARNING  
TO BREATHE FREE, THE WRETCHED  
REFUSE OF YOUR TEEMING SHORE.  
SEND THESE, THE HOMELESS,  
TEMPEST-TOST TO ME, I LIFT MY LAMP  
BESIDE THE GOLDEN DOOR!



Dear Reader:

This year, millions of men, women, and children around the globe will have their lives ruined by human traffickers. This form of modern-day slavery shocks the conscience of every civilized nation, and the United States is committed to rallying the world to defeat human trafficking.

Covering 170 countries, the eighth annual Trafficking in Persons Report is the most comprehensive to date. The report brings to account each nation's efforts to discover the perpetrators, prosecute the criminals, protect the victims, and ultimately abolish the egregious crime of human trafficking.

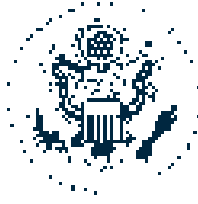
We are pleased that in the seven years since the creation of the Department of State's Office to Monitor and Combat Trafficking in Persons, the United States and our friends and allies have made important strides in confronting the reality that human beings continue to be bought and sold in the twenty-first century. It has been gratifying to witness the determined governments, human rights and women's groups, faith-based organizations, and many brave individuals who are dedicated to advancing human dignity worldwide. Trafficking and exploitation plague all nations, and no country, even ours, is immune.

The goal of this Report is to shine a light on recent accomplishments and encourage governments in their resolve to confront those who prey on the weakest and most vulnerable members of society. Together, we are confident that this modern, growing abolitionist movement will continue to rescue, rehabilitate, and restore the lives of those from whom so much has been taken.

Sincerely,

A handwritten signature in black ink that reads "Condoleezza Rice". The signature is fluid and cursive, with a long horizontal stroke at the end.

Condoleezza Rice



Dear Reader:

This year, America commemorates the bicentennial of its outlawing the transatlantic slave trade. In the decades following, this nation was ripped apart by a bloody civil war which sought to reconcile the words and ideas which birthed the United States and the brutal reality of a society fueled by the blood and sweat of human bondage.

The same lie which underpinned the transatlantic slave trade of the eighteenth and nineteenth centuries, namely that some people are less than human, is the very lie that fuels modern-day slavery.

Those culpable in this crime—traffickers, recruiters, factory owners, child sex tourists, and corrupt government officials—must be held to account. Those they grossly exploit and control—men, women, children, migrants, and refugees—must be accorded rights as human beings in full. Their dignity must be respected and restored. One of the central aims of U.S. foreign policy—promoting democracy and just governance—depends on meeting these imperatives.

Since taking office nearly eight years ago, President Bush has ensured U.S. global leadership on this most pressing human rights issue, from catalyzing cooperation with other countries to providing \$528 million in programmatic assistance abroad from Fiscal Years 2001 through 2007. As such, countries the world over know they have a friend in the United States as they seek not to mitigate, or regulate, but rather to eliminate human trafficking. This Report exhaustively documents the efforts of nations around the globe to confront this evil.

We remain committed to acting as a voice for the voiceless—an advocate for the prostituted woman or child, the exploited domestic worker, the trapped agricultural laborer. Their bondage demands our attention and is worthy of our efforts.

You are a welcome partner in the growing, truly global coalition, and heeding the call for abolition!

Sincerely,

A handwritten signature in black ink that reads "Mark P. Lagon".

Ambassador Mark P. Lagon

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This Report and subsequent updates are available at [www.state.gov/g/tip](http://www.state.gov/g/tip)

## PROFILES

The victims' testimonies included in the Report are meant to be representative only and do not include all forms of trafficking that occur. Any of these stories could unfortunately take place almost anywhere in the world. They are provided to illustrate the many forms of trafficking and the wide variety of places in which they occur. No country is immune. All names of victims that appear in this Report are fictional. The photographs on this Report's cover and most uncaptioned photographs in the Report are not images of confirmed trafficking victims, but are provided to show the myriad forms of exploitation that help define trafficking and the variety of cultures in which trafficking victims are found.



## INTRODUCTION

### THE 2008 TRAFFICKING IN PERSONS (TIP) REPORT

#### Purpose

The Department of State is required by law to submit a Report each year to the U.S. Congress on foreign governments' efforts to eliminate severe forms of trafficking in persons. This Report is the eighth annual TIP Report. It is intended to raise global awareness, to highlight efforts of the international community, and to encourage foreign governments to take effective actions to counter all forms of trafficking in persons.

The U.S. law that guides anti-human trafficking efforts, the Trafficking Victims Protection Act of 2000, as amended (TVPA), states that the purpose of combating human trafficking is to punish traffickers, to protect victims, and to prevent trafficking from occurring. Freeing those trapped in slave-like conditions is the ultimate goal of this Report—and of the U.S. Government's anti-human trafficking policy.

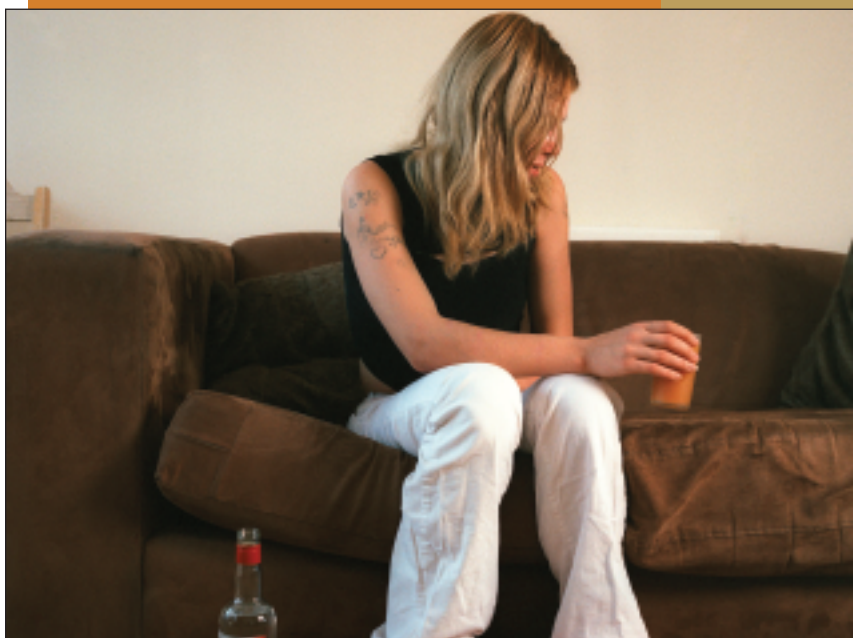
Human trafficking is a multi-dimensional threat. It deprives people of their human rights and freedoms, it increases global health risks, and it fuels the growth of organized crime.

Human trafficking has a devastating impact on individual victims, who often suffer physical and emotional abuse, rape, threats against self and family, and even death. But the impact of human trafficking goes beyond individual victims; it undermines the health, safety, and security of all nations it touches.

There is an ever-growing community of nations making significant efforts to eliminate this atrocious crime. A country that fails to make significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking in persons, as outlined in the TVPA, receives a "Tier 3" assessment in this Report. Such an assessment could trigger the withholding by the United States of non-humanitarian, non-trade-related foreign assistance. In assessing foreign governments' efforts, the TIP

## ROMANIA/UK

Lila, a 19-year-old Romanian girl who had already endured physical and sexual abuse from her alcoholic father, was introduced by an "acquaintance" to a man who offered her a job as a housekeeper/salesperson in the U.K. When she arrived in the U.K., the man sold her to a pimp and Lila was forced into prostitution. She was threatened that she would be sent home in pieces if she did not follow every order. After an attempted escape, her papers were confiscated and the beatings became more frequent and brutal. Months later, after being re-trafficked several times, Lila was freed in a police raid. She was eventually repatriated back to Romania where, after two months, she fled from a shelter where she had been staying. Her whereabouts are unknown.



**At age 17, this Lithuanian was trafficked into prostitution in London having been promised a holiday trip. She escaped—after a year—but relies on alcohol to help forget.**

Report highlights the "three P's"—prosecution, protection, and prevention. But a victim-centered approach to trafficking requires us also to address the "three R's"—rescue, rehabilitation, and reintegration—and to encourage learning and sharing of best practices in these areas. We must go beyond an initial rescue of victims and restore to them dignity and the hope of productive lives.



*"Sexual predators who travel overseas to pursue their victims need to know that distance is not a deterrent to law enforcement."*

—U.S. Attorney Patrick L. Meehan, January 2006

## MEXICO/ UNITED STATES

Thirty-two year old "Sandro," from the interior of Mexico, found himself in a migrant shelter in Tijuana. A recruiter approached him in the shelter and urged him to come to the U.S.-Mexico border to "take a look." As they neared the border, the recruiter (knowledgeable of the shift change in the border patrol), pushed him over the border and instructed him to "run." Sandro was guided by Mexican traffickers to a "safe house" where he was tied to a bed and raped about 20 times. He was then transported, at gun point, to another "safe" house in San Diego and forced into domestic servitude. Eventually, he was taken to a construction site during the day. His pay check was confiscated by his traffickers. He felt he had no recourse since he lacked even basic identification papers. His abuse continued when one of his traffickers forced him at gunpoint to perform sexual acts. He was later rescued and has since received temporary residency in the United States.

### Human Trafficking Defined

The TVPA defines "severe forms of trafficking" as:

- a. **sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or**
- b. **the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.**

A victim need not be physically transported from one location to another in order for the crime to fall within these definitions.



## HIGHLY VULNERABLE: NORTH KOREAN REFUGEES

Extremely poor economic and humanitarian conditions in the Democratic People’s Republic of Korea (D.P.R.K.) combined with a severe shortage of jobs, a lack of basic freedoms, and a system of political repression have led many North Koreans to seek a way out. They escaped across the border into the People’s Republic of China (P.R.C.) where tens of thousands of North Koreans may now reside illegally, more than half of whom are women. With conditions in their home country making North Koreans ripe for exploitation, the Tumen and Yalu River borders are “hot spots” for the trafficking of mostly North Korean women and girls.

Some North Korean women and children voluntarily cross the border into China and then in a foreign environment are captured by traffickers for both sexual exploitation and forced labor. Other times they are lured out of North Korea with the promise of a “better life” as waitresses or factory workers, then prostituted in brothels or ensnared in coercive labor arrangements. Some of the women are sold as brides to Chinese nationals, usually within the ethnically Korean border region.

Exacerbating their plight, North Koreans discovered by Chinese authorities are treated as illegal economic migrants in China and threatened with forced repatriation where they face severe punishment, or even execution, for escaping. A core principle of an effective anti-trafficking strategy is the protection of all victims, including foreign nationals. While the P.R.C. has taken some steps to address trafficking in persons across its borders with Vietnam and Burma, it has done little to address the status of vulnerable North Koreans within its borders, and does not provide North Korean trafficking victims with legal alternatives to their removal from China. The humanitarian and economic situation in the D.P.R.K. has not shown marked improvement. Neither government is doing enough to punish or prevent the trafficking of North Korean men, women, and children.

### The Scope and Nature of Modern-Day Slavery

The common denominator of trafficking scenarios is the use of force, fraud, or coercion to exploit a person for profit. A victim can be subjected to labor exploitation, sexual exploitation, or both. Labor exploitation includes traditional chattel slavery, forced labor, and debt bondage. Sexual exploitation typically includes abuse within the commercial sex industry. In other cases, victims are exploited in private homes by individuals who often demand sex as well as work. The use of force or coercion can be direct and violent or psychological.

A wide range of estimates exists on the scope and magnitude of modern-day slavery. The International Labor Organization (ILO)—the United Nations agency charged with addressing labor standards, employment, and social protection issues—estimates that there are 12.3 million people in forced labor, bonded labor, forced child

labor, and sexual servitude at any given time; other estimates range from 4 million to 27 million.

Annually, according to U.S. Government-sponsored research completed in 2006, approximately 800,000 people are trafficked across national borders, which does not include millions trafficked within their own countries. Approximately 80 percent of transnational victims are women and girls and up to 50 percent are minors. The majority of transnational victims are females trafficked into commercial sexual exploitation. These numbers do not include millions of female and male victims around the world who are trafficked within their own national borders—the majority for forced or bonded labor.

Human traffickers prey on the vulnerable. Their targets are often children and young women, and their ploys are creative and ruthless, designed to trick, coerce, and win the confidence of potential victims. Very often these ruses involve promises of a better life through employment, educational opportunities, or marriage.

## CHINA

A man at a local train station offered 16-year old Shen, from a small Chinese farming community, a well-paying job in a nearby city which he eagerly accepted. Within hours, he and 12 others were bundled into a minivan and dumped at a brick yard where they were beaten, barely fed, and forced to perform heavy labor for 20 hours per day. Guards at the kiln would beat them with iron bars and wooden staves when they worked too slowly, at times smashing brick across a worker's head or body. Guard dogs kept Shen and the other slaves living in fear. Shen often saw local uniformed police officers visit the brickyard. "They were paid off by the owner. The whole village was his," Shen said. "It was very 'black'," he said, using the Chinese term for evil or corrupt.



Some of the over 1,000 people enslaved for over a year in a brick kiln in China's Shanxi Province and beaten by their employers.

Girls rescued from a factory in China's southern Guangdong Province in April as part of an investigation involving hundreds of children, most ages 9-16, sold over the past five years.

The nationalities of trafficked people are as diverse as the world's cultures. Some leave developing countries, seeking to improve their lives through low-skilled jobs in more prosperous countries. Others fall victim to forced or bonded labor in their own countries. Women, eager for a better future, are susceptible to promises of jobs abroad as babysitters, housekeepers, waitresses, or models—jobs that traffickers turn into the nightmare of forced prostitution without exit. Some families give children to adults, often relatives, who promise education and opportunity—but sell the children into exploitative situations for money. But poverty alone does not explain this tragedy, which is driven by fraudulent recruiters, employers, and corrupt officials who seek to reap unlawful profits from others' desperation.

### Focus of the 2008 TIP Report

The TIP Report is the most comprehensive worldwide report on the efforts of governments to combat severe forms of trafficking in persons. This Report covers the period of April 2007 through March 2008. It includes those countries that have

## Children 'sold like cabbages' as slave labor, China admits

April 30, 2008

BEIJING (Reuters) - Thousands of children in southwest China have been sold into slavery like "cabbages", to work as laborers in more prosperous areas such as the booming southern province of Guangdong...



## BOY VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION

Though they often go unreported, boys around the world also face the trauma of trafficking for commercial sexual exploitation. According to ILO and UNICEF, two percent of those forced into commercial sexual exploitation are men or boys, but the practice might be far more widespread than reported due to social stigmas associated with sex with boys.

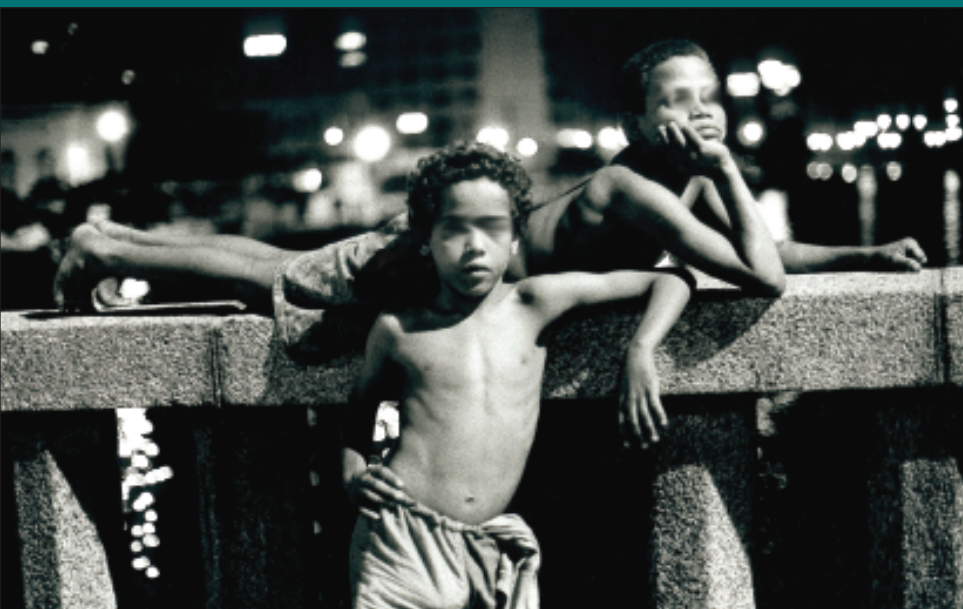
The sexual exploitation of boys may take place in informal, unorganized settings, making them both vulnerable to abuse and less likely to be identified by authorities charged with assisting them. Young street boys form relationships with older boys for protection, and are sometimes forced by these boys to have sex with older men for profit as part of the relationship. Public meeting places are often arranged, including parks, markets, bus terminals, rail stations, hotels, beaches, and movie theaters. When boys have pimps, they may endure injections with hormones to accelerate physical maturity and increase sexual performance, with painful results and long-term health consequences. Traffickers have also been known to lure boys into prostitution by making them dependent on drugs and alcohol.

Culture and stigma play a significant role in the victimization of boys in prostitution. Some researchers, for instance, believe that strict gender-segregation can foster the sexual exploitation of boys in situations when adult men do not have access to women for sex. In Afghanistan, Pakistan, and India, for example, boys are sometimes forced into prostitution behind the cultural practice of *bachabazi* or *launda* dancing—where boys dressed as girls dance at weddings and private parties for men. A different concern was highlighted by a research study on commercial sex in Costa Rica, which concluded: “Local demand for young boys arises because homosexuality is heavily stigmatized in Costa Rica, so ‘respectable’ Costa Rican men prefer to pick up boys from the street and take them somewhere discreet to use them rather than to enter into open homosexual relationships with their social and/or age equals.”

Sexual exploitation of boys is also found in tourist destinations. The beaches of Sri Lanka, Mexico, and Dominican Republic are host to men seeking sexual encounters with boys who are pimped by men or other boys. In Thailand, boys aged between 10 and 15 can earn \$280 a night having sex with foreign men. In some European cities, including in Great Britain and the Czech Republic, “rent boys,” often very young, are exploited in train stations by incoming tourists. According to NGO sources, Ghana and the Gambia face a growing problem of boys in prostitution.

The hidden nature of these boys’ trauma means they receive little or no help. Social stereotypes that presume boys cannot be exploited in prostitution often result in their exclusion from assistance, forcing many to remain silently in the sex trade.

Below: Prostituted boys in Recife, Brazil pose on a bridge. Street children are particularly vulnerable to sexual exploitation.



*“One of the most fundamental things we can do to actually help vulnerable people around the world is to assist them with the intensely practical task of securing the regular enforcement of their own laws – laws that are meant to protect them as citizens, laws that are on the books currently, but that are meaningless if not enforced.”*

—Gary Haugen, International Justice Mission  
President, CEO

been determined to be countries of origin, transit, or destination for a significant number of victims of severe forms of trafficking. The 2008 TIP Report represents an updated, global look at the nature and scope of modern-day slavery and the broad range of actions being taken by governments around the world to confront and eliminate it.

Because trafficking likely extends to every

country in the world, the omission of a country from the Report may only indicate a lack of adequate information. The country narratives describe the scope and nature of the trafficking problem, the reasons for including the country, and the government's efforts to combat trafficking. Each narrative also contains an assessment of the government's compliance with the minimum



## INDIA

Ten year-old Shanti from Ajmer, Rajasthan was trafficked to New Delhi, with seven children from her village, when she was seven years old. She was forced to beg from eight in the morning until 11 in the evening, to tear her clothes and to avoid bathing for months. She was given only one meal a day so that she would look thin and malnourished and elicit more money from the passers-by. She and 12 other children showing signs of physical abuse were rescued in a raid. The children had been beaten and were given a kind of tobacco named 'gul' to numb their senses while experiencing harsh conditions.

**Men bid to buy the virginity of Nita, above left, age 14. She is from the Bedia caste in India, which encourages girls to be prostituted at the age of 13-14.**

standards for the elimination of trafficking as laid out in the TVPA, and includes suggestions for additional actions to combat trafficking on the part of a country's government. The remainder of the country narrative describes each government's efforts to enforce laws against trafficking, protect victims, and prevent trafficking. Each narrative explains the basis for rating a country as Tier 1, Tier 2, Tier 2 Watch List, or Tier 3. All rankings are accompanied by an explanation, but in particular, if a country has been placed on Tier 2 Watch List, the narrative will contain a statement of explanation, using the special criteria found in the TVPA.

The TVPA lists three factors to be considered in determining whether a country should be in Tier 2 (or Tier 2 Watch List) or in Tier 3: (1) The extent to which the country is a country of origin, transit, or destination for severe forms of trafficking; (2) The extent to which the government of the country does not comply with the TVPA's minimum standards including, in particular, the extent of the government's trafficking-related corruption; and (3) The resources and capabilities of the government to address and eliminate severe forms of trafficking in persons.

Some countries have held conferences and established task forces or national action plans to create goals for anti-trafficking efforts. While such activities are useful and can help to catalyze concrete law enforcement, protection, and prevention activities in the future, these conferences, plans, and task forces alone are not weighed heavily in assessing country efforts. Rather, the Report focuses on concrete actions governments have taken to fight trafficking, especially prosecutions, convictions, and prison sentences for traffickers, victim protection measures, and prevention efforts. The Report does not give great weight to laws in draft form or laws that have not yet been enacted. Finally, the Report does not focus on government efforts that contribute indirectly to reducing trafficking, such as education programs, support for economic development, or programs aimed at enhancing gender equality, although these are worthwhile endeavors.

## Methodology

The Department of State prepared this Report using information from U.S. embassies, foreign government officials, nongovernmental organizations (NGOs) and international organizations, published reports, research trips to every region, and information submitted to [tipreport@state.gov](mailto:tipreport@state.gov). This email address was established for NGOs and individuals to share information on government progress in addressing trafficking. U.S. diplomatic posts reported on the trafficking situation and governmental action based on thorough research, including meetings with a wide variety of government officials, local and international NGO representatives, officials of international organiza-

## WOMEN AS EXPLOITERS

Although men are more commonly identified by the media as traffickers and exploiters of victims in the commercial sex trade, a closer look at trafficking reveals that women are frequently culpable offenders too. Women as recruiters, brothel operators, and even "clients" of commercial sexual exploitation are more common occurrences than previously thought.

Female trafficking victims in Europe and Central and South Asia are frequently recruited and trafficked into prostitution by other women, sometimes women who were themselves previously trafficking victims. Dubbed "Happy Trafficking" in parts of Eastern Europe and Central Asia, the method minimizes risks to organizers and maximizes profits through a "layering" of trafficking that involves multiple levels of traffickers who buy and sell a victim repeatedly. Physical and psychological pressure is combined with financial incentives to turn victims into traffickers. In part to avoid detection by authorities, traffickers grant some victims limited freedom—and even reward them financially – while coercing them through other means to return to their home countries and recruit one or more women to replace them. "Happy" refers to victims-turned-traffickers' practice of claiming to have had an ideal experience in legitimate jobs in the West or elsewhere, hiding the fact that they have been forced into prostitution themselves. Some anti-trafficking activists describe this "Happy Trafficking" as involving a type of refined psychological coercion that conveys the message that those who comply will be rewarded, while those who refuse to comply will be severely punished.

Women also serve as pimps and madams, brokering illicit commercial sexual transactions, that include trafficking. From brothels in West African countries selling children for sex to others in South Africa exploiting Thai women forced into prostitution, women may be found running the operations. Criminal organizations often employ female traffickers because governments frequently exhibit leniency toward female criminals. In many countries in Eurasia, female traffickers are released from serving prison time when they are pregnant or mothers of young children and receive lighter sentences than men, often because they are found guilty of low-level recruitment offenses.

Women are also reportedly found among the wealthier "clients" of the commercial sex trade, including international sex tourism. Women in some regions, for example, are reportedly traveling to countries in Africa, such as Kenya and The Gambia, and paying to have sex with young adult men. Like their male counterparts, women who patronize the commercial sex industry help form a demand which traffickers seek to satisfy.

# INDONESIA/ MALAYSIA

“It’s like I’m out of hell,” proclaimed Indonesian worker Arum after his experience in Malaysia. He spent seven months on a rubber plantation working 13 hours a day, seven days a week without pay, until he escaped – only to be arrested, imprisoned, flogged, and deported.



An Indonesian domestic worker was beaten so badly by an employer abroad that she was blinded. Repatriated, she recovered at a clinic in Indonesia.

tions, journalists, academics, and survivors.

To compile this year’s Report, the Department took a fresh look at information sources on every country to make its assessments. Assessing each government’s anti-trafficking efforts involves a two-step process:

## Step One: Finding Significant Numbers of Victims

First, the Department determines whether a country is “a country of origin, transit, or destination for a significant number of victims of severe forms of trafficking,” generally on the order of 100 or more victims, the same threshold

applied in previous reports. Some countries, for which such information was not available, are not given tier ratings, but are included in the Special Case section because they exhibited indications of trafficking.

## Step Two: Tier Placement

The Department places each country included on the 2008 TIP Report into one of the three lists, described here as tiers, mandated by the TVPA. This placement is based more on the extent of government action to combat trafficking, rather than the size of the problem, important though that is. The Department first evaluates whether the government fully complies with the TVPA’s minimum standards for the elimination of trafficking (detailed on p. 284). Governments that fully comply are placed in Tier 1. For other governments, the Department considers whether they are making significant efforts to bring themselves into compliance. Governments that are making significant efforts to meet the minimum standards are placed in Tier 2. Governments that do not fully comply with the minimum standards and are not making significant efforts to do so are placed in Tier 3. Finally, the Special Watch List criteria are considered and, when applicable, Tier 2 countries are placed on the Tier 2 Watch List.

## The Special Watch List— Tier 2 Watch List

The TVPA created a “Special Watch List” of countries on the TIP Report that should receive special scrutiny. The list is composed of: 1) Countries listed as Tier 1 in the current Report that were listed as Tier 2 in the 2007 Report; 2) Countries listed as Tier 2 in the current Report that were listed as Tier 3 in the 2007 Report; and, 3) Countries listed as Tier 2 in the current Report, where:

- a) **The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;**
- b) **There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from**

## TRAFFICKING IN PERSONS AND NEW TECHNOLOGIES

At a recent U.S. conference on human trafficking, 17 year-old Rosita was describing the business mode of her boyfriend-trafficker. In contrast to many commonly heard stories of trafficking, Rosita was not held against her will in a back-alley brothel. Nor was she moved around on street circuit in a bad part of town. Instead, her trafficker was advertising on a popular internet list-serve where buyers and sellers are able to come together virtually to make business deals and exchanges. A description of the “service” was posted, along with the trafficker’s cell phone. Buyers called and made discrete arrangements. Following the business deal, Rosita was delivered to a home, a hotel, or other meeting place at an agreed upon time for an agreed upon price. Rosita was trafficked for prostitution in this manner when she was between the ages of 14 and 17.

This case had all the elements of common trafficking—Rosita was recruited as a child, and forced, by a violent and abusive boyfriend, to be sold for commercial sexual exploitation. What was different about the case was the trafficker’s use of new technologies to facilitate her sale. Numerous similar cases have emerged, illustrating the use of new technologies, such as cell phones, text messaging, and other phone technologies to facilitate business; chat rooms to exchange information on sex tourism sites around the world; social media and social networking to target, stalk, and land victims, as well as to convey, buy, and sell pornographic records of sex trafficking; instant messaging to communicate in real time with victims or targets; and more. In addition to phones and the Internet, traffickers may also be using new ubiquitous technologies such as chips, global positioning systems, and biometric data.

A two-pronged approach to addressing these developments is important. As a preliminary measure, countries should begin to document all cases in which new technologies are utilized by traffickers for either sex or labor trafficking. Such information is a necessary first step toward analyzing and designing interventions in cases where technology is used to facilitate trafficking.

At the same time, law enforcement should examine ways to utilize “reverse engineering” to combat sex trafficking, identifying ways to identify new victims and to obtain protection and services for them. New technologies can be harnessed for the good of identifying traffickers and customers, and to facilitate arrests, prosecutions, and convictions of the exploiters.

**the previous year, including increased investigations, prosecutions, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or**

**c) The determination that a country is making significant efforts to bring itself into compliance with the minimum standards was based on commitments by the country to take additional future steps over the next year.**

This third category (including a, b, and c) has been termed by the Department of State “Tier 2 Watch List.” There were 32 countries placed on Tier 2 Watch List in the June 2007 Report. Along with two countries that were reassessed as Tier 2

Watch List countries in October 2007, and seven countries that met the first two categories above (moving up a tier from the 2007 to the 2008 TIP Report), these 41 countries were included in an “Interim Assessment” released by the Department of State on February 28, 2008.

Of the 34 countries on Tier 2 Watch List at the time of the Interim Assessment, 11 moved up to Tier 2 on this Report, while four fell to Tier 3 and 19 remain on Tier 2 Watch List. Countries placed on the Special Watch List in this Report will be reexamined in an interim assessment to be submitted to the U.S. Congress by February 1, 2009.

### Potential Penalties for Tier 3 Countries

Governments of countries in Tier 3 may be subject to certain sanctions. The U.S. Government may

# PROTECTING CHILDREN FROM CHILD SEX TOURISM

This year, in accordance with the Trafficking Victims Protection Reauthorization Act of 2005, the 2008 Trafficking in Persons Report addresses governments efforts to prevent child sex tourism (CST) by their nationals.

## FACTS ON CHILD SEX TOURISM

An estimated two million children worldwide face the horrors of exploitation in the transnational sex trade. Child sex tourism involves people who travel to engage in commercial sex acts with children. The lives of such prostituted children are appalling. Studies indicate that each of these children may be victimized by 100 to 1,500 perpetrators per year. Prostituted children live in constant fear and often suffer from many physical ailments, including tuberculosis, infections, and physical injuries resulting from violence inflicted upon them.



## PROTECTING CHILDREN WORLDWIDE

Several U.S. laws safeguard children from sexual predators, including the Mann Act, the Child Sexual Abuse Prevention Act of 1994, and the PROTECT Act of 2003. Federal law bars U.S. residents from engaging in sexual or pornographic activities with a child under 18 anywhere in the world. Seeking to protect children worldwide, the Department of Homeland Security/U.S. Immigration and Customs Enforcement (ICE) developed Operation Predator, an initiative to identify, investigate, and arrest child predators traveling to and from the United States. ICE is also working with law enforcement agencies and advocacy groups around the globe to investigate crimes of this nature.



## INTERNATIONAL COOPERATION LEADS TO PROGRESS

The August 2007 conviction of Anthony Mark Bianchi in a U.S. Federal Court is one of 36 convictions of PROTECT Act cases over the past five years demonstrating the success that can result from international collaboration against child sex tourism. Bianchi, a New Jersey resident, committed sex crimes against minors in Moldova and Romania. In one instance, he took a young victim to a Romanian pub for his birthday, gave him wine, and after the child became intoxicated, Bianchi engaged in illicit sexual conduct with him. Eight of his victims crossed the globe to share their horrifying ordeal with a U.S. jury. Assistance from dedicated Moldovan and Romanian officials was critical to the successful prosecution of this case.

## INTERNATIONAL INITIATIVES

Several governments are taking commendable steps to counter child sex tourism. Brazil has a national awareness campaign on the issue that is broadcast in several languages. State-controlled Air France shows in-flight videos highlighting the crime and penalties for committing child sex tourism offenses, and allocates a portion of in-flight toy sales to fund awareness programs on the issue. Madagascar has distributed a film on the dangers of child sex tourism to schools throughout the country.

## YOU CAN HELP: REPORT SEXUAL EXPLOITATION OF CHILDREN

Report suspected incidents of child sex tourism involving American citizens to ICE by telephone or email: 1-866-DHS-2ICE or [Operation.Predator@dhs.gov](mailto:Operation.Predator@dhs.gov). Report suspected child sexual exploitation to the National Center for Missing & Exploited Children: 1-800-843-5678 or [www.cybertipline.com](http://www.cybertipline.com). If overseas assistance is needed, contact the regional security officer at the local American embassy or consulate.

Above: An Asian tourist in Cambodia picks up two young female street hawkers at a tourist site. Many countries where child sex tourism is a problem profile Western tourists, however predators come from everywhere.



*"On this trip, I've had sex with a 14-year-old girl in Mexico and a 15-year-old in Colombia. I'm helping them financially. If they don't have sex with me, they may not have enough food. If someone has a problem with me doing this, let UNICEF feed them."*

—Retired U.S. Schoolteacher

withhold non-humanitarian, non-trade-related foreign assistance. Countries that receive no such assistance would be subject to withholding of funding for participation by officials and employees of such governments in educational and cultural exchange programs. Consistent with the TVPA, governments subject to sanctions would also face U.S. opposition to assistance (except for humanitarian, trade-related, and certain development-related assistance) from international financial institutions such as the International Monetary Fund and the World Bank. Sanctions, if imposed, will take effect October 1, 2008.

All or part of the TVPA's sanctions can be waived upon a determination by the President that the provision of such assistance to the government would promote the purposes of the statute or is otherwise in the national interest of the United States. The TVPA also provides that sanctions can be waived if necessary to avoid significant adverse effects on vulnerable populations, including women and children. Sanctions would not apply if the President finds that, after this Report is issued but before sanctions determinations are made, a government has come into compliance with the minimum standards or is making significant efforts to bring itself into compliance.

Regardless of tier placement, every country can do more, including the United States. No country placement is permanent. All countries must maintain and increase efforts to combat trafficking.

### How the Report Is Used

This Report is a diplomatic tool for the U.S. Government to use as an instrument for continued dialogue and encouragement and as a guide to help focus resources on prosecution, protection, and prevention programs and policies. Specific recommendations highlighted in the



A prostituted 16-year-old Bangladeshi girl with a client in a brothel.



A boy forced to mine diamonds near Ngotto, Central African Republic.

## TRAFFICKING OF MIGRANT WORKERS

A number of governments, particularly within Asia and the Middle East, have entered into bilateral agreements or Memoranda of Understanding (MOUs) in order to encourage and formally manage the flow of migrant workers from one country to another. To date, however, very few if any of such agreements contain any provisions explicitly protecting the workers in question from conditions of forced labor or other forms of trafficking in persons. At the same time, the number of cases reported to the Department of State has raised concerns that labor trafficking is occurring within the context of this otherwise legal form of transnational labor migration.

An example of this phenomenon: A worker is recruited in his home town in a South Asian country for a two-year construction contract in a Gulf state. The labor recruiting company tells the worker that he will earn \$250 a month in addition to overtime payments for more than 40 hours worked in a week, and he will receive free room, board, medical care, and one day off per week. Upon arrival, however, the worker discovers that he is to be paid \$120 per month with no paid overtime, and deductions of \$15 a month are to be taken from his paycheck for food. He was deceived by the labor recruiter, who collaborated with the worker's Gulf state employer, and now he is exploited by the employer who has confiscated the worker's passport and threatens to turn him over to immigration authorities as an undocumented migrant if he does not continue working. Through threatened abuse of the legal process (immigration laws) the employer has coerced the migrant worker to continue his labor on terms to which the laborer did not consent. This is trafficking in persons.



This is but one example of trafficking that has been reported to be occurring within the context of otherwise legal, transnational labor migration. In order to more effectively address such problems, source and destination governments are encouraged to collaborate, and where appropriate, to include in their MOUs and bilateral agreements specific measures to prevent trafficking in persons.

Governments participating in existing multilateral, regional, and sub-regional initiatives such as the Colombo Process and the Abu Dhabi Dialogue are also encouraged to collaborate with the ILO, in light of its mandate to eliminate forced or compulsory labor.

**The following are some possible strategies to counter the trafficking of transnational migrant workers:**

**Recruitment (Source Countries):** Labor source governments should prohibit and punish the exploitation of migrant workers by labor recruiters who recruit workers through fraudulent offers of work conditions, or who impose fees that lead to situations of debt bondage. Source country governments should ensure that labor recruiters are properly vetted, licensed, and monitored, and should increase efforts to raise awareness of the risks associated with labor recruitment and migration.

**Recruitment (Destination Countries):** Labor destination governments should consider steps to ensure that workers recruited for work in their countries are not the victims of fraudulent work offers or conditions of debt bondage. The activities and practices of local recruitment agencies should be monitored. Labor agencies should be held criminally accountable for acts of force, fraud, or coercion committed against foreign workers.



# INDONESIA/ UNITED STATES

**Labor Agreements (both Source and Destination Countries):** Negotiation of bilateral or multilateral agreements, or MOUs, between source and destination governments should be conducted in a transparent fashion, with participation of civil society and associations representing workers and employers, as appropriate. These agreements, or MOUs, should be made publicly accessible and should explicitly protect workers from conditions of forced labor and other forms of trafficking in persons.

**Victim Complaints (Destination Countries):** Labor destination governments should encourage workers to report alleged cases of forced labor to law enforcement authorities with a goal of criminally investigating these alleged acts and punishing perpetrators with sufficiently stringent penalties. As part of such encouragement efforts, governments should consider incentives for workers, such as the provision of shelter, medical care, free legal aid with translation services, the ability to work while awaiting resolution of investigations, and avenues for victims to claim and obtain restitution.

**Victim Identification (Destination Countries):** Labor destination countries should have procedures in place to ensure that foreign workers are screened for evidence of trafficking prior to being removed for lack of legal immigration status. Training law enforcement officials and immigration officers on victim identification, or the deployment of trained victim identification specialists, are among the measures destination countries should consider in order to improve their ability to identify trafficking victims.

**Preventing Abuse of the Legal System in Destination Countries:** Labor destination governments should institute measures to ensure that migrant workers have the ability to leave an abusive employer and seek legal redress for complaints of forced labor or debt bondage without fear of automatic detention and deportation. To ensure that exploitative employers cannot abuse the legal status of migrant workers in such a way as to abet trafficking in persons, a destination country should take steps to make migrant workers aware of their rights and the avenues available to file complaints, and encourage workers to do so.

Mala and Kamala, came to the United States to work as domestic servants for an American family on Long Island, New York. They accepted this offer of work in a far-away country in hopes of improving the livelihood of their families back in rural Indonesia. Instead, what they encountered in an affluent community of suburban New York City was a form of modern-day slavery. The two domestic workers were subjected to beatings, threats, and confinement until, after years, they sought help and were relieved of their suffering. Their exploiters were tried and convicted on multiple criminal charges, including forced labor and “document servitude” (withholding a person’s travel documents as a means to induce them into labor or service), for which sentencing is pending.



In a Long Island mansion, this Indonesian maid and another woman were enslaved, beaten, scalded, and humiliated. Domestic servitude, or trafficking into private homes, is often difficult to detect.

## STREET CHILDREN AND TRAFFICKING

Eleven-year-old Theresa ran away from her rural home in the Philippines after her uncle sexually abused her, joining other street children in a nearby city rummaging through garbage for food and sleeping under a bridge. Not long after she arrived on the streets, a pimp pushed Theresa into prostitution. Across the globe, street children like Theresa represent one of the most vulnerable groups, both for sexual exploitation and forced labor. In major cities worldwide, street children are lured into brothels, where they are also exposed to physical and sexual abuse, drug addiction, and HIV. A large number of street children are reportedly prostituted in the urban areas of the Philippines. Prostitution of street children also occurs in the United States; one study found that 90 percent of street children in Atlanta, for example, are also prostituted.

Street children are often also forced to steal or sell drugs by adult street gang members. In January 2008, British law enforcement authorities estimated that gangs forcing children to steal in London can earn the equivalent of \$200,000 annually. In Mauritania, gangs recruit street children to sell drugs, not only exploiting the children for their labor, but exposing them to harmful substances to which they frequently become addicted. Among the myriad dangers street children face, forced begging is one of the most common. In Shenzhen, China, adults force street children to beg, sometimes breaking their arms or legs so that passers-by will take pity on the maimed children and pay more money. An undercover reporter learned in 2005 that a man in Shenzhen could earn between \$30,000-\$40,000 per year by forcing children to beg.

In many countries, children living on the street are former trafficking victims who have run away from abusive employers. In Senegal, for example, NGOs that provide care to street children report that many of the girls they assist were brought by extended family members from their home villages to Dakar to be placed in jobs as maids in private homes. After being subjected to sexual and physical abuse by employers, the girls fled to Dakar's streets, oftentimes only to be re-trafficked.

narrative of each ranked country are provided to facilitate future progress. The State Department will continue to engage governments about the content of the Report in order to strengthen cooperative efforts to eradicate trafficking. In the coming year, and particularly in the months before a determination is made regarding sanctions for Tier 3 countries, the Department will use the information gathered here to more effectively target assistance programs and to work with countries that need help in combating trafficking. The Department hopes the Report will be a catalyst for government and non-government efforts to combat trafficking in persons around the world.

### FORCED LABOR AND SEXUAL SERVITUDE: THE VARYING FORMS OF HUMAN TRAFFICKING

The hidden nature of trafficking in persons prevents a precise count of the number of victims around the world, but available research indicates that, when trafficking within a country's borders is included in the count, more people fall victim to labor forms of trafficking than sex trafficking. Although labor trafficking and sex trafficking are usually analyzed as separate trafficking in persons issues, victims of both forms of trafficking often share a common denominator: their trafficking ordeal started with a



A Filipina woman holds the high school ID of her missing daughter who had been recruited for domestic work abroad.

migration in search of economic alternatives.

The theme of migration is often heard in reporting on trafficking in persons and indeed the movement of victims is a common trait in many trafficking crimes. Yet servitude can also occur without the movement of a person. In analyzing trafficking in persons issues and designing effective responses, the focus should be on the exploitation and control of a person through force, fraud, or coercion – not on the movement of that person.

Neither the international definition of trafficking in persons, as defined in the 2000 UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, nor the U.S. definition of severe forms of trafficking in persons, as defined in federal law, requires the movement of the victim. Movement is not necessary, as any person who is recruited, harbored, provided, or obtained through force, fraud, or coercion for the purpose of subjecting that person to involuntary servitude, forced labor, or commercial sex qualifies as a trafficking victim.

## MAJOR FORMS OF TRAFFICKING IN PERSONS

### Forced Labor

Most instances of forced labor occur as unscrupulous employers take advantage of gaps in law enforcement to exploit vulnerable workers. These workers are made more vulnerable to forced labor practices because of unemployment, poverty, crime, discrimination, corruption, political conflict, and cultural acceptance of the practice. Immigrants are particularly vulnerable, but individuals are also forced into labor in their own countries. Female victims of forced or bonded labor, especially women and girls in domestic servitude, are often sexually exploited as well.

Forced labor is a form of human trafficking that can be harder to identify and estimate than sex trafficking. It may not involve the same criminal networks profiting from transnational sex trafficking, but may instead involve individuals who subject anywhere from one to hundreds of workers to involuntary servitude, perhaps through forced or coerced household work or work at a factory.

### Bonded Labor

One form of force or coercion is the use of a bond, or debt, to keep a person under subjugation. This is referred to in law and policy as “bonded labor” or “debt bondage.” It is criminalized under U.S. law and included as a form of exploitation related to trafficking in the UN TIP Protocol. Many workers around the world fall victim to debt bondage when traffickers or recruiters unlawfully exploit an initial debt the worker assumed as part of the terms of employment, or when workers inherit debt in more traditional systems of bonded



Young children crush stones using small hammers in a quarry east of Accra, Ghana.

# INDIA

Madesh was only eight years old when his family sent him to work in a brick kiln. He labored every day carrying 40-pound loads of bricks on his head and engaging in other hard physical labor. After 10 years at the kiln, he moved to another facility, accepting an advance of about \$150 to meet his immediate needs. At the new kiln, the owner inflated Madesh's debt through fraudulent fees, and coerced him into servitude to pay off the insurmountable debt. "This is how they forced me to work," Madesh recalls. "I was not even sure if the debt was real." After more than 15 years in slavery, Madesh was released through the intervention of local officials in partnership with an NGO. Madesh used the rehabilitation funds provided by the Indian government to open his own brick kiln, where today he employs several relatives and community members and pays them all fair wages.



During a raid to free boys trapped in a garment factory in India, child rights activist Bhuwan Ribhu talks to a victim.

Burmese forced to labor for the Burmese junta to construct its new capital.



labor. Traditional bonded labor in South Asia enslaves huge numbers of people from generation to generation.

## Debt Bondage and Involuntary Servitude Among Migrant Laborers

The vulnerability of migrant laborers to trafficking schemes is especially disturbing because this population is so sizeable in some regions. Three potential contributors can be discerned: 1) Abuse of contracts; 2) Inadequate local laws governing the recruitment and employment of migrant laborers; and 3) The intentional imposition of exploitative and often illegal costs and debts on these laborers in the source country or state, often with the complicity and/or support of labor agencies and employers in the destination country or state.

Some abuses of contracts and hazardous conditions of employment do not in themselves constitute involuntary servitude, though use or threat of physical force or restraint to compel a worker to enter into or continue labor or service may convert a situation into one of forced labor. Costs imposed on laborers for the "privilege" of working abroad can place laborers in a situation highly vulnerable to debt bondage. However, these costs alone do not constitute debt bondage or involuntary servitude. When combined with exploitation by unscrupulous labor agents or employers in the destination country, these costs or debts, when excessive, can become a form of debt bondage.

## Involuntary Domestic Servitude

Domestic workers may be trapped in servitude through the use of force or coercion, such as physical (including sexual) or emotional abuse. Children are particularly vulnerable. Domestic servitude is particularly difficult to detect because it occurs in private homes, which are often unregulated by public authorities. For example, there is great demand in some wealthier countries of Asia and the Middle East for domestic servants who sometimes fall victim to conditions of involuntary servitude.

## Forced Child Labor

Most international organizations and national laws recognize that children may legally engage in light work. In contrast, the worst forms of child labor are being targeted for eradication by nations across the globe. The sale and trafficking of children and their entrapment in bonded and forced labor are clearly among the worst forms of child labor. Any child who is subject to involuntary servitude, debt bondage, peonage, or slavery through the use of force, fraud, or coercion is a victim of trafficking in persons regardless of the location of that exploitation.

## Child Soldiers

Child soldiering is a unique and severe manifestation of trafficking in persons that involves the unlawful recruitment of children through force, fraud, or coercion to be exploited for their labor or to be abused as sex slaves in conflict areas. Such unlawful practices may be perpetrated by government forces, paramilitary organizations, or rebel groups. UNICEF estimates that more than 300,000 children under 18 are currently being exploited in more than 30 armed conflicts worldwide. While the majority of child soldiers are between the ages of 15 and 18, some are as young as 7 or 8 years of age.

Many children are abducted to be used as combatants. Others are made unlawfully to serve as porters, cooks, guards, servants, messengers, or spies. Many young girls are forced to marry or have sex with male combatants and are at high risk of unwanted pregnancies. Male and female

## VICTIM TRAUMA AND RECOVERY

“I feel like they’ve taken my smile and I can never have it back,” reflects Liliana, a young woman trafficked into prostitution within Europe. The psychological and physical affects of commercial sexual exploitation are profound and remain long after a victim escapes from her trafficker. Trafficked women experience varying levels of trauma. Some victims are literally held captive, relentlessly battered and/or sexually violated. Others suffer less physical abuse, but are subjected to psychological torment and threats, living in fear of harm to themselves or their loved ones. A 2006 study found that 76 percent of 207 trafficked women interviewed were physically assaulted by their trafficker, pimp, madam, brothel and club owner, clients, or boyfriend. The same study found that 90 percent of victims reported being physically forced or intimidated into sex or other sexual acts, and 91 percent of victims reported being threatened with death, beatings, increased debt, harm to their children and families, or re-trafficking.

While physical symptoms of abuse can be treated immediately after escape or rescue and the corresponding injuries can start healing immediately, this study’s research has found that the symptoms of post-traumatic stress that the majority of sex trafficking victims report take at least 90 days to decrease significantly. The symptoms are psychological reactions to trauma similar to those seen in survivors of torture, which include depression, anxiety, hostility and irritability, recurring nightmares and memories of abuse, difficulty concentrating and sleeping, and feelings of apathy or emotional detachment.



## WORKER REMITTANCES—A DARKER SIDE?

A United Nations study in late 2007 estimated that approximately 150 million migrant workers from developing countries around the world produce over \$300 billion in annual remittances to their countries of origin. According to the conclusions of the study, this represents “one of the world’s largest poverty reduction efforts” and is a major contribution to “grass-roots economic development.” Indeed, with average annual remittances of over \$2,000 per worker, the impact of these remittances is substantial. Most of these workers are unskilled or low-skilled, with annual incomes often between \$1,500 and 4,000 a year.

Study of labor trafficking patterns suggest that the phenomenon of remittances may deserve closer scrutiny. Migrant workers often depend on labor recruiters or brokers to find a job, usually on a two- or three-year contract. While many of these recruiters are legal and provide a service at a fair cost, in some of the world’s largest labor exporting countries, there are also many exploitative recruiters who fraudulently induce workers into paying excessive “commissions” to secure a job abroad. Such exorbitant commissions can be grossly disproportionate to the services rendered by a recruiter and, in some instances, may be the equivalent of six months to one year of the worker’s actual pay received once abroad. To pay such fees, workers either become indebted to the recruiter, or take out a formal or informal loan in their country of origin, with the expectation of payment based on future wages earned abroad. In many instances, worker expectations and repayment terms are based on exaggerated and false representations by recruiters as to wages they can expect to earn in their new jobs.

Once at the overseas worksite, however, such high levels of indebtedness can make workers vulnerable to further exploitation by unscrupulous employers. Such employers use this information as leverage to subject workers to terms much less favorable than promised at the time of recruitment (e.g. more hours, less pay, and harsher conditions) —including, in some instances, conditions that amount to debt bondage.

How much of that annual \$300 billion in remittances from such workers goes to pay off the debt incurred to pay unscrupulous recruiters? No one knows with precision. But research on labor recruitment practices in some countries suggests that it may be as high as 20 percent. With millions of migrant workers leaving a single source country alone, the proceeds of labor recruiters’ commissions could be in the billions of dollars. Moreover, a certain percentage of such remittances represents the wages of workers who are subjected to conditions amounting to or similar to debt bondage, unable to earn enough in their low-wage jobs to overcome and repay the high debt they have incurred, and exploited because of it.

With a significant portion of the foreign exchange remitted by migrant workers going to offset commissions charged by fraudulent recruiters, how much is truly left to reduce poverty, to develop the communities from which migrant laborers are drawn? More research needs to be conducted into the deleterious social and economic effects of labor recruiters who reap lucrative proceeds from exploiting migrant labor. But this phenomenon suggests that not only do economic underdevelopment and poverty contribute significantly to causing human trafficking, but the reverse is quite true as well.

**Above: Dubai riot police surround a labor camp in the United Arab Emirates after thousands of migrant workers went on strike against harsh work conditions in October 2007.**



child soldiers are often sexually abused and are at high risk of contracting sexually transmitted diseases.

Some children have been forced to commit atrocities against their families and communities. Child soldiers are often killed or wounded, with survivors often suffering multiple traumas and psychological scarring. Their personal development is often irreparably damaged. Returning child soldiers are often rejected by their home communities.

Child soldiers are a global phenomenon. The problem is most critical in Africa and Asia, but armed groups in the Americas and the Middle East also unlawfully use children in conflict areas. All

**Two young ethnic Karen boys serving as child soldiers in Burma.**

nations must work together with international organizations and NGOs to take urgent action to disarm, demobilize, and reintegrate child soldiers.

### **Sex Trafficking and Prostitution**

Sex trafficking comprises a significant portion of overall trafficking and the majority of transnational modern-day slavery. Sex trafficking would not exist without the demand for commercial sex flourishing around the world. The U.S. Government adopted a strong position against prostitution in a December 2002 policy decision, which notes that prostitution is inherently harmful and dehumanizing, and fuels trafficking in persons. Turning people into dehumanized commodities creates an enabling environment for human trafficking.



# NORTH KOREA/ CHINA

Nineteen-year-old So-Young stands at less than five feet tall after being chronically malnourished in North Korea. A refugee, she crossed illegally into China with hopes of a better life, but found instead a nightmare of sexual exploitation. An “employer” offered her approximately \$1.40 per day in exchange for work—money that So-Young planned on sending back to her family. Deceived by this empty promise, So-Young spent the next several months being passed between handlers. Just days before she was to be purchased by a forty-year-old Chinese man, So-Young managed to escape with the help of a local pastor. Three years later, she was forcibly repatriated to North Korea where she was imprisoned for six months before escaping once more to China. Traffickers kidnapped her once again, repeatedly raping her prior to her sale. Her new “husband” also raped her multiple times before she was able to escape. So-Young remains in hiding today: “There are many people coming out of North Korea, but they don’t have anywhere to go and no other choice but to go that route [into China].”

The United States Government opposes prostitution and any related activities, including pimping, pandering, or maintaining brothels as contributing to the phenomenon of trafficking in persons, and maintains that these activities should not be regulated as a legitimate form of work for any human being. Those who patronize the commercial sex industry form a demand which traffickers seek to satisfy.

## Children Exploited for Commercial Sex

Each year, more than two million children are exploited in the global commercial sex trade. Many of these children are trapped in prostitution. The commercial sexual exploitation of children is trafficking, regardless of circumstances. International covenants and protocols obligate criminalization of the commercial sexual exploitation of children. The use of children in the commercial sex trade is prohibited under both U.S. law and the U.N. TIP Protocol. There can be no exceptions, no cultural or socio-economic rationalizations that prevent the rescue of children from sexual servitude. Terms such as “child sex worker” are unacceptable because they falsely sanitize the brutality of this exploitation.

## Child Sex Tourism

Child sex tourism (CST) involves people who travel from their own country—often a country where

*“To the foreigners who come here looking for young girls, I say change your behavior.”*

—President Marc Ravalomanana, Madagascar

Prostituted girls wait in line to be inspected by customers in an Indian city.





A boy works in a charcoal store in Rangoon.

## THE MYTH OF THE BAD “RUNAWAY WORKER”

“Migrant worker will be imprisoned up to two years and face a \$3,205 fine if they are found to have deliberately deserted their contracted jobs when overseas,” declares the law of a government of a country that is a major source of migrant laborers. Some governments of destination countries pursue workers who have “run away” with tenacity and harsh penalties. Several are known to offer bounties for each runaway worker found by citizens who deputize themselves as immigration officers.

In some instances, migrant workers from less developed countries who runaway from employers in more developed destination countries are too quickly assumed to be law-breakers and “bad workers.” While many destination governments fail to provide foreign workers with adequate recourse for help if abused by their employers, they are often unquestioning in assuming guilt of a worker who has run away. “Anti-abscondment” laws in some countries can lead to automatic arrest, incarceration, and often summary deportation if a worker is absent from his or her employment site for more than one day.

Data collected from NGOs, diplomatic missions, and international organizations, however, reveal that many of these “runaways” are fleeing abusive employers, debt bondage, or forced labor. Denied opportunities to seek help from their host government, they take the last resort – flight. Disproportionately high rates of runaways in particular sectors or by particular nationalities may reflect underlying exploitative practices in recruitment or employment, including practices that constitute trafficking. Destination governments should offer avenues through which workers can identify themselves as trafficking victims and seek help from exploitation without fear of automatic arrest or deportation. Likewise, governments of labor source countries need to protect their citizens who travel abroad for work, not punish them for fleeing abuse. Otherwise they are doubly victimized.

child sexual exploitation is illegal or culturally abhorrent—to another country where they engage in commercial sex acts with children. CST is a shameful assault on the dignity of children and a form of violent child abuse. The commercial sexual exploitation of children has devastating consequences for minors, which may include long-lasting physical and psychological trauma, disease (including HIV/AIDS), drug addiction, unwanted pregnancy, malnutrition, social ostracism, and possibly death.

Tourists engaging in CST often travel to developing countries looking for anonymity and the availability of children in prostitution. The crime is typically fueled by weak law enforcement, corruption, the Internet, ease of travel, and poverty. Sex offenders come from all socio-economic backgrounds and may in some cases hold positions of trust. Cases of child sex tourism involving U.S. citizens have included a pediatrician, a retired Army sergeant, a dentist, and a university professor. Child pornography is frequently involved in these cases, and drugs may also be used to solicit or control the minors.

### **PUNISHING TRAFFICKING OFFENDERS ADEQUATELY**

Much of the analysis of foreign governments’ anti-trafficking efforts contained in this Report focuses on the issues of punishing trafficking offenders

## INVISIBLE PEOPLE: STATELESSNESS AND TRAFFICKING

Fifteen-year-old Meesu from northern Thailand responded to a job offer to work in a restaurant in Bangkok and ended up trafficked to Malaysia for commercial sexual exploitation. After months of confinement in a brothel, Meesu and other girls from northern Thailand were finally rescued by Malaysian police accompanied by a Thai NGO. The girls were taken by police to an immigration detention center. Because Meesu is a member of a hill tribe and effectively stateless, no state recognizes her as a citizen and without identity documents, she could not be repatriated easily. Meesu languished for several months in a

of their communities, whether voluntarily or by force. Without documents or citizenship status, trafficking victims who find themselves outside of their country of origin may find it impossible to return, while at the same time having no legal status in the country where they now reside. Government-sponsored public awareness, economic development programs, or employment programs often bypass these invisible populations. In addition, stateless people are often unable to access state-sponsored benefits like healthcare and education.

As Meesu's example suggests, a stateless person who becomes a trafficking victim may receive limited protection, little assistance, and be denied repatriation to his or her country of habitual residence. Measures to alleviate these vulnerabilities include: birth registration campaigns and more efficient, transparent, and accessible avenues for acquiring legal residency or citizenship. For countries or regions that share cross-border populations, similar approaches for providing documentation can be a helpful undertaking.

Returning to Romania after being prostituted in Spain, this Roma teen continues to be prostituted at home.



detention center while states argued who should be responsible for taking her back. Eventually a Thai cabinet resolution established guidelines for the return of stateless residents determined to be trafficking victims who can prove prior residence in Thailand, allowing Meesu to be returned to her family. These stateless residents can effectively be given residency status in Thailand on a case-by-case basis.

Stateless persons, which exist in every region of the world, are at high risk for trafficking due to their marginalized political status, lack of economic or educational opportunities, and poverty. In many instances, such individuals also lack identity or travel documents, putting them at risk of arrest when they travel outside

*"Traffickers fish in the stream of migration. They prey on the most vulnerable section of the migrants to supply to the most exploitative, hazardous and inhuman forms of work."*

—Radhika Coomaraswamy, former UN Special Rapporteur on Violence Against Women

and protecting victims of trafficking. The following offers a look at how this analysis is conducted, based on the standards provided in the TVPA.

The minimum standards found in the Trafficking Victims Protection Act call on foreign governments to prohibit all forms of trafficking, prescribe penalties for those acts that are sufficiently stringent to deter the crime and that adequately reflect the heinous nature of the crime, and vigorously punish offenders convicted of these crimes.

*Legally Prescribed Penalties:* In assessing foreign governments' anti-trafficking efforts in the TIP Report, the Department of State holds that, consistent with the 2000 U.N. Convention Against Transnational Organized Crime (which is supplemented by the U.N. TIP Protocol), criminal penalties to meet this standard should include a maximum of at least four years' deprivation of liberty, or a more severe penalty.

*Imposed Penalties:* The Department of State holds that imposed sentences should involve significant jail time, with a majority of cases resulting in sentences on the order of one year of imprisonment or more, but taking into account the severity of an individual's involvement in trafficking, imposed sentences for other grave crimes, and the judiciary's right to hand down punishments consistent with that country's laws. Convictions obtained under other criminal laws and statutes can be counted as anti-trafficking if the government verifies that the offenses involve human trafficking.

### Protecting Victims Adequately

The TVPA minimum standards' criterion on victim protection reads:

"Whether the government of the country protects victims of severe forms of trafficking in persons and encourages their assistance in the investigation and prosecution of such trafficking, including provisions for legal alternatives to their removal to countries in which they would face retribution or

## EGYPT

Samya lived with her mother, step-father and three brothers in a small Cairo apartment. When her step-father raped her, she ran away from home and started living on the streets at the age of 14. She met a group of street kids who, like her, had fled abuse at home. After two months on the streets begging for food and avoiding harassment from police, she met Shouq, an older lady who allowed some of the street girls to stay with her. The first night Samya stayed at Shouq's apartment, Shouq told her she would have to earn her keep by having sex with male clients for the equivalent of \$16. Samya, afraid to live on the streets and fearful of returning home, had sex with several men a day for nearly one year; Shouq kept all of the money.



This Nigerian-born woman, trafficked to Paris, was beaten up the night before the photo was taken. Thousands of Nigerian women are brought to Europe then forced by traffickers to repay debts of up to \$50,000. Most are prostituted.

hardship, and ensures that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts as a direct result of being trafficked.”

In every country narrative of the TIP Report, these three numbered elements are specifically addressed. In addition, the Department of State has decided to implement this criterion with the following guidelines:

In evaluating whether a country fully complies with this minimum standard for victim protection, the State Department considers the following to be critical factors:

- 1) **Proactive identification: Victims should not be expected to identify themselves. They typically are afraid of coming forward and being considered criminals, irregular migrants, or disposable people by authorities. Formal screening procedures should go beyond checking a person’s papers. Some form of systematic procedure should be in place to guide law enforcement and other governmental or government-supported front-line responders in the process of victim identification.**
- 2) **Shelter and temporary care: A government should ensure that victims receive access to primary health care, counseling, and shelter that allows them to recount their trafficking experience to trained social counselors and law enforcement at a pace with minimal pressure. Shelter and assistance can be provided in cooperation with NGOs. Part of the host government’s responsibility includes funding for, and referral to, NGOs providing services. To the best extent possible, trafficking victims should not be held in immigration detention centers, or other detention.**

*The Department of State also gives positive consideration to two additional victim protection factors:*

**A. Victim/witness protection, rights and confidentiality: Governments should ensure that victims are provided with legal and other assistance and that, consistent with its domestic law, proceedings are not prejudicial to victims’ rights, dignity, or psychological well-being. Confidentiality and privacy should be respected and protected to the extent possible under domestic law. Victims should be provided with information in a language they understand.**

**B. Repatriation: Source and destination countries share responsibility in ensuring the safe, humane and, to the extent possible, voluntary repatriation/reintegration of victims. At a minimum, destination countries should contact a competent governmental body, NGO or international organization in the relevant source country to ensure that trafficked persons who return to their country of origin are provided with assistance and support necessary to their well-being. Trafficking victims should not be subjected to deportations or forced returns without safeguards or other measures to reduce the risk of hardship, retribution, or re-trafficking.**

### **Prevention: Spotlight on Addressing Demand**

Human trafficking is a dehumanizing crime which turns people into mere commodities. On the supply side, criminal networks, corruption, lack of education, and misinformation about employment opportunities and the degrading nature of work promised, together with poverty, make people vulnerable to the lures of trafficking—this is true of both sex trafficking and slave labor. Significant efforts are being made to address these factors that “push” victims into being trafficked,

## PROSTITUTION AND TRAFFICKING: ADJUSTING POLICY TO REALITY

Several countries have experimented with national models of legalized prostitution within government-regulated sectors. These countries might argue that regulation can provide standardized protection from disease and violence, prevent the involvement of organized crime, impose government oversight on a sector that previously existed beyond the law, and even help reduce sex trafficking.

Germany and the Netherlands legalized prostitution within a government-regulated sector between 1999 and 2002. New Zealand and several states in Australia did too. Other countries—including Austria, Belgium, France, Italy, and Switzerland—also regulate prostitution.

In accordance with a December 2002 policy decision, the U.S. government opposes prostitution and any related activities, including pimping, pandering or maintaining brothels as contributing to the phenomenon of trafficking in persons. U.S. policy is that these activities are inherently harmful and dehumanizing and should not be regulated as a legitimate form of work for any human being.

Where there is legal prostitution, governments have found they have to address ways that sex trafficking continues to flourish. As Amsterdam Mayor Job Cohen told the *New York Times* earlier this year, “We realized that big crime organizations are involved here in trafficking women, drugs, killings, and other criminal activities.” Organized crime networks do not register with the government, pay taxes, or protect people in prostitution. As government policies have shifted, so have criminal methods. Mayor Cohen added, “Trafficking in women continues. Women are now moved around more, making police work more difficult.” In a worthy step to the Netherlands’ credit, the city recently closed about one-third of Amsterdam’s infamous red-light district—closing establishments that it found were engaged in illegal activities. Authorities have needed to keep moving after the traffickers because legalization and regulation have not dried up sex trafficking, which has continued apace. Meanwhile, some countries such as Bulgaria have decided not to legalize prostitution, which will avoid the added burden of regulation.

In contrast to a legal regulation model, Sweden chose in 1999 to criminalize sex buying, pimping, and brothel keeping, while also decriminalizing the act of prostitution. Since around that date, there has been a decrease in known human trafficking cases, and a shrinkage of the commercial sex industry. Subsequently, other governments such as in South Korea, Denmark, and Scotland have variously considered or implemented measures aimed at shrinking the realm of legality for buying commercial sex. These experiments bear further examination as efforts to narrow the vulnerability to sex trafficking.

The health impact of prostitution overall is another important factor. Field research published in 2003 of women in prostitution in nine countries concluded that 63 percent were raped, 71 percent were physically assaulted, and 68 percent met the criteria for post-traumatic stress disorder in the same range as treatment-seeking combat veterans, battered women seeking shelter, and rape survivors and refugees from state-organized torture. The myriad public health implications of prostitution also include HIV/AIDS and other serious diseases.



Amsterdam Mayor Job Cohen (right) announced major renovation of the red-light district based on “failure” of legalized prostitution.



At the Czech Republic border with Germany, prostituted women wait for clients behind a brothel window.

## CUSTODY OF CHILD TRAFFICKING VICTIMS



Digging for copper in the Congo, children as young as eight years work in the mines under dangerous conditions.

As governments become increasingly aware of child trafficking problems, proactive efforts to rescue children from sites of commercial sexual exploitation or forced labor are on the rise. While these initiatives are both critical and commendable, a rescue is only the first step in a longer process of victim protection. Unfortunately, the removal of children from sites of exploitation is often not followed by efforts to adequately protect these vulnerable children.

Too often, child victims are subjected to additional exploitation after being entrusted to an NGO or government agency for care. Such re-exploitation often results when children are either released inappropriately on their own or released to persons who are traffickers, including family members who were complicit in the child's trafficking. In January 2007, for example, over 50 child trafficking victims in Accra were freed from a brothel by authorities. Yet, only hours after their rescue, traffickers reclaimed most of these victims by posing as boyfriends and family members at the government's shelter, according to local observers. Similarly, after brothel raids in New Delhi, Pune, and Mumbai in the past year, groups of child sex trafficking victims were reportedly released back to their traffickers after police failed to follow procedures to transfer victims to Child Welfare Committees responsible for placing them in the care of reliable NGOs. Whether due to corruption or ignorance of proper procedure, police in these cases handed the victims over to traffickers who claimed to be their families or friends. In China,

reports indicate that trafficking victims taken to protection centers in Urumqi, Xinjiang are sometimes released to individuals who claim to be relatives, but who ultimately turn out to be traffickers. In the United Kingdom, a 2007 study by ECPAT found that out of a sample of 80 child trafficking victims rescued by authorities and placed into government custody, 52 disappeared. The study indicates that the children were at risk of further abuse and exploitation.

To provide adequate protection to this highly vulnerable population, governments must train police and social welfare workers to recognize the deceptive measures traffickers use to reclaim victims. Governments should also ensure that shelters have adequate security to bar traffickers from entering and that their locations are not leaked to traffickers. ECPAT recommends providing each child victim with an assigned guardian to monitor the child's safety while in government custody. Specialized shelters for children vulnerable to being trafficked may also assist in combating this problem. For example, after a number of under-age asylum seekers in the Netherlands disappeared into the hands of traffickers, the government, in 2007, established specialized, secure shelters to better protect such minors. Victims receive close monitoring and specialists educate them about the risk of being trafficked and the deceptive measures traffickers may employ to claim them.



but they alone are not the cause. Increasingly, the movement to end human trafficking is focusing on the voracious demand which fuels this dark trade in human beings.

Demand for forced labor is created by unscrupulous employers who seek to increase profits at the expense of vulnerable workers through the unlawful use of force, fraud, or coercion. One key to addressing such demand for forced

labor is raising awareness about the existence of forced labor in the production of goods. Many consumers and businesses would be troubled to know that their purchases—including clothes, jewelry, and even food—are produced by individuals, including children, subjected to slave-like conditions. Yet, in the global marketplace for goods, ensuring that complex supply chains are untainted by forced labor is a challenge for both businesses and consumers. Denying forced labor-made products access to foreign markets will ultimately reduce the incentive to exploit slave labor and encourage ethical business behavior. Increased information on export products and production chains—drawn from a variety of sources, including other governments—makes such efforts more effective. Any successful effort to



### Reports of Products Alleged to be Made with Forced Labor in the Last Year:

Forced labor takes place within a variety of industries throughout the world. During the past reporting year, for example, allegations of forced labor were made with respect to producers of a wide spectrum of agricultural commodities and manufactured goods, including:

- Shrimp processed in Thailand and Bangladesh
- Cotton harvested in Uzbekistan
- Cocoa harvested in Ghana and Cote d'Ivoire
- Apparel made in Bangladesh, India, Jordan, and Malaysia
- Sugar cane harvested for ethanol production in Brazil
- Par-boiled rice made in India
- Bricks made in India, China and Pakistan
- Pig iron made in Brazil

(NOTE: Items on this list were connected to prominent allegations of forced labor on the part of one or more manufacturers that came to light during the reporting year; the veracity of all reports has not yet been fully established. This list is intended as a representative sample, and inclusion of any item on this list is not intended to suggest that the totality of any country's production of such item has been linked to forced labor.)

# CAMBODIA

Kunthy and Chanda were trafficked into prostitution at ages 13 and 14. Held captive in a dilapidated structure in Phnom Penh that locals called the “Anarchy Building,” the girls were raped nightly and routinely beaten, drugged, and threatened by the brothel-keeper and pimps. The girls were released thanks to police intervention and placed in safe aftercare homes. The brothel owner and pimp were prosecuted, tried, and sentenced to 15 and 10 years in prison, respectively, for trafficking and pimping children. Today, Chanda lives in a local aftercare home where she receives excellent care; she wants to become an English translator. Kunthy’s dream is to own an Internet café and design Web sites for businesses. Right now, she works at a local NGO, attends a computer training school, and lives in a transitional housing facility that allows her both freedom and security.

combat sex trafficking must confront not only the supply of trafficked humans, but also the demand for commercial sex and labor trafficking which perpetuates it. U.S. policy draws a direct connection between prostitution and human trafficking. As noted in a December 2002 policy decision, the U.S. Government opposes prostitution and any related activities as contributing to the phenomenon of human trafficking.

In 2005, the U.N. Commission on the Status of Women adopted the U.S. resolution Eliminating Demand for Trafficked Women and Girls for All Forms of Exploitation. This was the first U.N. resolution to focus on the demand side of human trafficking—the goal being to protect women and girls by drying up the “market” for trafficking victims, including by recognizing a link to commercial sexual exploitation.

## Importance of Research

Indisputably, as a new field of inquiry and activism, anti-trafficking efforts will benefit from dedicated research, especially operational research designed to inform programming.

An important example of the value of research, funded by the Office to Monitor and Combat Trafficking in Persons, is a groundbreaking study by Dr. Jay Silverman on sex trafficking and HIV within South Asia published in the *Journal of the American Medical Association* last summer. It has been estimated that half of all female sex trafficking victims in South Asia are under age eighteen at the time of exploitation. Yet, research on HIV and sexually-transmitted infections has rarely sought to identify adult or child trafficking victims. Dr. Silverman and his team partnered with major NGOs across India,



Victims of sex trafficking at an NGO in Cambodia, funded by Microsoft, receive formal education to catch up with their grade and eventually reintegrate into regular school. Microsoft has launched a regional initiative to prevent human trafficking in Asia by supporting local NGO efforts and providing basic information training to assist “at risk” populations and trafficking survivors in finding employment.

## TRAFFICKING FOR FORCED BEGGING

At the age of ten, Ali needed work to support his parents and three sisters. He jumped at the chance to travel to a wealthy neighboring country for work when his uncle offered to take him. Once there, however, his uncle made him sit on the street for 16 hours a day in scorching heat without shoes or proper clothing. His job was to beg for money, and if he did not make enough, his uncle beat him and threatened to hurt his sisters back home. When his uncle left the country, he sold Ali to a friend – for a discount since Ali was getting too old to beg properly. The friend treated Ali even worse than Ali’s uncle; he would beat and starve Ali and the other children. When Ali tried to run away, his owner cut off his fingers as punishment. At age 13, police arrested Ali for overstaying his visa in that country and put him in jail.

Among the myriad dangers street children face, forced begging is one of the most common. Children naturally garner sympathy from passers-by, making them prime targets for organized criminal gangs and others seeking to exploit them for profit. In some cases, as with Ali, traffickers trick children into forced begging with false promises of better opportunities in the city or in foreign countries. Street children, without the support of families or social services, are also vulnerable to trafficking for forced begging. All children forced into begging face conditions such as harsh weather, abuse by other beggars, harassment from the public and police, and physical and verbal assault by their captors. These children rarely keep any of their earnings from the money they receive from patrons.

In some countries, unscrupulous individuals exploit cultural and religious practices to facilitate forced begging. In a number of predominantly Muslim West African countries, for example, traffickers posing as Koranic teachers, known as marabout, recruit boys. Parents willingly send their children with these men due to the long-standing cultural tradition of giving children to religious instructors who will teach them fundamental Muslim values. Instead, these false marabout take children from their villages to big cities, where they force them to walk along busy highways, often without shoes on hot tarmac or dirty streets,

and weave between cars asking for money. The “teachers” force the children, some as young as four years old, to do this for up to 12 hours per day. When the children do not return with a minimum amount of money, they are sometimes severely beaten, to the point of having permanent scars.

Elsewhere, such as in China and parts of South Asia, some children have been kidnapped from their homes and forced into life as beggars on the street. Gang members who kidnap these children set daily targets for the children to steal or beg. The gangs also get children addicted to drugs and sexually harass the girls to extend their control. One child noted, “They force us to pick up coins from boiling water as part of our training to snatch things quickly. If we miss the coin, they beat us with a belt. One 11-year-old boy tried to run away, but he was caught and almost beaten to death.”

This trafficking phenomenon is also found in the United States. In 2006, for example, the Department of Justice prosecuted a Mexican father and son for enslaving deaf and hearing-impaired Mexicans on the streets and in the subways of New York, where they were forced to peddle trinkets for economic benefit of the two traffickers. After extradition facilitated by the close cooperation of Mexican authorities with the United States, the two stood trial in New York.



Religious students forced to beg for their Koranic teacher ask for change and food from cars stuck in traffic on the outskirts of Dakar, Senegal.

## THE ECONOMICS OF TRAFFICKING IN PERSONS

To date, global efforts to combat trafficking in persons have focused on the criminalization of trafficking, along with measures to protect and assist victims. By comparison, relatively little attention has been given to the business of human trafficking—a worldwide criminal industry that generates billions of dollars of yearly profits for its “entrepreneurs.” By some estimates, this “industry” is not only thriving, but growing. Recent estimates of this illegal global trade are as high as \$32 billion, if both the sale of individuals and the value of their exploited labor or services are taken into account. The money generated by sex trafficking alone is conservatively estimated at \$7 billion per year, although Interpol has given a higher estimate of \$19 billion annually. In 2005, the International Labor Organization (ILO) issued a report that estimates profits from sex trafficking at \$217.8 billion a year or \$23,000 per victim. Some have suggested that this underground criminal enterprise will continue until the problem is addressed from an economic perspective.

Both governments and NGOs should consider whether additional data can be gathered or compiled to facilitate the study of the economic impact of trafficking, in addition to the law enforcement and human rights dimensions of the problem. Financial crime experts could be enlisted to review case studies and “deconstruct” the typical business plans of traffickers by following the pipeline of activity from recruiters, through transporters to receivers, and following the money trail from the first transaction to the last, including through off-shore bank activity. The goal should be to identify specific economic policies and anti-financial crime interventions that may assist in combating human trafficking. A better understanding of the business of trafficking can only assist in the efforts to eradicate this global criminal enterprise and end contemporary forms of slavery.

Nepal and Bangladesh involved in rescue and care of sex trafficking victims to examine the phenomena of sex trafficking, HIV prevalence, and trafficking-related risk factors.

Among Nepalese women and girls who were repatriated victims of sex trafficking, the Silverman study found that 38 percent were HIV positive. The majority were trafficked prior to age 18. One in seven was trafficked before age 15, and among these very young girls, over 60 percent were infected with HIV. Why? Very young girls were more frequently trafficked to multiple brothels and for longer periods of time.

Silverman concludes that the girls at greatest risk for being infected with HIV (and for transmitting HIV) are the least likely to be reached by traditional HIV prevention models. He proposes collaboration among HIV prevention and human trafficking experts to develop efforts that simultaneously reduce HIV risk and identify and assist trafficking victims—a policy prescription supported by the U.S. government’s interagency working group, the Senior Policy Operating Group.

The State Department is also currently underwriting research on male victims of human trafficking, focusing on sector-specific studies that will help guide future program funding decisions. Links to anti-trafficking research supported by the U.S. government can be found at the web site: <http://www.state.gov/g/tip/>.

### Democracy and Human Trafficking

As already noted, our assessment of a country’s performance is based strictly on the trafficking-specific criteria stipulated by the TVPA.

Nevertheless, our broad study of the phenomenon of trafficking corroborates that healthy, vital democratic pluralism is the single most prevalent feature of states conducting effective anti-trafficking efforts. A vibrant democracy is the best guarantor of human dignity and respect for the human rights and fundamental freedoms of all persons, including women, children, prostituted people, and foreign migrants, who are among the vulnerable populations susceptible to trafficking.

## THE TIERS

### TIER 1

Countries whose governments fully comply with the Trafficking Victims Protection Act's (TVPA) minimum standards

### TIER 2

Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards

### TIER 2 WATCH LIST

Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards AND:

- a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or
- b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or
- c) The determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year

### TIER 3

Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so

In many countries, the disempowerment of such groups permits trafficking to flourish, because victims are reluctant to step forward to seek protection and redress under the law.

A key indicator of a vibrant democracy is the existence of an independent judiciary and the rule of law. In the context of trafficking, these are reflected in a government's ability to hold traffickers to fullest account, notably in the form of sentencing reflecting the severity of the crimes they have committed.

The absence of corruption—or at least effective government responses to corruption when it does occur—is one element of the rule of law and critical to the fight against trafficking. Too often, victims seeking protection under the law from police, judges and immigration officials, find that those who should be their advocates are in fact furthering their degradation.

A strong and independent civil society, including cooperation between governments and NGOs, is yet another element of a healthy democracy, and a vital tool to effectively combat human trafficking. NGOs have played particularly important roles in many countries in the area of victim identification and support. By contrast, in other countries, government ambivalence or even hostility to NGOs and other civil society actors has at times hindered victim identification efforts, thereby limiting the ability of the government to effectively combat human trafficking. In light of the magnitude and global reach of this problem, collaboration between governments and NGOs is of critical importance to efforts to eradicate modern-day slavery.

While democracy does not guarantee the absence of slavery, and some struggling democracies and even autocratic regimes have

## KENYA/GERMANY

Mary, a young Kenyan woman, met a German tourist in his late sixties at a beach resort and he impressed her with presents and pampering. After departing Kenya, he convinced her to visit him in Germany, but immediately upon her arrival he confiscated her passport and forced her into prostitution. “He raped me, as did the men I was forced to pick at the bar.” Lucy’s health then deteriorated. “I knew it was time to escape—or risk death trying.” Fortunately, Lucy was able to gain access to a telephone and seek help from German police who then rescued her from her trafficker.

Along the Kenyan coast, child sex tourism has become rampant. Between 10,000 and 15,000 girls are being prostituted.

effectively fought trafficking, autocracy and weak or ‘emerging’ democracies are less equipped to tackle this horrific human rights challenge. Respecting the human rights, fundamental freedoms, and dignity in full of women, people in prostitution, and migrants, holding traffickers fully to account, and expunging corruption as the catalyst of human trafficking, are matters of governing justly. In particular, an independent judiciary, the rule of law, and a dynamic civil society are the markings of governments that are governing justly, and are central to the success of modern day abolition efforts.



*“The victims of prostitution are human beings, who in many cases cry out for help, to be freed from slavery, because selling one’s own body on the street is usually not what they would voluntarily choose to do. Of course, each person has a different story to tell, but a common thread of violence, abuse, mistrust and low self-esteem, as well as fear and lack of opportunities, runs through them.”*

—Pontifical Council for the Pastoral Care of Migrants and Itinerant People, The Vatican, June 2007

## GLOBAL LAW ENFORCEMENT DATA

The Trafficking Victims Reauthorization Act (TVPRA) of 2003 added to the original law a new requirement that foreign governments provide the Department of State with data on trafficking investigations, prosecutions, convictions, and sentences in order to be considered in full compliance with the TVPA's minimum standards for the elimination of trafficking (Tier 1). The 2004 TIP Report collected this data for the first time. The 2007 TIP Report data shows for the first time, a breakout of the number of total prosecutions and convictions that related to labor trafficking, placed in parentheses.

YEAR	Prosecutions	Convictions	New or Amended Legislation
2003	7,992	2,815	24
2004	6,885	3,025	39
2005	6,178	4,379	40
2006	5,808	3,160	21
2007	5,682 (490)	3,427 (326)	28

*The numbers in parentheses are those of labor trafficking prosecutions and convictions.*

## THE ILO ADDRESSING FORCED LABOR

The ILO's Special Action Program to Combat Forced Labor works to raise global awareness about the forced labor phenomena around the world, and provides technical assistance to governments, workers' organizations, and employers' organizations in developing and implementing effective strategies to prevent this serious form of labor exploitation. Over the last year, this ILO program has expanded outreach to the private sector, and has developed a suggested list of 10 promising practices to address ways in which employers might prevent forced labor in their own enterprises and cooperate with broader efforts to combat forced labor and trafficking:

- Have a clear and transparent company policy, setting out the measures taken to prevent forced labor and trafficking. Clarify that the policy applies to all enterprises involved in a company's product and supply chains;
- Train auditors, human resource and compliance officers in means to identify forced labor in practice, and seek appropriate remedies;
- Provide regular information to shareholders and potential investors, attracting them to products and services where there is clear and sustainable commitment to ethical business practice including prevention of forced labor;
- Promote agreements and codes of conduct by industrial sectors (as in agriculture, construction, and textiles), identifying the areas where there is risk of forced labor, and take appropriate remedial measures;
- Treat migrant workers fairly. Monitor carefully the agencies that provide contract labor, especially across borders, blacklisting those known to have used abusive practices and forced labor;
- Ensure that all workers have written contracts, in a language that they can easily understand, specifying their rights with regard to payment of wages, overtime, retention of identify documents, and other issues related to preventing forced labor;
- Encourage national and international events among business actors, identifying potential problem areas and sharing good practices;
- Contribute to programs and projects to assist, through vocational training and other appropriate measures, the victims of forced labor and trafficking;
- Build bridges between governments, workers, law enforcement agencies, and labor inspectorates, promoting cooperation in action against forced labor and trafficking;
- Find innovative means to reward good practice, in conjunction with the media.

## COMMENDABLE INITIATIVES AROUND THE WORLD

### Ethiopia: Raising Awareness to Combat Child Trafficking

Since 1989, the local NGO, Forum for Street Children (FSCE), has worked to prevent the exploitation and trafficking of Ethiopia's vulnerable population of urban children. In collaboration with international NGOs and local and regional law enforcement, FSCE helped to establish Child Protection Units (CPU) in police stations in Addis Ababa and nine other towns countrywide. Each CPU educates law enforcement officials on the rights of children and provides assistance to child victims of exploitation. Since 2000, FSCE has reunified over 1,000 trafficked and exploited street children with their families. As a result of FSCE awareness programs targeting the public transportation sector, staff at the Addis Ababa Central Bus Terminal now report possible child trafficking cases to local CPUs and free public transportation is being provided to reunify victimized children with their families in rural regions.

### Panama: Pilot Program Takes Comprehensive Approach to Assist Victims

The Ministry of Social Development (MIDES), in cooperation with the International Labor Organization (ILO), initiated "Direct Action," a pilot program aimed at proactively addressing

trafficking in three neighborhoods known for problems with commercial sexual exploitation. Ninety-five adolescents who were victims of trafficking or were deemed "at risk" of becoming victims of trafficking participated in the program. In addition to medical and psychological care, participants were provided with formal education or vocational training. To alleviate economic hardship and attempt to eliminate this factor in trafficking vulnerability, MIDES provided support to adolescents and their families in the form of basic equipment to cook and sell empanadas and tamales. Phase Two of the program will monitor the progress of the participants and hopes to ensure none are victimized.

### European Community: Convention Provides Far-Reaching Protection for Victims

The Council for Europe's Convention on Action against Trafficking in Human Beings with ratification from ten European member states entered into force on February 1, 2008. The Convention aims to, among other goals, establish the highest standards for the protection of trafficking victims. This includes mandates for governments to provide comprehensive support and assistance to victims, a non-punishment clause for victims, and residence permits not based on cooperation with law enforcement. The Convention also entitles victims to a minimum 30-day recovery and reflection period to escape the influence of traffickers and to make a decision regarding cooperation with authorities. These provisions extend beyond the recommendations of the UN Trafficking in Persons Protocol and the TVPA minimum standards.



Street kids learn mechanical repair at the Cambodian NGO Mith Samlahn/Friends International.





### Romania: National Database Aids Rapid Response to Emerging TIP Trends

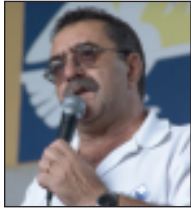
The National Agency Against Trafficking in Persons (ANITP) created a centralized national database for law enforcement personnel to input data on individual trafficking victims. This compilation of information, which includes roughly 100 data fields for each victim and is processed at ANITP headquarters in Bucharest, is crucial for identifying and quickly responding to emerging trends in trafficking. Through the use of the database, ANITP was the first to identify an increase in labor trafficking of Romanians to the Czech Republic, and disseminate the information to law enforcement and policy officials. The national database is an effective tool for targeting trafficking trends and serves as a model for other countries.

Children playing at a Cambodian outreach program for at-risk families, which gives their mothers vocational skills.



A family of dalits, India's "untouchable" caste, who were recently freed from bonded labor

## 2008 TIP REPORT HEROES



### Honduras

*Manuel Capellin* leads the efforts of Casa Alianza (Covenant House) and is a passionate defender of trafficking victims, running the

only shelter in Honduras dedicated specifically to victims of human trafficking. Casa Alianza treats 80-100 underage victims a year, and also assists other street children and children with substance abuse problems in Tegucigalpa. Mr. Capellin also launched Casa Alianza's Querubines Center, a secure shelter which houses 25 victims of sexual exploitation at a time, and provides victims with food, clothing, medical attention, psychological counseling, witness and legal assistance, vocational training, and access to education. Querubines Center works closely with Honduran prosecutors on prosecuting trafficking cases in court. In conjunction with the Mayor's Office of Tegucigalpa, Mr. Capellin launched a public awareness-raising campaign about the dangers of human trafficking. His tireless efforts have increased awareness of trafficking in persons and long-term assistance to victims throughout Honduras.



### Morocco

*Pastor David Brown and Julie Brown* of the French Protestant Church have worked tirelessly for the past three and a half years, often at great personal risk, to assist sub-Saharan

trafficking victims and clandestine migrants in Morocco. The Browns see 150-500 new migrant cases each month in Casablanca and Rabat, 25 percent of which are women, the majority of whom are believed to be trafficking victims who were forced into prostitution. Upon initial contact, the Browns assess the migrants' cases and develop a plan of assistance which can include money, emergency shelter, food, clothing, counseling, start-up

assistance for micro-enterprises, and medical help. Mrs. Brown, a certified nurse, examines each new arrival and offers free medical assistance to anyone who arrives at the church. The Browns' church is one of the few places where trafficking victims can turn for help in Morocco, since the government does not offer assistance to such victims.



### Mongolia

*Major D. Tumenbayar*, a 10-year police veteran with the rank of Major, has worked at a local police station in Zamyn Uud, on Mongolia's southern border with China, for five

years. Major Tumenbayar, Superior Officer of the Criminal Division, is considered by a leading anti-trafficking NGO, the Mongolian Gender Equality Center (MGEC), to be a lynchpin in the battle against human trafficking in Zamyn Uud—a major transit point for trafficking victims on their way to China. According to MGEC, he has helped repatriate 26 Mongolian trafficking victims, ranging from 16 to 38 years old. He has developed a reputation as a committed professional by local anti-trafficking activists, in large part because he has gone to exceptional lengths to protect victims who are at risk of reprisals. He has also been instrumental in changing societal attitudes about trafficking at the community level.



### Ghana

*Anas Aremeyaw Anas*, a reporter with an independent Ghanaian newspaper, was responsible for breaking two major trafficking rings in

Accra during this reporting period. He worked undercover for eight months, exposing the ring's methods of transportation and the identities of immigration officials who were accepting bribes in return for overlooking fake visas and passports. Mr. Anas made recordings of his interactions, which allowed him to collect evidence that could be used by the police to prosecute the traffickers who were sending girls

to Europe for prostitution. As a result of his undercover investigation, and his collaboration with law enforcement, NGOs and other journalists, 17 Nigerian trafficking victims were rescued. Following this success, Anas posed as a janitor in a brothel where he collected evidence of a second ring trafficking children for prostitution. His efforts guided police in planning and executing a raid to rescue minors prostituted in the brothel. His exemplary courage and innovation were instrumental in disrupting two rings that profited from severe forms of human trafficking.



### Indonesia

*Nirmala Bonat* is an Indonesian domestic worker who has relentlessly pursued justice in Malaysian courts for nearly four years since

being brutally beaten and burned with an iron, for which her Malaysian employer faces criminal charges. Despite having to stay in Kuala Lumpur sheltered by the Indonesian Embassy to continue with court proceedings, and being humiliated in court on many occasions, she has stood her ground, refusing to return home and give up her case. In doing so, she has become an inspiration for abused trafficking victims worldwide seeking to claim their rights. A young 19-year-old woman when she arrived in Malaysia four years ago, her courage is all the more remarkable given her seemingly powerless position in society.



### Philippines

*Cecilia Flores-Oebanda*, a longtime advocate against trafficking, and former political prisoner, continues to pave the road for NGO

and government collaboration on anti-trafficking efforts in the Philippines and around the world. As the President and Executive Director of the Visayan Forum Foundation, Ms. Flores-Oebanda works for the welfare of marginalized migrants. Seventeen years after she founded the organization to strengthen the rights of migrant women

and children from poor areas, Ms. Flores-Oebanda manages five halfway houses and four domestic centers, and will open three new halfway houses in 2008. Since 2001, Visayan Forum has rescued and provided assistance to more than 32,000 victims and potential victims of trafficking, and has helped file 66 trafficking cases on behalf of 166 victims. Ms. Flores-Oebanda is also the recipient of Anti-Slavery International's Anti-Slavery Award in 2005 and the Skoll Foundation Award for Social Entrepreneurship in 2008.



### Thailand

*Sompong Sakaew* founded the Labor Rights Promotion Network (LPN) in 2006 to address discrimination against migrant workers in Thailand's

seafood processing center. Sompong and LPN were instrumental in a 2006 police raid of a Thai shrimp processing factory, which found 66 Burmese victims of forced labor in that factory. He also worked to highlight the plight of 60 surviving crew members from six fishing trawlers that returned to port after 39 crew members starved to death at sea. Sompong's investigative work in these cases helped shape Thailand's new anti-trafficking law of 2008, which criminalizes labor trafficking and strengthens penalties for violators. In addition to its labor rights advocacy work, LPN now provides schooling for the vulnerable children of migrant workers, as well as stateless children who are denied access to education.



### France

*Jean Claude Mbvoumin* founded and presently runs the Association Culture Foot Solidaire (CFS or Soccer Culture Solidarity Association),

which raises awareness about the fraudulent international recruitment of young soccer players from Africa. As a former soccer player recruited from Cameroon to play in France, Mr. Mbvoumin educates European leaders about the realities facing many child players recruited to Europe

with false promises of success and riches. Often these African boys are paid a fraction of what was promised, have no legal immigration status, and are abandoned to the streets after they fail to meet recruiters' expectations. In 2007, CFS created a task force that brought together NGOs and government officials to discuss solutions for combating this situation, which leaves young African children potentially vulnerable to various forms of trafficking. Under Mr. Mbvoumin's leadership, CFS has also worked with the Federation of International Soccer Associations (FIFA) to change recruiting laws to better protect minors. Mr. Mbvoumin's innovative efforts have increased international awareness of this growing problem.



### Greece

*Emma Skjonsby Manousaridis* is the director of the faith-based NGO New Life (Nea Zoi), affiliated with International Teams. She and her dedicated staff and volunteers regularly visit bars, brothels, and hotels to assist trafficking victims in Athens. Armed with nothing more than thermoses of hot tea, information about how to get help, and a kind word, Emma and her team have been known to disarm madams and brothel guards to gain access to young women, mostly from Eastern Europe and Nigeria. Over the past nine years, Emma and her team have exhibited tremendous perseverance and have worked collaboratively with key NGO partners, the U.S. Embassy, the Government of Greece, and law enforcement to empower victims and influence the community. She and her staff, despite frequent threats of violence, remain unflinching in their efforts.



### Mauritania

*Boubacar Ould Messaoud* is one of the founders of the NGO SOS *Esclaves* (SOS Slaves), the only NGO in Mauritania specifically focused on eradicating modern-day slavery. In years past, he has been harassed and imprisoned by the

authorities for his anti-slavery activism, thereby stifling debate on the issue. In August 2007, Mr. Messaoud's NGO led the way in pushing for a new anti-slavery law, which criminalized slavery for the first time. While slavery was officially abolished in 1981, hundreds of thousands are still trapped in bonded labor. Mr. Messaoud's leadership was instrumental in the law's passage which marks the first time in Mauritania's history that slaveholders can be criminally sanctioned. He has remained a faithful advocate for proper implementation mechanisms to ensure the law's effectiveness.



### Bahrain

*Marietta Dias*, an Indian retiree and naturalized Bahraini citizen with no formal training in social work or counseling, works tirelessly through her NGO the Migrant Workers Protection Society (MWPS) to care for migrant laborers from any country. MWPS maintains a small shelter for trafficking victims, and works hard to influence the press to publish victims' stories and raise awareness of their plight. They assist laborers in court, facilitate mediation between workers and their sponsors, and educate workers about their rights in Bahrain. They also work with employers to improve working conditions for migrant laborers. Marietta Dias heads MWPS's action committee and functions as the face of their efforts, coordinating her work with embassies, government agencies, and welfare groups to seek justice or repatriation for workers. Between August 1, 2007 and February 1, 2008, the MWPS action committee assisted many of the almost 60,000 workers who took advantage of the government's amnesty by legitimizing their presence or returning home. She has also worked to increase international awareness of Bahrain's migrant labor force.



## United States

*Guy Jacobson and Adi Ezroni*

Film-makers Guy Jacobson and Adi Ezroni risked their lives and overcame death threats to produce one of the best researched narrative films on child sex tourism. Ezroni, an acclaimed Israeli actress, and Jacobson, an attorney and investment banker, set aside their business careers

and devoted themselves to highlighting child sex tourism after Jacobson found himself solicited by children under the age of 7 in Cambodia. The film "Holly" set in Asia and its powerful compendium documentaries are being used as a tool for raising public awareness at screenings across the United States and around the world, and are routinely accompanied by expert discussions and used as a vehicle to raise funds for anti-trafficking NGOs. The film has not only received critical acclaim at worldwide film festivals, but also received great praise by trafficking experts when it was screened at the UN GIFT Forum in February 2008. The dynamic twosome has also founded The RedLight Children Campaign, designed to motivate individuals across the globe to urge their governments to do more to combat human trafficking.



**A trafficking survivor learns traditional weaving skills in a vocational training program.**



## Nepal

*Bhim Lama, Ganesh Shrestha, and Kumar Giri*

of the Esther Benjamins Memorial Foundation Rescue Team have liberated more than 280 Nepali girls from lives of misery in Indian circuses since 2004. Amidst threats of beatings and intimidation, they have made 40 rescue missions into Indian circuses. In Nepal, they have apprehended six agents who trafficked the girls, leading to the prosecution of some of these agents and their serving terms of up to 20 years in jail.

# TIER PLACEMENTS

## Tier 1

AUSTRALIA	DENMARK	HUNGARY	NETHERLANDS
AUSTRIA	FINLAND	ITALY	NEW ZEALAND
BELGIUM	FRANCE	KOREA, REP. OF	NORWAY
CANADA	GEORGIA	LITHUANIA	POLAND
COLOMBIA	SPAIN	LUXEMBOURG	SLOVENIA
CROATIA	GERMANY	MACEDONIA	SWEDEN
CZECH REPUBLIC	HONG KONG	MADAGASCAR	SWITZERLAND
			UNITED KINGDOM

## Tier 2

AFGHANISTAN	ETHIOPIA	MALI	SENEGAL
ANGOLA	GHANA	MALTA	SERBIA
BANGLADESH	GREECE	MAURITANIA	SIERRA LEONE
BELARUS	HONDURAS	MAURITIUS	SINGAPORE
BELIZE	INDONESIA	MEXICO	SLOVAK REPUBLIC
BENIN	ISRAEL	MONGOLIA	SURINAME
BOLIVIA	IRELAND	MOROCCO	TANZANIA
BOSNIA & HERZEGOVINA	JAMAICA	NEPAL	TAIWAN
BRAZIL	JAPAN	NICARAGUA	THAILAND
BULGARIA	KAZAKHSTAN	NIGERIA	TIMOR-LESTE
BURKINA FASO	KENYA	PAKISTAN	TOGO
CAMBODIA	KYRGYZ REPUBLIC	PARAGUAY	TURKEY
CHILE	LAOS	PERU	UGANDA
	LATVIA	PHILIPPINES	UKRAINE
DJIBOUTI	LEBANON	PORTUGAL	UNITED ARAB EMIRATES
ECUADOR	LIBERIA	ROMANIA	URUGUAY
EL SALVADOR	MACAU	RWANDA	VIETNAM
ESTONIA	MALAWI		YEMEN

## Tier 2 Watch List

ARGENTINA	COSTA RICA	GUINEA-BISSAU	RUSSIA
ARMENIA	CYPRUS	GUYANA	SOUTH AFRICA
AZERBAIJAN	COTE D'IVOIRE	INDIA	SRI LANKA
ALBANIA	DOMINICAN REP.	JORDAN	TAJIKISTAN
BAHRAIN	EGYPT	LIBYA	
BURUNDI	EQUATORIAL GUINEA	MALAYSIA	VENEZUELA
CAMEROON	GABON	MONTENEGRO	UZBEKISTAN
CONGO, REP. OF	THE GAMBIA	MOZAMBIQUE	ZAMBIA
CENTRAL AFRICAN REP.	GUATEMALA	NIGER	ZIMBABWE
CHAD	GUINEA	PANAMA	
CHINA (PRC)	CONGO (DRC)		

## Tier 3

ALGERIA	IRAN	OMAN	SUDAN
BURMA	KUWAIT	PAPUA NEW GUINEA	SYRIA
CUBA	MOLDOVA	QATAR	
FIJI	NORTH KOREA	SAUDI ARABIA	



YEAR	PROSECUTIONS	CONVICTIONS	NEW OR AMENDED LEGISLATION
2003	50	10	3
2004	134	29	7
2005	194	58	12
2006	170	51	3
2007	123 (28)	63 (26)	5

**Tier Placements**

- Tier 1
- Tier 2
- Tier 2 Watch List
- Tier 3
- Special Cases

*The numbers in parentheses are those of labor trafficking prosecutions and convictions.*



# EAST ASIA & PACIFIC

YEAR	PROSECUTIONS	CONVICTIONS	NEW OR AMENDED LEGISLATION
2003	1,727	583	1
2004	438	348	3
2005	2,580	2,347	5
2006	1,321	763	3
2007	1,074 (7)	651 (7)	4

**Tier Placements**

■ Tier 1   
 ■ Tier 2   
 ■ Tier 2 Watch List   
 ■ Tier 3   
 ■ Special Cases

*The numbers in parentheses are those of labor trafficking prosecutions and convictions.*





YEAR	PROSECUTIONS	CONVICTIONS	NEW OR AMENDED LEGISLATION
2003	2,231	1,469	14
2004	3,270	993	20
2005	2,521	1,792	12
2006	2,950	1,821	7
2007	2,820 (111)	1,941 (80)	7

**Tier Placements**

- Tier 1
- Tier 2
- Tier 2 Watch List
- Tier 3
- Special Cases

*The numbers in parentheses are those of labor trafficking prosecutions and convictions.*



# NEAR EAST

YEAR	PROSECUTIONS	CONVICTIONS	NEW OR AMENDED LEGISLATION
2003	1,004	279	4
2004	134	59	1
2005	112	104	3
2006	295	187	2
2007	415 (181)	361 (179)	1

**Tier Placements**

■ Tier 1   
 ■ Tier 2   
 ■ Tier 2 Watch List   
 ■ Tier 3   
 ■ Special Cases

*The numbers in parentheses are those of labor trafficking prosecutions and convictions.*



# SOUTH & CENTRAL ASIA

YEAR	PROSECUTIONS	CONVICTIONS	NEW OR AMENDED LEGISLATION
2003	2,805	447	0
2004	2,764	1,541	1
2005	1,041	406	0
2006	629	275	0
2007	824 (162)	298 (33)	4

**Tier Placements**

■ Tier 1   
 ■ Tier 2   
 ■ Tier 2 Watch List   
 ■ Tier 3   
 ■ Special Cases

*The numbers in parentheses are those of labor trafficking prosecutions and convictions.*

# WESTERN HEMISPHERE\*



YEAR	PROSECUTIONS	CONVICTIONS	NEW OR AMENDED LEGISLATION
2003	175	27	2
2004	145	56	7
2005	170	59	9
2006	443	63	6
2007	426 (1)	113 (1)	7

**Tier Placements**

■ Tier 1   
 ■ Tier 2   
 ■ Tier 2 Watch List   
 ■ Tier 3   
 ■ Special Cases

*The numbers in parentheses is those of labor trafficking prosecutions and convictions.*

\* Does not included the United States

## United States Government Domestic Anti-Trafficking in Persons Efforts

The United States (U.S.) is a destination country for thousands of men, women, and children trafficked largely from East Asia, Mexico, and Central America for the purposes of sexual and labor exploitation. A majority of foreign victims identified during the year were victims of trafficking for forced labor. Some men and women, responding to fraudulent offers of employment in the United States, migrate willingly—legally and illegally—but are subsequently subjected to conditions of involuntary servitude or debt bondage at work sites or in the commercial sex trade. An unknown number of American citizens and legal residents are trafficked within the country primarily for sexual servitude and, to a lesser extent, forced labor.

The U.S. Government (USG) in 2007 continued to advance the goal of eradicating human trafficking in the United States. This coordinated effort includes several federal agencies and approximately \$23 million in Fiscal Year (FY) 2007 for domestic programs to boost anti-trafficking law enforcement efforts, identify and protect victims of trafficking, and raise awareness of trafficking as a means of preventing new incidents.

**Recommendations:** The USG annually assesses its efforts in a separate report compiled by the Department of Justice (DOJ) [see [www.usdoj.gov/olp/human\\_trafficking.htm](http://www.usdoj.gov/olp/human_trafficking.htm)]. Among recommendations from the September 2007 assessment, the USG is working to increase cooperation among U.S. agencies to maximize efficiency in services and information dissemination.

### Prosecution

The USG sustained anti-trafficking law enforcement efforts over the reporting period. The United States prohibits all forms of trafficking in persons through criminal statutes created or strengthened by the 2000 Trafficking Victims Protection Act (TVPA), as amended. In Fiscal Year (FY) 2007, DOJ's Civil Rights Division and U.S. Attorneys' Offices initiated 182 investigations, charged 89 individuals, and obtained 103 convictions in cases involving human trafficking. Under the TVPA, traffickers can be sentenced to up to 20 years' imprisonment. The average prison sentence imposed for trafficking crimes under the TVPA in FY 2007 was 113 months (9.4 years). The Federal Bureau of Investigation and DOJ's Criminal Division continued to combat the exploitation of children in prostitution in the United States through the Innocence Lost National Initiative; in FY 2007, this Initiative resulted in 308 arrests, 106 convictions, and 181 recovered children.

The federal government worked to bolster efforts at state and local levels. By the end of 2007, 33 states had passed criminal anti-trafficking legislation. In 2007, the Department of Health and Human Services (HHS) further strengthened the Rescue & Restore Regional Program, employing a community-based intermediary model to regionally develop civil society networks for outreach, identification, and service activities.

### Protection

The USG continued to provide strong victim protection services over the year. Through FY 2007, HHS certified or issued eligibility letters to 1,379 victims of human trafficking since the TVPA was signed into law in October 2000. HHS certified 270 adult victims in FY 2007, and issued eligibility letters to 33 minors. Thirty percent of the total 303 victims were male, a significant increase from the six percent male victims certified in FY 2006. Certified victims came from over 50 countries globally and at least 63 percent of them were victims of trafficking for forced labor. Primary sources in FY 2007 of victims were Thailand (48), Mexico (42), Guatemala (25), Philippines (23), and China (21). Certification and letters of eligibility allow human trafficking survivors to access services and benefits, comparable to assistance provided by the U.S. to refugees. The HHS Per-Capita Services Contract implemented by civil society partners currently covers 125 sites across the country providing "anytime, anywhere" services to human trafficking victims.

The Department of Homeland Security (DHS) provides two principal types of immigration relief authorized by the TVPA: 1) continued presence (CP) to human trafficking victims who are potential witnesses during investigation or prosecution, and 2) T non-immigrant status or "T-visas," a special, self-petitioned visa category for trafficking victims. In FY 2007, DHS/ICE's Law Enforcement Parole Branch approved 122 requests for CP and five requests for extensions of existing CPs. DHS U.S. Citizenship and Immigration Services issued 279 T-visas to foreign survivors of human trafficking in the U. S. and 261 T-visas to their immediate family members in FY 2007. The USG continues to work towards publishing a regulation for the adjustment of status for qualified T-visa holders, creating a pathway for citizenship.

As part of the assistance provided under the TVPA, the Department of State's Bureau of Population, Refugees, and Migration funds the Return, Reintegration, and Family Reunification Program for Victims of Trafficking. In calendar year 2007, the program assisted 104 cases. Of the cases assisted, five victims of trafficking elected to return to their country of origin, and 99 family members were reunited with trafficking survivors in the United States. Since its inception in 2005, the program has assisted around 160 persons from 31 countries.

### Prevention

Prevention efforts increased over the year, as HHS continued to fund the Rescue & Restore public awareness campaign and DHS/ICE produced a new public service announcement in multiple languages. HHS founded four additional Rescue & Restore coalitions. HHS restructured the National Human Trafficking Resource Center in 2007 to provide national training and technical assistance, in addition to operating a national hotline (1-888-3737-888). To improve identification and increase awareness, HHS also started: 1) a pilot program to identify trafficking among unaccompanied alien children; and 2) a domestic notification pilot program that provides suspected U.S. citizen trafficking victims with information regarding the benefits and services for which they may be eligible simply by virtue of their citizenship.

# COUNTRY NARRATIVES



## AFGHANISTAN (Tier 2)

Afghanistan is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Afghan children are trafficked within the country for commercial sexual exploitation, forced marriage to settle debts or disputes, forced begging, debt bondage, service as child soldiers, and other forms of forced labor. Afghan women and girls are also trafficked internally and to Pakistan, Iran, Saudi Arabia, Oman, and elsewhere in the Gulf for commercial sexual exploitation. Afghan men are trafficked to Iran for forced labor. Afghanistan is also a destination for women and girls from China, Iran, and Tajikistan trafficked for commercial sexual exploitation. Tajik women and children are also believed to be trafficked through Afghanistan to Pakistan and Iran for commercial sexual exploitation.

The Government of Afghanistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Anti-trafficking offices are now established within the Attorney General's office in all provinces. In addition, Afghan law enforcement officials received training in anti-trafficking investigations. The government also worked with IOM to implement a public awareness program to address trafficking of women and girls in the most vulnerable provinces. The Government of Afghanistan works with non-governmental organizations by providing in-kind contributions such as land for shelters.

Nonetheless, despite a significant problem, the government did not provide sufficient evidence that it adequately punishes acts of trafficking. In addition, Afghanistan punishes some victims of sex trafficking with imprisonment for adultery or prostitution, acts committed as a result of being trafficked. Although the government lacks resources to provide comprehensive victim protection services, it fails to ensure that victims receive access to care available from NGOs.

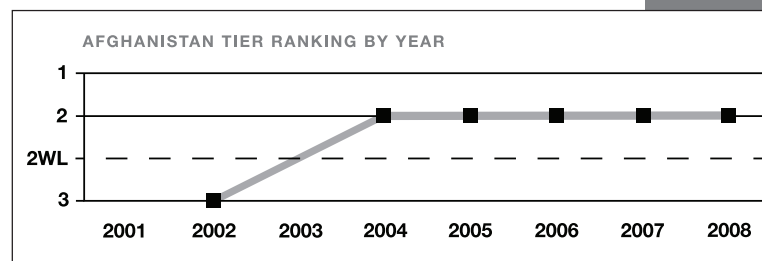
**Recommendations for Afghanistan:** Increase law enforcement activities against trafficking, including prosecutions, convictions, and imprisonment for acts of trafficking for commercial sexual exploitation and forced labor; ensure that victims of trafficking are not punished for acts committed as a result of being trafficked, such as prostitution or adultery violations; institute a formal procedure to identify victims of trafficking and refer them to available protection services; to the extent possible, provide in-kind assistance to NGOs offering protection services to victims of trafficking; and undertake initiatives to prevent trafficking, such as instituting a public awareness campaign to warn at-risk populations of the dangers of trafficking.

### Prosecution

The Government of Afghanistan did not provide sufficient evidence of efforts to punish trafficking over the reporting period. Afghanistan does not prohibit all forms of trafficking, but relies on kidnapping and other statutes to charge some trafficking offenses. These statutes do not specify prescribed penalties, so it is unclear whether penalties are sufficiently stringent and commensurate with those for other grave crimes, such as rape. Despite the availability of some statutes, Afghanistan did not provide adequate evidence of arresting, prosecuting, or convicting traffickers. The government reported data indicating traffickers had been prosecuted and convicted, but was unable to provide disaggregated data. There was no evidence that the government made any efforts to investigate, arrest, or prosecute government officials facilitating trafficking offenses despite reports of widespread complicity among border and highway police.

### Protection

The Government of Afghanistan made inadequate efforts to protect victims of trafficking. Afghanistan lacks resources to provide victims with comprehensive rehabilitation care; NGOs provided the bulk of assistance to victims. Law enforcement authorities do not employ formal procedures to identify victims of trafficking and refer them to protection services provided by NGOs. At the same time, serious concerns regarding the government's punishment of victims of trafficking for acts committed as a result of being trafficked remain. Some victims of trafficking continue to be arrested or otherwise punished for prostitution and morality crimes, which under the law could incur possible penalties of life imprisonment or death. The government does not encourage victims to assist in investigations of their traffickers, nor does it provide foreign victims with legal alternatives



to removal to countries in which they may face hardship or retribution. Four women's shelters nationwide provide protection to female victims of abuse, including victims of trafficking, but they have limited capacity and lack adequate funding; the government did not report referring or assisting any victims of trafficking in these centers during the reporting period. Child trafficking victims are sometimes placed in orphanages until reunited with their parents.

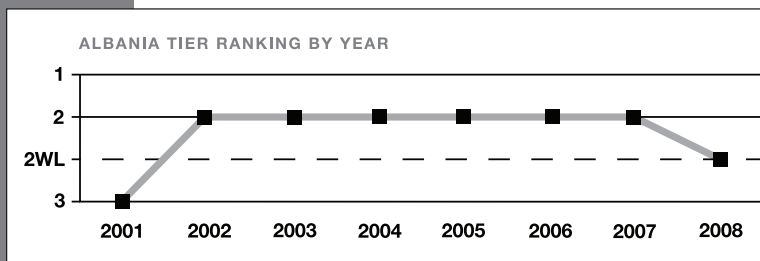
### Prevention

During the reporting period, Afghanistan made no reported efforts to prevent trafficking in persons. The government did not institute a public awareness campaign to warn at-risk populations of the dangers of trafficking or potential traffickers of the consequences of trafficking. The government also did not take steps to reduce the demand for commercial sex acts. Afghanistan has not ratified the 2000 UN TIP Protocol.

## ALBANIA (Tier 2 Watch List)

Albania is a source country for women and girls trafficked for the purpose of commercial sexual exploitation and forced labor; it is no longer considered a major country of transit. Albanian victims are trafficked to Greece, Italy, Macedonia, and Kosovo, with many trafficked onward to Western European countries such as the United Kingdom, France, Belgium, Norway, Germany, and the Netherlands. Children were also trafficked to Greece for begging and other forms of child labor. Approximately half of all Albanian trafficking victims are under age 18. Internal sex trafficking of women and children is on the rise.

The Government of Albania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Government of Albania is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat trafficking in persons over the past year, particularly in the area of victim protection. The government did not appropriately identify trafficking victims during 2007. It also has not demonstrated that it is vigorously investigating or prosecuting complicit officials.



**Recommendation for Albania:** Vigorously investigate and prosecute human trafficking offenses as well as law enforcement officials' complicity in trafficking, and convict and sentence persons responsible for such acts; enhance training of law enforcement officials within the anti-trafficking sector; ensure full implementation of the national mechanism for referring victims to service providers; increase funding for victim assistance and protection services; draft and implement a new national action plan with participation from local anti-trafficking NGOs; provide anti-trafficking training for peacekeeping troops.

### Prosecution

The Government of Albania did not provide convincing evidence of progress in law enforcement efforts to combat human trafficking during 2007. Albania criminally prohibits sex and labor trafficking through its penal code, which prescribes penalties of five to 15 years' imprisonment. These penalties are sufficiently stringent and exceed those prescribed for rape. In 2007, Albania prosecuted 49 alleged traffickers and convicted seven human trafficking offenders. Seven of the prosecutions were for child labor trafficking. The sentences for convicted traffickers were appropriately severe, ranging from five years' imprisonment with fines to 16 years' imprisonment with fines. It is unknown if the government prosecuted and convicted additional traffickers under other statutes because the government does not separate crime statistics by trafficking offenses. During the reporting period, regional anti-trafficking police units remained poorly trained and ill-equipped to effectively address human trafficking due to inadequate resources, the influence of corruption, and high turnover of police recruits. The government discontinued anti-trafficking training for new and continuing police officers, although training for judges and magistrates continued. Between June and July 2007, the government fired approximately 20 percent of its specialized and highly trained anti-trafficking police officers as part of an overall police restructuring effort. In three separate cases, the Ministry of Interior arrested 12 police officers accused of human trafficking in 2007, including six officers with direct responsibility for anti-trafficking at the border. Prosecutions of these cases and several other cases from the last reporting period remain ongoing.

### Protection

The Government of Albania failed to consistently sustain efforts to identify, refer, protect, and reintegrate victims of trafficking during 2007. The government's ability to fund protection and assistance services was limited; however, it operated one victim care shelter in Tirana. The government provided sporadic in-kind assistance to four additional NGO-managed shelters, such as the use of government buildings and land. In July 2007, all five shelters signed a memorandum of understanding to strengthen cooperation and coordination among the shelters. In a change during this reporting period, there was an overall decline in the number of victims identified due to inappropriate application of the national referral mechanism for several months by anti-trafficking police. In 2007, the government identified only 13 women and seven children as victims of trafficking during the reporting period, a 25 percent decline from the 25 victims of trafficking reported by the government in the 2006 reporting period. According to the government and other observers, authorities identified as victims only those who proactively identified themselves as such.



At the same time, however, NGO shelters reported 146 victims of trafficking during the reporting year. Victims are not jailed or fined for unlawful acts committed as a direct result of their being trafficked. The Albanian witness protection program is available for victims of trafficking who participate in prosecutions; however, evidence suggests that the system is ineffective for victims of trafficking. In 2007, one young woman was re-trafficked to Greece by her trafficker's brothers following her testimony that put him in prison. Child victims, many of whom were trafficked by their parents, were more often returned to their parents than placed in protective custody.

### Prevention

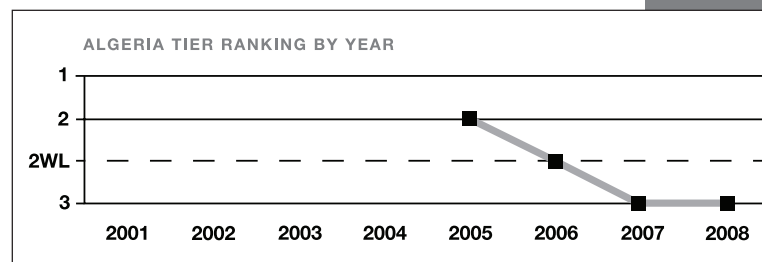
The Government of Albania implemented several anti-trafficking prevention activities but allowed its national anti-trafficking action plan to expire. The Ministry of Interior took over funding of the national toll-free, 24-hour hotline for victims and potential victims of trafficking from the UN Office for Drugs and Crime and IOM in November 2007. The Ministry of Education includes in its high school curriculum awareness of the dangers of trafficking. The government continued implementation of an anti-speedboat law, outlawing virtually all water crafts along the Albanian coast and leading to a significant drop in trafficking in persons to Italy, most of which has been accomplished in the past by boat. During the reporting period, communication between the government and NGOs improved following a period of strained relations. The national anti-trafficking coordinator and the police director-general held meetings with NGOs that led to improved communication between government and NGOs by January 2008, particularly at the border crossing points. As of March 2008, the government had not distributed a draft 2008-2010 national anti-trafficking action plan for comment to international partners and NGOs. The government did not provide evidence that it makes efforts to prevent its peacekeeping troops deployed abroad from engaging in trafficking or exploiting trafficking victims. The Ministry of Culture and Tourism produced banners that are being posted at 15 border crossing points to discourage *child sex tourism* and alert border-crossers that sexual relations with children is a crime in Albania.

## ALGERIA (Tier 3)

Algeria is a transit country for men and women trafficked from sub-Saharan Africa to Europe for the purposes of commercial sexual exploitation and involuntary servitude. These men and women often enter Algeria voluntarily, but illegally, with the assistance of smugglers. Once in Algeria, however, some women are coerced into commercial sexual exploitation to pay off smuggling debts, while some men are forced into involuntary servitude in construction and other low-skilled work. According

to one NGO, an estimated 9,000 sub-Saharan African migrants currently residing in Algeria are victims of trafficking. In addition, Algerian children are trafficked internally for the purpose of domestic servitude or street vending.

The Government of Algeria does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not report any serious law enforcement actions to punish traffickers who force women into commercial sexual exploitation or men into involuntary servitude. Moreover, the government again reported no investigations of trafficking of children for domestic servitude or improvements in protection services available to victims of trafficking. Algeria still lacks victim protection services, and its failure to distinguish between trafficking and illegal migration may result in the punishment of victims of trafficking.



**Recommendations for Algeria:** Reform the criminal code to specifically punish all forms of trafficking; significantly increase prosecutions and punishment of trafficking offenses; institute and apply a formal procedure to identify victims of trafficking among illegal migrants, and refer victims to protection services; and improve services available to trafficking victims, including children trafficked for forced labor, such as shelter, medical, psychological, and legal aid.

### Prosecution

The Government of Algeria did not report any progress in punishing trafficking offenses during the reporting period. Algeria does not prohibit all forms of trafficking in persons, but prohibits the trafficking of minors under 19 years old for commercial sexual exploitation and most forms of sex trafficking of adults through its prohibition on pimping in Articles 342-344 of its penal code. The prescribed penalty for trafficking minors into prostitution— five to 10 years' imprisonment— is sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Despite the availability of laws against sex trafficking and other statutes prohibiting related acts such as kidnapping and assault, the government did not provide evidence of investigating, prosecuting, convicting, or punishing any individuals for trafficking offenses this year. Reform of Algeria's

criminal code to specifically prohibit all forms of trafficking, including forced labor and acts such as recruiting and harboring victims of trafficking, is recommended.

### Protection

The Government of Algeria's efforts to improve victim protection did not improve over the reporting period. The government continued to lack formal procedures to systematically identify trafficking victims among vulnerable people, such as foreign women arrested for prostitution or illegal migrants. As a result, trafficking victims may be deported or otherwise punished for unlawful acts committed as a direct result of being trafficked. The government neither encouraged victims to assist in investigations against their traffickers, nor provided them with shelter, medical, or psychological services. Algerian law does not provide for alternatives to the deportation of trafficking victims, even in cases in which such victims might face hardship or retribution as a result of the deportation. According to local NGOs, the government does not provide specialized training to government officials in recognizing trafficking or dealing with victims of trafficking. A formal mechanism to identify victims of trafficking within vulnerable groups, such as illegal migrants and women arrested for prostitution, would improve Algeria's ability to protect trafficking victims. Establishing victim protection services or providing funding or in-kind assistance to organizations offering such services to victims of trafficking is also needed.

### Prevention

Algeria did not make efforts to prevent trafficking in persons during the year. Although the government continues to work closely with the governments of Portugal, Spain, France, Italy, and Malta to prevent the illegal migration and smuggling of people to Europe, Algeria did not report specific actions taken to prevent trafficking in persons. The government did not have any public awareness campaigns to raise awareness of trafficking or to reduce the demand for commercial sex acts.

## ANGOLA (Tier 2)

Angola is a source country for a small but significant number of women and children trafficked for the purposes of forced labor and sexual exploitation. Angolan women and girls are trafficked within the country for domestic servitude and commercial sexual exploitation, while young men are trafficked internally for agricultural or unskilled labor. Anecdotal reports point to South Africa, the Democratic Republic of the Congo (D.R.C.), Namibia, and Portugal as the primary destination points for Angolans who are trafficked transnationally. Government officials report that trafficking is

on the rise as more border posts open with neighboring countries. Small numbers of young Angolan men are trafficked through Zambia into debt-bonded agricultural work in Namibia. Congolese children are trafficked to Angola. International organizations describe conflicting anecdotal reports that children were trafficked into the country to work in diamond mines, but were unable to confirm or deny the reports.

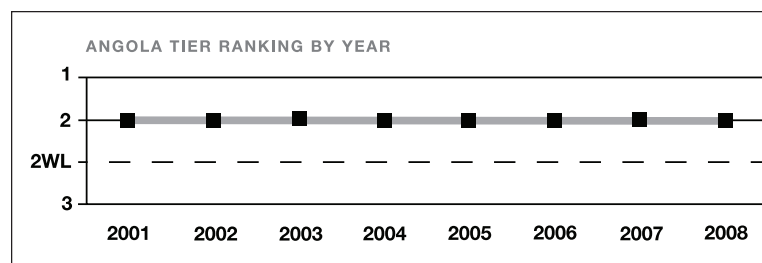
The Government of Angola does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so.

**Recommendations for Angola:** Strengthen legal and victim support frameworks by drafting and enacting anti-trafficking legislation that prohibits all forms of trafficking and provides for victim protections; increase the capacity of law enforcement officials to recognize, respond to, and document instances of trafficking; and launch a campaign to increase public awareness of human trafficking at the provincial and community levels.

### Prosecution

The government's anti-trafficking law enforcement efforts were modest during the reporting period. Angolan law does not prohibit trafficking in persons, although elements of its constitution and statutory laws, including those criminalizing forced and bonded labor, could be used to prosecute trafficking cases. Penal code revisions that will criminalize human trafficking are pending parliamentary approval. Statistics on the government's criminal prosecutions and convictions during the last year were not publicly available, reflecting a general lack of transparency in conducting judicial proceedings. A suspected trafficker stopped at a border post between Angola and the D.R.C was arrested while transporting two children across the border without parental authorization. The man was charged with illegal transport of children across national boundaries and awaits prosecution. The Children's Affairs court system has jurisdiction to adjudicate child labor and trafficking violations, but only functions in the capital province of Luanda. In 2007, 15 children being trafficked from Luanda to the D.R.C. were found by immigration officials and the government's National Institute for the Child (INAC) in Zaire province near the Congolese border; police arrested two suspected traffickers. In other known cases, police were unable to identify the traffickers. The government began investigating one trafficking case in 2007, but records of this case were lost when the Department of Criminal Investigation's building collapsed in April 2008. The Ministry of the Interior (MOI) collaborated with IOM to provide anti-trafficking training to police, immigration agents, investigators, and representatives from the Ministries of Justice, Foreign

Affairs, and Social Assistance and Reintegration (MINARS) during the reporting period. In March 2008, the MOI conducted a two-day internal workshop on human trafficking to discuss victim assistance, migration management, and border control; IOM provided trafficking-specific training to workshop participants.



### Protection

The government provided basic assistance for trafficking victims on a limited, ad hoc basis, relying heavily on partnerships with religious organizations and civil society for the delivery of most social assistance in the country over the last year. The Ministry of Women and Family Affairs and MINARS each operate a limited number of shelters that are used to accommodate trafficking victims. During the reporting period, INAC and UNICEF continued their joint development of Child Protection Networks that bring together government officials and civil society at the municipal and provincial levels to coordinate social policy and protective assistance to children. Active in all 18 provinces, these networks served as "SOS Centers" through which crime victims between the ages of nine and 16, including trafficking victims, accessed a variety of services provided by various government ministries. The network in Huila Province, for instance, was able to detect and prevent several instances of trafficking and exploitative child labor over the reporting period; no mechanism exists to track cases or provide statistics on numbers assisted. Victims over the age of 16 were referred to shelters and social services provided by a quasi-governmental organization.

### Prevention

The government's efforts to prevent trafficking improved incrementally over the reporting period. During the year, the MOI was designated as the lead agency for the development and implementation of an anti-trafficking strategy, the first time a single ministry has been so tasked. To prevent child trafficking, the Immigration Service operated checkpoints at the international airport, border posts, and select internal locations, such as the trafficking hotspot of Santa Clara in Cunene Province, which screened minors for proper travel documentation. INAC's six mobile provincial teams also conducted spot checks of suspected child trafficking routes by

stopping vehicles transporting children to check for identity cards, proof of relationship to the children, and parental permission for the child's travel. In July 2007, the government hosted the Third African Association of State Attorney Generals to discuss the fight against human trafficking and domestic violence. In June 2007, the government

conducted a public awareness campaign for Children's Month designed to raise awareness that all forms of violence against children, including child trafficking, are criminal acts. The campaign included pamphlets on children's rights, banners, newspaper articles, and radio and television spots. Government statements against prostitution of children appeared

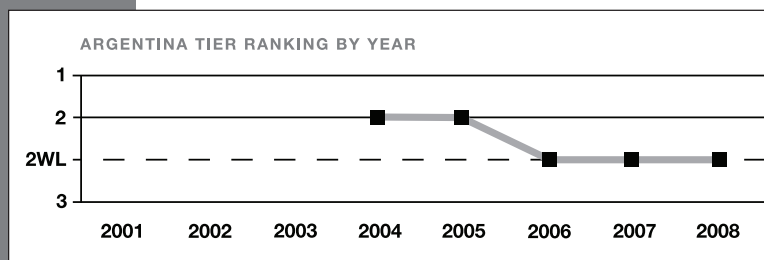
frequently in national media. The government did not undertake efforts to reduce demand for commercial sex acts during the reporting period. Angola has not ratified the 2000 UN TIP Protocol.

## ARGENTINA (Tier 2 Watch List)

Argentina is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Most victims are trafficked within the country, from rural to urban areas, for exploitation in prostitution. Child sex tourism is a problem, particularly in the tri-border area. Argentine women and girls also are trafficked to neighboring countries, Mexico, and Western Europe for sexual exploitation. Foreign women and children, primarily from Paraguay, Brazil, and the Dominican Republic, are trafficked to Argentina for commercial sexual exploitation. Argentina also is a transit point for foreign women and girls trafficked into commercial sexual exploitation in Chile, Brazil, Mexico, Spain, and Western Europe. A significant number of Bolivians, Peruvians, and Paraguayans are trafficked into the country for forced labor in sweatshops, agriculture, and as domestic servants. Anecdotal reporting suggests that an increasing number of Chinese migrants may be trafficked for labor exploitation into Chinese-owned supermarkets. Reports of human trafficking have increased in Argentina, which may be due to growing public awareness, as well as a higher number of migrants in the country, some of whom are vulnerable to being trafficked.

The Government of Argentina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite some progress, Argentina remains on Tier 2 Watch List for the third consecutive year for its failure to show evidence of increasing efforts to combat human trafficking, particularly in terms of providing adequate assis-

tance to victims and curbing official complicity with trafficking activity, especially on the provincial and local levels. While the Argentine Congress demonstrated progress by enacting much-needed and first-ever federal anti-trafficking legislation, a number of NGOs have expressed concern that the new law may be limited in terms of providing appropriate legal protection for adult trafficking victims and adequately punishing trafficking offenders. Government officials, however, indicate that they have the statutory tools they need to confront human trafficking crimes on the federal level. Immediately implementing and dedicating resources for the new anti-trafficking law should assist the government's efforts.



**Recommendations for Argentina:** Vigorously enforce all provisions of the new federal anti-trafficking law; increase and expedite prosecution efforts against traffickers; increase efforts to investigate, prosecute, and convict public officials who facilitate human trafficking activity; provide greater assistance and protection to victims; and improve data collection for trafficking crimes. In order to address criticism of the new federal law, it is recommended that Argentina implement it in a manner that clarifies that prosecutors do not have to prove lack of "assent" or "consent" on the part of adult trafficking victims in addition to the legal elements of trafficking, or, if that proves impossible, revise the law accordingly, consistent with the requirements of the 2000 UN TIP Protocol.

### Prosecution

The government demonstrated progress in its anti-trafficking law enforcement efforts during the reporting period. In April 2008, the Argentine Congress enacted first-ever federal legislation to prohibit all forms of trafficking, prescribing penalties of three to 15 years' imprisonment. Such penalties are sufficiently stringent and exceed those prescribed for other grave crimes, such as rape. However, a number of NGO advocates have raised questions as to whether the new law is sufficient to meet Argentina's obligations under the 2000 UN TIP Protocol, particularly with respect to criminalizing trafficking offenses against adult victims. Of specific concern are provisions which distinguish between offenses committed against victims 18 years old or younger and those committed against adult victims, which are read by some to imply

that in the latter case, prosecutors must provide proof that adult victims did not "consent" to their trafficking. During the reporting period, however, as there was no federal law in place, most trafficking-related cases were prosecuted at the provincial level, yet jurisdictional disputes among federal and local authorities hampered Argentina's ability to convict and punish some trafficking offenders. In September 2007, the city of Buenos Aires criminalized trafficking in minors to prosecute such cases on the local level, and specialized anti-trafficking police units were established in Tucuman and Santa Fe provinces. An anti-trafficking program launched by the Ministry of Justice in July 2007 was dissolved in December 2007; it will be replaced by a new national program to combat trafficking in persons, which will become effective with final implementation of Argentina's new federal anti-trafficking law.

Government officials were not able to provide complete data or information about prosecutions against traffickers in 2007; lack of an enacted federal anti-trafficking law impeded the collection of nationwide data and statistics, making analysis of Argentina's anti-trafficking efforts difficult to gauge. However, anecdotal data gleaned from media reports and interviews with provincial officials indicate that provincial governments secured at least 10 trafficking-related convictions during the reporting period, with sentences ranging from four to 17 years' imprisonment; this represents an increase in efforts when compared to information gathered last year. In June 2007, Cordoba courts convicted three men and two women on charges of indentured servitude, promotion of prostitution, and sexual abuse. The defendants were sentenced to prison. In December 2007, Misiones courts convicted five defendants for promoting prostitution of children as part of a family-run business; the defendants were sentenced to prison terms ranging from three to six years. Provincial governments and the city of Buenos Aires also continued a number of anti-trafficking investigations, and formal charges are pending in several cases. In Buenos Aires, prosecutors continued to investigate an international case involving eight Dominican women who had been trafficked into a brothel after being promised jobs as waitresses; police raided the brothel in February 2007 after one of the women was hospitalized and reported her exploitation. In October 2007, police investigated an accusation from a young victim, and arrested six men and three women in the province of Buenos Aires on charges of sexual abuse and prostituting children between the ages of four and 17. The individuals arrested were relatives of the children, including parents, aunts, and uncles. One victim accused the suspects of filming her while being sexually exploited and then distributing the material; she also claimed that her parents hosted "sexual parties" where the children were sexually exploited by family members and other "clients."

In December 2007, Argentine police and prosecutors cooperated with Bolivian law enforcement by arresting a sweatshop owner for raping a 12-year-old girl and forcing her to work; charges remain pending. In February 2008, judicial authorities opened a prosecution against eight defendants alleged to have operated a child prostitution ring; the case involved the death of a 12-year-old boy. Prosecutors also continued to investigate police and official complicity in a case in which 37 women were rescued from a brothel in Chubut province. Two former police officers, four former public officials, and two brothel owners have been charged in the case, but only the brothel owners remain in pretrial detention. According to NGOs and international organizations, some elements of the country's security forces are complicit in human trafficking activity. The vast majority of these allegations are made against provincial rather than federal forces. Police officers are reported to own brothels, or to provide traffickers with protection in exchange for bribes, sexual services, food, and alcohol. During regular police inspections of cabarets and bars, some officials ignore potential trafficking situations and victims or tip off brothel owners of impending police raids. Other local law enforcement officials have intimidated witnesses or offered them bribes to change their testimony. Due to the reported level of corruption within many provincial police forces, some judges have ordered bar inspections to be carried out by federal forces instead of local police.

### Protection

The government exhibited inadequate efforts to assist victims during the reporting period, and relied on NGOs and international organizations to provide the bulk of assistance to trafficking victims. The government does not operate victim shelters dedicated to trafficking victims, and a small trafficking shelter which had existed in Puerto Iguazu closed due to diminished government funding. Trafficking victims are referred by government offices to other shelters, space permitting. The quality and level of victim care varies by province. On the federal level, the attorney general's office coordinated victim-assistance policy and offered victims willing to prosecute their traffickers with access to medical and psychological treatment, legal counseling, and referrals to other sources of assistance. In April 2007, the government expanded an existing violence hotline to assist trafficking victims, and more than 100 complaints were referred to the federal attorney general's office. Argentine authorities encourage victims to assist with the investigation and prosecution of their traffickers, but some victims were reluctant to do so because of shame or fear of reprisals from their traffickers. Additional training for police and prosecutors on sensitive victim interviewing techniques, in addition to providing victims with greater government or NGO support during court proceedings, should assist with encouraging victims to confront and

prosecute their traffickers. Similarly, establishment of a secure witness protection program, as provided in Argentina's new anti-trafficking law, would assist prosecution efforts. During the reporting period, the federal government provided a small amount of assistance to anti-trafficking NGOs. The government did not systematically and proactively identify trafficking victims among vulnerable populations, such as prostituted women in brothels or criminal detainees. There were reports of victims jailed or otherwise penalized for unlawful acts committed as a direct result of their being trafficked. Although the government does not have a formal visa for foreign trafficking victims, foreign victims are not typically deported. In addition, citizens of Mercosur member or associate states can obtain temporary residency in Argentina under Argentine immigration law.

### Prevention

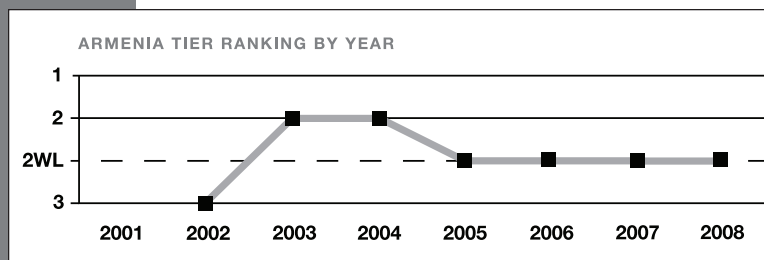
The government maintained prevention activities during the reporting period. In October 2007, an interim executive decree was issued to coordinate federal governmental and NGO anti-trafficking efforts, provide victim assistance, and establish a national hotline, among other measures. These executive reforms should become effective once the national anti-trafficking law is implemented. The government lent support to an IOM-sponsored anti-trafficking media campaign featured on public television and on closed-circuit TVs in Buenos Aires' subway system warning citizens about the dangers of sexual and labor exploitation. One media spot explained how brothel "clients" can report suspected human trafficking activity. In an effort to reduce demand for commercial sex acts, the city of Buenos Aires and IOM continued a billboard campaign entitled: "Without Clients There is No Prostitution." The government also provided materials to local chambers of tourism, particularly in the tri-border area, to prevent *child sex tourism*. The city of Buenos Aires continued a prevention campaign against labor exploitation entitled: "Slavery Kills People." The campaign features a website and hotline through which citizens can report information on suspected sweatshops. Through greater media coverage and NGO and government efforts, public awareness about the dangers of human trafficking in Argentina appears to be increasing.

## ARMENIA (Tier 2 Watch List)

Armenia is a primarily a source country for women and girls trafficked to the United Arab Emirates (U.A.E.) and Turkey for the purpose of commercial sexual exploitation. Armenian men and women are trafficked to Turkey and Russia for the purpose of forced labor. According to the OSCE, there has been one documented case of Ukrainian and Russian women trafficked to Armenia for the purposes of sexual exploitation. Victims trafficked to the U.A.E.

usually fly to Dubai from Yerevan or via Moscow; the trafficking route to Turkey is generally via bus through Georgia. Armenian law enforcement reports indicate that destination countries now also include Qatar, Bahrain, and Kuwait; however, no official cases involving these countries as destinations have surfaced.

The Government of Armenia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so.



Armenia is placed on Tier 2 Watch List for a fourth consecutive year because its efforts to increase compliance with the minimum standards were assessed based on its commitments to undertake future actions over the coming year, particularly in the areas of improving victim protection and assistance. While the government elevated anti-trafficking responsibilities to the ministerial level, adopted a new National Action Plan, and drafted a National Referral Mechanism, it has yet to show tangible progress in identifying and protecting victims or in tackling trafficking complicity of government officials.

**Recommendations for Armenia:** Seriously address trafficking-related corruption through the vigorous investigation and prosecution of complicit officials; ensure convicted traffickers receive and serve adequate jail sentences; proactively implement the new national victim referral mechanism at all border points in Armenia, incorporating the expertise of NGOs and the international community; allocate funding to government institutions and NGOs that provide care for trafficking victims; train border guards to better recognize trafficking victims; and increase awareness raising efforts to tackle the pervasive negative attitude about trafficking victims among law enforcement and the general public throughout Armenia.

### Prosecution

The Armenian government made some notable improvements in its anti-trafficking law enforcement efforts, but it failed to demonstrate evidence of investigations, prosecutions, convictions, and sentences of officials complicit in trafficking. Armenia prohibits trafficking in persons for both labor and sexual exploitation through Article 132

of its penal code, which prescribes penalties of three to 15 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes. The government investigated 14 cases of trafficking for sexual and labor exploitation in 2007. It prosecuted eight suspects and convicted a total of 11 trafficking offenders, with sentences ranging from one to eight years' imprisonment and fines. Traffickers are eligible for release from prison after serving half of their sentences, and early release is routinely granted. According to a 2007 OSCE Assessment, only a small number of convicted Armenian traffickers receive serious sentences. Although trafficking victims are entitled to seek restitution based on their cases, or in a separate civil suit, Armenian courts continued to reject these claims. In November 2007, an Armenian court denied \$1,110 sought by the victim seeking civil damages from her convicted trafficker, who beat and tortured her to deter her escape; she contracted tuberculosis as a result of being forced into prostitution. Although the court sentenced one trafficker in the case, it failed to charge the other known accomplice.

A lack of diplomatic relations between Armenia and Turkey hampered Armenia's ability to investigate the trafficking of Armenian nationals to Turkey. The government actively cooperated with Interpol in attempts to investigate trafficking crimes involving both countries. The government located one Armenian trafficker in Turkey in 2007; Armenian government efforts to return the trafficker to Armenia for prosecution are underway. Although the government has bilateral anti-trafficking agreements with the U.A.E., these instruments are rarely used to investigate trafficking cases with ties to the U.A.E. The government has yet to provide information into the circumstances surrounding the escape of a convicted trafficker, nor has it provided information on any disciplinary measures taken to punish personnel involved in the affair.

### Protection

In 2007, the Government of Armenia demonstrated some progress in the protection of trafficking victims; overall tangible improvements have yet to be realized. The government failed to provide financial or in-kind assistance for anti-trafficking NGOs. Although the government achieved a significant breakthrough by developing a long-promised draft national referral mechanism, it has yet to be implemented. Although the government identified 147 persons as victims of trafficking in 2007, this figure is likely conflated with figures for smuggling and prostitution crimes. The government's efforts to protect victims continue to be hampered by the absence of uniform criteria to facilitate adequate identification; law enforcement officials referred only 17 victims to NGOs in 2007, though this is an increase from the eight it referred in 2006. In 2007,

one victim received state-provided housing under a program run by the Ministry of Labor and Social Affairs (MLSA); the MLSA provided a one-time poverty allowance to two trafficking victims, assisted some victims in finding jobs, and helped settle one victim into an elderly home. In May 2007, the government actively worked with an NGO to secure the release and return of two Armenian trafficking victims from Georgia.

Armenian law does not explicitly prevent victims from being penalized for unlawful acts committed as a direct result of being trafficked, but in practice they are not penalized. Lack of appropriate victim witness protection hampers Armenia’s prosecution efforts; many observers noted that most trafficking victims are not willing to provide testimony to police given the lack of government incentives to undertake that risk. Furthermore, victims were not encouraged to participate in investigations and prosecutions. According to an April 2007 OSCE assessment, Armenian law provides for protection for victims who testify against their trafficker; however, this assistance is rarely implemented.

**Prevention**

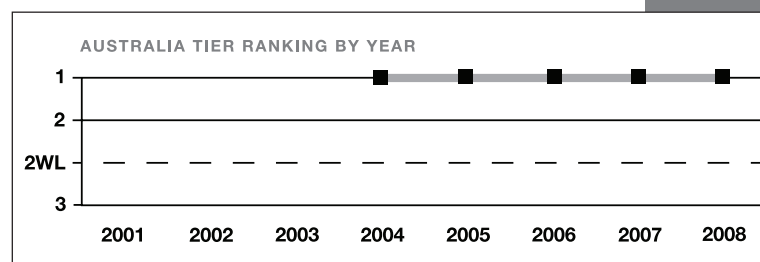
Armenia improved its anti-trafficking prevention efforts in 2007. The government approved its second National Plan of Action on Trafficking for 2007-2009 and revamped its interagency structure, elevating its anti-trafficking commission to the ministerial level. It allocated \$33,000 for prevention efforts in the coming year to include the filming of a documentary on labor trafficking and the production of two public service announcements. In 2007, the Ministry of Health organized discussions with Armenian physicians to raise awareness about the special needs of trafficking victims. The MLSA provided apartments to 20 graduates of orphanages, a group that is extremely vulnerable to recruitment by traffickers.

**AUSTRALIA (Tier 1)**

Australia is a destination country for women from Southeast Asia, South Korea, Taiwan, and the People’s Republic of China (P.R.C.) trafficked for the purpose of commercial sexual exploitation. Prostitution is legal except for in the states of Western Australia and South Australia. Many trafficking victims were women who traveled to Australia voluntarily to work in both legal and illegal brothels, but were subject to conditions of debt bondage or involuntary servitude. There were reports of several men and women from India, the P.R.C., South Korea, the Philippines, and Ireland migrating to Australia temporarily for work, but subsequently subjected to conditions of forced labor, including fraudulent recruitment, confiscation of travel documents, confinement, and debt bondage. The Government of Australia fully complies with

the minimum standards for the elimination of trafficking. After holding several hearings, Australia’s parliament issued 25 recommendations to address allegations that some employers abused the 457 Temporary Worker Visa Program to subject migrant workers to conditions of forced labor and debt bondage. The Department of Immigration and Citizenship (DIAC) subsequently instituted a series of reforms to improve monitoring of this migrant worker visa program, resulting in a greater number of trafficking cases found in the program. There were no visible measures to reduce the demand for commercial sex acts in the legalized commercial sex industry in Australia. The government provides substantial funding to support anti-trafficking efforts throughout the Southeast Asia region, including law enforcement training, victim assistance programs, and prevention activities.

**Recommendations for Australia:** Continue to conduct systematic efforts to proactively identify trafficking victims in the legalized sex trade; continue to criminally prosecute exploitative employers for debt bondage and involuntary servitude of migrant workers, and ensure that those convicted receive sufficient criminal punishments; and implement the Parliamentary recommendations on the 457 Temporary Worker Visa Program.



**Prosecution**

The Government of Australia continued to demonstrate efforts to address trafficking in persons through law enforcement means. Australia prohibits sex and labor trafficking and trafficking-related offenses in Divisions 270 and 271 of the Commonwealth Criminal Code, which prescribe penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes. In August 2007, the Migration Amendment (Employer Sanctions) Act went into force, prescribing penalties of two to five years’ imprisonment for persons convicted of exploiting others for forced labor, sexual servitude, or slavery in Australia. During the reporting period, the Transnational Sexual Exploitation and Trafficking Teams within the Australian Federal Police (AFP) conducted 27 investigations, of which approximately 80 percent were related to sex trafficking. As of February 2008, there were seven trafficking-related cases before the courts involving 15 defendants, with three of the seven cases in the appeal phase. During the report-

ing period, there were four convictions for trafficking; one defendant was sentenced to eight years' imprisonment.

In March 2008, a joint operation between the AFP and DIAC broke up a syndicate in Sydney that allegedly trafficked South Korean women to a legal brothel and was earning more than \$2.3 million a year. Police allege the syndicate recruited Korean women through deception about the conditions under which they would be employed, organized their entry into Australia under false pretenses, confiscated their travel documents, and forced them to work up to 20 hours a day in a legal Sydney brothel owned by the syndicate. In January 2008, police uncovered an alleged labor trafficking situation in which Indian nationals who arrived in Australia on tourist visas were sent to a tomato farm in Jerilderie, New South Wales where they were held in virtual confinement and forced labor. There are eight administrative and criminal cases pending in this case. While some companies and persons were fined by Australian courts for violations that may have constituted forced labor offenses, there were no criminal penalties handed down to employers involved in forced labor. During 2007, 123 employers have been temporarily barred from employing migrant laborers under the 457 visa scheme and an additional 273 received warnings for failing to pay laborers a minimum salary. DIAC, Unions, and the Workplace Ombudsman continue to discover instances in which migrant workers are in situations of debt bondage, and other conditions leading to labor trafficking. There were no reports of government or law enforcement involvement in trafficking. There were no cases of sexual exploitation involving Australian troops or peacekeeping officers deployed abroad. Australia continued to play a prominent leadership role in several regional projects aimed at building awareness of trafficking, increasing law enforcement capacity, and enhancing victim support. In 2007, the Australian government announced a \$27 million anti-trafficking funding package that will support specialist investigative teams within the AFP to proactively investigate trafficking; a National Policing Strategy to Combat Trafficking in Women for Sexual Servitude; new visa arrangements to support victims; anti-trafficking law enforcement liaison officers in Thailand, China, and the Philippines; research into regional trafficking activities by the Australian Institute of Criminology; and additional training on prosecutions.

### Protection

The Government of Australia continued to provide comprehensive assistance for victims of trafficking and their family members, if they were willing to aid in criminal prosecutions. The government encourages victims and witnesses to participate in

the investigation of trafficking, but directly links continued assistance to victims' role in a viable prosecution. A total of 89 victims of labor and sex trafficking received assistance since 2004 through the Office of Women's "Support for Victims of People Trafficking Program." Other victims who do not qualify for this program may be eligible for a protection visa as a refugee, but the government does not generally assist with such applications. Individuals granted status under this visa regime are entitled to a package of benefits, including shelter, counseling, food and a living allowance. Australia funds two return and reintegration activities in the region. The first is for return and reintegration of trafficked women and children, and the second solely supports Thai victims. Victims are not inappropriately incarcerated, fined, or penalized for unlawful acts as a direct result of being trafficked.

### Prevention

The Government of Australia demonstrated efforts to prevent trafficking in persons during the year. The Australian Agency for International Development (AUSAID) introduced a comprehensive child protection policy, covering all aspects of the agency's operations and applying both to AUSAID staff and all contractors and non-governmental organizations funded by the agency. The government also implemented a Communication Awareness Strategy to increase awareness about trafficking within the sex industry. The Australian government, however, did not implement public awareness campaigns to reduce the demand for commercial sex acts in the legalized commercial sex industry in Australia. The government continued to support a public awareness campaign with advertisements in daily and suburban newspapers encouraging victims and concerned members of the community to call the police hotline. Australian soldiers and AFP Officers deployed abroad are subject to the extraterritorial application of Australia's trafficking and child exploitation laws. The government provides extensive training, including discussion of human rights, sexual exploitation and trafficking in persons, to its troops being deployed abroad as international peacekeepers.

Australia's extra-territorial law on *child sex tourism* provides penalties of up to 17 years' imprisonment for Australians convicted of sexually exploiting children under the age 16 while outside of Australia. Thirty prosecutions since the introduction of Australia's child sex tourism laws have led to 19 convictions. Australian citizens were returned to Australia to face prosecution for sexually exploiting children in other countries under Australia's extraterritorial child sex tourism law. The Australian Government offers travelers a travel bulletin warning against child sex tourism through a government website. The Australian Government also produces a brochure "Travel Smart: Hints for Australian



Travelers," that includes information on child sex crimes, existing legislation, and details on how to report a possible violation of Australia's child sex tourism laws to the AFP. Travel Smart is distributed with every passport renewal by the Australian Passports Office; during the reporting period 855,055 were distributed.

## AUSTRIA (Tier 1)

Austria is a transit and destination country for women trafficked from Romania, Bulgaria, Hungary, Moldova, Belarus, Ukraine, Slovakia, and Nigeria for the purposes of commercial sexual exploitation and forced labor. Some of these women are trafficked through Austria to Italy, France, and Spain. Women from Africa are trafficked through Spain and Italy to Austria for the purpose of sexual exploitation. Authorities report a decrease in the number of children from Bulgaria and Romania trafficked to Austria for the purposes of forced petty theft and sexual exploitation.

The Government of Austria fully complies with the minimum standards for the elimination of trafficking. In 2007, Austria provided generous funding to prevention programs in source countries. Austrian Police conducted several investigations with other European governments, resulting in the successful disruption of several large-scale human trafficking networks.

**Recommendations for Austria:** Continue to ensure a majority of convicted traffickers serve adequate time in prison; continue to improve victim identification by further sensitizing law enforcement and judicial personnel to the indicators of human trafficking; continue to collect comprehensive national law enforcement trafficking statistics; and continue to take measures to reduce domestic demand for commercial sex acts.

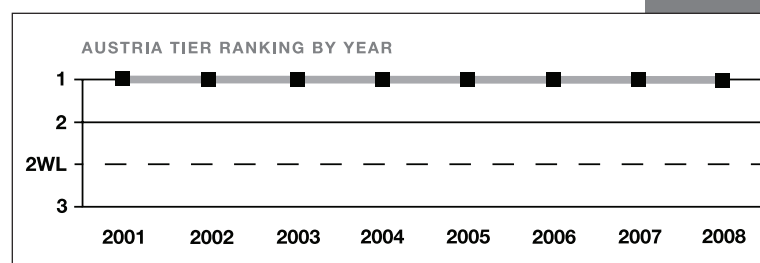
### Prosecution

The Austrian government continued to demonstrate anti-trafficking law enforcement efforts over the reporting period. Article 104(a) of the Austrian Criminal Code prohibits trafficking for both sexual exploitation and forced labor. Prosecutors typically use Articles 104(a) and 217 of the criminal code as well as Article 114 of the Aliens Police Act to prosecute traffickers. Penalties prescribed in Article 104(a) and Article 114 range up to 10 years' imprisonment while penalties in Article 217 range from six months' to 10 years' imprisonment. These sentences are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In 2007, police conducted 89 trafficking investigations, compared to 93 investigations conducted in 2006. Authorities conducted 222 prosecutions in 2007, up from 137 the previous year. Conviction

data for 2007 was unavailable at the time of this report; however, in 2006, Austrian courts convicted 18 trafficking offenders, down from 25 convictions in 2005. In 2006, 13 out of 18 convicted traffickers served some time in prison; six traffickers served one to six months' imprisonment, six traffickers served six to 12 months' imprisonment, and one trafficker served one to three years' imprisonment

### Protection

Austria sustained its victim assistance efforts during the reporting period. The government continued to fund a key anti-trafficking NGO that provided shelter and assistance to victims in Vienna; federal and local governments also funded seven immigration and domestic abuse centers that assisted



victims outside of Vienna. Victims have access to the Austrian social system including health insurance. Police referred many of the 170 victims assisted by NGOs in 2007, compared to 90 victim referrals in 2006. Thirty-three victims were provided with government-provided shelter in 2007. The government encourages victims to assist with investigations and prosecutions of traffickers. Austria provides victims with a 30-day reflection period, a time for victims to receive immediate care and assistance while they consider whether to assist law enforcement. Victims who agree to cooperate with law enforcement qualify for temporary residence visas, although the number of trafficking victims granted temporary visas in 2007 was unknown. Victims who are not identified by authorities are sometimes involuntarily repatriated.

### Prevention

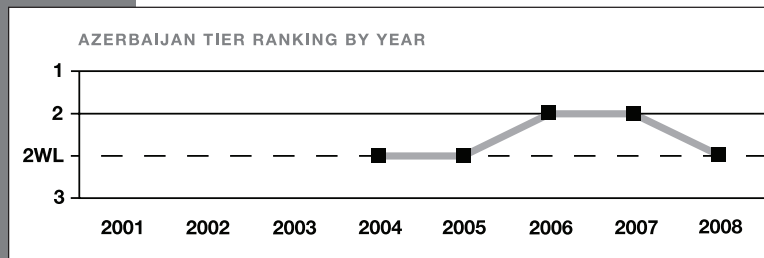
Austria improved efforts to raise general domestic awareness of trafficking. Domestic awareness efforts were directed at victims of trafficking rather than "clients" of Austria's legal and regulated sex trade. There were approximately 2,800 legal and illegal brothels operating in Austria during the reporting period. In 2007, the government subsidized a movie, which was shown in Austrian movie theaters entitled "Shortly Before it Happened," a semi-documentary based on narratives of real women who were trafficked into prostitution in Europe, as a means of raising awareness of human trafficking. In February 2008, Austria hosted a UN anti-trafficking conference which received high-level attention in the Austrian media. The government funds an NGO-run course to sensitize Austrian troops

on human trafficking before they are deployed on international peacekeeping missions. Austria adequately monitors its borders for signs of trafficking and border officials screen for potential trafficking victims. In 2007, the Ministry of Economics launched a campaign encouraging Austrian tourists and travel agencies to report suspected cases of *child sex tourism* involving Austrian nationals abroad. Austrian law allows the extraterritorial prosecution of Austrian nationals who travel abroad to engage in child commercial sexual exploitation. In December 2007, one Austrian man was sentenced to two years for traveling to India and purchasing commercial sex acts from children ranging from six to nine years of age.

## AZERBAIJAN (Tier 2 Watch List)

Azerbaijan is primarily a source and transit country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Women and some children from Azerbaijan are trafficked to Turkey and the United Arab Emirates (U.A.E.) for the purpose of sexual exploitation. Men and boys are trafficked to Russia for the purpose of forced labor. Men and women are also trafficked to Iran, Pakistan, the U.A.E., and India for purposes of sexual exploitation and forced labor. Azerbaijan serves as a transit country for victims from Uzbekistan, Kyrgyzstan, Kazakhstan, and Moldova trafficked to Turkey and the U.A.E. for sexual exploitation. The Azerbaijani exclave of Nakhchivan serves as a transit point for women trafficked to Turkey.

The Government of Azerbaijan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Azerbaijan is placed on Tier Two Watch List for its failure to provide evidence of increasing efforts to combat trafficking in persons, particularly efforts to investigate,



prosecute and punish traffickers, to address complicity among law enforcement personnel, and to adequately identify and protect victims in Azerbaijan. Although the government-funded shelter housed an increased number of trafficking victims in 2007, Azerbaijan has yet to develop a much-needed mechanism to identify potential trafficking victims and refer them to safety and

care. Poor treatment of trafficking victims in courtrooms continues to be a problem.

**Recommendations for Azerbaijan:** Immediately implement a national mechanism for identifying victims and referring them to service providers; increase law enforcement efforts to prosecute traffickers and ensure that they receive sufficient punishment to deter trafficking; conduct training to improve treatment of victims by law enforcement; and vigorously investigate and prosecute the complicity of law enforcement personnel in trafficking.

### Prosecution

The Government of Azerbaijan's law enforcement efforts declined in 2007. Azerbaijan's 2005 Law on the Fight Against Trafficking in Persons prohibits trafficking for both sexual exploitation and forced labor, and prescribes five to 15 years' imprisonment, punishments which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as sexual assault. According to the government, it prosecuted 75 cases and convicted 85 trafficking offenders during the year. However, the government's data on prosecutions appear to conflate trafficking with prostitution and smuggling charges. Moreover, over half of the convicted traffickers received house arrest or delayed or suspended sentences. The remaining traffickers received imposed sentences of one to 10 years' imprisonment. According to most civil society groups in Azerbaijan, corruption and lack of training among low-level law enforcement impedes overall anti-trafficking efforts. Although some judges handed down sufficient sentences during the reporting period, the judiciary remains one of the weakest anti-trafficking actors in Azerbaijan, due to inadequate training and corruption.

In February 2008, the Cabinet of Ministers approved an order that requires all Azerbaijani law enforcement personnel to refer trafficking cases to the anti-trafficking unit. The government, however, has yet to vet members in its anti-trafficking unit for human rights violations, a recommendation since the 2005 Trafficking in Persons Report. Unconfirmed reports of low-level civil servants, local law enforcement officers, and border guards accepting bribes to facilitate trafficking continued unabated. The government failed to vigorously investigate or take any official action to address trafficking-related corruption. The government provided no evidence of any further action taken in a September 2007 case involving the arrest of several airport officials for facilitating trafficking in persons.

### Protection

The Government of Azerbaijan did not improve protections for trafficking victims in 2007. The government again failed to take concrete steps to develop or implement a national mechanism

to identify trafficking victims and refer them to providers of protective services, a recommendation since 2005. Although it now regularly shares law enforcement data with some NGOs, the government has yet to make tangible improvements in relationships with the NGO community in Azerbaijan; lack of communication and cooperation hamper real reform in establishing an adequate protection program. Although the government reportedly identified over 100 victims in 2007, only 29 received care and assistance at the government's shelter. Local NGOs report that many victims, due to mistrust of law enforcement, prefer to seek shelter from friends or other NGOs that are viewed as more independent from the government. While the government shelter shares an agreement with a local hospital to provide medical services to victims, most medical staff members are ill-equipped to assist with their unique needs. Relocation assistance is limited, but victims received a one-time payment of \$40 from the government. According to the government, 11 victims also received compensation from traffickers as part of a victim restitution program.

Azerbaijan failed to protect victims in courtroom settings, as victims were subjected to verbal abuse and stigmatization by judges. Victims are often treated as criminals, and penalized solely for unlawful acts they committed as a direct result of being trafficked. In one documented case a judge insulted a victim both during and after the proceedings. As a result, few victims elect to testify against their traffickers.

### Prevention

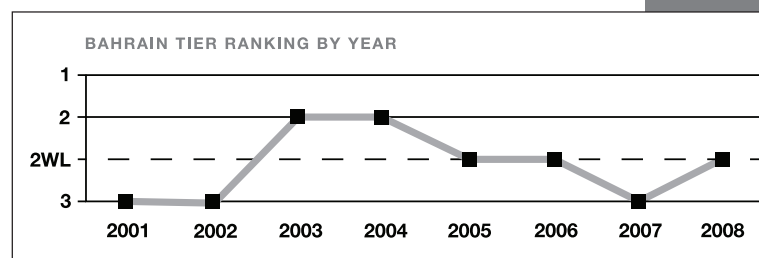
The government's anti-trafficking prevention efforts remained anemic during the reporting period. Despite the government's relatively significant resources, it has yet to allocate sufficient funding and priority to trafficking efforts in its national budget. It has failed to cooperate with NGOs in raising awareness about trafficking among potential trafficking victims in Azerbaijan. Although it opened a long-anticipated national anti-trafficking hotline, it lacks standard operating procedures and is understaffed, with insufficient salaries and technical problems. As of February 2008, its existence has not been publicized to the general public. Although the government appointed a national anti-trafficking coordinator in 2004, the individual is a known human rights violator, a problematic obstacle to it achieving a truly victim-centered approach to its anti-trafficking efforts.

## BAHRAIN (Tier 2 Watch List)

Bahrain is a destination country for men and women trafficked for the purposes of involuntary servitude and commercial sexual exploitation. Men and women from India, Pakistan, Nepal, Sri Lanka,

Bangladesh, Indonesia, Thailand, the Philippines, Ethiopia, and Eritrea migrate voluntarily to Bahrain to work as laborers or domestic servants. Some, however, face conditions of involuntary servitude such as unlawful withholding of passports, restrictions on movements, non-payment of wages, threats, and physical or sexual abuse. In addition, women from Thailand, Morocco, Eastern Europe, and Central Asia are trafficked to Bahrain for the purpose of commercial sexual exploitation. The Thai government reported repatriating 368 Thai women who reported that they had been deceived or forced into prostitution in Bahrain.

The Government of Bahrain does not fully comply with the minimum standards for the elimination of trafficking, but is making significant efforts to do so. Nonetheless, Bahrain is placed on the Tier 2 Watch List for failing to show evidence of increased efforts to combat human trafficking, particularly efforts to enforce laws against trafficking in persons, and prevent the punishment of victims of trafficking. During this reporting period, Bahrain passed a comprehensive law prohibiting all forms of trafficking in persons. The government also established a specialized anti-trafficking unit within the Ministry of Interior to investigate trafficking crimes. The government, however, did not report any prosecutions or convictions for trafficking offenses during the year, despite reports of a substantial problem of involuntary servitude and sex trafficking.



**Recommendations for Bahrain:** Significantly increase law enforcement efforts against trafficking offenses, including arrest, prosecution, conviction, and punishment of traffickers; institute and apply formal procedures to identify and refer victims of trafficking to protective services; and ensure that victims of trafficking are not punished for acts committed as a result of being trafficked, such as illegal migration or prostitution.

### Prosecution

During the year, Bahrain made progress in law enforcement against trafficking crimes. In January, Bahrain enacted a comprehensive law prohibiting all forms of trafficking in persons and prescribing standard penalties ranging from three to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. A finding of aggravating

circumstances, such as victimization of a minor or a female, may result in a sentence up to and including life imprisonment. The government also established a specialized unit within the Ministry of Interior to investigate trafficking crimes – particularly sex trafficking – in November. Nonetheless, the government did not report any arrests, prosecutions, convictions, or punishments for trafficking offenses under the anti-trafficking law or other available statutes. The law against withholding workers' passports – a common practice that restricts the mobility of migrant workers – was not enforced effectively, and the practice remained widespread.

### Protection

Bahrain took limited measures to improve protection of trafficking victims during the reporting period. Between April 2007 and February 2008, the government-run shelter for victims of trafficking offered legal assistance to 45 foreign workers, the majority of whom made allegations of physical abuse by their employers. In July, two female victims of sex trafficking, one Ukrainian and one Russian, received shelter and repatriation services from the government. The majority of victims, however, continued to seek shelter at their embassies or through NGOs providing victim protection services. Local NGOs supporting trafficking victims in informal shelters did not receive any government funding. Though police and prosecutors received training on identification and protection of trafficking victims, the government continued to lack a formal procedure to identify victims among vulnerable groups, such as runaway domestic workers or women arrested for prostitution. As a result, some victims were detained and deported without adequate protection. In cases of physical, sexual, or psychological abuse, authorities reportedly referred victims to the government shelter; however, if there was an indication of misconduct on the part of the foreign worker, the worker was deported. Because employers often filed false police reports against their runaway workers, some victims of trafficking may have been punished rather than protected. The government did not discourage victims to assist in the prosecution of their traffickers; however, long and indefinite delays in legal cases, as well as a perceived bias against foreign workers by judges and prosecutors, discouraged workers from participating in prosecutions against their traffickers.

### Prevention

Bahrain made some efforts to prevent trafficking in persons this year. The government initiated a campaign to prevent the selling of blank work permits—a practice which makes migrant workers vulnerable to trafficking—by allowing employers only to request non-transferable worker visas for pre-identified employees in connection with specific jobs. The government also continued to distribute multilingual brochures on workers' rights and resources to incom-

ing workers. Nonetheless, the government did not take any steps to reduce the demand for commercial sex acts. Similarly, the government did not institute a public awareness campaign targeting citizens traveling to known *child sex tourism* destinations.

## BANGLADESH (Tier 2)

Bangladesh is a source and transit country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. Children – both girls and boys – are trafficked internally for commercial sexual exploitation, bonded labor, and other forms of forced labor. Estimates from UNICEF and other sources since 2004 suggest that between 10,000 and 29,000 children are exploited in prostitution in Bangladesh. Some children are sold into bondage by their parents, while others are coerced into labor or commercial sexual exploitation through fraud and physical coercion. The Center for Women and Child Studies reports that trafficked boys are generally under 10 years old and trafficked girls are between 11 and 16 years old. Women and children from Bangladesh are also trafficked to India and Pakistan for sexual exploitation. Bangladeshi men and women migrate willingly to Saudi Arabia, Bahrain, Kuwait, the United Arab Emirates (UAE), Qatar, Iraq, Lebanon, and Malaysia for work. Women typically work as domestic servants; some find themselves in situations of forced labor when faced with restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. Similarly, Bangladeshi men and women migrate to Malaysia, the Gulf, Jordan, and Finland to work in the construction sector or garment industry; they are sometimes induced into forced labor through fraudulent job offers, or after arrival in the destination country. Illegal fees imposed formally by Bangladeshi recruitment agents sometimes serve to facilitate debt bondage situations. Some Bangladeshi women working abroad are subsequently trafficked into commercial sexual exploitation. Bangladeshi adults are also trafficked internally for commercial sexual exploitation, domestic servitude, and bonded labor. Some Burmese women who are trafficked to India transit through Bangladesh.

Bangladesh does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The number of criminal prosecutions for sex trafficking offenses increased significantly from last year, and convicted traffickers received significant jail sentences; at the same time, however, there was a notable decrease in the number of convictions achieved. The government shut down some labor recruitment agencies, and initiated criminal enforcement of laws overseeing migrant labor recruitment. However, no prosecutions for these arrests were completed in 2007. Areas of continued concern include the need for increased measures

to protect expatriate laborers against forced labor, and increased action against internal bonded labor and forced child labor. In addition, the absolute number of victims of trafficking is large.

**Recommendations for Bangladesh:** Significantly increase criminal prosecutions and punishments for all forms of labor trafficking, including those that involve fraudulent recruiting and forced child labor; improve criminal law enforcement efforts against and punishment of government complicity in trafficking; and provide protection services for adult male trafficking victims and victims of forced labor.

**Prosecution**

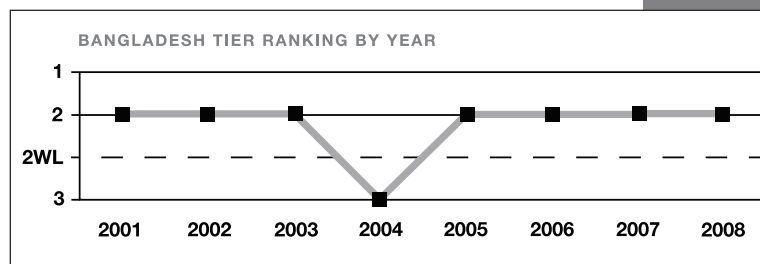
The Government of Bangladesh made uneven efforts to punish trafficking offenses during the reporting period. The government prohibits the trafficking of women and children for the purpose of commercial sexual exploitation or involuntary servitude under the Repression of Women and Children Act of 2000 (amended in 2003), and prohibits the selling and buying of a minor under age 18 for prostitution in Articles 372 and 373 of the penal code. Article 374 of Bangladesh’s penal code prohibits forced labor, but the prescribed penalties of imprisonment for up to one year or a fine are not sufficiently stringent to deter the offense. Prescribed penalties for sex trafficking are commensurate with those for other grave crimes, such as rape. Bangladesh lacks laws criminalizing the trafficking of adult males for commercial sexual exploitation. Government efforts to criminally address labor forms of trafficking improved in some areas, but remained poor in the areas of bonded labor and forced child labor. Bangladesh shut down five recruitment agencies and initiated four criminal prosecutions against labor recruitment firms. The government arrested 76 individuals, started 19 investigations, and initiated 34 prosecutions for recruitment fraud. These cases are still under investigation or trial; thus, there were no related convictions during the reporting year. The Government of Bangladesh did not report specific information on any arrests, prosecutions, convictions, or punishments for forced child labor or bonded labor.

During the reporting period, the government opened 123 investigations, made 106 arrests, and initiated 101 prosecutions of sex trafficking offenses. Nonetheless, the government reported 20 trafficking convictions this year – 23 fewer than last year. Due to the length of court cases, many are resolved through illegal out-of-court settlements between victims and traffickers. Life imprisonment sentences were imposed on 18 of the convicted traffickers and the remaining two convicted traffickers received sentences of 14 and 10 years’ imprisonment. Authorities conducted 20 investigations into government complicity in trafficking; no government officials, however, were prosecuted, convicted,

or punished for complicity in trafficking due to a lack of sufficient evidence. There was no evidence that Bangladeshi peacekeeping officers were complicit in sexual exploitation.

**Protection**

The Government of Bangladesh made some efforts to protect victims of trafficking during the reporting period. The Ministry of Foreign Affairs distributed guidelines to all Bangladeshi diplomatic missions on the treatment of expatriate workers. These guidelines emphasize the importance of identifying and prosecuting perpetrators of trafficking, as well as assisting Bangladeshi trafficking victims regardless of whether they entered the destination country legally. Previous diplomatic efforts to assist Bangladeshi trafficking victims have reportedly been focused on negotiation with employers rather than assisting victims in filing criminal complaints against their traffickers. Bangladeshi embassies continue to operate safe houses in key destination countries. Within Bangladesh, police anti-trafficking units encourage victims to assist in the investigation of cases against their traffickers, and victims are not jailed or punished. Although Bangladesh is not a destination country for trafficking, the government does not systematically offer foreign victims legal alternatives to their removal to countries of origin. A continuing concern is the government’s continued lack of efforts to protect victims of forced labor—who constitute a large proportion of trafficking victims in Bangladesh—as well as adult male victims of trafficking.



**Prevention**

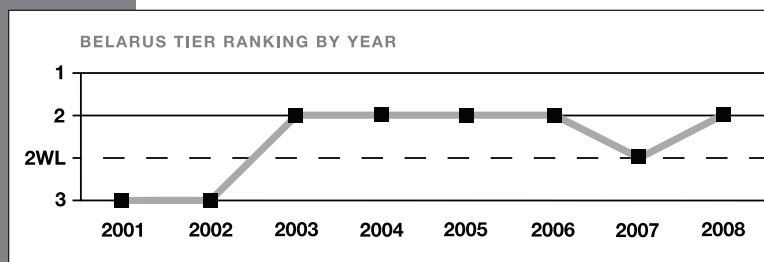
Bangladesh made efforts to prevent trafficking in persons. The government reported efforts to prevent trafficking through memoranda of understanding with destination countries addressing destination countries’ labor laws, requirements for labor contracts, and mechanisms for labor flows, although such agreements are not yet publicly available and they do not appear to comprehensively address trafficking issues. Domestically, the government continued to air a broad public awareness campaign warning potential victims of the risks of sex trafficking through various media. In addition, airport authorities screen travelers to identify and interdict potential victims and traffickers before they leave the country. Following Cyclone Sidr, police proactively looked out for women and

children who were vulnerable to trafficking due to displacement. The Government of Bangladesh trains peacekeepers on trafficking prior to deployment. Bangladesh did not report any actions taken to reduce the demand for commercial sex acts over the year. Bangladesh has not ratified the 2000 UN TIP Protocol.

## BELARUS (Tier 2)

Belarus is a source and transit country for women trafficked from Belarus and neighboring countries to Russia, the United Arab Emirates (U.A.E.), Israel, Bahrain, Turkey, Ukraine, Japan, and European Union countries, including Germany, Poland, the Czech Republic, Finland, Lithuania, and Cyprus for the purposes of forced labor and commercial sexual exploitation. Belarusian men and women continue to be trafficked to Russia for forced labor. A small number of Belarusian victims were trafficked within the country.

The Government of Belarus does not fully comply with the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. The Belarusian government has demonstrated a noticeable increase in political will to combat trafficking during the reporting period; however, funding for victim assistance programs codified into law in 2005 remained insufficient. In the past, anti-trafficking NGOs voiced frustration about lack of inter-ministerial communication and coordination, but during 2007 they reported improvement in this area.



**Recommendations for Belarus:** Increase resources devoted to victim assistance and protection within Belarus, including witness support; continue streamlining administrative processes related to victim protection; improve relations with anti-trafficking NGOs; provide specialized training for government officials in victim identification, protection, and referral to relevant social services; and develop results-oriented prevention programs targeting vulnerable Belarusian citizens.

### Prosecution

The Government of Belarus demonstrated efforts to improve law enforcement effectiveness in addressing human trafficking in 2007. Belarusian law prohibits trafficking in persons for the purposes of both sexual exploitation and forced labor through

Article 181 of its criminal code, which prescribes penalties ranging from five to 15 years' imprisonment. These penalties are sufficiently stringent and are commensurate with penalties prescribed for other grave crimes, such as rape. The government continued to devote significant resources toward the detection and investigation of trafficking during the reporting period. According to Ministry of Justice statistics, Belarusian authorities investigated 84 trafficking in persons crimes in 2007. Of those, 65 cases were prosecuted, resulting in 39 convictions. All convictions resulted in jail time. The cases involved 378 victims (including 22 minors) of sexual exploitation and 40 victims (including one minor) of labor exploitation. In 2007, the government established an anti-trafficking training center in its national police academy, which is training at least one trafficking specialist for each of the 156 police districts throughout Belarus as well as officers from several neighboring countries, in anti-trafficking law enforcement and victim assistance and protection. The Ministry of Interior funded 90 percent of the facility's startup costs and developed training materials in conjunction with a local NGO that provides victim assistance.

### Protection

The Government of Belarus demonstrated inadequate efforts to protect and assist victims during the reporting period. While the government has given modest in-kind assistance to NGOs combating trafficking—such as the provision of a building for use as a victim shelter—it still has not provided funding for victim assistance programs codified into law in 2005. Most victims decline to seek medical assistance from government facilities due to reluctance to divulge information to clinic and hospital staff. NGOs continued to face an overly burdensome government approval process for projects, as part of the overall environment NGOs face in Belarus, although NGOs noted improvements in some bureaucratic processes. IOM reported that securing permission for its projects has become much easier during the past year, with approval times and bureaucratic hassles greatly reduced. The 2005 anti-trafficking decree requires convicted traffickers to reimburse the government for all costs of helping trafficking victims; however, the court procedure for enforcing this provision is complicated and burdensome. Belarusian law allows for authorities to grant temporary residency status to foreign victims. In January 2008, immigration officials granted a Ukrainian child temporary residency status and shelter in Belarus. NGOs report that the legal rights of victims are respected. Trafficking victims are not held responsible for unlawful acts committed as a direct result of their being trafficked. Several NGOs have reported fewer cases of government officials coercing victims to serve as court witnesses, though there were continued reports that some victims are pressured to cooperate with investigations. Local

NGOs report that victims sometimes encounter prejudiced and hostile attitudes from some law enforcement personnel, particularly in smaller cities, and that efforts to assist witnesses continue to be hampered by a lack of funding.

### Prevention

The Government of Belarus demonstrated increased public awareness and prevention activities in 2007. The Ministry of Interior held a conference in Minsk on international anti-trafficking law enforcement cooperation in April 2007 and attended by representatives from 30 countries. The government adopted a 2008-2010 State action plan to increase protection and rehabilitation of trafficking victims, enhance the efficiency of government prevention efforts, further improve trafficking-related legislation, and decrease prostitution. During 2007, officials conducted 14 press conferences and 13 briefings to increase awareness of human trafficking. The Government of Belarus also sponsored 61 television and 108 radio spots. In addition, the Ministry of Interior monitored advertising media for potential trafficking recruitment messages. IOM reports that its public awareness billboard messages throughout Minsk have been provided free of charge by the authorities. The Ministry of Interior continued to run an information hotline for potential victims, although its purpose is limited to offering information regarding the legitimacy of overseas work and study recruitment agencies. The Ministry acknowledged that NGO-run hotlines are more effective at providing a broader range of services, and they refer callers to those hotlines. There were reports that some policies described by the Belarusian government as anti-trafficking measures, such as the enforcement of foreign travel controls on students and others groups, were unduly restricting Belarusian citizens' ability to travel abroad for legitimate purposes.

## BELGIUM (Tier 1)

Belgium is a destination and transit country for men, women, and girls trafficked for the purposes of forced labor and commercial sexual exploitation. Women and girls are trafficked to Belgium for sexual exploitation primarily from Nigeria, Russia, Albania, Bulgaria, Romania and the People's Republic of China (P.R.C.), and through Belgium to other European countries, such as the United Kingdom. Male victims are trafficked to Belgium for labor exploitation in restaurants, bars, sweatshops and construction sites. NGOs reported an alarming increase in unaccompanied minors entering the country who easily become trafficking victims.

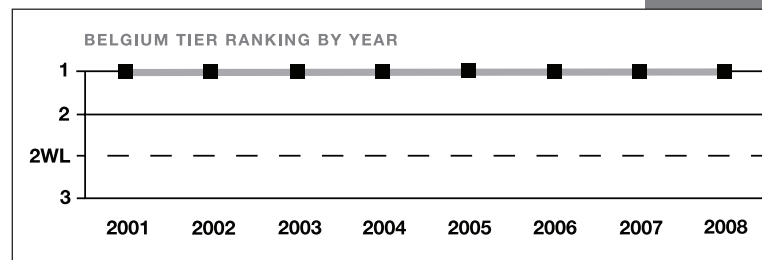
The Government of Belgium fully complies with the minimum standards for the elimination of trafficking. The government continued to proactively investigate trafficking and financed NGOs to provide victim assistance, though the government reported

that many victims chose not to receive government assistance and protection. Belgium did not undertake a demand reduction campaign focusing on commercial sex acts in its legal commercial sex industry; however, it developed an anti-trafficking national action plan during the reporting period.

**Recommendations for Belgium:** Increase awareness-raising efforts regarding domestic demand for commercial sex acts and child sex tourism committed by Belgian nationals; improve the collection of law enforcement and victim assistance data, including numbers of residence permits issued and government-assisted repatriations; increase protection for unaccompanied minors vulnerable to traffickers in Belgium; formalize and systemize screening procedures to identify potential victims in the commercial sex trade; and consider formally allowing all victims who assist with law enforcement efforts to obtain residency status, regardless of the outcome of the prosecution.

### Prosecution

The Government of Belgium demonstrated sustained law enforcement efforts to combat human trafficking in 2007. Belgium prohibits all forms of trafficking through a 2005 amendment to its 1995 Act Containing Measures to Repress Trafficking in Persons. As amended, the law's maximum prescribed sentence for all forms of trafficking, 30 years' imprisonment, is sufficiently stringent and commensurate with penalties prescribed for rape. In 2007, the government reported over 500 trafficking investigations; official data on the number of cases prosecuted has not yet been released. In 2006, the most recent year for which comprehensive prosecution statistics



are available, the government prosecuted 451 trafficking cases. In 2005, the most recent year for which comprehensive conviction statistics are available, the government convicted 282 traffickers. Sentences ranged from one to 10 years' imprisonment. To combat trafficking, special ID cards are issued to diplomatic household personnel, whose employers can be tried in Belgium's system of Labor Courts.

### Protection

The government continued to fund three NGOs that sheltered and protected trafficking victims in 2007. During 2007, the three specialized shelter centers registered 619 victims; however the government reported that only 176 accepted assistance. The gap

between the number of identified victims and those who receive protection in Belgium was documented in a study by a Belgian University released in 2007. This study found that between 1999 and 2005, most of the trafficking victims referred to the three trafficking shelters disappeared after registering, with only 2.2 percent ultimately qualifying for victim status. Authorities in large cities took measures to limit the growth of legal red light districts, and occasionally closed brothels. The government did not employ formal procedures for victim identification among women in prostitution or other vulnerable groups, but police in several districts reported they used the 2005 anti-trafficking legislation to screen for possible victims and refer them to shelters. The government encouraged victims to participate in trafficking investigations and prosecutions by providing short-term resident status to trafficking victims who assist authorities. Such victims may also obtain permanent residency after their traffickers are sentenced. If the trafficker is not convicted, however, Belgian law provides that victims may have to return to their countries of origin under certain limited circumstances, and only after rigorous review by immigration authorities. All identified victims in 2007 were able to remain in Belgium. Identified victims are not inappropriately incarcerated, fined, or penalized for unlawful acts as a direct result of being trafficked.

### Prevention

In 2007, the government continued to fund the activities of two NGOs that raise awareness about prostitution of children and run ongoing trafficking prevention campaigns. A governmental executive board developed an anti-trafficking National Action Plan in 2007. Belgian troops are educated about trafficking prior to their deployment on peacekeeping missions abroad. Belgium did not conduct prevention campaigns targeted at reducing domestic demand for commercial sex acts in its legal and regulated sex trade. It conducted an information campaign on responsible tourism by means of posters at the airport and train stations. The government identifies *child sex tourism* as a significant problem and has an extraterritorial law that allows for prosecution of its nationals for child abuse crimes committed abroad.

## BELIZE (Tier 2)

Belize is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Internal trafficking for sexual exploitation is a problem, particularly in the form of poor families who push their school-aged daughters—some as young as 12—to provide sex to wealthy men in exchange for school fees, money, and gifts. This “sugar daddy” phenomenon is practiced in Belize and other Caribbean countries, and often is

not recognized as a form of human trafficking by community members or government officials. Some Central American men, women, and children who migrate to Belize in search of work are subsequently subjected to conditions of forced agricultural labor or prostitution.

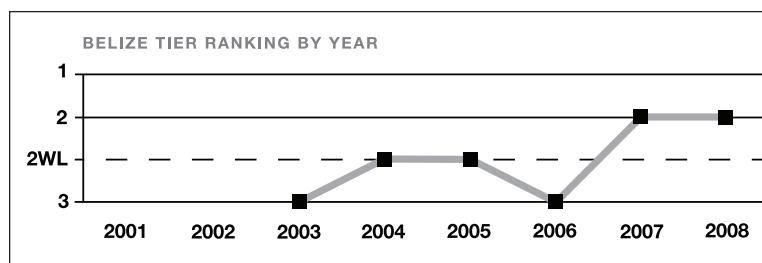
The Government of Belize does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Government of Belize increased efforts to raise awareness and to protect trafficking victims, but it failed to punish any trafficking offenders during the reporting period.

**Recommendations for Belize:** Intensify law enforcement efforts to investigate, prosecute, convict, and punish trafficking offenders; continue to confront trafficking-related corruption; strengthen victim protection efforts; and amend anti-trafficking laws to include more effective penalties against trafficking crimes.

### Prosecution

The Government of Belize made limited progress in applying law enforcement measures against trafficking offenders during the past year. The Government of Belize prohibits all forms of trafficking through its Trafficking in Persons Prohibition Act, which prescribes punishment of up to five years’ imprisonment and a \$5,000 fine. These penalties are sufficiently stringent but are not commensurate with penalties prescribed for other grave crimes, such as rape. An interagency anti-trafficking in persons committee leads the government’s efforts to prosecute traffickers, protect victims, and raise community awareness. The interagency committee coordinated government investigations using a tripartite approach involving police, immigration officials, and social workers. The government investigated four new cases and prosecuted three during the reporting period, but secured no trafficking convictions in 2007. The cases involving two foreign victims resulted in one dismissal and one victim returning to her country of origin. In October 2007, an interagency team organized a raid on a brothel and rescued a teenage trafficking victim; trafficking charges against the bar owner are pending. The case against two police officers accused of trafficking in February 2007 was dismissed in March 2008, but re-opened for further prosecution by the Director of Public Prosecutions in April 2008. In January 2008, the government opened a labor trafficking investigation after Nepalese construction workers complained that their passports were being withheld by their employer. Some international organizations have described the country’s judicial system as dysfunctional, and cases involving sexual exploitation are seldom prosecuted to conviction. The government increased anti-





trafficking training for police, magistrates, and immigration officials, and cooperates with foreign governments on trafficking investigations, working with Honduras, Guatemala, and Mexico during the reporting period. Complicity in trafficking by law enforcement officials appears to be a significant impediment to prosecution efforts.

### Protection

The Belizean government improved protection services for victims last year. It operated two shelters for adult trafficking victims, and provided victims with limited access to medical and counseling services. Last year, the government improved physical conditions at both shelters, refurbishing its shelter in Belmopan with U.S. assistance. To assist child trafficking victims, the government funded local NGOs to provide shelter aid and services. Authorities in Belize encouraged victims to assist in the investigation and prosecution of their traffickers. Prosecutors note difficulty with the willingness of victim witnesses to assist with the prosecutions of their traffickers; some fear further mistreatment, and others do not view themselves as victims. Additional training for police and prosecutors on victim interviewing and preparing witnesses for trial, in addition to providing them with greater government or NGO support during court proceedings, should assist with encouraging victims to confront and prosecute their traffickers. There were no reports of victims being jailed or penalized for crimes committed as a result of being trafficked. Belize also provided temporary residency for foreign trafficking victims, and other legal alternatives to the removal of victims to countries in which they would face hardship or retribution.

### Prevention

The government strengthened efforts to prevent human trafficking during the reporting period. Senior government officials spoke out publicly on the gravity of the human trafficking problem, and the government sponsored a nationwide anti-trafficking public awareness campaign in two languages, including the dissemination of 3,000 posters in English and Spanish to government offices, border points, and bus stations. However, some NGOs noted that the posters were not distributed in areas with the highest potential for trafficking activity

and were unlikely to be seen by victims. The government's anti-trafficking in persons committee sponsored anti-trafficking public service announcements aired via radio and television, and airport and border police received training on recognizing potential trafficking situations. The government also continued to work with Belize's tourism industry to promote a

code of conduct to prevent *child sex tourism*. The government undertook no specific efforts to reduce the demand for commercial sex acts during the year.

## BENIN (Tier 2)

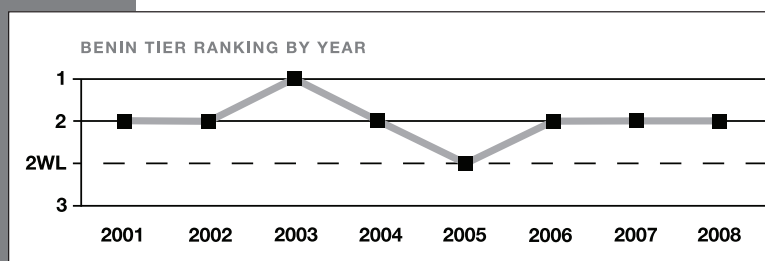
Benin is a source, transit and, to a lesser extent, a destination country for children trafficked for the purposes of forced labor and commercial sexual exploitation. A 2006 UNICEF study found that 93 percent of victims were Beninese and 92 percent were trafficked within the country. Of those trafficked internally, 86 percent were underage girls. Within the country, girls are trafficked primarily for domestic servitude and sexual exploitation, while boys are subjected to plantation and construction labor, street hawking, and handicraft activities. There is anecdotal evidence that child sex tourism may be developing in northern Benin. Children are trafficked from Benin to other African countries for the aforementioned purposes as well as for forced labor in mines and stone quarries. The majority of victims trafficked transnationally from Benin are taken to Nigeria and Gabon, though some are also trafficked to Cameroon, Togo, Cote d'Ivoire, Ghana, Congo, and Guinea-Bissau. A small number of children are trafficked to Benin from other African countries, primarily Togo, Niger, and Burkina Faso.

The Government of Benin does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. While Benin strengthened its overall law enforcement and victim protection efforts in the last year, sentences imposed on convicted traffickers were inadequate and the Government of Benin failed to implement procedures to identify trafficking victims among females in prostitution.

**Recommendations for Benin:** Increase penalties imposed on convicted traffickers; screen females in prostitution to identify trafficking victims; investigate whether child sex tourism occurs in northern Benin; and pass a law prohibiting the trafficking of adults.

### Prosecution

The Government of Benin took increased steps to combat trafficking through law enforcement efforts during the last year. Benin does not prohibit all forms of trafficking, though its 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking criminalizes all forms of child trafficking and prescribes a penalty for this crime of up to 20 years' imprisonment—a penalty that is sufficiently stringent and commensurate with penalties prescribed for rape. In 2007 and early 2008, the government arrested 31 traffickers. Between April 2007 and March 2008, Benin reported 39 prosecutions and 18 convictions of trafficking offenders, an increase from 35 prosecutions and eight convictions obtained during the previous year. Penalties imposed on convicted trafficking offenders, however, were inadequate, ranging from three months on bail to one year's imprisonment. In April 2007, the government contributed trainers to a UNODC anti-trafficking "training-of-trainers" program for police officers and court employees.



### Protection

The Beninese government intensified efforts to protect trafficking victims during the last year. The Minors Protection Brigade (MPB) reported rescuing 190 victims, 25 of whom were repatriated from Nigeria, a substantial increase from 88 victims rescued during the previous reporting period. In January and February 2008, Beninese and Nigerian authorities worked together, pursuant to the terms of their joint anti-trafficking plan of action, to repatriate 47 Beninese children trafficked to work in Nigeria's stone quarries. The MPB continued to systematically refer rescued victims to a network of NGO shelters. In addition, the government's victim shelter became operational in May 2007. The government provides food to victims at the shelter, which is attached to the MPB headquarters and staffed with NGO personnel. The shelter provides temporary care to victims before they are referred to NGOs.

The Ministry of the Family continued to work with NGOs to reunite victims with their families. The government will not return victims to their home communities until a reinsertion program such as schooling, vocational training, or an apprenticeship, has been arranged for each child. The

government continued to use its Social Promotion Centers located in each of Benin's 77 municipalities to provide basic social services to children, including trafficking victims. The government interviews victims to gather evidence to prosecute traffickers, but, in order to protect child victims from additional trauma, it does not encourage them to participate in trials unless a judge orders so. Government officials do not follow procedures for identifying trafficking victims among females in prostitution. Benin provides legal alternatives to the removal of foreign child victims to countries where they face hardship or retribution by refraining from repatriating such victims unless they are able to live safely in the country of origin. Victims are not inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked.

### Prevention

The Government of Benin made solid efforts to raise awareness about trafficking during the reporting period. From August 12 to 17, 2007, Beninese officials worked with Nigerian authorities and UNICEF to educate law enforcement and local communities in six villages along the Benin-Nigeria border about trafficking. In addition, the joint committee to combat child trafficking met twice in 2007 to discuss anti-trafficking coordination. The government completed its UNICEF-sponsored National Policy and Strategy for Child Protection in October 2007 and approved in September 2007 an ILO-sponsored five year national action plan to combat trafficking.

In April 2007, the National Child Protection and Monitoring Working Group submitted draft decrees to the Ministry of Justice that will activate provisions in the 2006 law regulating the movement of children. The provisions require children entering Benin to possess identity documents and children exiting with guardians other than their parents to have parental authorization documents. Agents of the MPB monitor borders to identify traffickers and victims. Beninese troops deployed abroad as part of peacekeeping missions receive trafficking awareness training through a donor-funded program. The Government of Benin has not taken steps to reduce the demand for commercial sex acts within Benin.

## BOLIVIA (Tier 2)

Bolivia is principally a source country for men, women, and children trafficked for the purposes of sexual and labor exploitation. Bolivians are trafficked mainly to Argentina, Brazil, Peru, Chile, Spain, and the United States for forced labor in sweatshops, factories, and agriculture. Young Bolivian women and girls are trafficked within the country from rural to urban areas for commer-

cial sexual exploitation. Members of indigenous communities are at risk for domestic labor exploitation, particularly on sugar cane and Brazil nut plantations. Bolivian children are trafficked internally for forced labor in mining, agriculture, and as domestic servants. Some reports indicate that parents have sold or rented their children into farm labor exploitation near border areas with Peru. Undocumented migrants from Asia reportedly transit Bolivia; some may be trafficking victims.

The Government of Bolivia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. The government demonstrated significant anti-trafficking progress last year by increasing law enforcement actions against trafficking offenders, expanding victim services, and sustaining prevention efforts.

**Recommendations for Bolivia:** Continue to intensify anti-trafficking law enforcement efforts; commence investigations of corrupt officials suspected of trafficking activity; increase victim services across the country; dedicate resources to investigating and preventing forced labor; develop procedures for identifying victims among potential trafficking populations; and amend anti-trafficking laws to provide greater legal protections for victims.

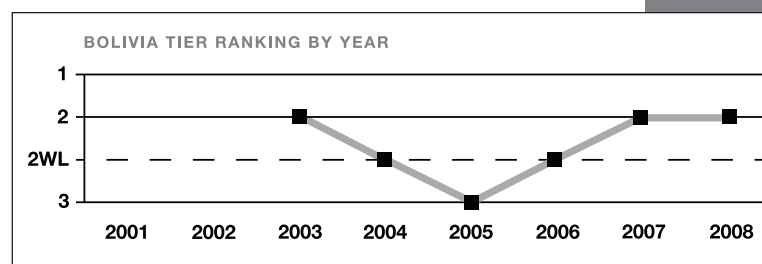
### Prosecution

The Government of Bolivia significantly increased law enforcement efforts against trafficking crimes over the last year. The government prohibits all forms of human trafficking through its comprehensive anti-trafficking law enacted in 2006, which prescribes penalties of up to 12 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for rape. In 2007, the Bolivian National Police opened 118 anti-trafficking investigations, a marked increase over 2006. Special anti-trafficking police and prosecutors filed seven trafficking prosecutions in court and achieved five convictions, with sentences imposed on convicted trafficking offenders ranging from three to seven years of imprisonment. Such results demonstrate increased efforts from 2006, when the government secured two convictions and sentences against trafficking offenders. With U.S. assistance, the prosecutor's office in Santa Cruz formed an integrated victims' unit of police investigators, prosecutors, medical, and psychological personnel to investigate trafficking and sexual abuse crimes and provide direct aid to victims. Bolivian police also significantly stepped up use of proactive techniques such as raids of brothels and other sites, and rescued a total of 129 children exploited in prostitution – almost double the number of victims rescued in 2006. The government worked

with international organizations and the United States to train prosecutors and anti-trafficking personnel. There were reports of some government officials tolerating trafficking activity, particularly involving labor exploitation on large plantations, and in border areas. However, no investigations or prosecutions of such suspected corrupt activity have been initiated by the government.

### Protection

The Bolivian government increased resources and strengthened collaboration with municipal authorities and NGOs for the protection of trafficking victims over the last year. Nevertheless, services for victims remain unavailable in many



parts of the country, especially outside larger cities such as La Paz and Santa Cruz. However, in 2007, the prosecutor's office in Santa Cruz created a temporary shelter capable of caring for 120 trafficking victims. The Prefecture of the Department of La Paz also operates a shelter with capacity for 40 victims of commercial sexual exploitation, and La Paz's city government operates an emergency shelter that assists trafficking victims, in addition to other victims of domestic and sexual violence. The government makes efforts to encourage victims to assist with the investigation and prosecution of their traffickers. Although the government generally provides appropriate legal protection to trafficking victims, some are jailed or penalized for unlawful acts committed as a direct result of being trafficked. The government lacks effective procedures for identifying trafficking victims among vulnerable populations such as criminal detainees, prostituted women, and migrant and child workers.

### Prevention

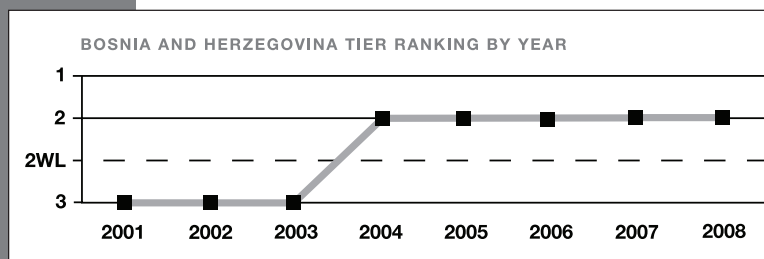
The government sustained its prevention and public awareness efforts by conducting 75 anti-trafficking seminars and education campaigns, reaching approximately 2,800 persons. The government also worked closely with NGOs and international organizations on prevention activities. The government reported no efforts to reduce demand for commercial sex acts during the year. Moreover, no information was available on measures the government may have taken to prevent Bolivian troops from engaging in trafficking-related activity when deployed abroad as part of a peacekeeping operation.

## BOSNIA AND HERZEGOVINA (Tier 2)

Bosnia and Herzegovina is primarily a country of origin for domestic trafficking, but also is a destination and transit country for women and girls trafficked to Western Europe for the purpose of commercial sexual exploitation. The number of Bosnian victims, many of them minors, trafficked within the country dramatically increased over the past year. Reports of Romani children being trafficked for forced labor continued. Victims from Serbia, Ukraine, Moldova, Romania, and Russia are generally trafficked into Bosnia and Herzegovina via Serbia or Montenegro for commercial sexual exploitation. Most traffickers held victims in private homes and safe-houses to avoid law enforcement detection and there were reports that some forced foreign victims to apply for asylum to keep them in the country.

The Government of Bosnia and Herzegovina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Available data indicates an increase in law enforcement efforts at the state level in 2007. Sentences imposed on convicted trafficking offenders remained low or suspended during the reporting period.

**Recommendations for Bosnia and Herzegovina:** Aggressively prosecute trafficking cases to ensure convicted traffickers receive adequate punishment to deter trafficking; and aggressively investigate and prosecute trafficking-related complicity.



### Prosecution

The Government of Bosnia and Herzegovina's anti-trafficking law enforcement response increased slightly over the last year at the state level. Statistics to assess the local law enforcement response were unavailable at the time of this report. The Government prohibits trafficking for sexual and labor exploitation through Article 186 of its criminal code, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In 2007, the State Investigative and Protection Agency investigated 37 federal cases, a noted increase from 25 in 2006. The State Prosecutor's office investigated 26 cases in 2007, a marginal increase from 23

cases in 2006. Out of the 47 traffickers prosecuted to conviction, State and entity-level courts imposed prison sentences on 14 offenders. Sentences ranged from 11 months' to 10 years' imprisonment. The remaining 33 convicted traffickers received suspended sentences.

There were reports of police and other official involvement in trafficking, with victims' groups alleging that local police ignored or actively protected traffickers or exploiters of trafficking victims in return for payoffs. There are currently two open investigations of official complicity in trafficking. A February 2006 case involving two State Border Police employees is ongoing. A December 2007 case involving alleged involvement of three local officials in the forced prostitution of three minors is under investigation. The officials accused of involvement were immediately suspended and the case was elevated from the local level to the State Prosecutor's office.

### Protection

The government improved previous efforts to protect victims of trafficking in 2007. The government significantly increased its contribution to victim assistance programs from \$39,700 to \$79,400. The government identified and cared for 50 victims through its referral mechanism in 2007, a decline from 71 victims cared for in 2006. However, in 2007, the government adopted a systematic referral mechanism tailored to improve screening and identification of domestic trafficking victims within Bosnia and Herzegovina in addition to new rules on victim and witness protection. The government encouraged victims to assist in the prosecution of traffickers. In 2007, approximately one-fourth of victims actually testified. Victims also have the opportunity to file civil suits against their exploiters. The government provides legal alternatives to the removal of trafficking victims to countries where they face hardship or retribution through the provision of short- and long-term humanitarian visas. In 2007, eight trafficking victims received residence permits on humanitarian grounds. Police and border officers use a screening questionnaire to evaluate potential victims. Identified victims are not penalized for unlawful acts committed as a result of their being trafficked.

### Prevention

The Government of Bosnia and Herzegovina continued to assist NGOs to raise awareness about trafficking in Bosnia. In 2007, it assisted in the distribution of materials to consular missions, border police officers, universities, shopping centers, and schools specifically targeting young people seeking employment abroad. In 2007, the State Coordinator's office continued to implement several comprehensive anti-trafficking prevention campaigns aimed at reducing both demand

and supply. The State Coordinator's office also developed a new five-year National Action Plan for 2008-2012. The government also continued to assist IOM in a nation-wide awareness campaign initiated in 2005 and concluded in 2007. In partnership with an international NGO, the government developed a manual for law enforcement and social and health care institutions on prevention of trafficking. The government continued to train its consular officials abroad to identify potential trafficking victims applying for Bosnian visas. Bosnian participants in international peacekeeping missions continued to receive specialized trafficking awareness training before deployment.

## BRAZIL (Tier 2)

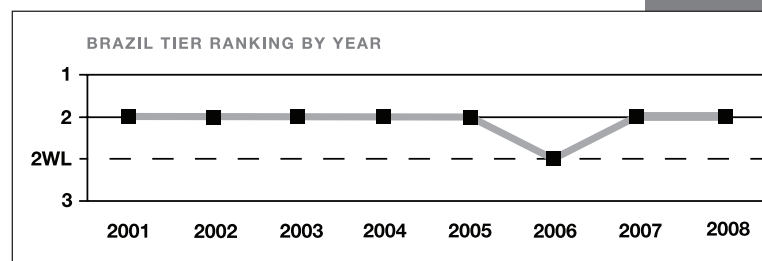
Brazil is a source country for women and children trafficked within the country and transnationally for the purposes of commercial sexual exploitation, as well as a source country for men trafficked internally for forced labor. The Brazilian Federal Police estimate that 250,000 children are exploited for prostitution, although NGOs put the number as high as 500,000. Between 25,000 to 100,000 men are subjected to slave labor within the country. Approximately half of the nearly 6,000 men freed from slave labor in 2007 were found exploited on plantations growing sugar cane for the production of ethanol, a growing trend. A large number of Brazilian women and girls are trafficked for sexual exploitation to destinations in South America, the Caribbean, Western Europe, Japan, the United States, and the Middle East. To a lesser extent, Brazil is a destination for the trafficking of men, women, and children from Bolivia, Peru, and the People's Republic of China (P.R.C.) for forced labor into factories in major urban areas of Brazil. Child sex tourism remains a serious problem, particularly in the resort areas and coastal areas of Brazil's northeast, and mostly involves tourists from Europe and the United States.

The Government of Brazil does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Over the past year, the government significantly increased efforts to rescue victims of slave labor through mobile inspection operations in the Amazon and remote locations, and also increased efforts to provide greater services for victims. At the same time, however, the government did not report any criminal investigations, prosecutions, convictions, or punishments of forced labor crimes and only limited investigations of sex trafficking crimes. A lack of government resources and dedicated personnel impeded Brazil's ability to combat its trafficking problem, although the government committed to allocate more funding to anti-trafficking efforts in its recently instituted national work plan to combat trafficking in persons and forced labor.

**Recommendations for Brazil:** Enact federal legislation to criminalize and sufficiently punish all severe forms of trafficking in persons, including forced labor, consistent with the requirements of the 2000 UN TIP Protocol; continue and increase efforts to investigate, prosecute, convict, and sentence trafficking offenders, especially those who exploit victims for slave labor; commence investigations and prosecutions of corrupt officials who are alleged to facilitate or participate in human trafficking activity; increase cooperation with the United States to investigate allegations of forced labor linked to U.S. imports of Brazilian pig iron; improve victim assistance and protection, especially for victims of slave labor who are vulnerable to being re-trafficked; improve data collection for all trafficking crimes; and dedicate more government resources for anti-trafficking activities.

### Prosecution

The Brazilian government demonstrated modest law enforcement efforts to confront human trafficking crimes during the last year. Brazil does not prohibit all forms of trafficking in persons, although transnational and internal trafficking for commercial sexual exploitation is prohibited under Section 231 of its penal code, which prescribes penalties of three to 10 years' imprisonment – penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Some aspects of labor trafficking are criminalized under Brazilian law, including debt bondage, for which a sufficiently stringent penalty of two to eight years' imprisonment is prescribed. Forced labor is prohibited by Section 148 of the penal code—*trabalho escravo* ("slave labor")—prescribing penalties of one to three years' imprisonment. Fraudulent recruitment for the purpose of labor exploitation is also prohibited, with penalties of two months, to one year's imprisonment plus fines. The penalties for these labor



trafficking offenses are not sufficiently stringent to deter these crimes. An October 2006 Presidential decree on human trafficking included a stated goal to amend the law so that penalties applied to labor trafficking crimes would be made commensurate with those applied to sex trafficking crimes; such amendments, while unrealized as of this writing, would assist the government's efforts to punish and deter exploiters of slave labor.

Brazil continued to lack a centralized system to collect, analyze, and report data on anti-trafficking law enforcement efforts throughout the country. Therefore, no comprehensive data on trafficking investigations, prosecutions, convictions, and sentences were available. Nevertheless, the government appeared to sustain its efforts to investigate sex trafficking crimes. The Federal Police in 2007 reported approximately 200 complaints relating to the alleged sex trafficking of Brazilian women to Europe and seven ongoing investigations into cases of alleged transnational sex trafficking. Brazilian press reporting indicated that at least 59 suspected trafficking offenders were arrested by Federal Police during the reporting period. The Federal Highway Police, which is responsible for a substantial portion of Brazil's anti-trafficking law enforcement activity, continued to conduct training for its officers on detecting trafficking victims and investigating trafficking crimes. Brazilian and other Mercosul law enforcement officials studied the feasibility of exchanging information of cross-border trafficking investigations.

The government did not report any criminal investigations or prosecutions of forced labor crimes, although 751 civil investigations are under way, and 890 cases have been filed for prosecution in civil labor courts. Such actions typically result in back pay and fines levied against landowners and other offenders – penalties that are inadequate. A Supreme Court ruling of November 2006, which requires that all criminal complaints of “slave labor” be heard by a federal criminal court, appears to remain unimplemented. The Ministry of Labor's anti-slave labor mobile units increased their operations during the year, as the unit's labor inspectors freed victims, forced those responsible for forced labor to pay often substantial amounts in fines and restitution to the victims, and then moved on to others locations to inspect. Mobile unit inspectors did not, however, seize evidence or attempt to interview witnesses with the goal of developing a criminal investigation or prosecution because inspectors and the labor court prosecutors who accompany them have only civil jurisdiction. Because their exploiters are rarely punished, many of the rescued victims are ultimately re-trafficked. The Ministry of Labor's “dirty list” which publicly identifies individuals and corporate entities the government has determined to have been responsible for slave labor, continued to provide a modicum of punishment to those engaged in this serious crime, largely through public shame and the barring of these entities' access to loans from state financial institutions. During the year, however, a number of individuals and corporate entities were able to remove their names from the “dirty list” through court action.

Throughout the year, there were reports of government officials' complicity in sex trafficking or slave labor, particularly with regards to police

– directly or indirectly involved in sex trafficking rings – notably in the Amazon and northern states. Furthermore, numerous credible reports indicated that state police officials were involved in the killing or intimidation of witnesses involved in testifying against police officials in labor exploitation or forced labor hearings. There were also numerous killings of rural labor activists and labor union organizations, some of whom were active in fighting forced labor practices; some of these killings reportedly occurred with the participation or knowledge of state law enforcement officials.

### Protection

The Brazilian government modestly improved efforts to provide trafficking victims with protection during the year through a network of 931 Specialized Social Assistance Reference Centers (CREAS) located in 1,107 Brazilian municipalities. The Ministry of Social Development provided shelter, counseling, and medical aid to adult and child victims of sex trafficking, along with other victims of sexual violence and exploitation. In 2007, the government provided \$2.5 million in funding for this program, which in 2006 – the last year for which data is available – assisted 6,820 child victims of sex trafficking or sexual exploitation. A national hotline for reporting incidents of child sexual abuse and exploitation, which includes child sex trafficking, registered 23,368 reports of such abuse in 2007. Brazilian police continued to employ victim referral procedures when they identified child sex trafficking victims, referring the child victims to government-run CREAS for care. Labor inspectors and police officers who were members of the Ministry of Labor's anti-slave labor mobile units, which are tasked with conducting surprise inspections of remote labor sites suspected of slave labor, employed formal procedures in identifying victims of forced labor, and provided these victims with immediate care.

During the year, the Ministry of Labor's mobile units identified and freed 5,963 victims of forced labor through 114 operations targeting 203 properties. This is a significant increase from 3,390 forced labor victims freed in 2006 through 103 operations targeting 186 properties. Approximately half of the victims freed in 2007 were found on plantations growing sugar cane for Brazil's booming production and export of ethanol, a biofuels, marking a growing trafficking phenomenon. In one operation alone, a Ministry of Labor mobile unit found 1,108 slave labor victims on a sugar plantation during an inspection in Pará state in July 2007. The Ministry of Labor awarded slave labor victims with compensation totaling \$5.4 million as a result of these 2007 operations, funds which were derived from fines levied against the landowners or employers identified during the operations.

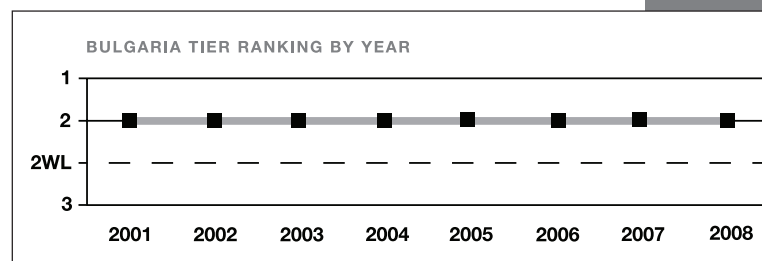
The government encouraged victims of sex trafficking to participate in investigations and prosecutions of trafficking, though often victims proved reluctant to serve as a state witness due to fear of reprisals from traffickers and corrupt law enforcement officials. The government did not, however, encourage victims of forced labor to participate in criminal investigations or prosecutions, although judges and prosecutors have begun to use victims' testimony recorded by NGOs. The government did not detain, fine, or otherwise penalize identified victims of trafficking for unlawful acts committed as a direct result of their being trafficked. Some victims of sex trafficking were offered protection under a witness protection program on a limited basis, though a lack of resources limited this program's effectiveness. The government did not provide foreign victims of trafficking with legal alternatives to their removal to countries where they may face hardship or retribution.

### Prevention

The Brazilian government sustained its efforts to prevent trafficking through public awareness campaigns during the reporting period. A national plan of action on trafficking in persons, which covers all forms of trafficking, was produced by the government's Justice Secretariat and released publicly in January 2008. Concurrently, an inter-agency committee on trafficking, chaired by the Justice Secretariat, was formed and began meeting during the year. The development of the national action plan and interagency committee were tasked by President Lula's anti-trafficking decree of October 2006, which also called for a dedicated budget for anti-trafficking activities; such a budget has not yet been realized. The Ministry of External Relations continued to train its diplomats on identifying victims overseas and referring them to local NGOs in host countries. Although Brazil deploys a substantial number of troops abroad as part of international peacekeeping missions, the government did not provide them with training on human trafficking before deployment during the past year. The Brazilian government cooperated with a number of foreign governments in punishing or removing foreign visitors who were charged with *child sex tourism* offenses in Brazil, though the exact number of cases is not known. The Ministry of Tourism continued its radio and television public campaign of "Quem ama, protégé" (protect those you love) aimed at addressing child sexual exploitation in the country's tourism centers and expanded this to neighboring countries, with versions in English, Spanish, and Dutch. The government took measures to reduce demand for commercial sex acts by conducting a national media campaign against commercial sexual exploitation during the 2008 Carnival holiday period.

## BULGARIA (Tier2)

Bulgaria is a source, transit, and, to a lesser extent, a destination country for men, women, and children from Moldova, Romania, Russia, Ukraine, Armenia, Lebanon, and Uzbekistan trafficked to and through Bulgaria to Germany, Switzerland, Norway, Italy, the Netherlands, Greece, Turkey, Belgium, France, Spain, Austria, the Czech Republic, Poland, and Macedonia for the purposes of commercial sexual exploitation and forced labor. Approximately, one-third of the trafficking victims identified are Roma women and children. Roma children are trafficked within Bulgaria and to Austria, Italy, and other West European countries for purposes of forced begging and petty theft. Around 20 percent of identified trafficking victims in Bulgaria are children. Officials reported an increase in the number of Bulgarian victims trafficked internally, primarily to resort areas along the Black Sea coast, and in border towns with Greece, for the purpose of commercial sexual exploitation.



The Government of Bulgaria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Government of Bulgaria made substantial progress during the reporting period. In June 2007, the government appointed a new secretariat to the National Anti-Trafficking Commission, boosting the ability of the country's anti-trafficking coordinating agency to develop and implement a transnational victim referral mechanism; to maintain and analyze victim data for use in policy development; and to implement the annual National Anti-Trafficking Strategy. In early 2008, local commissions were established in three towns identified as 'high-risk' for victims of trafficking. The Commission also launched a public awareness campaign targeted at potential victims and customers of sex tourism. The Minister of Interior and Prosecutor General publicly rejected efforts to legalize prostitution in Bulgaria, a strong effort to reduce the domestic demand for commercial sex acts.

**Recommendations for Bulgaria:** Continue to improve data collection and methods for assessing trafficking law enforcement statistics; provide funding to service providers for victim assistance efforts; sustain efforts to investigate, prosecute, convict, and sentence trafficking offenders; and vigorously inves-

tigate, prosecute, convict, and sentence government officials complicit in trafficking.

### Prosecution

The Bulgarian government demonstrated strong anti-trafficking law enforcement efforts over the last year. Bulgaria prohibits trafficking for both sexual exploitation and forced labor through Section 159 of its criminal code, which prescribes penalties of between one and 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In 2007, police conducted 179 sex trafficking and 22 labor trafficking investigations, compared to 202 sex trafficking and six labor trafficking investigations in 2006. In 2007, authorities prosecuted 78 offenders on trafficking charges, a decrease from 129 in 2006. Courts convicted a total of 73 trafficking offenders in 2007—71 convicted for sex trafficking offenses and two for labor trafficking offenses—compared to 71 convictions obtained in 2006. In 2007, five traffickers were sentenced to 5 to 10 years' imprisonment and 33 traffickers were sentenced to 1 to 5 years' imprisonment; 48 percent—35 of 73 convicted traffickers—received suspended sentences or had their sentences reduced to less than one year. During the reporting period, Bulgaria extradited 29 persons requested by other countries for prosecution on trafficking charges. Bulgarian police worked closely with law enforcement counterparts in Italy and Greece, investigating cases of Bulgarian victims trafficked for labor exploitation. There were continued reports of generalized corruption; during the reporting period, the government investigated one border police official allegedly involved in trafficking.

### Protection

Bulgaria sustained its significant victim assistance and protection efforts during the reporting period. The government provided rehabilitative, psychological, and medical assistance to child trafficking victims in three child-trafficking crises centers located throughout the country. In 2007, the Commission began implementing a revised national referral mechanism for victims of transnational trafficking, building on already strong referral efforts. In 2007, the government identified 288 victims of trafficking; 124 victims received assistance from IOM or NGOs. All victims in Bulgaria are eligible for free medical and psychological care provided through public hospitals and NGOs. Victims are encouraged to assist in trafficking investigations and prosecutions; victims who choose to cooperate with law enforcement investigators are provided with full residency and employment rights for the duration of the criminal proceedings. Foreign victims who choose not to cooperate with trafficking investigations are permitted to stay in Bulgaria for one month and 10 days before they are repatriated. Victims were not detained, fined, or

otherwise penalized for unlawful acts committed as a result of their being trafficked.

### Prevention

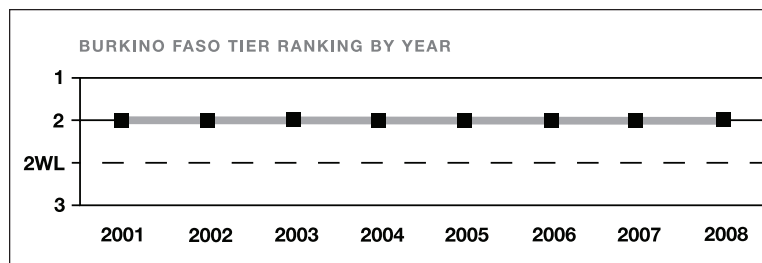
Bulgaria demonstrated increased efforts to prevent trafficking during the reporting period. In October 2007, the Commission organized a national awareness campaign, which included funding the production of more than 1,000 posters to advertise the campaign, and distribution of the posters throughout the country—mostly in schools and other public buildings. The Commission also published and began distribution of 1,000 posters and 5,000 brochures for an NGO-run awareness campaign focused on child trafficking. The National Border Police continued to actively monitor airports and land border crossings for evidence of trafficking in persons; however Bulgaria's accession into the European Union in 2007 and subsequent visa free travel within the EU has challenged border officials' ability to identify potential victims. The Commission adopted Bulgaria's current National Strategy for Combating Human Trafficking in June 2007. In 2007, the Commission made efforts to reduce domestic demand by launching an awareness campaign targeting consumers purchasing commercial sex acts. The law provides that Bulgarian citizens who participate in certain crimes abroad, including child sex tourism, can be prosecuted and convicted in Bulgaria.

## BURKINA FASO (Tier 2)

Burkina Faso is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation, with most victims being children. Within the country, most children are trafficked from rural areas to urban centers such as Ouagadougou and Bobo-Dioulasso, for domestic servitude, sexual exploitation, forced agricultural labor, and forced labor in gold mines and stone quarries. Burkinabe children are also trafficked to other West African countries for the same purposes listed above, most notably to Cote d'Ivoire, but also to Mali, Benin, Nigeria, Niger, and Togo. Children from these West African countries are trafficked to Burkina Faso for the same purposes listed above. To a lesser extent, Burkina Faso is a source country for women lured to Europe with promises of jobs as maids, but who are forced into prostitution after arrival. Women from Nigeria, Togo, Benin, Ghana, and Niger reportedly are trafficked to Burkina Faso for forced labor in bars or for commercial sexual exploitation.

The Government of Burkina Faso does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Burkina Faso's law enforcement and protection efforts remained steady over the past year, but





sentences imposed on convicted traffickers were inadequate and the government failed to implement procedures to identify trafficking victims among women in prostitution.

**Recommendations for Burkina Faso:** Pass legislation prohibiting the trafficking of adults; increase penalties imposed on convicted traffickers; train police and government social workers to identify trafficking victims among females in prostitution; ensure that sex trafficking victims are not penalized as criminals for acts committed as a result of being trafficked; and increase efforts to raise awareness about trafficking.

### Prosecution

The Government of Burkina Faso demonstrated solid law enforcement efforts to combat trafficking over the last year. Burkina Faso does not prohibit all forms of trafficking, though its 2003 Law No. 038-2003 concerning the Definition of Child Trafficking in Burkina criminalizes all forms of child trafficking and prescribes a maximum penalty of 10 years' imprisonment, which is sufficiently stringent but is not commensurate with higher penalties prescribed for rape. The government reported arresting 23 suspected child traffickers during the year. Eleven of these suspects were convicted for trafficking under either child trafficking or kidnapping laws; four remain in detention awaiting trial, and eight were released due to lack of evidence. Sentences imposed on convicted traffickers were inadequate, however, with five receiving two to 24 months' imprisonment and six receiving suspended sentences of six to 24 months' imprisonment. On February 7, 2008, the Mayor of Ouagadougou ordered that all brothels be closed by May 2008, threatening the use of existing laws to seize any properties used for prostitution after that date. However, during the reporting period, police did not investigate existing brothels to identify traffickers or trafficking victims. The Ministry of Social Action contributed a training site as well as personnel to conduct trafficking training for a UNICEF-sponsored group of 120 national and local law enforcement authorities.

### Protection

The Government of Burkina Faso continued to protect trafficking victims over the last year. The government continued to contribute building facilities and personnel to a privately funded center in Ouagadougou for the rehabilitation and reintegration of at-risk chil-

dren, including trafficking victims. The government also continued to contribute land grants and personnel to 21 UNICEF-funded trafficking victim transit centers throughout the country. In 2007, these centers provided care to 312 child trafficking victims who were intercepted by security forces and regional anti-trafficking surveillance committees. On

average, children stayed in these centers for only a few days before being returned to their families. After their stay at the centers, foreign victims were repatriated to appropriate officials in their countries of origin. Approximately 312 trafficked children, including 34 who had been internationally trafficked, received care in transit centers before being returned to their respective families, or repatriated to their countries of origin. Burkina Faso cooperated with IOM and the Governments of Mali and Cote d'Ivoire to repatriate 21 Burkinabe children trafficked to Mali and Cote d'Ivoire. The government identified the victims' families and helped provide psychological counseling for the children and sensitization about trafficking to their home communities. Women in prostitution are subject to arrest and detention for public solicitation, but police do not attempt to identify trafficking victims among those arrested for prostitution violations. Government officials encourage victims to assist in trafficking investigations or prosecutions by interviewing them for evidence to prosecute traffickers.

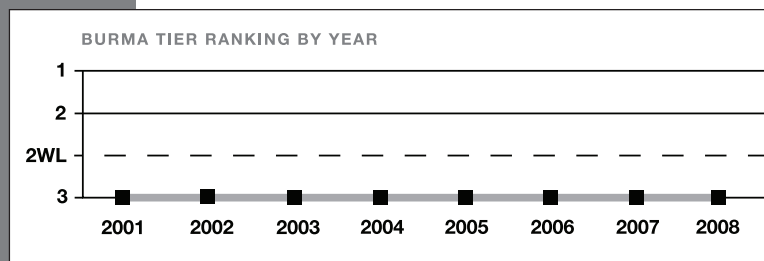
### Prevention

The Government of Burkina Faso made modest efforts to raise awareness about trafficking in the last year. During the year, the government used its own media outlets to broadcast documentaries and theater productions against trafficking as well as anti-trafficking statements by government officials, traditional chiefs, and religious leaders. The government's anti-trafficking committee did not hold its quarterly meetings during the last year due to a restructuring. By ordering the closure of all brothels, the government took steps to reduce demand for commercial sex acts in Burkina Faso, but failed to implement procedures to identify trafficking victims among females in prostitution.

## BURMA (Tier 3)

Burma is a source country for women, children, and men trafficked for the purpose of forced labor and commercial sexual exploitation. Burmese women and children are trafficked to Thailand, People's Republic of China (P.R.C.), Bangladesh, India, Pakistan, Malaysia, South Korea, and Macau for commercial sexual exploitation, domestic servitude, and forced labor. Some Burmese migrating abroad for better economic opportunities wind up in situations of forced or bonded labor or forced prostitution. Burmese children are subjected to conditions

of forced labor in Thailand as hawkers, beggars, and for work in shops, agriculture, fish processing, and small-scale industries. Women are trafficked for commercial sexual exploitation to Malaysia and the P.R.C.; some women are trafficked to the P.R.C. as forced brides. Some trafficking victims transit Burma from Bangladesh to Malaysia and from P.R.C. to Thailand. Internal trafficking occurs primarily from villages to urban centers and economic hubs for labor in industrial zones, agricultural estates, and commercial sexual exploitation. Forced labor and trafficking may also occur in ethnic border areas outside the central government's control. Military and civilian officials continue to use a significant amount of forced labor. Poor villagers in rural regions must provide *corvee* labor on demand as a tax imposed by authorities. Urban poor and street children in Rangoon and Mandalay are at growing risk of involuntary conscription as child soldiers by the Burmese junta, as desertions of men in the Burmese army rises. Ethnic insurgent groups also used compulsory labor of adults and unlawful recruitment of children. The military junta's gross economic mismanagement, human rights abuses, and its policy of using forced labor are the top causal factors for Burma's significant trafficking problem.



The Government of Burma does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Military and civilian officials remained directly involved in significant acts of forced labor and unlawful conscription of child soldiers. The government, however, made modest improvements in its collaboration with the ILO on forced labor complaints, implementing the 2007 Supplementary Understanding on Forced Labor, though its criminal punishment of these trafficking crimes remained weak. Over the past year, the government took some steps to combat cross-border trafficking by increasing law enforcement efforts at border crossings and collaboration with the P.R.C.

**Recommendations for Burma:** Criminally prosecute military or civilian officials responsible for forced labor and the conscription of children into armed forces; increase prosecutions and convictions for internal trafficking; collaborate with international NGOs and international organizations in a transparent and accountable manner; and focus

more attention on internal trafficking of females for commercial sexual exploitation.

### Prosecution

The Burmese junta demonstrated modest progress to combat cross-border trafficking throughout the past year, though it continued to conflate illegal emigration with trafficking and it took limited law enforcement action against military or civilian officials who engaged in forced labor. Burma criminally prohibits sex and labor trafficking through its 2005 Anti-Trafficking in Persons Law, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for rape. Military recruitment of children under 18 is prohibited by Armed Forces Notification number 13/73 from 1974. The Burmese junta rules arbitrarily through its unilaterally imposed laws but rule of law is absent, as is an independent judiciary that would respect trafficking victims' rights and provide fair justice. The Burmese government stated that it investigated 236 cases of trafficking, identifying 237 suspected traffickers, in 2007. The regime also reported it arrested 174 traffickers, prosecuted 18 trafficking cases, and convicted 31 traffickers. In the past, data claimed to represent trafficking in persons issues often included individuals caught trying to leave Burma without permission. In cases where persons are internally trafficked for labor by a high-level official or well-connected individual, the police can be expected to self-limit their investigations, even if no political pressure has been overtly employed. Burmese law enforcement officers worked with Chinese counterparts in joint investigations of 11 cross-border trafficking cases, which resulted in the rescue of 57 Burmese victims. Labor traffickers found guilty under the law are subject to imprisonment and a fine. The Ministry of Labor in 2007 issued licenses to 122 companies to recruit workers for overseas jobs. Since 2005, the Ministry of Labor cancelled the licenses of 53 companies for legal violations. In 2007, the ILO Liaison Officer accepted 53 complaints and submitted 37 to the Burmese Government for action during the February 2007-2008 period. The government prosecuted four perpetrators of forced labor, dismissed seven civilian administrative perpetrators, and reprimanded 11 military perpetrators – inadequate punishments. In 2007, two government officials were prosecuted and found guilty of violating Section 30 of the Trafficking Law, involving official corruption. No details were made public and this conviction is currently under appeal. During the year, the government conducted training related to trafficking in persons for 60 instructors and 45 other law enforcement officials.

### Protection

The Burmese regime showed modest efforts to protect repatriated victims of cross-border sex trafficking. There were no discernable efforts to protect the far larger number of victims of forced labor and internal sex trafficking exploited within Burma's

borders. In the past, victims of forced labor could be penalized for making accusations against the officials who impressed them unlawfully into forced labor. The government also, at times, filed charges against those who assist claimants of forced labor, including their legal counsel and witnesses. The government took steps to resolve these issues by extending the 2007 Supplementary Understanding on Forced Labor for an additional year in February 2008. This established a mechanism for forced labor complaints and provided protections for those who reported cases to the ILO, and harassment of complainants dropped in 2007. The government provides no legal assistance to victims. The government encourages internationally trafficked victims to assist in investigations and prosecutions. Victims have the right to refuse to cooperate with law enforcement. In 2007, officials improved the level of victim protection from inappropriate media attention during the repatriation and reintegration process. Victims are not jailed, fined, or prosecuted for acts committed as a result of being trafficked. Over the last year, the Ministry of Home Affairs reported assisting 137 victims, the Ministry of Social Welfare stated it helped 79 victims, and Women's Affairs Federation reportedly assisted 110 returned victims. In October 2007, the Anti-Trafficking Task Force in Tachilek rescued eight female P.R.C. victims being trafficked from Yunnan Province to Thailand. The Department of Social Welfare (DSW) and Police provided care to the victims for two months, after which they were repatriated to the P.R.C. The DSW provided temporary shelter to repatriated victims at eight vocational training centers as well as a reintegration package which includes counseling, vocational training, and health care. In 2007, the government showed limited cooperation with international organizations on the issue of the military's conscription of children, resulting in the return of 11 children to their families, though it did not adequately punish those responsible for these child trafficking offenses.

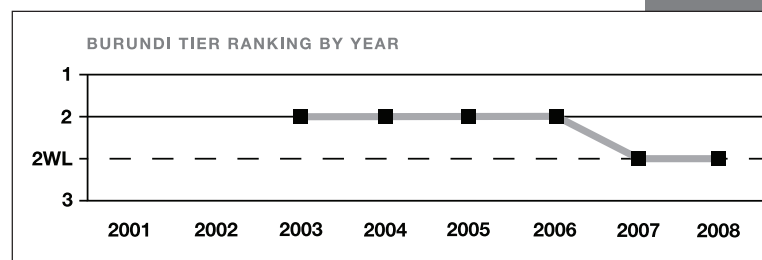
### Prevention

The government increased its efforts to prevent international trafficking in persons. The government also established a Bilateral Liaison Office (BLO) in Muse, along the China border, which shares information about trafficking with Chinese counterparts. Although the government improved its activities, addressing international trafficking issues, it made little effort to address far more prevalent trafficking issues inside the country's borders. The government has an interagency Working Committee on Prevention chaired by the Deputy Ministry of Social Welfare. The National Police conducted 306 awareness campaigns reaching over 28,000 people. The Ministry of Home Affairs in collaboration with an international organization conducted awareness raising campaigns at bus terminals, targeting driv-

ers, merchants, ticket sellers, and local police. The government posted billboards and notices at hotels aimed at tourists to warn about trafficking.

## BURUNDI (Tier 2 Watch List)

Burundi is a source country for children trafficked for the purposes of child soldiering, domestic servitude, and commercial sexual exploitation. The rebel faction PALIPEHUTU-FNL (Party for the Liberation of the Hutu People-National Liberation Force – also known as the FNL) remains the only armed group not to have signed a peace agreement with the government, and continues to unlawfully recruit and use children as fighters, manual laborers, and logistical support. A small number of Burundian children may be trafficked internally for domestic servitude or commercial sexual exploitation, although there is little evidence of organized child prostitution. In early 2008, Burundian children were allegedly trafficked to Uganda via Rwanda for agricultural labor and commercial sexual exploitation.



The Government of Burundi does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nevertheless, Burundi is placed on Tier 2 Watch List for the second consecutive year for its failure to provide sufficient evidence of increasing efforts to combat trafficking in persons over the last year. While the arrest of suspected FNL recruiting agents and the government's rejection of a request to export Burundian workers to the Middle East are notable, its inability to provide adequate protective services to children accused of association with armed groups and to conduct anti-trafficking law enforcement activities continue to be causes for concern.

**Recommendations for Burundi:** Ensure all former child combatants detained in demobilization camps and prisons are provided with appropriate protective services; pass and implement anti-trafficking provisions contained in the draft criminal code amendment; and investigate the nature of child commercial sexual exploitation and any possible domestic servitude within the country; and take steps to remove affected children from these situations.

### Prosecution

The government's anti-trafficking law enforcement efforts were limited during the reporting period. Burundi's laws do not prohibit all forms of trafficking in persons, though Article 241 of the Burundi Constitution prohibits all forms of slavery and its criminal code outlaws forced labor and kidnaping. Sex trafficking crimes can also be punished using statutes on brothel-keeping and pimping. Nevertheless, there were no investigations, prosecutions, or convictions under these statutes during the reporting period. In 2007, an amendment to Burundi's Criminal Code, drafted in a joint effort between the Ministry of Justice and members of civil society, was debated by Parliament and prepared for a vote. Among other provisions, the amendment prohibits defined acts of forced prostitution, sexual slavery, and human trafficking, and delineates the methods of prosecution and punishment for such crimes. However, a mid-2007 legislative impasse delayed passage of most bills, including the criminal code amendments, and a number of other bills addressing the protection of children. In June 2007, two alleged FNL recruiting agents were arrested by Internal Security Police officers in Butezi commune and detained in Butezi prison before being transferred to the judicial police prison in Ruyigi; they were subsequently released for lack of evidence.

### Protection

The government provided minimal assistance to trafficking victims in 2007. Potential child trafficking victims, who were suspected of association with an armed group, remained in demobilization camps and prisons, where protective services were lacking. Following months with no communication between the Government of Burundi and the FNL, peace negotiations were scheduled to resume in April 2008. According to the cease-fire accords, in the absence of a peace agreement, children remaining with the FNL cannot be formally recognized by the government, demobilized, or provided the benefits package afforded to the country's other former child soldiers. Moreover, efforts to demobilize additional children from within the FNL's forces cannot progress as rebel leaders refuse to claim suspected child soldiers as members of their units. Until completion of the negotiations, the government's Randa and Buramata demobilization camps in Bubanza Province continue to house FNL members who wish to be demobilized, including former child soldiers. In December 2007, UNICEF verified that over 200 of those detained in these facilities are children who are not separated from adult combatants, placed in school, or provided with constructive activities.

During the reporting period, the government's Demobilization Department provided a limited amount of medical assistance and counseling to former child soldiers suffering from physical and psychological trauma, including victims of trafficking.

It also made available facilities and other logistical support to an international NGO that provided vocational training, conflict resolution counseling, and income-generating projects to 538 demobilized child soldiers to assist with their reintegration into civilian life. The government did not, however, provide protective services to any other categories of trafficking victims during the reporting period, nor did it show evidence of implementing procedures to identify victims of trafficking or referring them to organizations that provide protective services. However, the Burundian Embassy in Kampala began an investigation of the recent trafficking of a small number of Burundian children to Uganda and provided these children with medical care. The government did not encourage victims to participate in investigations or prosecutions of trafficking offenders, nor did it ensure that victims were not inappropriately incarcerated or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked.

### Prevention

The government's efforts to prevent trafficking improved slightly during the year, but remained nascent. In December 2007, the Ministry of National Solidarity and Human Rights enacted and the President endorsed a decree that excludes from customs duties all goods imported by private and local associations involved in the fight against human trafficking, as well as other human rights issues. In April 2007, the Ministry of Labor met with an official Lebanese delegation that sought to recruit Burundian women for the Lebanese labor market, but ultimately denied the Lebanese government's request for fear that the proposal would facilitate trafficking or other forms of labor exploitation. Although government officials and Burundian security forces, including the Brigade for the Protection of Women and Children, are aware of a few centers for prostitution in the vicinity of Bujumbura, a survey into the conditions of females and children in prostitution has not taken place. In 2007, the government organized meetings and seminars with NGOs addressing the issue of trafficking within Burundi's borders. The government did not undertake efforts to reduce demand for commercial sex acts during the reporting period. In December 2007 and January 2008, Burundi deployed its first battalion of peacekeepers to the African Union's Mission to Somalia. The pre-deployment training of the peacekeepers, provided by two foreign governments, included a curriculum that created awareness and discouraged acts of trafficking and sexual exploitation. Burundi has not ratified the 2000 UN TIP Protocol.

## CAMBODIA (Tier 2)

Cambodia is a source and destination country for trafficked persons. Women and girls are trafficked for commercial sexual exploitation to Thailand and

Malaysia. Some Cambodian men who migrate willingly to Thailand for work are subjected to conditions of forced labor in the Thai fishing, construction, and agricultural industries; women and girls are trafficked to Thailand for exploitative labor as domestics and some may be forced into prostitution. Some Cambodian male migrant workers returning from India, South Korea, and Malaysia reported being subjected to conditions of forced labor and debt bondage. Children are trafficked to Thailand and Vietnam to beg or work on the streets selling candy or flowers or shining shoes. Some Cambodian women who migrated to Taiwan as the result of brokered international marriages were subsequently trafficked for prostitution. Sex trafficking of women and girls, including ethnic Vietnamese, occurs within the country, from rural areas to the urban areas of Phnom Penh, Siem Reap, and Sihanoukville. Cambodia is a destination for Vietnamese women and girls trafficked for prostitution. Cambodia is also a destination country for foreign child sex tourists, with increasing reports of Asian men traveling to Cambodia in order to have sex with underage virgin girls.

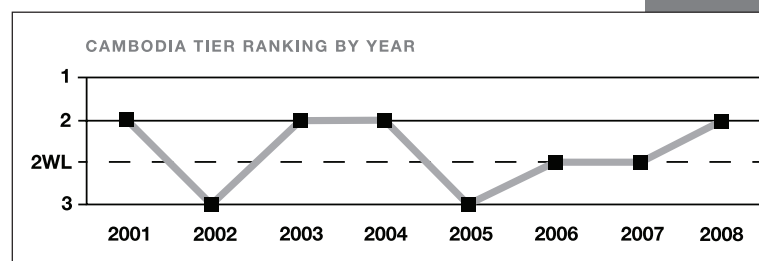
The Royal Government of Cambodia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Cambodia is placed on Tier 2 for the first time since 2004 due to the government's increased engagement in combating trafficking in persons over the previous year. The government created a national anti-trafficking task force to improve the interagency response to trafficking and coordination with civil society, increased law enforcement action against traffickers and complicit officials, and undertook prevention activities. In February 2008, Cambodia's new Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation was promulgated and went into effect immediately. This legislation provides law enforcement authorities the power to investigate all forms of trafficking and is a powerful tool in efforts to prosecute and convict traffickers and have them face stringent punishments. High-level government officials have spoken publicly about a "zero-tolerance" policy for officials profiting from or colluding in trafficking in persons.

**Recommendations for Cambodia:** Continue implementation of the comprehensive anti-trafficking legislation; provide training for law enforcement and government officials on the new law; significantly improve the number of prosecutions, convictions, and punishments of trafficking offenders, particularly in areas outside the capital; make greater efforts to prosecute, convict, and criminally punish public officials complicit in trafficking; hold labor recruiting agencies criminally responsible for labor trafficking by means of fraudulent recruitment; continue to enhance interagency cooperation and collaboration with civil society; create concrete benchmarks for the provincial working groups under the direction of the

National Task Force; and increase efforts to prosecute sex tourists and those facilitating commercial sexual exploitation of children.

### Prosecution

The Royal Government of Cambodia continued law enforcement efforts to combat trafficking during the last year. In February 2008, Cambodia's new Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation was promulgated and went into effect. The comprehensive law criminalizes all forms of trafficking, including debt bondage, prescribing penalties for these offenses that are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as



rape. Due to resource constraints, the government has not provided reliable statistics on prosecution. The Ministry of Interior (MOI) reported receiving complaints of 53 trafficking cases from April 2007 to March 2008; thirty-five cases were sex trafficking involving 60 victims and 11 were labor trafficking cases involving 106 victims. Police took action on 43 cases. The MOI reported that 65 traffickers were arrested during the reporting period. The Phnom Penh Municipal Court convicted 52 trafficking offenders. The MOI Department of Anti-Trafficking and Juvenile Protection reported 52 cases, involving 65 trafficking offenders that resulted in eight convictions. NGOs reported 19 labor trafficking cases involving legal migrants who ended up in conditions of involuntary servitude in Malaysia, but Cambodian labor recruitment companies usually paid compensation and were not prosecuted for criminal offenses. There were no cases of labor agents being held responsible for the trafficking of migrant workers, or being prosecuted. In February 2008, Prime Minister Hun Sen ordered the Ministry of Commerce to annul business licenses for marriage agencies, calling the business a form of human trafficking.

Corruption is pervasive in Cambodia, and it is widely believed that some individuals, including police and judicial officials, are involved in trafficking. In an important move that sent a signal that corruption will not be tolerated by senior government officials, an investigation into the Chhay Hour II brothel case resulted in the removal of the President of the Appeals Court for trafficking-related corruption. The same investigation resulted in three other judges and one deputy prosecutor of the Appeals Court receiving official letters of reprimand.

mand. The MOI Anti-Human Trafficking Juvenile Protection Department Director administratively transferred two police officers who were convicted and sentenced to seven years in prison in 2006 by the Phnom Penh Municipal Court for trafficking-related corruption. While these anti-corruption efforts are laudable, officials involved in trafficking must ultimately be punished with jail time, not merely administrative penalties.

### Protection

The Royal Government of Cambodia improved its efforts to provide protection to victims of trafficking, while continuing to rely on NGOs and international organizations. Victims are not treated as criminals or otherwise penalized for acts committed as a result of being trafficked. Law enforcement and immigration officials implemented formal procedures to identify victims among vulnerable groups and refer them to provincial and municipal Departments of Social Affairs. Foreign victims are provided temporary residence in shelters providing legal, educational, and counseling services while awaiting repatriation. There are a limited number of shelters, however, with the ability to provide complete services for foreign victims due to lack of foreign language capabilities. Victims are encouraged by police to participate in investigations and prosecutions of traffickers, but credible fear of retaliation from traffickers still hinders their testimony. Victims may file civil suits and seek legal action against traffickers. Traffickers frequently attempt to pay off victims or their families to cease cooperation with law enforcement or NGOs. The Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) continued to staff an IOM-run Transit Center in Poipet that offers preliminary assessments, family tracing, and reintegration assistance for victims repatriated from Thailand. In 2007, 160 victims trafficked to Thailand were identified by IOM, MOSAVY, and NGOs and referred to the transit center. MOSAVY reported that 188 victims of sex trafficking were referred to them by local police and the MOI reported that 158 victims were rescued in 2007. In December 2007, the Council for Legal and Judicial Reform published a Legal Aid Services Directory for trafficking and other social and legal services on a province-by-province basis.

### Prevention

The Royal Government of Cambodia demonstrated solid efforts to prevent trafficking. In April 2007, the government established a National Task Force (NTF) comprising 11 government ministries, three government agencies, and more than 200 international and local NGOs. The NTF has an oversight mechanism known as the "High Level Working Group," chaired by the Deputy Prime Minister and Minister of Interior. This initiative marks the first time the government has coordinated anti-trafficking efforts across government ministries and agencies,

and also formally includes civil society. In September, municipalities and provinces began forming their own anti-trafficking working groups led by governors and deputy governors. The provincial working groups are expected to report their activities to the NTF on a bi-weekly basis. In collaboration with civil society, the NTF launched a nationwide anti-trafficking campaign using positive messages incorporating Khmer values and cultural traditions to inspire Cambodians to take action against human trafficking. The campaign emphasized trafficking as a national priority and launched a national dialogue on trafficking via public forums in five provinces across Cambodia.

Government authorities arrested 12 foreigners suspected of child sex tourism (two Americans, one Austrian, two Germans, one Italian, one Briton, two Russians, and three Singaporeans) and charged them with debauchery. Eight were convicted with sentences ranging from 10 to 28 years' imprisonment. In October, Sihanoukville police arrested a wealthy Russian citizen for alleged sexual abuse of under-age girls who were trafficked from Phnom Penh. In March 2008, the Phnom Penh court convicted and sentenced him to 13 years in prison. The Cambodian government deported the Americans to the U.S. for subsequent U.S. prosecution under the PROTECT Act. In other efforts to reduce demand for commercial sex acts, the Ministry of Tourism (MOT) collaborated with an NGO to produce and distribute pamphlets and advertisements in tourist brochures warning of the penalties for engaging in child sex tourism. The MOT also held several workshops for hospitality industry owners and staff on how to identify and intervene in cases of trafficking and commercial sexual exploitation of children by tourists. The MOT also supported the ChildSafe Program, which builds a network of people to protect at-risk children in the main tourist centers of Phnom Penh, Siem Reap, and Sihanoukville.

## CAMEROON (Tier 2 Watch List)

Cameroon is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and commercial sexual exploitation. Most victims are children trafficked within the country, with girls primarily trafficked for domestic servitude and sexual exploitation. Both boys and girls are also trafficked within Cameroon for forced labor in sweatshops, bars, restaurants, and on tea and cocoa plantations. Children are trafficked to Cameroon from Nigeria, Chad, the Central African Republic, Congo, Benin, and Niger for forced labor in agriculture, fishing, street vending, and spare-parts shops. Cameroon is a transit country for children trafficked between Gabon and Nigeria, and from Nigeria to Saudi Arabia. It is a source country for women transported by sex trafficking rings to Europe, primarily France, Germany, and Switzerland.

The Government of Cameroon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Nevertheless, Cameroon is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat human trafficking over the previous year, particularly in terms of efforts to prosecute and convict trafficking offenders. While Cameroon reported some arrests of traffickers, none of them was prosecuted or punished. The government refers victims to NGOs, but does not identify trafficking victims among vulnerable populations or monitor the number of victims it intercepts.

**Recommendations for Cameroon:** Broaden the scope of its draft law against the trafficking of adults to include men, and pass and enact the draft law; increase efforts to investigate and prosecute trafficking offenses and develop a system for collecting relevant law enforcement data; educate police, judges, and lawyers about the law against child trafficking; investigate reports of slavery in the Northern Province; develop a formal system for collecting data on the number of victims rescued and assisted; and adopt the draft national action plan to combat trafficking.

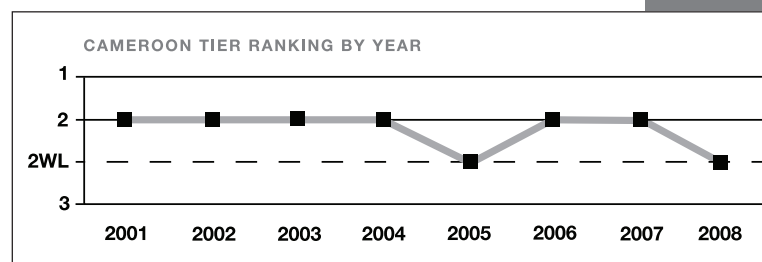
### Prosecution

The Government of Cameroon made modest but inadequate efforts to combat trafficking through law enforcement means during the last year. Cameroon does not prohibit all forms of trafficking, though it criminalizes child trafficking and slavery through its 2005 Law Combating Child Trafficking and Slavery, which prescribes a penalty of 20 years' imprisonment—a punishment sufficiently stringent and commensurate with penalties prescribed for rape. Government and NGO representatives report, however, that many judges and lawyers in the provinces are not aware of the 2005 law against child trafficking. Article 2 (3) of Cameroon's Labor Code prohibits compulsory labor, but prescribes only a penalty of the equivalent of \$100 to \$3000 in fines, which is not sufficiently stringent. The government's 2006 draft law prohibiting trafficking of adult women still awaits passage by the National Assembly. In January 2008, gendarmerie in the North West Province arrested three traffickers transporting seven children between the ages of 12 and 17 to the Center Province for the purpose of labor exploitation. Police brought the suspects to the Bamenda Prosecutor's Office, where the case is pending. In December 2007, Bamenda gendarmerie arrested a child trafficker in a case in which one of his victims was ill and died due to lack of medical attention. The suspect was released on bail, pending charges and a trial. In 2007, the Yaounde court held hearings on six child trafficking cases that are still pending. Although Cameroon has a police Brigade de Moeurs responsible for investigating child trafficking cases, it reported handling only one case of

child labor exploitation in 2007. The government lacks any mechanism for systematic collection of data concerning arrests, investigations, or prosecutions of trafficking offenses. The government does not provide specialized trafficking training for law enforcement officials.

### Protection

The Government of Cameroon demonstrated minimal efforts to protect trafficking victims over the last year. The government does not operate trafficking victim shelters, but does refer victims to NGOs. In December 2007, one NGO in Yaounde reported that most of the 840 vulnerable and trafficked children it assisted since its creation in February 1987 were referred by the Ministry of Social Affairs (MOSA). The government reported that it operated nine centers for vulnerable children, some of whom were trafficking victims. Government officials do not follow procedures to identify trafficking victims among vulnerable groups, such as street children. The government interviews victims for evidence



to assist with investigations or prosecutions. The government does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Victims may be inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked.

### Prevention

The Government of Cameroon made solid efforts to raise awareness about trafficking during the reporting period. To commemorate World Day Against Child Labor on June 12, 2007, the Minister of Social Affairs made a public address on the importance of protecting children from labor exploitation, with a particular focus on children in agricultural labor. To mark the Day of the African Child, on June 16, 2007, Cameroon organized a children's National Assembly session under the theme of "Let's Say No to Child Trafficking." The child Parliamentarians passed a number of resolutions calling to protect children from trafficking. Government-operated radio and television aired anti-trafficking messages. While an inter-ministerial anti-trafficking group exists, it did not meet on a regular basis. Cameroon took measures to ensure that its nationals who are deployed abroad as part of peacekeeping missions do not engage in or facilitate trafficking by briefing troops before deployment on international norms governing peacekeeping missions. In collabora-

tion with the ICRC, the government also organizes seminars for military and police leadership to keep them updated on these norms. Cameroon has not finalized or adopted its draft national plan of action against trafficking.

## CANADA (Tier 1)

Canada is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Women and children are trafficked primarily from Asia and Eastern Europe for sexual exploitation, but victims from Africa, Latin America, and the Caribbean also have been identified in Canada. Many trafficking victims are from Thailand, Cambodia, Malaysia, Vietnam, and South Korea, in addition to Russia and Ukraine. Asian victims tend to be trafficked more frequently to Vancouver and Western Canada, while Eastern European and Latin American victims are trafficked more often to Toronto and Eastern Canada. A significant number of victims, particularly South Korean females, are trafficked through Canada to the United States. Canada is a source country for sex tourism, and NGOs report that Canada is also a destination country, particularly for sex tourists from the United States. Canadian girls and women, many of whom are aboriginal, are trafficked internally for commercial sexual exploitation. NGOs report that Canada is a destination for foreign victims trafficked for labor exploitation; many of these victims enter Canada legally but then are unlawfully exploited in agriculture and domestic servitude.

The Government of Canada fully complies with the minimum standards for the elimination of trafficking. Over the last year, Canada increased victim protection and prevention efforts, but demonstrated limited progress on law enforcement efforts against trafficking offenders.

**Recommendations for Canada:** Intensify efforts to investigate, prosecute, and convict trafficking offenders, including those suspected of trafficking for labor exploitation; increase efforts to investigate and prosecute, as appropriate, Canadians suspected of committing child sex tourism crimes abroad; increase use of proactive police techniques such as brothel raids; provide greater protection and services for foreign trafficking victims; and improve coordination among national and provincial governments on law enforcement, victim services, and data collection.

### Prosecution

The Government of Canada demonstrated limited progress in law enforcement actions against human traffickers during the reporting year. Canada prohibits all forms of human trafficking through its Criminal

Code, which was amended in 2005 to include specific offenses to combat trafficking in persons, and which prescribes a penalty of up to 14 years' imprisonment. If the crime is committed under aggravated circumstances, the penalty increases to a maximum of life imprisonment. Such penalties are sufficiently stringent and commensurate with those for other grave crimes, such as sexual assault. In addition, transnational human trafficking is specifically prohibited by Section 118 of Canada's Immigration and Refugee Protection Act (IRPA), which carries a maximum penalty of life imprisonment and a \$1 million fine. The Criminal Code also prohibits a defendant from receiving a financial or material benefit from trafficking; this offense is punishable by up to 10 years' imprisonment. Withholding or destroying a victim's identification or travel documents to facilitate human trafficking is punishable by up to five years in prison. During the reporting period, provincial governments laid 17 trafficking charges under the Criminal Code, of which it laid 13 under Section 279.01 (trafficking) and four under Section 279.03 (withholding or destroying documents). These charges are the first filed under Canada's specific anti-trafficking provisions. Provincial governments secured three trafficking-related convictions during the reporting period, as compared to last year when provincial governments convicted five trafficking-related offenders. In June 2007, a British Columbia court dismissed trafficking charges in a landmark IRPA case filed against a massage parlor owner, although the defendant was convicted of related crimes such as managing a "bawdy house" and pimping; he was sentenced to 15 months in jail. Other cases remain open, including investigation of a suspected Eastern European prostitution ring in Toronto. In 2007, the Royal Canadian Mounted Police (RCMP) increased anti-trafficking training for front-line officers and prosecutors, organizing regional events across the country. The government also provided anti-trafficking training to RCMP recruits, border and immigration officers. The Government of Canada works closely with foreign governments, particularly the United States and Mexico, on international trafficking cases, and with other foreign governments through RCMP liaison officers stationed worldwide. There were no reports of trafficking-related complicity by Canadian officials last year.

### Protection

The government increased protections for trafficking victims during the reporting period. In June 2007, Canada increased the length of temporary resident permits (TRPs) for foreign trafficking victims from 120 to 180 days. During this 180-day reflection period, immigration officials determine whether a longer residency period of up to three years should be granted. Victims also may apply for fee-exempt work permits, an option previously unavailable under Canadian law. TRP holders

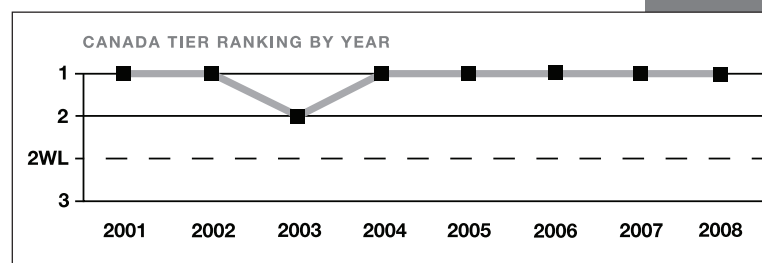


have access to essential and emergency medical care, dental care, and trauma counseling. However, NGOs reported difficulties with foreign trafficking victims securing TRPs and gaining access to services for victims without legal status. Four trafficking victims received TRPs during the reporting period. Victim support services in Canada are generally administered at the provincial level. While each province or territory provides services for crime victims, including trafficking victims, they do not all follow the same model, sometimes leading to uneven services across the country. However, most jurisdictions provide access to shelter services, short-term counseling, court assistance, and specialized services, such as child victim witness assistance and rape counseling. Canada funds domestic NGOs, in addition to a national Victim's Fund, which makes monies available to NGOs to fill in gaps in services for crime victims, including trafficking victims. Last year the government provided approximately \$5 million in funding to support this initiative, the same amount funded in 2006. However, the government also appropriated approximately \$50 million in additional funds for the Victim's Fund over the next four years. NGOs and faith-based organizations have urged greater government support for trafficking victims, arguing that they have provided most victims, especially foreign trafficking victims, with shelter and services without government assistance. In July 2007, British Columbia's provincial government opened a human trafficking office to provide better services to victims, and to improve coordination with NGOs and federal and provincial ministries.

Victims' rights are generally respected in Canada, and victims are not penalized for crimes committed as a direct result of being trafficked, although NGOs have reported that some foreign trafficking victims have been arrested and deported without first being identified as victims. Canadian authorities encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders, but did not require victims to assist with the investigations of their traffickers as a condition of their TRPs. The government provided formal court assistance, in addition to the use of closed circuit television testimony and other victim-sensitive approaches to facilitate victims furnishing evidence. Victims also may submit a "victim impact statement" for the court to consider when sentencing an offender. Canada has a witness protection program, but no trafficking victims have utilized this service. Law enforcement and immigration officials receive specialized training to identify trafficking victims. Consular officials at Canadian embassies, especially in source and transit countries, receive training on protections and assistance available to potential trafficking victims. Canada funds international programs for trafficking victims, targeting assistance to Eastern Europe, West Africa, and Southeast Asia.

## Prevention

The government significantly increased anti-trafficking prevention efforts during the reporting period. In January 2008, the government provided funding of approximately \$6 million to strengthen existing initiatives to prevent the sexual exploitation and trafficking of children. The initiative includes a national awareness campaign and a 24-hour hotline to encourage the reporting of cases and for the public to receive information. The government also provided an additional \$2 million to the Canadian Center for Child Protection, a national charitable organization, to pursue public leads about suspected child predators on the Internet. The Center operates an online tip line through its website, works with law enforcement, and promulgates educational and other materials to raise public awareness, including against child sex tourism. Last year, Justice Canada funded wide distribution of an anti-trafficking booklet to increase public awareness of human trafficking and materials available through the government's anti-trafficking website. The Canadian immigration agency provided pamphlets and information to temporary foreign workers, including live-in



caregivers, to let them know where to seek assistance in case of exploitation or abuse. Immigration officials distributed anti-trafficking information to recipients of "exotic dancer" visas — which have been used to facilitate trafficking in the past — to inform them of their rights. Canada annually funds anti-trafficking prevention programs overseas, concentrated in Latin America, the Caribbean, West Africa, and Southeast Asia, and contributes funds to international organizations such as UNODC for law enforcement training and developing model anti-trafficking legislation.

Canada is a source country for child sex tourism, and the country prohibits its nationals from engaging in child sex tourism through Section 7(4.1) of its Criminal Code. This law has extraterritorial application, and carries penalties of up to 14 years in prison, although it is limited to cases where the defendant has not been prosecuted in the country where the offense was allegedly committed. According to the government, there are more than 100 cases pending in other countries involving Canadians charged with child exploitation. Two cases are currently being prosecuted before Canadian courts. Canada's department of foreign affairs distributes a publica-

tion entitled “Bon Voyage, But...” to warn Canadians traveling abroad about Canada’s child sex tourism law, and that the sexual exploitation of children is a serious, punishable crime. The Canadian government also partners with the private sector to fight human trafficking, in particular collaborating on development of a child exploitation tracking system designed to help law enforcement apprehend internet-based sexual predators. The government contributed three years of funding to equip and train police services to use the software.

Canadian federal officials are collaborating with provincial British Columbia officials and the Vancouver Police to establish measures to prevent human trafficking at the 2010 Vancouver Winter Olympics. Federal officials are also working with the RCMP and the Vancouver Olympic Committee to incorporate anti-trafficking measures into the Olympics’ broader security plan. To address consumer demand for commercial sex acts, provincial courts continued to send defendants convicted of soliciting prostitution to “Johns Schools” to educate them on the potential exploitation involved with the offense. Canada’s Department of National Defense follows NATO policy on combating trafficking in persons, and provides anti-trafficking information to Canadian military forces and to civilian contractors prior to deployment on international peacekeeping missions. Last year the government funded a peacekeeper training program through the OAS to strengthen the capacity of Latin American and Caribbean peacekeeping forces to recognize and prevent human trafficking.

## THE CENTRAL AFRICAN REPUBLIC (Tier 2 Watch List)

The Central African Republic (C.A.R.) is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. The majority of victims are children trafficked within the country for sexual exploitation, domestic servitude, ambulant vending, and forced agricultural, mine, market and restaurant labor. To a lesser extent, children are trafficked from the C.A.R. to Cameroon, Nigeria, and the Democratic Republic of Congo, for the same purposes listed above. Children may also be trafficked from Rwanda to the C.A.R. In addition, rebels conscript children into armed forces within the country. In February and March 2007, a rebel group, possibly the Ugandan Lord’s Resistance Army, attacked villages in southeastern C.A.R. and abducted men, women, and children for forced labor as porters, soldiers, and sexual slaves. Men and women Pygmies, unable to survive as hunters and gatherers because of depleted forests, are subjected to forced agricultural labor by Central African villagers. Authorities in the C.A.R. have a limited awareness of trafficking, and none of the nation’s young, but developing, civil society organiza-

tions has an anti-trafficking focus. No comprehensive trafficking studies have been conducted and little concrete data exists. However, preliminary findings of a 2007 UNICEF-Government of the C.A.R. study on violence linked to child labor reveal that abusive child labor practices are widespread. In addition, a 2005 UNICEF study on child sexual exploitation found over 40 sex trafficking cases in Bangui and four provinces.

The Government of the C.A.R. does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Nevertheless, the C.A.R. is placed on Tier 2 Watch List for its failure to show evidence of increasing efforts to combat trafficking in persons over the previous year. Efforts to address trafficking through vigorous law enforcement measures and victim protection efforts were minimal, though awareness about trafficking appeared to be increasing in the country. The government does not actively investigate cases, work to identify trafficking victims among vulnerable populations, or rescue and provide care to victims.

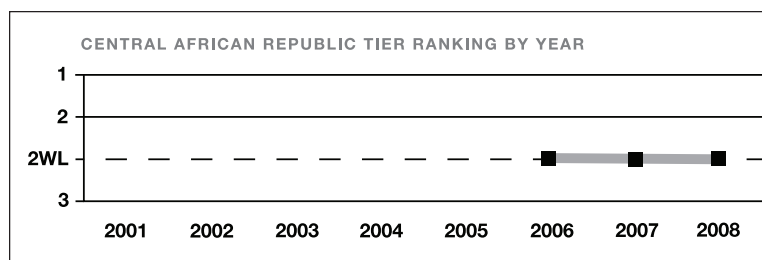
**Recommendations for the C.A.R.:** Enact the 2006 draft anti-trafficking law; develop procedures through which police and social workers may identify trafficking victims among vulnerable populations, such as females in prostitution and abandoned street children; train police and social workers to follow such procedures; reach out to the international community for collaboration in providing care to children in commercial sexual exploitation and forced labor; and increase overall efforts to educate the public about the dangers of trafficking.

### Prosecution

The Government of the C.A.R. demonstrated weak law enforcement efforts to combat trafficking during the last year. Central African law does not prohibit trafficking in persons. A 2006 draft comprehensive anti-trafficking law has yet to be passed. Using laws prohibiting kidnapping, the government is prosecuting three suspected traffickers for allegedly selling a three year-old Guinean girl. In February 2008, trial proceedings against these suspects began. In 2007, the Ministry of Justice incorporated a trafficking training into the National School for Administration and Magistrates that it had first developed in 2005. The government does not monitor immigration or emigration patterns for evidence of trafficking.

### Protection

The Central African government demonstrated weak efforts to protect trafficking victims over the last year. The government reported that during the year it intercepted one trafficking victim, a three-year-old girl who was returned to her family. Government officials have also traveled with UNICEF into the interior of the country to identify, rescue, and demobilize child soldiers conscripted by rebels. Due to a paucity of



resources, the government does not operate a trafficking victim shelter. While the government collaborates with NGOs and international organizations on child protection issues, it did not refer any trafficking victims to these organizations for care during the year. Two NGOs reported that the Ministry of Social Affairs sometimes provided training on general youth issues, but could not confirm that this included trafficking. The government did not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Victims were inappropriately incarcerated for unlawful acts as a direct result of being trafficked; in some cases, police arrested and jailed children in prostitution rather than providing them with rehabilitation and reintegration care. The government does not implement formal procedures to identify trafficking victims among vulnerable populations, such as abandoned children, street children, or females in prostitution. The government does not encourage victims to assist in trafficking investigations or prosecutions.

### Prevention

The Government of the C.A.R. made modest efforts to raise awareness about trafficking during the reporting period. With partial funding from UNICEF, as part of its African Children's Day celebration, the Ministry of the Family and Social Affairs conducted a trafficking awareness campaign through both government and private radio stations in June 2007, reaching more than 1.5 million listeners. The Ministries of Labor and Statistics collaborated with UNICEF during the last year to conduct a study of violence associated with child labor. A Ministry of Justice official worked with UNICEF consultants to conduct focus groups and surveys in local communities to gather data for the study. While the government in 2006 adopted a national action plan to prevent child sexual abuse, including child trafficking, the government lacks funds to implement it. The government has not taken measures to reduce demand for commercial sex acts.

## CHAD (Tier 2 Watch List)

Chad is a source, transit, and destination country for children trafficked for the purposes of forced labor and commercial sexual exploitation. The majority of children are trafficked within Chad for involuntary domestic servitude, forced cattle herding, forced begging, forced labor in petty commerce or the fishing industry, or for commercial sexual exploitation. To a

lesser extent, Chadian children are also trafficked to Cameroon, the Central African Republic, and Nigeria for cattle herding. Children may also be trafficked from Cameroon and the Central African Republic to Chad's oil producing regions for sexual exploitation. Chadian rebels recruit children into the armed forces. In the last year, the Chadian National Army

(CNA) also conscripted children. While the government appeared to have discontinued this practice in May 2007, more recent reports indicate that soldiers from the CNA continue to recruit children, as well as men, by force. Due to the volatile security situation in the country, however, information to confirm these reports has been difficult to obtain. During the year, Sudanese children in refugee camps in eastern Chad were forcibly recruited into armed forces by rebel groups, some of which are backed by the Chadian government. A high profile case during the last year of French NGO personnel attempting to unlawfully fly 103 children of Chadian and Sudanese origin to France was most likely a fraudulent adoption scheme rather than child trafficking. Reports indicate that these children were likely destined for illegal adoption in France rather than for forced labor or commercial sexual exploitation.

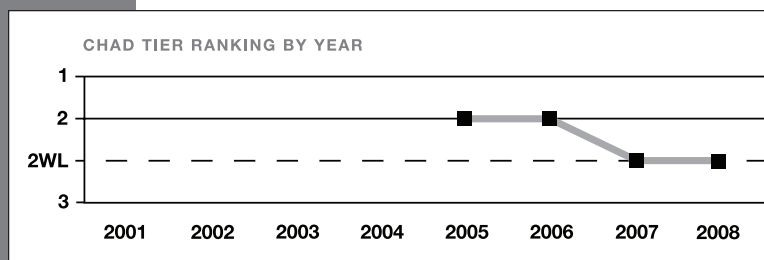
The Government of Chad does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Nevertheless, Chad is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat human trafficking over the previous year. Chad has been destabilized during the year by civil conflict leading to a declared state of emergency in February 2008, attacks from Chadian rebels backed by the Government of Sudan, and a steady influx of refugees fleeing Sudan and the Central African Republic. The government demonstrated insufficient overall efforts to combat trafficking.

**Recommendations for Chad:** Pass and enact its draft law prohibiting child trafficking; increase efforts to arrest, prosecute, and convict trafficking offenders under related laws; investigate and punish official complicity in trafficking; ensure that children are not conscripted into the CNA; collaborate with NGOs and international organizations to care for victims and increase efforts to raise awareness about trafficking.

### Prosecution

The Government of Chad demonstrated weak efforts to combat trafficking through law enforcement means during the reporting period. Chadian law does not prohibit all forms of trafficking in persons, though Title 5 of the Labor Code, however, criminalizes forced and bonded labor, prescribing an

inadequate penalty of approximately \$325-\$665. A draft 2004 law against child trafficking has yet to be passed and enacted. A 2005 Ministry of Justice executive decree to conform Chadian law to international child labor norms awaits approval of the Council of Ministers and the Presidency. To combat parental involvement in the sexual exploitation of girls, the government has proposed increasing the penalty for prostitution of a minor by a relative or guardian to five to ten years' imprisonment and a fine of between \$200 and \$2,000 from no prison sentence and fines between approximately \$295-\$1,700. The government failed to report any trafficking arrests, prosecutions or convictions under trafficking-related laws, such as child abduction, child selling, or child labor. Judicial effectiveness in investigating and prosecuting trafficking crimes is handicapped by the low number of judges in the country—only 150—and the fact that they must write all court documents by hand. The government lacks the resources to employ more efficient procedures. Trafficking cases reported in 2005 and 2006 remained pending, with none of them moving to prosecution. Law enforcement officials and labor inspectors reported that they lack the basic means, such as transportation costs, to investigate trafficking cases. Although authorities receive reports of missing children alleged to have been taken to neighboring countries, the government reported that they usually do not investigate such cases. The government has also failed to investigate reports that some local officials use intermediaries to recruit child herders in Mandoul.



### Protection

The Government of Chad demonstrated poor efforts to protect trafficking victims in the last year. Due to limited resources, the government does not operate shelters for trafficking victims. The government provided no data on the number of victims it assisted through such services and contributions. Chad failed to report any trafficking victim rescues or referrals to NGOs for care. In May 2007, Chad signed an accord with UNICEF to demobilize child soldiers. Subsequently, however, the government denied UNICEF access to military bases to identify additional children. The government did not provide legal alternatives to the removal of foreign victims to countries where they faced hardship or retribution. Victims were not inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked. However, the government may have

conscripted street children, some of whom were likely to be trafficking victims, into its armed forces.

### Prevention

The Government of Chad demonstrated some efforts to raise awareness of trafficking during the last year. In November 2007, Chad participated in a UNICEF-sponsored conference attended by the governments of the Central African Republic and Sudan, as well as UN agencies to discuss increased collaboration within the sub-region to address trafficking. Government-operated television aired anti-trafficking documentaries, including a series on anti-trafficking programs in Burkina Faso and Benin. Government radio broadcast anti-trafficking messages, and continued its programming to educate the public about the dangers of child trafficking for cattle herding. The Chadian government did not take steps to reduce demand for commercial sex acts during the reporting period. Chad has not ratified the 2000 UN TIP Protocol.

## CHILE (Tier 2)

Chile is a source, transit, and destination country for men, women, and children trafficked for purposes of commercial sexual exploitation and labor exploitation. Most victims of sex trafficking are Chilean women and girls who are trafficked within the country. Chileans also are trafficked for sexual and labor exploitation to neighboring countries such as Argentina, Peru, and Bolivia, in addition to Europe, Japan, and the United States. Foreign victims from neighboring countries and Asian countries such as the P.R.C. are lured to Chile with false job offers and subsequently coerced into prostitution. Migrants from Peru and Bolivia, including children, may be subjected to involuntary servitude in agriculture in northern Chile. Chinese nationals are reportedly smuggled through Chile en route to Mexico, Brazil, and the United States; some may be trafficking victims.

The Government of Chile does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Throughout the last year, the government strengthened victim-protection efforts and made solid law enforcement and prevention efforts to combat trafficking crimes. At the same time, however, Chilean authorities report difficulties with obtaining sufficient sentences against trafficking offenders in court.

**Recommendations for Chile:** Enact anti-trafficking legislation that prohibits all forms of trafficking in persons, in conformity with the UN TIP Protocol; increase law enforcement and judicial training in preparation for implementing the new legislation; and encourage investigation and prosecution of human trafficking crimes.

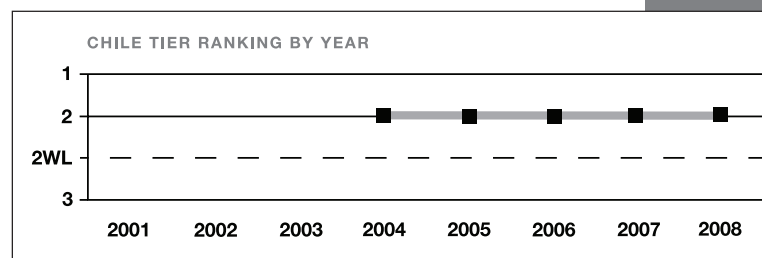
## Prosecution

The Government of Chile sustained law enforcement efforts against traffickers during the reporting period. Chile does not prohibit all forms of human trafficking, though it criminalizes transnational trafficking for sexual exploitation through Article 367 of its penal code. Penalties prescribed under this statute range from three to 20 years' imprisonment, depending on whether aggravated circumstances exist. Such penalties are sufficiently stringent and commensurate with those for other grave crimes, such as rape. In practice, however, because sentences of less than five years are often suspended in Chile, and the minimum penalty for rape is five years and a day, individuals convicted of rape typically receive jail time whereas trafficking offenders do not. The government's statutory framework does not specifically prohibit labor trafficking. Anti-trafficking legislation has been drafted and passed the Chamber of Deputies in April 2007, and is now pending before the Chilean Senate. During the reporting period, the government opened 138 trafficking investigations, initiated 51 prosecutions, and obtained 22 convictions for commercial sexual exploitation of minors and one conviction for cross-border trafficking for sexual exploitation which resulted in a three-year sentence. The cross-border conviction was noteworthy because it involved the recruitment of Peruvian women into forced prostitution through an employment agency that the police exposed through an undercover investigation. Of the government's 138 investigations, 95 investigations related to child prostitution, and the government obtained six convictions and sentences ranging from 300 days' to five years' imprisonment. Sixty-six investigations remained open as of March 2008. The government increased anti-trafficking training of government officials across the country, and also worked closely with neighboring governments, Spain, and Interpol on international trafficking cases. There were no reported investigations of government officials for complicity with trafficking during the reporting period.

## Protection

The Chilean government strengthened its efforts to assist trafficking victims over the last year. The government systematically identified and referred trafficking victims to NGOs and shelters, where they received housing, medical care, psychological counseling, and support. Interpreter services and legal assistance also are available. In October 2007, the government launched a program to assist child victims of all forms of abuse, including child trafficking victims, across the country. The government allocated \$1.5 million to NGOs to establish the program last year, which anticipates serving 1,800 child victims in 2008. Police also instituted more victim-sensitive interviewing techniques: for example, establishing a special room for interview-

ing trafficking victims, use of two-way mirrors so victims could identify a suspected exploiter without fear of retribution, and minimizing multiple victim interviews through use of video-recording equipment. Chilean authorities encourage victims to assist in the investigation and prosecution of their traffickers. There were no confirmed reports that victims were punished for unlawful acts committed as a direct result of being trafficked. Trafficking victims may remain in Chile during legal proceedings against their traffickers. The government works with foreign governments and IOM to facilitate the safe return of Chileans trafficked abroad, and of foreign victims trafficked into Chile.



## Prevention

The government increased prevention efforts during the reporting period. The government conducted widespread education and media campaigns, targeting some to young Chileans seeking work abroad. The government also continued joint awareness-raising projects with NGOs and international organizations. The government made solid efforts to reduce demand for commercial sex acts through its law enforcement efforts targeting clients of child prostitution. In separate prosecutions, six men were convicted of purchasing sex with a minor – two cases involved use of children in pornography – resulting in sentences ranging from 61 days' to six years' imprisonment. Chilean troops departing for international peacekeeping duties attended mandatory pre-deployment training on trafficking in persons, human rights, and compliance with international laws. Chilean troops in Haiti are required to comply with rules of conduct enforced by UN police and the UN Force Commander.

## CHINA (Tier 2 Watch List)

The People's Republic of China (P.R.C.) is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. The majority of trafficking in China occurs within the country's borders, but there is also considerable international trafficking of P.R.C. citizens to Africa, Asia, Europe, Latin America, the Middle East, and North America, which often occurs within a larger flow of human smuggling. Chinese women are lured abroad through false promises of legitimate employment, only to be forced into commercial sexual exploitation, largely in Taiwan,

Thailand, Malaysia, and Japan. There are also many cases involving Chinese men and women who are smuggled into destination countries throughout the world at an enormous personal financial cost and whose indebtedness to traffickers is then used as a means to coerce them into commercial sexual exploitation or forced labor. Women and children are trafficked to China from Mongolia, Burma, North Korea, Russia, and Vietnam for forced labor, marriage, and prostitution. North Korean women and children seeking to leave their country voluntarily cross the border into China, but some of these individuals, after they enter the P.R.C. in a vulnerable, undocumented status, are then sold into prostitution, marriage, or forced labor. While it is difficult to determine if the P.R.C.'s male-female birth ratio imbalance, with more males than females, is currently affecting trafficking of women for brides, some experts believe that it has already or may become a contributing factor.

Forced labor, including forced child labor, remains a significant problem in China. Children as young as 12 were reportedly subjected to forced labor under the guise of "Work and Study" programs over the past year. Conditions in this program include excessive hours with mandatory overtime, dangerous conditions, low pay, and involuntary pay deductions. In June 2007, a Guangdong factory licensed to produce products bearing the 2008 Olympics logo admitted to employing children as young as 12 years old under similar conditions. Some children, particularly Uighur youth from Xinjiang Province, have been abducted for forced begging and thievery in large cities. Overseas human rights organizations allege that government-sponsored labor programs forced Uighur girls and young women to work in factories in eastern China on false pretenses and without regular wages. Involuntary servitude of Chinese nationals abroad also persisted, although the extent of the problem is unclear. Experts believe that the number of Chinese labor and sex trafficking victims in Europe is growing in countries such as Britain, Italy, and France.

The government of the P.R.C. does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nevertheless, China is placed on Tier 2 Watch List for the fourth consecutive year for its failure to provide evidence of increasing efforts to combat human trafficking from the previous year, particularly in terms of punishment of trafficking crimes and the protection of Chinese and foreign victims of trafficking. Victims are sometimes punished for unlawful acts that were committed as a direct result of their being trafficked—such as violations of prostitution or immigration/emigration controls. The Chinese government continued to treat North Korean victims of trafficking solely as economic migrants, routinely deporting them back to horrendous conditions in North Korea. Additional challenges facing the P.R.C. government include the enormous size of

its trafficking problem and the significant level of corruption and complicity in trafficking by some local government officials. Factors impeding progress in anti-trafficking efforts include tight controls over civil society organizations, restricted access of foreign anti-trafficking organizations, and the government's systematic lack of transparency.

During the reporting period, the Chinese government established a new Office for Preventing and Combating Crimes of Trafficking in Women and Children and released its long-awaited National Action Plan to Combat Trafficking in December 2007, which details anti-trafficking responsibilities implemented by 28 ministries and appoints the Ministry of Public Security (MPS) as coordinator of the Chinese government's anti-trafficking efforts. However, there are no plans for resources to be allocated to local and provincial governments for the implementation of the plan. Additionally, the action plan covers only sex trafficking of females, and does not address labor trafficking or male victims of sex trafficking. As host to the Second Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT) Summit in December 2007, China joined other ministers in signing a Joint Declaration to work together to implement the Sub-regional Plan of Action.

**Recommendations for China:** Provide adequate funding to local and provincial governments to implement the new National Action Plan; increase efforts to address labor trafficking, including prosecuting and punishing recruiters and employers who facilitate forced labor and debt bondage, and providing protection services to victims of forced labor; revise anti-trafficking laws to criminalize all forms of labor and sex trafficking, in a manner consistent with international standards; establish formal victim identification procedures; increase efforts to protect and rehabilitate trafficking victims; actively investigate, prosecute, and convict government officials complicit in trafficking crimes; conduct a broad public awareness campaign to inform the public of the risks and dangers of trafficking; provide foreign victims with legal alternatives to removal to countries in which they may face hardship or retribution; and adhere to its obligations as party to the 1951 Refugee Convention and its 1967 Protocol, including by not expelling North Koreans protected under those treaties and by cooperating with UNHCR in the exercise of its functions.

#### **Prosecution**

China sustained its record of criminal law enforcement against traffickers over the reporting period, though government statistics are difficult to verify. P.R.C. law criminalizes forced prostitution, abduction, and the commercial sexual exploitation of girls under 14 through Article 244 of its Criminal Code. Article 41 of China's revised Law on the Protection of Minors, in effect since June 2007, now prohibits the trafficking, kidnapping, and sexual exploitation

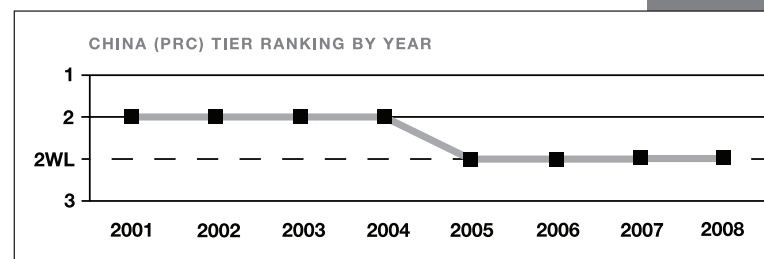
of minors under the age of 18. Prescribed penalties under these criminal statutes are sufficiently stringent and include life imprisonment and the death penalty. However, Chinese law does not prohibit commercial sexual exploitation involving coercion or fraud, nor does it prohibit all forms of trafficking. The law prohibits the employment of children under the age of 16, but the government had not adopted a comprehensive policy to combat child labor. While Article 244 of its Criminal Code bans forced labor by employers, the prescribed penalties of up to three years' imprisonment or a fine under this law are not sufficiently stringent. Additionally, Chinese law does not recognize forms of coercion other than abduction as constituting a means of trafficking. MPS reported investigating 2,375 cases of trafficking of women and children in 2007, which is significantly lower than the 3,371 cases it cited in 2006. These statistics are likely based on China's definition of the term "trafficking," which does not include acts of forced labor, debt bondage, coercion, or involuntary servitude, or offenses committed against male victims. In September 2007, an MPS official indicated that the number of reported cases of sexual exploitation and forced labor increased from 2006 to 2007. Chinese law enforcement authorities arrested and punished some traffickers involved in forced labor practices and commercial sexual exploitation, but did not provide data on prosecutions, convictions, or sentences.

Forced labor remains a significant problem for Chinese at home and abroad. During the reporting period, there were numerous confirmed reports of involuntary servitude of migrant workers and abductees in China. In November 2007, police in Harbin, Heilongjiang Province, discovered six migrant workers who were victims of forced labor. Police found and arrested the trafficker several months after the case was opened. In March 2008, 33 slave laborers from seven provinces, many of whom were mentally challenged, were discovered locked up in a 30-square-meter room of a residential building in Harbin. Police continued to search for the trafficker responsible in this case. In May and June 2007, several cases of forced labor in brick kilns in China's Henan and Shanxi Provinces were revealed, involving over 1,000 farmers, teenagers, and children being held in confinement, subject to physical abuse and non-payment of wages. According to news reports, brick kiln operators claim to have paid off local officials and there are unconfirmed press reports that some local authorities have resold rescued children to factories elsewhere. The Chinese government has not demonstrated concerted efforts to investigate, prosecute, and punish government officials for complicity in trafficking.

### Protection

China made incremental progress in victim protection during the reporting period. The government, with the assistance of UNICEF, built a new shelter to provide trafficking victims in Yunnan Province

with short-term care, but there remain overall an inadequate number of shelters for victims of trafficking. There continue to be no dedicated government assistance programs for victims of trafficking. China continues to lack systematic victim identification procedures to identify victims of sex trafficking among those it arrests for prostitution and to refer them to organizations providing services. It does not have a comprehensive nationwide victim protection service, but has taken some steps to improve intra-governmental coordination and cooperation in vulnerable southern border provinces. While both the MPS and Ministry of Civil Affairs run shelters, the two ministries do not share information or coordinate their efforts.



While China has made increased efforts to better identify and protect trafficking victims through enhanced cross-border cooperation, protection services and victim identification procedures remain inadequate to address victims' needs. Women found in prostitution are, in many instances, treated as criminals for acts committed as a direct result of being trafficked. Although the MPS has provided expanded border and police training to help border officials spot potential trafficking victims and assist in their repatriation, the quasi-governmental All-China Women's Federation reported that ongoing problems require NGO intervention to protect trafficking victims from unjust punishment. The MPS runs three Border Liaison Offices along the border with Vietnam, which has led to an increase in some cross-border cooperation in victim repatriation, and opened one new Border Liaison Office along the border with Burma during the reporting period. Local governments in southern border provinces often rely upon NGOs to identify victims and provide victim protection services due to the lack of resources. Trafficking victims are generally returned to their homes without extensive rehabilitation. All of the victims of forced labor discovered in brick kilns were repatriated to their homes without access to counseling or psychological care, and three victims suspected of being mentally disabled were lost by authorities during the repatriation process. The government does not provide foreign victims with legal alternatives to removal to countries in which they may face hardship or retribution. Some trafficking victims have faced punishments in the form of fines for leaving China without proper authorization. China continues to treat North Korean trafficking victims solely as illegal economic

migrants and reportedly deports a few hundred of them each month to North Korea, where they may face severe punishment. China continues to bar UNHCR from access to the vulnerable North Korean population in Northeast China.

### Prevention

China made efforts to prevent trafficking in persons this year. In July 2007, the ACWF co-sponsored a Children's Forum that brought together children from across the country to discuss ways to prevent the trafficking of vulnerable youth. The government did not conduct any broad public awareness program to inform the public of the dangers of trafficking. With the assistance of NGOs, the Ministry of Education undertook outreach efforts to some villages and schools, providing information on what trafficking is, how to avoid being trafficked, and providing emergency hotline numbers. The Chinese government, through the ACWF, has also conducted training for law enforcement agencies and border entry-exit officials to raise awareness of trafficking. Though it took some steps forward, China still has not taken adequate measures to prevent internal trafficking for sexual exploitation or forced labor, nor did it take measures to reduce the demand for commercial sex acts or child sex tourism. China has not ratified the 2000 UN TIP Protocol.

## COLOMBIA (Tier 1)

Colombia is one of the Western Hemisphere's major source countries for women and girls trafficked abroad for purposes of commercial sexual exploitation and involuntary servitude. Colombian women and girls are trafficked throughout Latin America, the Caribbean, Western Europe, East Asia, the Middle East, and North America, including the United States. Within Colombia, some men are trafficked for forced labor, but trafficking of women and children from rural to urban areas for sexual exploitation remains a larger problem. Groups at high risk for trafficking include displaced persons and relatives of members of criminal organizations. Internal armed violence in Colombia has displaced many communities, making them vulnerable to trafficking, and insurgent and paramilitary groups forcibly recruit and exploit children as combatants. Gangs and organized criminal networks—some connected to terrorist organizations—force relatives, acquaintances, and

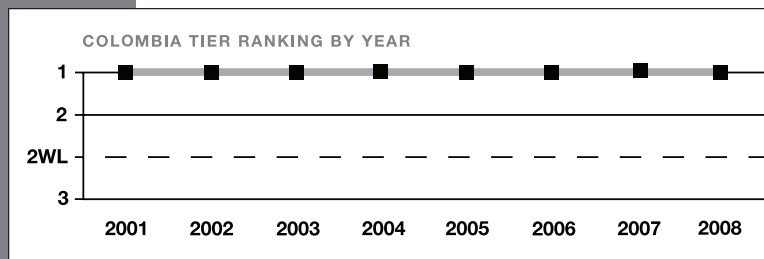
displaced persons, typically women and children, into conditions of commercial sexual exploitation and compulsory labor, including forced begging and servitude in the illegal drug trade. Migrants from South America and China transit Colombia en route to Europe and the United States; some are reported to be trafficking victims. Colombia also is a limited destination for sex tourism, particularly in coastal cities such as Cartagena and Barranquilla.

The Government of Colombia fully complies with the minimum standards for the elimination of trafficking in persons. During the reporting period, the government dedicated more resources for victim assistance, and maintained significant law enforcement actions against trafficking offenders.

**Recommendations for Colombia:** Dedicate more resources for victim services; strengthen existing victim protection measures, including the government's witness protection program; continue consular efforts to assist and repatriate the large number of Colombians trafficked overseas; formalize procedures to identify trafficking victims among vulnerable populations; and intensify efforts to raise public awareness about human trafficking, particularly among youth seeking jobs abroad.

### Prosecution

The Government of Colombia sustained effective law enforcement efforts against trafficking offenders during the reporting period. Colombia prohibits all forms of trafficking through its comprehensive anti-trafficking statute, Law 985, which prescribes a minimum of 13 to 23 years' imprisonment. These penalties are sufficiently stringent and commensurate with those for other grave crimes such as rape. In 2007, authorities initiated 182 anti-trafficking investigations (83 under the former legal system, and 99 under the new oral accusatory system), which represents a steep increase from 2006, when the government opened 49 investigations. The government also initiated 44 trafficking prosecutions and achieved six convictions, compared to 75 prosecutions and 10 convictions reported for 2006. Three trafficking offenders received sentences ranging from four to 12 years in prison, and the other three convicted traffickers are awaiting sentencing. The government also instituted a database to track and monitor statistics on trafficking cases, including victim information to help determine areas where Colombians are vulnerable to being trafficked. The government should consider broader use of proactive police techniques to rescue victims from trafficking situations. The government cooperated on international trafficking investigations with governments in Peru, Costa Rica, Panama, Hong Kong, Japan, Singapore, Thailand, the Philippines, China, and Vietnam. Although in the past, some NGOs have reported that corruption of government officials was a problem, particularly in providing fraudulent travel documents, investigating authorities received no specific complaints during the reporting period.





## Protection

The government improved victim protection efforts during the reporting period. The Colombian government increased funding to NGOs to provide shelter and other services to child trafficking victims. The government collaborated closely with NGOs and international organizations that provided the bulk of trafficking victim assistance. The government is finalizing plans to open an anti-trafficking operations center, which will serve as a central repository of anti-trafficking information for victims. The government also operates a witness-protection program, which only partially meets the need to provide secure shelter for victims who choose to participate in prosecutions of traffickers, due to the organized nature of criminal trafficking networks in Colombia. The government does not have a formal mechanism for identifying trafficking victims among vulnerable populations, such as displaced persons or women in prostitution. In conjunction with IOM, the government trains consular officials on recognizing potential trafficking victims abroad, and providing Colombian trafficking victims with appropriate legal and social services in coordination with local authorities. However, victim services offered by the government overseas are limited to Colombian consular districts with at least 10,000 Colombian residents, and are not likely to be available to victims trafficked to remote locations in Asia, Europe, and the Middle East. Colombian authorities encourage victims to assist in the investigation and prosecution of their traffickers. There were no reports of victims being jailed or otherwise penalized for unlawful acts committed as a direct result of being trafficked.

## Prevention

The government improved prevention efforts against human trafficking during the reporting year, but continued to rely heavily on NGOs and international organizations for the bulk of activities. In early 2007, the government assumed responsibility for operating a national call center, a pilot program which had been launched by IOM. The call center received more than 947 trafficking-related calls during the reporting period, and the government continued to use the center to provide information to persons vulnerable to being trafficked. The government also operates a comprehensive anti-trafficking website that features a campaign entitled: "The Fight against Trafficking in Persons: the next victim could be you!" As a demand-reduction effort, Colombia penalizes individuals who organize or facilitate sex tourism into the country through article 219 of its criminal code, prescribing penalties of three to eight years' imprisonment. No investigations or prosecutions under this statute have been reported. No other government campaigns to reduce demand for commercial sex acts were visible during the reporting period, although the Colombian Congress is debating criminal legislation related to this issue.

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

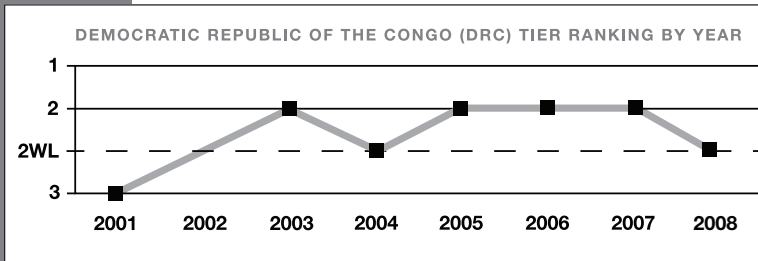
The Democratic Republic of the Congo (DRC) is a source and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Much of this trafficking occurs within the country's unstable eastern provinces and is perpetrated by armed groups outside government control. Indigenous and foreign armed militia groups, notably, the Democratic Forces for the Liberation of Rwanda (FDLR), the National Congress for the Defense of the People (CNDP) and various local militia (Mai-Mai), continue to abduct and forcibly recruit Congolese men, women, and children, as well as smaller numbers of Rwandan and Ugandan children, to serve as laborers (including in mines), porters, domestics, combatants, and sex slaves. CNDP troops, dressed in civilian clothes and fraudulently promising civilian employment, conscripted an unknown number of Congolese men and boys from Rwanda-based refugee camps, as well as dozens of Rwandan children from towns in western Rwanda, for forced labor and soldiering in the DRC. The failed "mixed" brigade experiment, which attempted to combine full CNDP battalions into single brigades with other battalions answering to FARDC command and control, ended in September 2007. This process abruptly brought into the FARDC ranks an estimated 200 children, including girls, who were not demobilized during the reporting period. In December 2007, the terrorist rebel organization, Lord's Resistance Army (LRA), intensified its operations in the DRC's Dungen Territory, abducting civilians. An estimated 300 women and children remained with the LRA in DRC's Garamba National Park. More than 1,000 Congolese women remained in Uganda after being forcibly transported there as sex slaves or domestics by departing Ugandan troops in 2004.

An unknown number of unlicensed Congolese miners remain in debt bondage to supplies dealers for tools, food, and other provisions. Some reports suggest that Congolese children were prostituted in brothels or in camps by loosely organized networks. Congolese women and children were reportedly also trafficked by road to South Africa for sexual exploitation. Congolese girls were also believed to be trafficked to the Republic of the Congo for commercial sexual exploitation. A small number of Congolese children are also reportedly trafficked to Uganda via Rwanda for agricultural labor and sexual exploitation. Reports suggest some members of Batwa, or pygmy groups, were subjected to conditions of involuntary servitude.

The Government of the Democratic Republic of the Congo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nevertheless,

DRC is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat trafficking in persons over the last year. Some significant initial advances were noted, particularly regarding the arrest of at least three suspected traffickers. However, a number of other arrest warrants were not carried out, and no convictions of traffickers were obtained. Under the national Disarmament, Demobilization, and Reintegration (DDR) plan, the government demobilized 3,563 child soldiers found largely in the ranks of rebel militias; at the same time, however, it did not take efforts to identify or protect victims of trafficking among 200 child soldiers in its own army, the FARDC. The government lacks sufficient financial, technical, and human resources to effectively address not only trafficking crimes, but also to provide basic levels of security in some parts of the country. The military lacked the capacity to forcibly demobilize armed groups. The country's criminal and military justice systems, including the police, courts, and prisons, were practically nonexistent from years of war; there are few functioning courts or secure prisons in the country.

**Recommendations for the Democratic Republic of the Congo:** Work with international partners to ensure that all children in government custody, some of whom may be trafficking victims, receive appropriate protective services; step up efforts to arrest and prosecute traffickers, particularly those who unlawfully conscript child soldiers or utilize forced labor; and develop legislative proposals to more comprehensively address human trafficking.



**Prosecution**

The government's efforts in prosecuting trafficking crimes were limited during the reporting period. Existing laws do not prohibit all forms of labor trafficking; however, the July 2006 sexual violence statute, Law 6/018, specifically prohibits and prescribes penalties of 10 to 20 years' imprisonment for sex trafficking, child and forced prostitution, and pimping. In addition, the constitution forbids involuntary servitude and child soldiering.

During the reporting period, the government made modest efforts to address trafficking crimes committed by armed groups. In February 2008, it arrested Mathieu Ngudjolo Chui, the commander

of the MRC militia, and transferred him to the International Criminal Court (ICC) for prosecution on charges including conscription of children, sexual enslavement, and murder, allegedly committed while serving as a senior commander of the FNI rebel group. In September 2007, the government initiated prosecution of former Mai-Mai commander Kynugu Mutanga, known as Gédéon, on charges including illegal child recruitment. That same month, it detained Bedi Mubuli Engangela Mabolongo, another former Mai-Mai commander known as Colonel 106, suspected of insurrection and war crimes, including the illegal recruitment of children; he was transferred to a prison in Kinshasa, but has yet to be formally charged. In October 2007, the government transferred to the ICC Germain Katanga, a former leader of the FRPI militia, for prosecution on charges of war crimes, including unlawful recruitment of child soldiers and sexual slavery.

These efforts notwithstanding, the government's capacity to apprehend, convict, or imprison traffickers remained weak. In March 2007, Commander Jean-Pierre Biyoyo, formerly of the Mudundu-40 armed group and the only person ever convicted by Congolese courts of conscripting children (and who escaped prison in June 2006), resurfaced in Bukavu in a delegation of mixed brigade officers; he has not been re-apprehended. In January 2007, the FARDC Chief of Staff issued a warrant for the arrest of "Captain Gaston," an armed group commander allegedly responsible for the mid-2006 murder of an NGO child protection advocate; he remained at large during the reporting period. In May 2007, military authorities issued an arrest warrant for FARDC soldiers of the 6th Integrated Brigade in Bunia alleged to have abducted four girls to use as "wives," but these soldiers too remained at large.

**Protection**

NGOs provided legal, medical, and psychological services to trafficking victims and potential trafficking victims, including child soldiers and children in prostitution. Under the National DDR Plan, all ex-combatants pass through a common process during which they disarm and receive information about military and civilian reintegration options. During this process, the Ministry of Defense's disarmament, demobilization, and reintegration implementation unit, UEPN-DDR, identifies, separates out, and transports any children identified to NGO-run centers for temporary housing and vocational training; 3,653 child soldiers were demobilized from armed groups through this process in 2007, mainly in Ituri District of Orientale Province. The FARDC's lack of command and control over CNDP battalions integrated into its short-lived mixed brigades in North Kivu hindered efforts by NGOs to separate child soldiers from these battal-

ions. For example, in March 2007, Colonel Sultani Makenka, commander of a mixed brigade and a CNDP officer, attempted to forcibly prevent child protection workers from removing eight children from the military camp at Kitchanga by pulling six of them from an NGO vehicle and violently threatening three child protection staff. Anecdotal evidence suggests some commanders of North Kivu armed groups who were part of the mixed brigades recognized the effectiveness of FARDC integration processes in identifying, separating out, and protecting child soldiers in their ranks and hid large numbers of children to prevent them from traveling to integration sites.

The government had little capacity to encourage victims to participate in investigations or prosecutions of trafficking offenders. Some FARDC elements essentially outside government control continued during the reporting period to harass, arrest, and physically mistreat children formerly associated with armed groups, including potential trafficking victims, and local authorities occasionally charged demobilized child soldiers with being members of illegal armed groups. Minors detained for child soldiering were generally released quickly if discovered by MONUC or NGOs. However, 31 Congolese, Rwandan and Burundian child soldiers were detained, interrogated, and mistreated for several months to obtain information on their former armed groups, and then transferred to a prison in Kinshasa for further questioning. The government released these children to UNICEF in March 2008.

### Prevention

During the reporting period, a working group comprised of the Ministries of Interior and Justice, the national police, the European Police Mission, international donors, and civil society organizations drafted, and continued to review, text for legislation addressing respect for and protection of human rights by police, as well as the prosecution of military deserters. As part of the disarmament, demobilization, and reintegration (DDR) campaign in Ituri and the Kivus, SMI, UEPN-DDR, FARDC, and MONUC staff took information about DDR directly to active combatants in the bush, explaining the demobilization process, benefits, available choices, and the services provided to child soldiers, some of whom are potential trafficking victims. In February 2008, UEPN-DDR launched a campaign on zero tolerance for child soldiers in the DRC; an interview on this subject with the head of UEPN-DDR was widely carried by local radio stations. At least 20 additional radio programs were broadcast during the year on the issue of child soldiers. The government did not conduct other public awareness campaigns related to trafficking during the reporting period. During the reporting period, the govern-

ment's Military Integration Structure (SMI) and the UN Mission to the DRC (MONUC) conducted joint training on child protection, respect of human rights, and gender-based violence as part of the retraining of FARDC soldiers and officers at brigade centers.

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

The Republic of the Congo (R.O.C.) is a source and destination country for children trafficked for the purposes of forced labor and commercial sexual exploitation. Girls are trafficked from rural areas within the country primarily to Brazzaville, but also to Pointe Noire, for commercial sexual exploitation. Boys and girls are trafficked from rural areas, with higher numbers coming from the Pool Region, to Pointe Noire and Brazzaville for forced street vending and domestic servitude. Transnationally, children are trafficked from other African countries to Pointe Noire for domestic servitude, forced market vending, and forced labor in the fishing industry. The majority of these victims are girls from Benin, although they are also trafficked from Mali, Senegal, Guinea, Togo, Senegal, and Cameroon. Lured by promises of jobs in the R.O.C. or onward voyages to France, Canada, and South Africa, girls are trafficked from the Democratic Republic of Congo (D.R.C.) to Brazzaville for organized prostitution. Children may also be trafficked to the R.O.C. from the D.R.C. for forced commercial activities, such as street vending, domestic servitude, tailoring, hairdressing, and food service.

The Government of the Republic of the Congo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Nevertheless, the R.O.C. is placed on Tier 2 Watch List for its failure to show evidence of increasing efforts to combat trafficking in persons over previous years. Awareness of trafficking in the R.O.C. is nascent. Struggling to recover from six years of civil conflict that ended in 2003, the R.O.C.'s capacity to address trafficking is handicapped. As the nation rebuilds, establishing a solid anti-trafficking legal and social services structure will be necessary to safeguard children from abuses by traffickers.

**Recommendations for the R.O.C.:** Finalize and enact the draft Child Protection Code prohibiting child trafficking; train law enforcement officials to identify traffickers and arrest them under laws against forced labor and child prostitution; train law enforcement officials and social workers to identify trafficking victims among vulnerable populations, such as street children, child market vendors, and girls in prostitu-

tion, and to refer them to NGOs for care; develop a national action plan to combat trafficking; and take steps to raise public awareness about trafficking.

### **Prosecution**

The Government of the R.O.C. demonstrated weak law enforcement efforts to combat trafficking during the last year. The R.O.C. does not prohibit all forms of trafficking. However, Penal Code Articles 344 criminalizes the pimping of children, prescribing penalties of six months' to two years' imprisonment and a fine, which are insufficient and not commensurate with penalties prescribed for rape. A draft Child Protection Code that has been submitted to the National Assembly for passage includes provisions prohibiting child trafficking. The government reported no trafficking prosecutions or convictions under related laws in the last year. Since awareness of trafficking is nascent, the government neither monitors its borders for trafficking activity nor provides specialized anti-trafficking training for law enforcement officials.

### **Protection**

The R.O.C. government demonstrated poor efforts to protect trafficking victims over the last year. The government does not operate any trafficking victim shelters. Although several NGOs provide assistance to trafficking victims, the government does not collaborate with these organizations to intercept victims or provide them with food, shelter, counseling or medical care. However, during the year, the government collaborated with UNICEF and NGOs to repatriate West African children trafficked to Point Noire. Since 2006, the R.O.C. has been working with a foreign donor to execute its National Program for Disarmament, Demobilization, and Reintegration of child combatants, some of whom are trafficking victims. The government does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. There have been no reports of victims inappropriately incarcerated for unlawful acts as a direct result of being trafficked. The government does not encourage victims to assist in trafficking investigations or prosecutions.

### **Prevention**

The Government of the R.O.C. made insufficient efforts to prevent incidents of trafficking during the reporting period. The government reported no anti-trafficking public awareness initiatives during the last year. The Ministries of Health, Social Affairs and the Family participated in a UNICEF study on child trafficking in the R.O.C. published in June 2007. In July 2007, the government signed an agreement with UNICEF and the Peace Diocesan Commission to work together to combat child trafficking in the country. The government has not taken measures to reduce demand for commercial sex acts in the Republic of the Congo.

## **COSTA RICA (Tier 2 Watch List)**

Costa Rica is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Women and girls from Nicaragua, the Dominican Republic, Colombia, Panama, Russia, Uzbekistan, and the Philippines are trafficked into the country for sexual exploitation. Costa Rica also serves as a transit point for victims trafficked to the United States, Mexico, Canada, and Europe. Costa Rican women and children are trafficked internally and to El Salvador, Guatemala, Japan, and the United States for sexual exploitation. The government identifies child sex tourism as a serious problem. Men, women, and children are trafficked within the country for forced labor in fishing and construction, and as domestic servants. Young men from Nicaragua, as well as Chinese nationals, are trafficked to Costa Rica for labor exploitation, mostly in agriculture and construction.

The Government of Costa Rica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Costa Rica is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat human trafficking, particularly in terms of its failure to improve its inadequate assistance to victims. While Costa Rican officials recognize human trafficking as a serious problem, the lack of a stronger response by the government is of concern, especially due to the significant number of victims present in the country.

**Recommendations for Costa Rica:** Amend laws to prohibit all forms of trafficking in persons; intensify efforts to investigate and prosecute trafficking offenses, and ensure that offenders are convicted and sentenced appropriately; provide greater legal protections and assistance for victims; increase training for law enforcement; and improve data collection for trafficking crimes.

### **Prosecution**

The Government of Costa Rica demonstrated some law enforcement efforts against traffickers. Costa Rica does not prohibit all forms of human trafficking, although Article 172 of its criminal code criminalizes transnational trafficking for the purposes of sexual or labor servitude, prescribing punishments of three to six years' imprisonment. Trafficking of children is prohibited by Article 376, and carries penalties of two to four years' imprisonment. Costa Rican law also prohibits the commercial sexual exploitation of children through Article 161 of its penal code, which carries penalties of up to 10 years in prison. While these penalties are sufficiently stringent, they are not commensurate with penalties prescribed for other serious crimes such as rape. Moreover, Costa Rican law does not

prohibit the trafficking of adults within the country. In March 2007, the government proposed legislative reforms to better define the offense of trafficking in persons and to provide more assistance to trafficking victims; the Costa Rican legislature should make every effort to pass such changes this year. In July 2007, the government enacted criminal-code reforms to strengthen legal protections for children. During 2006, the latest period for which official statistics are available, the government opened 11 trafficking-in-persons investigations, but secured no convictions or sentences against perpetrators. Although statistics from earlier years are difficult to compare due to the lack of trafficking-specific data, law enforcement efforts against trafficking offenders appear to have remained static or have declined during the past three years. In 2007, the judicial police also opened six investigations into international trafficking organizations, and cooperated with neighboring countries, Interpol, and U.S. law enforcement counterparts. The government significantly increased anti-trafficking training for law enforcement, and collaborated with NGOs and international organizations on additional training. No prosecutions for trafficking-related corruption were opened in 2007, although one investigation was underway at year's end.

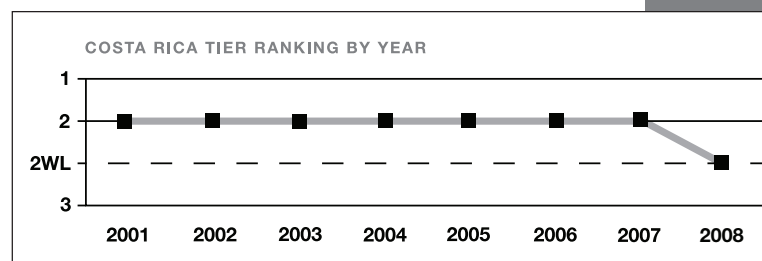
### Protection

The Costa Rican government made inadequate efforts to provide protection for trafficking victims in 2007, and relies on NGOs and international organizations to provide the bulk of assistance. There are no specialized shelters or services for trafficking victims, although the government did fund an NGO working with victims of sexual exploitation. Overall, protective services remain lacking, although trafficking victims may be able to access services provided for adult and minor victims of violent crime. There is no formalized mechanism for referring trafficking victims to NGOs, and the government employed no formal procedures for identifying trafficking victims among vulnerable populations, such as persons detained for prostitution or immigration violations. The government generally did not penalize victims for unlawful acts committed as a direct result of being trafficked. However, officials treated some foreign adults as illegal migrants and deported them without taking steps to determine if they were trafficking victims. The law does not provide temporary residency status for foreign trafficking victims, although foreign nationals may be able to apply for work permits or refugee status. Costa Rican authorities encouraged victims to assist in the investigation and prosecution of their traffickers. There are no programs to assist trafficking victims repatriated from other countries, although the government collaborated with IOM on an ad hoc basis last year to provide psychological assistance for two victims

who had been trafficked to Japan. The government published a manual for law enforcement on identifying trafficking cases involving children.

### Prevention

The government improved prevention efforts during the reporting year. The President condemned human trafficking in public statements, and the government acknowledges the serious nature of the problem. The government also prosecuted 77 cases relating to the commercial sexual exploitation of minors, which reflected solid government efforts to reduce consumer demand for sexual acts with children. The government achieved six convictions against offenders, with sentences ranging from two to 50 years in prison. Public campaigns against child sex tourism continued, in addition to widespread media and billboard notices designed to warn young women of the dangers of

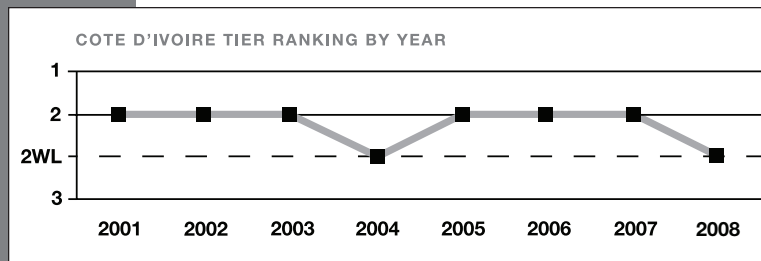


commercial sexual exploitation. The government continued to support a national hotline project publicized through a nationwide media campaign featuring U.S. pop singer Ricky Martin. The government improved coordination with NGOs and international organizations on prevention activities, and sponsored campaigns to reduce demand for commercial sex acts with minors by warning potential exploiters that they will be prosecuted in Costa Rica. Approximately 200 tour companies in Costa Rica in 2007 signed a conduct code as part of a global initiative against the commercial sexual exploitation of children.

## COTE D'IVOIRE (Tier 2 Watch List)

Cote d'Ivoire is a source, transit, and destination country for women and children trafficked for forced labor and commercial sexual exploitation. Trafficking within the country is more prevalent than international trafficking and the majority of victims are children. Women and girls are trafficked from northern areas to southern cities for domestic servitude, restaurant labor, and sexual exploitation. A 2007 study by the German government's foreign aid organization on child sex trafficking in two Ivoirian districts found that 85 percent of females in prostitution are children. Boys are trafficked internally for agricultural and service labor. Transnationally, boys are trafficked from Ghana,

Mali, Burkina Faso, and Benin to Cote d'Ivoire for forced agricultural labor, from Guinea for forced mining, from Togo for forced construction labor, from Benin for forced carpentry work, and from Ghana and Togo for forced labor in the fishing industry. Women and girls are trafficked to and from other West and Central African countries for domestic servitude and forced street vending. Women and girls from Ghana and Nigeria are trafficked to urban centers in Cote d'Ivoire for sexual exploitation. To a lesser extent, women are trafficked from China, Ukraine, the Philippines, and North Africa to Cote d'Ivoire for the same purpose. Women are trafficked from and through Cote d'Ivoire to Europe for sexual exploitation. Reports indicate that Ivoirian children conscripted by rebel and militia groups during the civil conflict remain with these groups and are still exploited for purposes of forced labor in a non-combat capacity.



The Government of Cote d'Ivoire does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Cote d'Ivoire is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to eliminate trafficking over the previous year, particularly with regard to its law enforcement efforts and protection of sex trafficking victims. Although a 2007 study indicated that sex trafficking, particularly of minors, is widespread, the government did not allocate sufficient resources to address it. Authorities did not take adequate steps to identify and protect adult victims of trafficking, and reports that security officials have engaged in harassment and exploitation of some victims have not been investigated.

**Recommendations for Cote d'Ivoire:** Finalize its draft statute against child trafficking; draft and enact a law against trafficking of adults; increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; provide resources, such as vehicles, to police to enable them to respond to reports of trafficking; develop formal procedures for identifying trafficking victims among women and girls in prostitution; ensure that trafficking victims are not penalized as criminals for acts committed as a result of being trafficked; collaborate with NGOs and the international community in providing care for adult trafficking victims; and fulfill commitments to the international community to

work with private cocoa companies to survey 50 percent of all cocoa-producing regions to measure the incidence of worst forms of child labor and forced adult labor by July 2008.

### Prosecution

The Government of Cote d'Ivoire demonstrated inadequate efforts to address trafficking though law enforcement during the reporting period. Ivoirian law does not prohibit all forms of trafficking. However, Penal Code Article 378 prohibits forced labor, prescribing sufficiently stringent penalties of one to five years' imprisonment and a fine. Penal Code Articles 335 to 337 prohibit recruiting or offering children for prostitution, prescribing penalties of one to 10 years' imprisonment and a fine, which are sufficiently stringent and appear not to be commensurate with the penalties prescribed for rape. Ivoirian law does not criminalize the trafficking of adults for labor or sexual exploitation. In January 2007, the government drafted a new bill prohibiting child trafficking and child labor which, once approved by the cabinet, could be enacted by signature of the President, but some officials advocate for its passage instead by the National Assembly. Due to delayed legislative elections, however, Cote d'Ivoire has lacked a National Assembly since 2005, when its mandate expired. Police records indicate that from April 2007 to January 2008, officials arrested 12 suspected traffickers. Authorities indicated that several were detained, but could not provide further information. The government failed to report any trafficking prosecutions and convictions during the year. In 2007, police arrested the president of the Beninese community in Daloa for trafficking 25 Beninese children for work on Ivoirian plantations. As a general matter, however, the government rarely investigates trafficking cases, in part due to lack of resources. Police reported that they occasionally execute raids on brothels, but provided no statistics on the number of raids in the last year or evidence that such raids are targeted at trafficking. At the same time, NGOs and others reporting specific instances of women and children being trafficked in brothels are often told that police are unable to respond due to lack of vehicles. The National School for Civil Servants, with the help of the ILO, continues to include a course on child labor as part of the curriculum for Workplace Inspectors.

### Protection

The Ivoirian government made steady efforts to provide care to victims of child labor trafficking, but insufficient efforts to protect adult and sex trafficking victims during the year. Due to lack of resources, the government does not operate its own shelter, but instead refers victims to NGOs and international organizations for care. The government also assigns civil servant social workers with government-paid salaries to work at NGOs assisting victims. In Bonoua, the mayor and deputy mayor

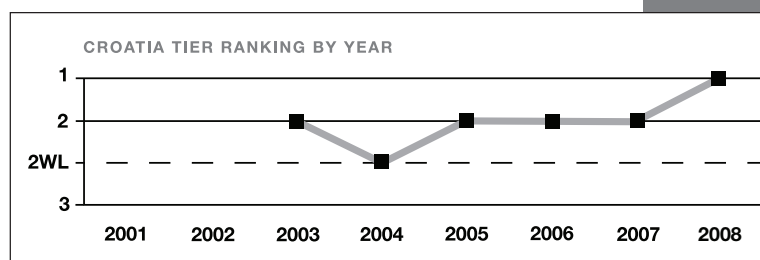
have assigned their assistants to work with local anti-trafficking watch groups and provided an office and a room to accommodate child victims until they are picked up by NGOs. An international NGO also continues to use a building donated by the government as a shelter for child victims. However, the organization reports that the Ministry of Justice and Human Rights has been trying to reclaim the building. The government repatriates foreign victims with assistance from IOM and UNICEF. There is no formal government assistance for Ivoirian nationals repatriated to Cote d'Ivoire. Official police records indicate that from April 2007 to January 2008, 135 Ivoirian trafficking victims were intercepted and either repatriated or returned to their home communities in Cote d'Ivoire. The majority of these victims were labor trafficking victims. The government continued to support Community Education Centers (CECs) established in 2005 to receive and educate children removed from the worst forms of child labor, particularly in the cocoa sector. The government provides some teachers to the CECs, while Ivoirian families contribute funds to pay the rest of the teachers. The Ivoirian police lack systematic procedures to employ in identifying trafficking victims among females found in prostitution, making it likely that sex trafficking victims were detained and penalized for unlawful acts directly related to being trafficked, such as prostitution or immigration offenses. Of particular concern, NGOs report that security officials exploit women in prostitution, including trafficking victims, sometimes threatening to arrest foreign women without documentation if they refuse to engage in sex. The government failed to investigate such NGO reports. The government provides legal alternatives to the removal of foreign victims to countries where they face hardship or retribution through temporary residency permits, though it does not encourage victims to assist in trafficking investigations or prosecutions.

### Prevention

The Government of Cote d'Ivoire demonstrated sustained efforts to prevent trafficking during the reporting period. In November 2007, the government approved a national plan of action to eliminate child trafficking and the worst forms of child labor in 50 percent of all industries. Cote d'Ivoire's 2008 budget allocates \$4.3 million toward implementing the action plan. The government continued to work with private cocoa companies to collect data to measure the incidence of the worst forms of child labor and forced adult labor in the cocoa sector. The police reported that they took steps to reduce demand for commercial sex acts by executing raids on brothels, but could not provide details as to how many raids were conducted. Cote d'Ivoire has not ratified the 2000 UN TIP Protocol.

## CROATIA (Tier 1)

Croatia is a source, transit, and increasingly a destination country, for women and girls trafficked for the purpose of sexual exploitation. Croatian females are trafficked within the country and women and girls from Romania, Bulgaria, Serbia, Bosnia and Herzegovina, and other parts of Eastern Europe are trafficked to and through Croatia for the purpose of sexual exploitation. Croatian men are occasionally trafficked for forced labor. Victims transiting Croatia from Southeastern Europe are trafficked into Western Europe for commercial sexual exploitation. IOM reported continued seasonal rotation of international women in prostitution to and from the Dalmatian coast during high tourist seasons, raising concerns about trafficking. The Government of Croatia fully complies with the minimum standards for the elimination of traffick-



ing. The government continued to pursue a comprehensive victim-centered approach in response to trafficking in 2007. It doubled the number of trafficking convictions, significantly reduced its use of suspended sentences for convicted traffickers, continued its proactive law enforcement training, and initiated new public awareness raising projects during the reporting period.

**Recommendations for Croatia:** Seek to toughen sentences imposed on convicted traffickers, and continue efforts to enhance proactive identification of women in prostitution and of migrants who transit the country legally.

### Prosecution

The Government of Croatia made significant improvements in prosecuting and convicting traffickers in 2007. Croatia criminally prohibits trafficking for sexual and labor exploitation through Criminal Provision 175 of its penal code. Prescribed penalties for sex trafficking are commensurate with those for rape, and penalties for all forms of trafficking are sufficiently stringent. In 2007, the government investigated 20 suspected trafficking offenders, an increase from 17 in 2006. It convicted 10 traffickers, two of which are pending final appeal. Out of the remaining eight traffickers, one received a three-year sentence, three received a sentence of one year and four months, and two received one-year sentences. Two traffickers' sentences of four and three years were suspended. In February 2008, the government

conducted anti-trafficking training for ten officers to instruct future Croatian peacekeepers prior to their deployment. There were no specific reports of trafficking-related complicity.

### Protection

The Government of Croatia in 2007 further institutionalized a victim-centered approach for trafficking victims. The government provides foreign victims with legal alternatives to their removal to countries where they may face hardship or retribution. In January 2008, a new Law on Foreigners mandates a 30-day reflection period for potential adult victims and a 90-day reflection period for children who are potential victims. The government continued its proactive cooperation with civil society, providing identified victims with shelter, legal, medical, and psychological services, as well as educational and vocational training. Out of 15 identified victims in 2007, five accepted accommodation in shelters. The government facilitated the responsible return of the remaining 10 who chose not to stay at a shelter. Croatia continued to implement, through the use of mobile teams, its national mechanism to proactively identify potential trafficking victims and refer them to service providers. The government actively encourages victim participation in trafficking cases; assistance was not conditional upon victim cooperation with law enforcement investigators. Victims are entitled to file both civil and criminal lawsuits and have the right to press charges themselves, even in cases that are dropped by the State Prosecutor. The government made efforts to ensure that trafficking victims were not detained, penalized, or deported for unlawful acts committed as a result of their being trafficked. Last year the government provided approximately \$82,000 in specific funding for shelters for trafficking victims.

### Prevention

The Government of Croatia contributed generously to its anti-trafficking efforts, allocating almost \$2 million to its anti-trafficking regime in 2007. It demonstrated its leadership and commitment by conducting numerous high profile educational campaigns about trafficking. The government earmarked over \$37,000 for and developed a nation-wide demand reduction campaign as part of an EU Cards Twinning Project with Austria and Germany to air in May 2008 prior to the Euro-Soccer Cup. In 2007, it sponsored an anti-trafficking movie night at Zagreb based cinemas with free admission to the public, and produced and distributed an anti-trafficking documentary nationwide, with over 54 showings across the country.

## CUBA (Tier 3)

Cuba is principally a source country for women and children trafficked within the country for the purpose of commercial sexual exploitation. Some

families push child victims to prostitute themselves as a means of increasing family income. Cuban children and adults also may be exploited for forced labor. The full scope of trafficking within Cuba is difficult to gauge due to the closed nature of the government and sparse non-governmental or independent reporting. However, by all accounts, the country is a destination for sex tourism, including child sex tourism, which is a problem in many areas of the country. Cuba's thriving sex trade caters to numerous European, Canadian, and Latin American tourists every year. State-run hotel workers, travel employees, cab drivers, and police steer tourists to prostituted women and children and facilitate their commercial sexual exploitation, sometimes extorting money or pay-offs from victims. Limited sex trafficking of Cuban women to Mexico, The Bahamas, and Western Europe has been reported. Some Cuban nationals willingly migrate to the United States, but are subsequently exploited for forced labor by their smugglers. Cuba also is a transit point for the smuggling of migrants from China, Sri Lanka, Bangladesh, Lebanon, and other nations to the United States and Canada. Some of these migrants may be trafficking victims, who are subject to forced labor, sexual exploitation, and abuse.

The Government of Cuba does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Exact information about trafficking in Cuba is difficult to obtain because the government does not publicly release information, and U.S. attempts to engage officials are viewed as politically motivated. Nonetheless, the Government of Cuba does not appear to have made tangible efforts to prosecute offenders, protect victims, or prevent human trafficking activity during the reporting period.

**Recommendations for Cuba:** Acknowledge the nature and extent of human trafficking in Cuba; amend anti-trafficking laws to prohibit all forms of trafficking; increase law enforcement efforts against trafficking offenders; provide greater legal protections and assistance for victims; develop procedures to identify trafficking victims among vulnerable populations; increase anti-trafficking training for law enforcement; take greater steps to prevent child prostitution and child sex tourism; and rescue children from the commercial sex trade.

### Prosecution

The Government of Cuba prohibits some forms of trafficking activity through various provisions of its penal code. Prostitution for persons over the age of 16 is legal. Article 316 bans transnational trafficking in minors or persons younger than 16 for the purposes of forced labor, prostitution, and pornography, prescribing penalties of seven to 15 years' imprisonment. Article 302 prohibits a defendant from inducing, promoting, or benefiting from

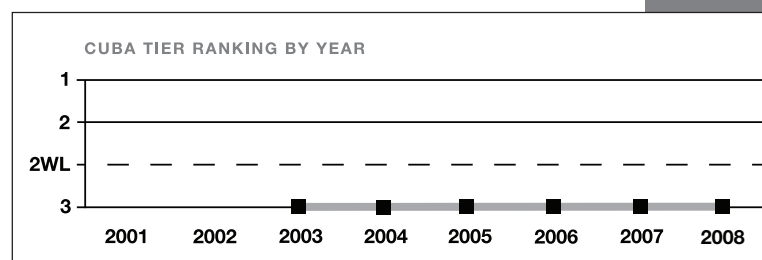


prostitution. Such an offense carries penalties of up to 20 years in prison; if the crime is committed across international boundaries, penalties may be increased to 30 years. A second statute, Article 17 of Law Number 87, similarly prohibits the promotion or inducement of prostitution, and carries penalties of four to 10 years in prison; penalties increase to 10 to 20 years if the defendant uses force or threats against the victim. All the above penalties are sufficiently stringent, and commensurate with those prescribed for other grave crimes, such as rape. However, trafficking of adults for forced labor is not currently prohibited under Cuban law. No official data relating to Cuban investigations, prosecutions, and convictions of trafficking offenders in 2007 has been made available, and Cuban law enforcement actions may be more focused on disrupting alien smuggling networks, rather than curbing human trafficking activity. However, reporting from other sources indicates that some foreign nationals, including two American citizens, were convicted in Cuba last year for trafficking-related crimes. At least one sentence of ten years was imposed for the sexual exploitation of a minor. The government also assisted the U.S. Coast Guard with investigating potential human trafficking and alien smuggling activity, particularly cases of migrants compelled to work for smugglers or drug gangs. No investigations or prosecutions of public officials for complicity with human trafficking were noted, although some police officers reportedly accept and solicit bribes in connection with Cuba's sex trade.

### Protection

Efforts by the Government of Cuba to aid trafficking victims were not officially reported over the last year, but appeared weak. Strong evidence suggests that victims are punished for unlawful acts committed as a direct result of being trafficked. Although prostitution for persons over age 16 is legal in Cuba, women and children in Cuba's sex trade, including those who may be trafficking victims, are occasionally rounded up and sent to "reeducation" programs; many are sentenced to lengthy prison terms for "dangerousness" or other vagrancy crimes. Detention and rehabilitation centers for women and children in prostitution, some of whom may be trafficking victims, are not staffed with personnel who can provide adequate care, and conditions at these detention centers are reported to be harsh. Trafficking victims who are not detained have access to services available through Cuba's health system, although these services may not be adequate to deal with trafficking-related trauma. According to the British government, however, Cuba and the United Kingdom jointly fund and operate a center for sexually abused and exploited children that is accessible to child trafficking victims. The center works closely with a British NGO run by a former policeman and utilizes updated treatment techniques. It also helps children to prepare for court testimony against

perpetrators through use of video technology and other victim-sensitive approaches. The government did not show evidence of employing formal procedures to identify trafficking victims among vulnerable populations, such as criminal detainees or people exploited in prostitution. It is not known if Cuban authorities encourage trafficking victims to assist with the investigation and prosecution of their traffickers. Cuba does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. NGOs report that Cuban diplomatic missions do not provide assistance to Cuban women who state they were forced to travel overseas and coerced into prostitution.



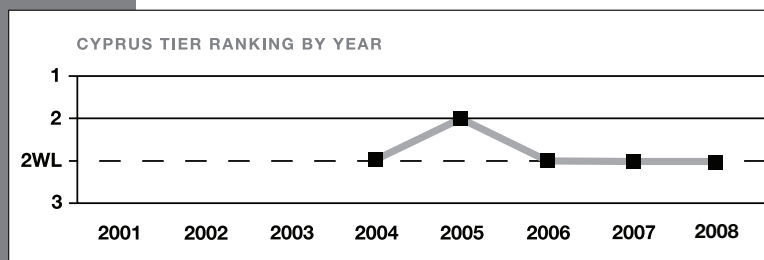
### Prevention

The government does not acknowledge or condemn human trafficking as a problem in Cuba, and therefore made no significant efforts to prevent incidents of trafficking throughout the year. There were no known information campaigns to prevent sex or labor trafficking, although the government ran newspaper campaigns against prostitution. In addition, police have reportedly cracked down on prostitution in tourist areas during the past year. As noted earlier, the government may have taken steps to reduce demand for commercial sex acts by prosecuting individuals engaging in sexual acts with children. In general, however, the government's efforts appear more focused on arresting women in prostitution rather than punishing clients or consumers. Cuba has not ratified the 2000 UN TIP Protocol.

## CYPRUS (Tier 2 Watch List)

Cyprus is a destination country for a large number of women trafficked from the Philippines, Russia, Moldova, Hungary, Ukraine, Greece, Vietnam, Uzbekistan, and the Dominican Republic for the purpose of commercial sexual exploitation. Women are also trafficked from Colombia, Romania, Belarus, Bulgaria, and the United Kingdom. Most victims of trafficking are fraudulently recruited to Cyprus on three-month "artiste" work permits to work in the cabaret industry or on tourist visas to work in massage parlors disguised as private apartments. More limited numbers of foreign women work in pubs under the "barmaid" employment category. Police report that trafficking in Cyprus has become more hidden, with women increasingly exploited in massage parlors and private apartments.

The Government of Cyprus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Government of Cyprus has been placed on Tier 2 Watch List for a third consecutive year for failure to show evidence of increasing efforts to combat human trafficking during the reporting period. Although it passed a new trafficking law and opened a government trafficking shelter, these efforts are outweighed by its failure to show tangible and critically needed progress in the areas of law enforcement, victim protection and the prevention of trafficking.



**Recommendations for Cyprus:** Follow through with plans to abolish, or greatly restrict use of the artiste work permit—a well-known conduit for trafficking; establish standard operating procedures to protect and assist victims in its new trafficking shelter; develop and launch a comprehensive demand reduction campaign specifically aimed at clients and the larger public to reduce wide-spread misconceptions about trafficking and the cabaret industry; dedicate more resources to its anti-trafficking unit; and improve the quality of trafficking prosecutions to secure convictions and appropriate punishments for traffickers.

### Prosecution

The Government of Cyprus improved its legislative tools to combat trafficking during the year, though its overall anti-trafficking law enforcement efforts declined. On July 13, 2007, the government passed comprehensive anti-trafficking legislation that criminalizes all forms of trafficking; the law also contains protection and support measures for victims. Although the penalties prescribed for sexual exploitation can range up to 20 years' imprisonment, these penalties are not commensurate with those prescribed for other grave crimes such as rape, for which the maximum sentence is life in prison. The government's anti-trafficking unit—with a staff of three—remains under-equipped and under-funded and unable to adequately investigate trafficking offenses. In April 2008, the police chief appointed 20 investigators to partner with the anti-trafficking unit. During the reporting period, there was an overall decline in the number of cases investigated, police raids, undercover investigations, and traffickers convicted. Investigations significantly declined during the reporting period; police launched only 27 investigations in 2007, compared to 60 in 2006. Of the 27, eight of the cases are still

under investigation, one was dropped, one was otherwise disposed of, and 17 were sent to court. Of the 17 cases, 11 are still pending trial, four were suspended, and two were dismissed. Of the 36 prosecutions pending at the end of 2006, eight of the cases resulted in convictions, 14 in acquittals, three were dismissed by the courts, one was withdrawn, one was otherwise disposed of, and nine are still pending trial. Eleven traffickers were convicted with sentences ranging from four months imprisonment to three and a half years. Nine traffickers are still awaiting trial; the government acquitted 14 suspects, dismissed three, and the two remaining cases were withdrawn. NGOs charge that trafficking-related corruption among law enforcement officials continued to hinder the government's anti-trafficking efforts. During the year, the government prosecuted seven police officers for their involvement in two separate trafficking-related cases.

### Protection

The Government of Cyprus demonstrated improvements in its infrastructure to protect and assist victims; however, much remains to be done to ensure that more victims in Cyprus receive assistance and protection. In November 2007, it officially opened its first state-owned trafficking shelter; the shelter assisted 27 victims from November 2007 through April 2008. In 2007, authorities provided a total of 87 victims with short-term shelter and other forms of assistance. However, efforts to identify victims in Cyprus remained inadequate; the number of identified victims declined from 79 in 2006 to 40 in 2007. Operational issues in its trafficking shelter must be addressed to ensure quality care for victims. All 40 of the victims identified by the government assisted law enforcement in the investigation or prosecution of their traffickers; nine left the country without testifying.

### Prevention

The government failed to take adequate responsibility for its significant trafficking problem and implementation steps to prevent incidents of trafficking during the year. Despite promises in its 2005 National Action Plan to abolish the "artiste" work permit, it has not taken steps to eliminate this employment category; Cyprus remains the only member of the European Union to have such a permit, a well-known tool used to traffic foreign victims. Although it reduced by 23 percent the overall number of artiste work permits issued, this figure does not account for potential trafficking victims arriving from EU countries who do not require such permits to work in an EU member state. No "barmaid" permits were issued in the reporting period, a 100 percent decline from the previous year. While the government allotted over \$60,000 for a demand reduction campaign, no campaign was carried out in the reporting period. During the reporting period, the head of the police anti-trafficking unit

made one television appearance to discuss the problem of trafficking, spoke at a trafficking film festival, and conducted police training.

#### Area Administered by Turkish Cypriots

The northern area of Cyprus is administered by Turkish Cypriots; the area has declared itself the "Turkish Republic of Northern Cyprus" ("TRNC"). The United States does not recognize the "TRNC," nor does any other country except Turkey. The area administered by Turkish Cypriots is a destination for women trafficked from countries in Eastern and Central Europe, including Moldova, Ukraine, Kyrgyzstan, Russia, Georgia, and Belarus for the purpose of commercial sexual exploitation. During the reporting period, women from Uzbekistan, Tajikistan, the Philippines, Kenya, Romania, and Nigeria received "artiste" work permits in the "TRNC."

The area administered by Turkish Cypriots in 2007 drafted a bill that specifically prohibits trafficking in persons. Awareness of trafficking somewhat increased, but authorities continued to confuse trafficking with smuggling throughout the reporting period. All potential trafficking cases were tried on the charges of "living off the earnings of prostitution" or "encouraging prostitution." Persons convicted under these "laws" can receive up to two years' imprisonment. This is not commensurate with penalties prescribed for other grave crimes in the area administered by Turkish Cypriots, such as rape. "TRNC" authorities reported arresting 55 people for 40 prostitution related cases, and three people received prison sentences. In 2007, 1,308 "artiste" and nine "barmaid" work permits were issued to foreign women working in 39 nightclubs and three pubs, and as of March 2008, 352 foreign women were working in the area administered by Turkish Cypriots. In 2007, authorities deported 316 women who wished to curtail their nightclub contracts. Reportedly, authorities hold the travel documents for foreign women in the cabaret industry in the "TRNC" and police corruption remained a concern. The anti-trafficking hotline established in 2005 does not adequately refer victims for assistance.

#### Recommendations for Turkish Cypriot authorities:

Pass the draft legislation that specifically prohibits all severe forms of trafficking; provide training for law enforcement and other front-line responders on victim identification techniques, including the key exploitative difference between trafficking and smuggling; and educate the larger public about trafficking occurring within the cabaret industry.

## CZECH REPUBLIC (Tier 1)

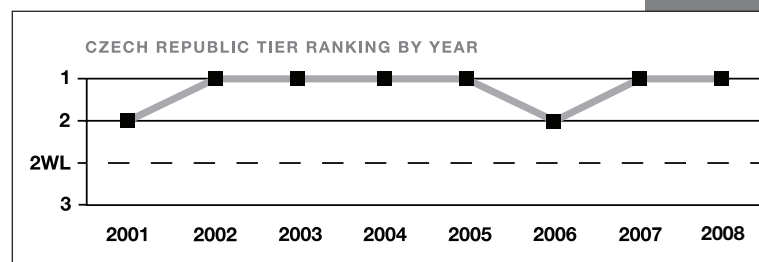
The Czech Republic is a source, transit, and destination country for women from Russia, Ukraine, Romania, Belarus, Moldova, Slovakia, Bulgaria, China, and Vietnam trafficked to Germany, Austria, the Netherlands, and Denmark for the purpose

of commercial sexual exploitation. The Czech Republic is a destination country for men and women trafficked from Ukraine, China, Vietnam, Moldova, and Belarus for the purpose of labor exploitation. Roma women are trafficked within the country and abroad for sexual exploitation.

The Government of the Czech Republic fully complies with the minimum standards for the elimination of trafficking. During the reporting period, the government increased the number of convicted traffickers serving time in prison and conducted aggressive trafficking investigations, leading to the arrest of dozens of suspected traffickers and freeing more than 100 victims including nearly 50 victims of forced labor.

#### Recommendations for the Czech Republic:

Continue anti-trafficking training for judges and prosecutors to ensure sustaining the trend of increasing the number of convicted traffickers serving time in prison; increase use of Section 232a of the criminal code to ensure higher penalties for sex and labor trafficking; and continue efforts to investigate and prosecute labor trafficking cases.



#### Prosecution

The Government of the Czech Republic demonstrated increased law enforcement efforts over the previous year. The Czech Republic prohibits trafficking for the purposes of commercial sexual exploitation and forced labor through Sections 232a, 216, and 204 of its Criminal Code, and prescribes punishments ranging from two to 15 years' imprisonment. These punishments are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In 2007, police conducted 11 investigations and prosecuted 121 persons for trafficking offenses, compared to 16 investigations and 151 persons reported prosecuted in 2006. The government convicted 78 traffickers during the reporting period, compared to 72 convictions in 2006. In 2007, 29 percent—23 out of 78 convicted traffickers—were sentenced to serve time in prison. This was an increase over 2006, when 17 percent—12 out of 72 convicted traffickers—were sentenced to serve time in prison. In 2007, 20 traffickers were sentenced to one to five years' imprisonment, and three traffickers were sentenced to five to 15 years' imprisonment. This was an increase from 2006, when 10 traffickers were sentenced to prison terms of one to five years, and no traffickers were sentenced to more than five

years in prison. In 2007, the government extradited one trafficking suspect.

During the reporting period, anti-trafficking courses became required for new judges at the Czech judicial academy; approximately 60 judges and prosecutors received the training during 2007. In July 2007, the country's forced labor unit of the Police dismantled a labor trafficking ring, rescuing approximately 50 mostly Ukrainian and Bulgarian victims. The government subsequently initiated prosecutions of three Ukrainian leaders of the trafficking ring. Several other large-scale raids resulted in dozens of trafficking arrests and prosecutions. There were no confirmed cases of government officials involved in trafficking. The government provided labor inspectors and representatives of the Work Registration Offices with training in identifying cases of labor trafficking.

#### Protection

The government sustained strong efforts to protect and assist victims. In December 2007, the government increased the reflection period granted to identified victims from 30 to 60 days; during this time, victims can decide whether to cooperate with law enforcement. NGOs in 2007 provided approximately 75 victims with government-funded comprehensive assistance and shelter, compared to 67 victims in 2006. The government also funded NGOs to assist both foreign and Czech victims with repatriation and reintegration. Victims were encouraged to assist in investigations and prosecutions; victims who cooperated with investigators were granted temporary residence and work visas for the duration of the legal proceedings. Upon conclusion of the prosecutions, qualifying victims had the opportunity to apply for permanent residency; three victims were granted permanent residency in 2007, compared to one victim in 2006. NGOs stated the majority of victims referred to them during the reporting period made initial contact through the police, demonstrating the continued effectiveness of police training. Victims were not fined or otherwise penalized for unlawful acts committed as a direct result of their being trafficked.

#### Prevention

The government sustained its trafficking prevention efforts during the reporting period. The government continued funding a demand reduction campaign that informed foreign tourists visiting the Czech Republic for the purpose of adult sex tourism about human trafficking and provided guidance for anonymously reporting suspected trafficking cases. In April 2007, the government provided trafficking awareness training to 65 senior military officers prior to their deployment on international peacekeeping missions. The government monitors migration and immigration patterns for evidence of trafficking. The Czech Republic has not ratified the 2000 UN TIP Protocol.

## DENMARK (Tier 1)

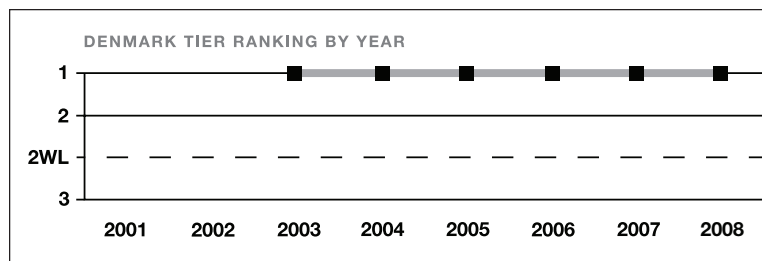
Denmark is primarily a transit and destination country for women and girls trafficked from Russia, Latvia, Estonia, Lithuania, Ukraine, the Czech Republic, Thailand, Nigeria, and other West African countries for the purpose of commercial sexual exploitation. In 2007, authorities noted an increase in the number of women trafficked from Romania and Bulgaria to Denmark for sexual exploitation.

The Government of Denmark fully complies with the minimum standards for the elimination of trafficking. In 2007, the government made considerable efforts to combat child sex tourism committed by Danish citizens traveling abroad by targeting sexual predators of children, assisting child victims of commercial sexual exploitation, and raising domestic awareness of the problem. In 2008, the government also contributed \$800,000 to assist and rehabilitate child victims of commercial sexual abuse in Thailand, Cambodia, and Burma.

**Recommendations for Denmark:** Consider whether additional measures are necessary to ensure that foreign victims of trafficking are provided with legal alternatives to deportation to countries where they may face retribution or hardship upon return to their countries of origin; consider granting temporary residency and work permits to identified trafficking victims for humanitarian reasons and in order to increase their participation in trafficking investigations; and continue to work closely with source countries to ensure safe victim repatriation and access to adequate care after repatriation.

#### Prosecution

The Government of Denmark demonstrated increased law enforcement efforts over the reporting period. Denmark prohibits trafficking for both sexual exploitation and forced labor through Section 262 of its criminal code, although prosecutors often use a procurement law to prosecute traffickers. Punishments prescribed for trafficking under Section 262 extend up to eight years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. Police conducted a total of 34 trafficking investigations during the reporting period, up from 21 in 2006. Authorities prosecuted 52 trafficking cases, a significant increase from 14 cases prosecuted in 2006. Courts convicted 31 trafficking offenders in 2007, including 10 under the anti-trafficking statute and 21 under the procurement law; 33 trafficking offenders were convicted in 2006, including three under the anti-trafficking statute and 30 under the procurement law. All 33 convicted traffickers served some time in prison; no convicted traffickers received suspended sentences in 2007. Sentences for trafficking convictions ranged from two to six years' imprisonment; sentences for traffickers convicted



under the procurement law ranged from six months' to three years' imprisonment. The National Police have a trafficking coordinator stationed in each police district to improve the trafficking knowledge of local police districts. In September 2007, the National Police provided a trafficking reference manual to local districts.

**Protection**

Denmark took further steps to improve its assistance and protection for victims of trafficking. In 2007, the government opened the National Anti-Trafficking Center to monitor and coordinate victim assistance nationwide. During the reporting period, 148 victims received social, medical, and rehabilitative assistance from the government, including 40 victims who were sheltered at the Center. In addition, the government continued to fund regional NGOs in Denmark that provide victim outreach and identification, rehabilitative counseling, shelter, and public awareness. Denmark also provided approximately \$2 million for various victim assistance, prevention, and law enforcement anti-trafficking projects in Belarus, Moldova, Ukraine, Bulgaria, and Romania in 2007.

Danish police employ formal procedures for victim identification among vulnerable populations, such as women in prostitution; during brothel inspections, Danish social workers and the police anthropologist interview women to help police identify potential victims of trafficking. Although police encouraged victims to participate in trafficking investigations, only three foreign victims assisted authorities in a trafficking investigation in 2007. Some victims faced detention and deportation for immigration violations, and only two trafficking victims obtained refugee status to remain in Denmark and serve as witnesses in their trafficking cases. In source countries with limited social services, such as Nigeria, Denmark sent government officials to improve cooperation with NGOs and government agencies as well as check the quality of follow-up services for victims repatriated from Denmark.

**Prevention**

Denmark demonstrated progress in its trafficking prevention efforts. In 2007, the government increased the annual budget for its national anti-trafficking action plan to \$16 million. The Danish

government continued a nationwide information campaign that focused on domestic demand reduction for commercial sex acts. The campaign received a budget increase to approximately \$300,000 in 2007; outreach included television and film public service advertisements, billboards, fliers, and leaflets. The government continued to adequately

monitor its borders. There are 700 licensed brothels operating in Denmark and approximately 6,000 women in prostitution through out the country.

During the reporting period, Denmark amended its child sexual abuse laws to allow for the extra-territorial prosecution of Danish nationals who commit acts of child sex tourism abroad; in January 2008, the government funded a public service campaign alerting Danish nationals about the new law prohibiting sexual abuse of children overseas. Danish nationals have traveled to Thailand, Cambodia, and other countries in Southeast Asia to engage in child commercial sexual exploitation. The Danish Embassy in Thailand referred one child sex tourism case to Danish police during the last year; however authorities had not taken steps to prosecute the suspect at the time of this report. Danish police also investigated tourism agencies suspected of promoting child sex tourism packages.

**DJIBOUTI (Tier 2)**

Djibouti is a source, transit, and destination country for women and children trafficked for the purposes of commercial sexual exploitation and domestic servitude. Large numbers of voluntary economic migrants from Ethiopia and Somalia pass illegally through Djibouti en route to the Middle East; among this group, a small number of women and girls fall victim to domestic servitude or commercial sexual exploitation after reaching Djibouti City or the Ethiopia-Djibouti trucking corridor. A small number of girls from impoverished Djiboutian families may also be exploited in prostitution as a means of income, in some instances under the auspices of traffickers. Prostitution in Djibouti occurs in apartments, brothels, and on the streets; members of foreign militaries stationed in Djibouti reportedly contribute to the demand for women and girls in prostitution.

The Government of Djibouti does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2007, Djibouti demonstrated commitment to addressing human trafficking through the drafting and passage of a comprehensive anti-trafficking statute.

**Recommendations for Djibouti:** Enforce the newly enacted anti-trafficking statute through the successful prosecution of traffickers; further educate all levels of government officials and the general public on the issue of human trafficking; and establish mechanisms for providing increased protective services to trafficking victims, possibly through the forging of partnerships with NGOs or civil society organizations.

### Prosecution

During the reporting period, the Government of Djibouti paved the way for the future prosecution of traffickers through the passage of an anti-trafficking statute, though no prosecutions or punishment of traffickers occurred during the last year. In October 2007, the President of Djibouti and the Council of Ministers approved a Ministry of Justice-drafted comprehensive anti-trafficking law and presented it to the National Assembly for debate and adoption. The law was passed by the National Assembly in early December and the President signed it into force later that month. Law 210 "Regarding the Fight Against Human Trafficking" covers both internal and transnational trafficking and prohibits all forms of trafficking in persons. It protects victims regardless of ethnicity, gender, or nationality, and prescribes penalties of up to 30 years' imprisonment for traffickers. At the conclusion of the reporting period, the provisions of Law 210 had only been in force for three months and have not yet been used. However, the government throughout the reporting period continued to punish child sexual exploitation by charging the accused as sexual offenders. A French national, who fled Djibouti after being convicted of sexually exploiting two boys, was recaptured by police upon returning to the country and sent to prison. In addition, the Attorney General's office announced the opening of an investigation into a child sexual exploitation network dating back to the 1990s. Throughout the year, Djibouti's Brigade des Moeurs (Vice Police) conducted regular sweeps of the capital city after dark and preventatively detained 178 Ethiopian and Somali minors suspected to be

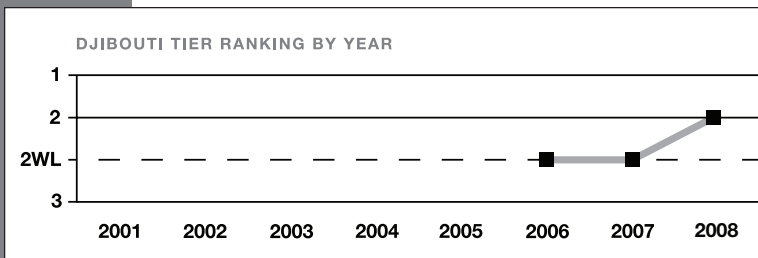
officials in trafficking recognition or in the provision of assistance to trafficking victims.

### Protection

With few resources itself and a very small pool of local NGOs, the government has few options for meeting the needs of children exploited in prostitution. Past alleged incidents of involvement of international NGO staff members in child sexual abuse have hampered the government's cooperation with international NGOs. Minors detained by police on suspicion of involvement in prostitution were generally held in custody for several days in quarters at the Police Academy set aside for this purpose. Police doctors provided these girls' medical care, and the Director General of the Police personally spoke with each detained minor to determine the origin of the child. During this time, police attempted to locate parents or other family members in Djibouti or the home country, and minors were generally released to family members or deported without charge. No specific data on detained Djiboutian minors was provided, but police reported that such children were released to family members. The government does not offer legal alternatives to the removal of foreign trafficking victims to countries where they face hardship or retribution. Authorities do not encourage victims to participate in investigations or prosecutions of traffickers.

### Prevention

There is nascent and growing understanding of human trafficking within the Djiboutian political hierarchy. The Council of Ministers' approval of the anti-trafficking draft law was heavily publicized, and dominated the entire front page of the country's only daily newspaper, which is government-run, sending a clear message to both security forces and citizens of the government's intent to combat human trafficking. NGOs and the government-run orphanage for girls reported greater levels of government collaboration in providing assistance to street women and children, most of whom are foreign nationals and at risk of trafficking. Police verbally warned bar and night club owners that permitting child prostitution on their premises would be punished. In an effort to reduce the demand for commercial sex acts, in April 2008, the government issued international arrest warrants for five French nationals based on allegations of child sexual abuse.



exploited in prostitution. Djiboutian police monitored bars and neighborhoods in Djibouti City, detaining suspected pimps and children in prostitution; specific information regarding the punishment of pimps was not provided, although the police indicated that most prostitution occurred without the involvement of a pimp. The government did not provide any specialized training for government

## DOMINICAN REPUBLIC (Tier 2 Watch List)

The Dominican Republic is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. A large number of Dominican women are trafficked into prostitution and sexual exploitation in Western Europe, Australia,

Argentina, Brazil, Costa Rica, Panama, Haiti, and other Caribbean destinations. A significant number of women, boys, and girls are trafficked within the country for sexual exploitation and domestic servitude. In some cases, poor parents push children into prostitution to increase the family's income. Sex tourism and child sex tourism are problems, particularly in coastal resort areas. Sex tourists, including child predators, typically arrive from Western Europe (i.e., Spain, Italy, and Germany), though some Canadian and U.S. citizens may be offenders as well. Some Haitian nationals who migrate voluntarily to the Dominican Republic are subsequently subjected to forced labor in the service, construction, and agricultural sectors; in some cases, the irregular status of these migrants, which places them at risk for deportation, leaves them vulnerable to trafficking by unscrupulous employers. Many of these victims live in *bateyes*—which can resemble shantytowns—or other squalid living conditions. Some Haitian children, known as *restaveks*, are reportedly trafficked into conditions of domestic servitude.

The Government of the Dominican Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Dominican Republic is placed on Tier 2 Watch List for a second consecutive year for its failure to show evidence of increasing efforts to combat human trafficking, particularly in terms of providing increased assistance to victims and undertaking vigorous actions to counter official complicity with trafficking activity.

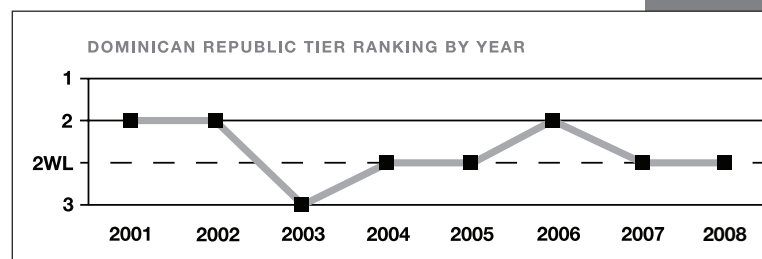
#### Recommendations for the Dominican Republic:

Increase efforts to prosecute and punish trafficking offenders, especially public officials complicit with human trafficking activity; increase investigations into potential labor trafficking activity; increase victim assistance and shelter services; provide greater legal protections for foreign and undocumented trafficking victims; increase efforts to identify and care for Haitian trafficking victims; increase prevention and demand-reduction efforts; and increase anti-trafficking training for government and judicial officials.

#### Prosecution

The Government of the Dominican Republic increased law enforcement efforts against trafficking offenders, but did not adequately investigate and prosecute public officials who may be complicit with trafficking activity. The Dominican Republic prohibits all forms of trafficking through its comprehensive anti-trafficking law, Law 137-03, which prescribes penalties of up to 20 years' imprisonment. Such penalties are sufficiently stringent and commensurate with those prescribed for other grave offenses, such as rape. During the reporting period, the government opened 25 sex trafficking investigations, most involving child victims; this represents improved efforts over last year. One pending investigation involves

allegations against a German national for trafficking 12 Haitian women into the Dominican Republic for exploitation through internet-based pornography. The German national is currently imprisoned, another foreigner involved in the scheme was deported, and a third dual Dominican-Israeli citizen was released. Seven additional trafficking cases were submitted for formal prosecution, and five trials are ongoing. No convictions or sentences were secured during the reporting period, and no criminal investigations of public officials have been initiated, despite reported complicity among many lower-level police, border, and military officials with trafficking activity. In early 2007, press reports alleged that high-level consular and immigration officials were directly involved with the smuggling of Chinese nationals, some of them trafficking victims, to the Dominican Republic. While prosecutors conducted informal interviews to investigate these allegations, they reported difficulty in gaining access to additional information which other government agencies may possess; an in-depth and formal probe, including the use of Chinese interpreters to interview alleged victims, has not been conducted. During the reporting period, the government cooperated on international cases involving the trafficking of Dominican women to Argentina, Switzerland, and Turkey. Expanded anti-trafficking training for public officials, particularly relating to distinctions between alien smuggling and human trafficking offenses, would assist the government's law enforcement efforts.



#### Protection

The government's efforts to protect trafficking victims remained inadequate over the year, and it continued to rely heavily on NGOs and international organizations to provide the bulk of shelter and protection services. While the government maintains shelters and programs for victims of domestic violence and sexual abuse, specialized assistance for trafficking victims is not available. Moreover, government services are generally not accessible to victims who are undocumented foreign migrants. The government made no concerted effort to identify victims of trafficking among vulnerable populations, although it trained consular officials posted abroad on recognizing and assisting Dominican nationals trafficked overseas. Victims are not typically jailed or penalized for crimes committed as a direct result of being trafficked. However, there were reports that some prostituted children were briefly detained

during police sweeps, and may not be recognized as trafficking victims by police and community members. Dominican authorities generally encourage victims to assist with the investigation and prosecution of their traffickers, though some victims of Haitian descent have been deported prior to trial. In some cases, undocumented victims were deported after providing witness statements, and were thus unavailable to provide live testimony at the trials of their traffickers. However, last year the government instituted a new mechanism for referring foreign trafficking victims to IOM for repatriation instead of detaining and deporting victims for immigration violations; these victims may return to the Dominican Republic to assist with prosecution efforts. Many victims of sex trafficking reported being reluctant to assist in the prosecution of traffickers out of shame and embarrassment. Providing victims with access to psychological counseling, in addition to increased NGO or government support during court proceedings, should assist the government's prosecution efforts. The government does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Greater efforts to assure protection to Haitians and undocumented persons of Haitian descent in the Dominican Republic would increase the government's ability to assist trafficking victims.

### Prevention

The government increased prevention efforts by widely publicizing an anti-trafficking hotline sponsored by the Attorney General's Office and the Ricky Martin Foundation. Senior officials such as the First Lady publicly condemned human trafficking during the reporting period. The government formalized an interagency anti-trafficking working group with the goal of developing a national strategy to combat trafficking and improving victim protection. The government continued a prevention campaign against *child sex tourism* at ports of entry, as well as numerous youth awareness sessions at schools across the country. The government also took measures to reduce demand for commercial sex acts with children through criminal prosecutions; during the reporting year, there were two trials involving Spanish and German tourists engaged in the commercial sexual exploitation of children.

## ECUADOR (Tier 2)

Ecuador is a source, transit, and destination country for women and children trafficked for the purposes of commercial sexual exploitation and forced labor. The majority of trafficking victims are believed to be children trafficked from coastal and border areas to urban centers for sexual exploitation. Ecuadorian children are trafficked into hazardous forms of labor, domestic servitude, forced to beg on the streets, work in the hospitality and commercial sectors, and perform hard labor in mines. Some

children are trafficked to neighboring countries and to European countries, including Spain and Italy. Women are trafficked to Colombia, Peru, Venezuela, and Western Europe, particularly Spain and Italy, for sexual exploitation. Although most trafficking occurs within the country, Colombian women and adolescent girls are trafficked into Ecuador for sexual exploitation.

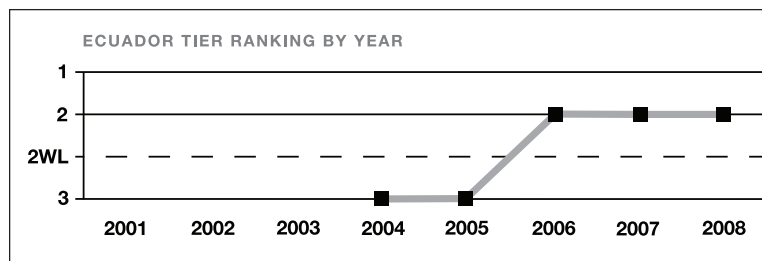
The Government of Ecuador does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to increase the number of convictions of sex traffickers and continued to cooperate closely with civil society organizations on anti-trafficking prevention and public awareness efforts. This year, the government designated a single point of contact within the Ministry of Government for trafficking issues. However, trafficking-related complicity of some government officials, particularly at the local level, remained a problem and an impediment to achieving greater anti-trafficking progress. The government also needs to take a greater interest in protecting adult and minor trafficking victims who may be held against their will in the country's brothels and forced into prostitution.

**Recommendations for Ecuador:** Continue to vigorously investigate and convict traffickers, including labor traffickers; train law enforcement, prosecutors, and judges to better identify, investigate, and prosecute trafficking cases; investigate and prosecute government officials complicit in trafficking activities; provide temporary resident visas for undocumented foreign trafficking victims; and increase raids on the brothels that house underage trafficking victims.

### Prosecution

The government demonstrated clear progress in its anti-trafficking law enforcement efforts over the last year. Ecuador prohibits all forms of trafficking through a 2005 comprehensive anti-trafficking law, which prescribes punishments of up to 35 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes. During the reporting period, Ecuadorian authorities opened approximately 76 cases across the country. Although none of the indictments have resulted in convictions thus far, prosecutors were able to complete prosecutions in five previously opened cases, which resulted in the conviction of 12 child sex traffickers. All were sentenced to prison terms ranging from six to 12 years in prison. Most of the cases involved the inducement of minor children into prostitution through fraudulent employment offers. During the reporting period, the government identified several more specialized trafficking prosecutors in Manabi province, bringing the total number of provinces with specialized prosecutors to five. During





the year, there were no convictions obtained for the offense of trafficking adults for sexual exploitation or the trafficking of any persons for labor exploitation. The government provided numerous training opportunities for officials dealing with trafficking in persons, including border police, government prosecutors, and judges. Despite reports of trafficking-related corruption, particularly related to civil registry officials issuing false identity documents to Colombian adults and minors, no investigations, prosecutions, or convictions of potentially complicit officials took place last year. According to Ecuadorian police, brothel owners commonly use false identity documents to exploit foreign minors and adults in prostitution, and to avoid criminal liability for immigration and trafficking violations in the event of a police raid.

### Protection

The Ecuadorian government committed additional resources to assist victims of trafficking over the last year. Through its Victim and Witness Protection Program, the Public Ministry coordinates government efforts to provide funding and support to NGOs that serve trafficking victims, as well as coordinating the referral of victims to appropriate service providers. Domestic and foreign trafficking victims have access to legal, medical, and psychological services in victim care facilities, although there remains a lack of available shelters for trafficking victims in many areas of the country. During the reporting period, the government committed \$260,000 to support shelters and victim assistance in the provinces of Pichincha, El Oro, and Sucumbios. In 2007, the government increased the number of police officers who work with the program from 36 to 88, resulting in several hundred trafficking victims helped throughout the year. The Public Ministry also assigned 20 female lawyers to work as program coordinators in 20 provinces. Through the Victim and Witness Protection Program, the government encourages victims to assist in the investigation of their traffickers. Law enforcement and social services personnel have a formal system of identifying victims of trafficking among high-risk persons with whom they come in contact. Authorities did not penalize trafficking victims for unlawful acts committed as a direct result of their being trafficked. The Ecuadorian government does not, however, provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution, although authorities may award refugee status on an ad hoc basis.

### Prevention

The Government of Ecuador made significant trafficking prevention efforts over the last year, particularly in the area of public awareness. Senior government officials spoke publicly to raise awareness and understanding of the country's trafficking problems. The National Institute for Child and Family

(INNFA) continued its nationwide anti-trafficking and anti-smuggling education campaign geared towards vulnerable populations, which included the distribution of postcards, stickers, and informational materials across the country. In January 2008, INNFA also launched a Plan to Eradicate Child Trafficking in the Andean Corridor for labor exploitation and begging. The Ministry of Tourism spent \$36,000 on efforts to prevent commercial sex tourism during the reporting period. It also worked closely with UNICEF and numerous NGOs on a continuing campaign against child sex tourism, which began in 2006. The government, however, did not take other steps to reduce demand for commercial sex acts during the reporting period.

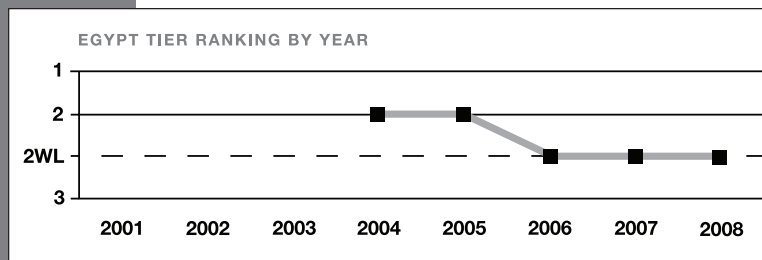
## EGYPT (Tier 2 Watch List)

Egypt is a transit country for women trafficked from Uzbekistan, Moldova, Ukraine, Russia, and other Eastern European countries to Israel for sexual exploitation, and is a source for children trafficked within the country for commercial sexual exploitation and domestic servitude, although the extent to which children are trafficked internally is unknown. Some of Cairo's estimated one million street children—both boys and girls—are exploited in prostitution. In addition, wealthy men from the Gulf reportedly travel to Egypt to purchase "temporary marriages" with Egyptian women, including in some cases girls who are under age 18, often facilitated by the females' parents and marriage brokers. Some Egyptian cities may also be destinations for sex tourism. Children were also recruited for domestic and agricultural work; some of these children face conditions of involuntary servitude, such as restrictions on movement, non-payment of wages, threats, and physical or sexual abuse.

The Government of Egypt does not fully comply with minimum standards for the elimination of trafficking, but is making significant efforts to do so. Egypt is placed on Tier 2 Watch List for the third year in a row because it has not provided evidence of increasing efforts to investigate and prosecute traffickers over the last year. However, in July 2007, the government established the "National Coordinating Committee to Combat and Prevent Trafficking in Persons," which improved inter-governmental coordination on anti-trafficking initiatives. Also, the committee charged the National Center for Criminological and Social

Research to undertake a comprehensive study of the trafficking situation in Egypt, and the National Committee for Childhood and Motherhood (NCCM) formed a special anti-trafficking unit. Nonetheless, the government did not report prosecuting any confirmed cases of trafficking, and continued to lack a formal victim identification procedure to identify and protect trafficking victims.

**Recommendations for Egypt:** Increase law enforcement activity against trafficking; institute and apply a formal victim identification procedure to ensure that trafficking victims are not punished or otherwise treated as criminals for acts committed as a result of being trafficked; provide in-kind or financial support to NGOs providing protection services to victims; and implement a comprehensive public information campaign to educate the public on the definition and dangers of trafficking.



### Prosecution

Egypt made no discernible efforts to punish trafficking crimes during this reporting period. The Egyptian penal code does not prohibit all forms of trafficking. The Anti-Prostitution Law of 1961 prohibits commercial sexual exploitation of those under 21 years old and the use of coercion, threats, or abuse to induce a person into prostitution. Penalties prescribed for these crimes range from one to seven years' imprisonment; these are sufficiently stringent and commensurate with those prescribed for other grave crimes. Child domestic workers are not protected by labor laws as other child laborers are, but the constitution prohibits forced labor through Article 13. The government reported that it investigated acts of trafficking under current laws, but did not report any prosecutions, convictions, or punishments for confirmed trafficking offenses. Authorities arrested only one person during the reporting period for forcing children to beg. It is important for Egypt to use its existing laws to investigate, prosecute, and punish those who facilitate trafficking for commercial sexual exploitation or forced child labor.

### Protection

Egypt did not increase its services to trafficking victims during the reporting period. However, the NCCM established an anti-trafficking unit as a framework to provide these services in the future,

and to provide training on how to treat victims of trafficking. Due to resource constraints, the government does not offer protection services to victims of domestic servitude, though it operates a hotline for children to report complaints of abuse. Egypt continues to lack a formal victim identification procedure, so victims of trafficking may be punished for acts committed as a result of being trafficked. For example, credible reports indicate that police sometimes arrest street children for prostitution or forced begging, and treat them as criminals rather than victims. In prisons or detention centers, law enforcement officers may further mistreat these victims through verbal, physical, and sexual abuse. Foreign victims are not offered legal alternatives to removal to countries in which they may face hardship or retribution. The government does not actively encourage victims to assist in investigations against their traffickers. It is recommended that Egypt institute and apply a formal mechanism to identify victims, and refer them to protection services offered by local NGOs. It is particularly important that the government ensure that victims, especially minors, are not punished for acts committed as a result of being trafficked, such as prostitution or vagrancy.

### Prevention

During the year, Egypt made modest progress in preventing trafficking in persons. In July, state-owned television channels began airing United Nations-produced public service announcements on trafficking for forced labor. The Ministry of Social Solidarity also operated drop-in shelters for street children; these shelters may have prevented some street children from being exploited for prostitution or forced labor. The government, however, did not take measures to reduce the demand for commercial sex acts in Egypt. Similarly, Egypt did not undertake any public awareness campaigns targeting citizens traveling to known child sex tourism destinations.

## EL SALVADOR (Tier 2)

El Salvador is a source, transit, and destination country for women and children trafficked for the purposes of commercial sexual exploitation and forced labor. Most victims are Salvadoran women and girls trafficked within the country from rural to urban areas for sexual exploitation. The majority of foreign victims are women and children from Nicaragua and Honduras who travel to El Salvador in response to job offers, but are subsequently forced into prostitution or domestic servitude. Some Salvadorans are trafficked to Guatemala, Mexico, and the United States for commercial sexual exploitation. There are reports of men and children from neighboring countries who are subject to forced agricultural labor in El Salvador.

The Government of El Salvador does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government sustained law enforcement and victim protection efforts, and made strong progress on prevention activities. The government also took strong steps to address trafficking-related corruption by sentencing a former police officer to seven years in jail.

**Recommendations for El Salvador:** Strengthen law enforcement efforts against trafficking offenders; investigate and prosecute, as appropriate, reports of labor exploitation; increase victim services and assistance, particularly for adults; increase anti-trafficking training for judicial officials; and consider increasing penalties for trafficking-in-persons crimes.

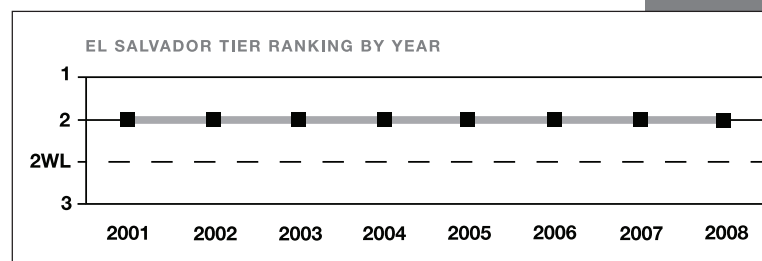
### Prosecution

The Government of El Salvador sustained solid law enforcement efforts against trafficking offenders during the reporting period. Article 367B of the Salvadoran Penal Code prohibits all forms of human trafficking and prescribes penalties of four to eight years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for rape and other serious offenses. Some prosecutors elected to charge trafficking-related crimes under rape statutes in order to secure heavier sentences against offenders. In 2007, the government prosecuted 46 human trafficking cases, down from 67 cases prosecuted in 2006. However, in 2007 prosecutors obtained five trafficking convictions with sentences ranging from six to eight years' imprisonment, compared to four convictions obtained in 2006. Throughout the last year, police conducted undercover trafficking investigations and acted on tips to raid brothels and other commercial sex sites. More than 70 trafficking victims, mostly children, were rescued from trafficking situations. Children found in brothels or in other dangerous circumstances were routinely taken into government protective custody. The government focused law enforcement efforts on sexual exploitation cases; complaints of labor exploitation and domestic servitude were, however, generally not investigated. The government cooperated with the governments of Guatemala, Nicaragua, Belize, and the United States on transnational trafficking cases during the reporting period. In February 2008, the government took strong steps to address official complicity by securing a seven-year prison term against a former police officer convicted of trafficking-related activity.

### Protection

The Salvadoran government sustained victim assistance efforts during the reporting period. ISNA, a national agency for children and adolescents,

operated a national network of 11 shelters which provide secure housing, 24-hour medical attention, psychological counseling, and vocational workshops to minor trafficking victims and other victims of abuse. An additional shelter for trafficking victims, which was previously operated by an NGO with government support, is being administered by the government, but was not re-opened during the reporting period. Moreover, government shelters and services were directed toward minor girls, and not readily accessible to adult or boy trafficking victims. Greater reintegration assistance may prevent some victims from being re-trafficked. Adult female trafficking victims had limited access to a small shelter run by the Institute of Women in which they could stay for up to 15 days. The government trained personnel on identifying trafficking victims and providing assistance, including for consular officials posted in likely destination and transit countries for Salvadoran victims. The government also maintained "protection consulates" along major human smuggling and trafficking routes between El Salvador and the United States. These consulates arranged immediate medical care for injured Salvadorans, including trafficking victims, and assisted with repatriation efforts. Domestically, Salvadoran authorities encouraged victims to assist with the investigation and prosecution of their traffickers. There were no reports of victims being charged, jailed, or otherwise penalized for unlawful acts committed as a result of being trafficked. Foreign victims were not deported; they faced voluntary repatriation with government assistance, though the government provided no legal alternatives to their removal to countries where they face hardship or retribution.



### Prevention

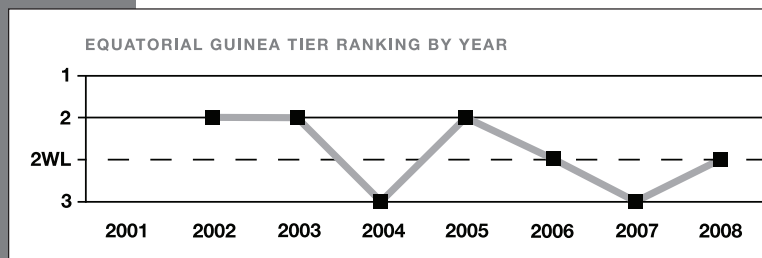
The Salvadoran government significantly increased prevention efforts during the reporting period. The government ran anti-trafficking information and education campaigns, and operated an anti-trafficking hotline. In conjunction with ILO, the government in June 2007 implemented a large anti-trafficking pilot project, training more than 700 teachers and 28,000 students about the risks of commercial sexual exploitation. An additional awareness campaign focused on the risks of illegal migration and human trafficking. With assistance from IOM, the government conducted widespread training of law enforcement personnel, reaching

more than 1,500 police officers nationwide. Border agents also received training to detect trafficking activity and irregular migration, such as minors traveling across borders. No government efforts to reduce demand for commercial sex acts were reported over the last year.

## EQUATORIAL GUINEA (Tier 2 Watch List)

Equatorial Guinea is primarily a destination country for children trafficked for the purpose of forced labor and possibly for the purpose of sexual exploitation. Children have been trafficked from nearby countries, primarily Nigeria, Benin, Cameroon, and Gabon for domestic servitude, market labor, ambulant vending, and possibly sexual exploitation. Most victims are trafficked to the cities of Malabo and Bata. Women may also be trafficked to Equatorial Guinea from Cameroon, Benin, other neighboring countries, and China for sexual exploitation.

The Government of Equatorial Guinea does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nevertheless, Equatorial Guinea is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to eliminate trafficking over the previous year, particularly in the areas of prosecuting and convicting trafficking offenders and failing to formalize mechanisms to provide assistance to victims. Although the government made some effort to enforce laws against child labor exploitation, it failed to report any trafficking prosecutions or convictions. Despite its substantial resources, the government continued to lack shelters or formal procedures for providing care to victims.



**Recommendations for Equatorial Guinea:** Increase efforts to prosecute and convict trafficking offenders; implement its new formal procedures through which police routinely identify trafficking victims among vulnerable populations such as foreign or displaced children, child laborers, and females in prostitution; establish shelters or a formal system through which the government can provide systematic care for trafficking victims; consider establishing relationships with civil society groups or international organizations to provide victims with appropriate services; ensure that minors vulner-

able to sexual exploitation are not arrested but are provided with victim services.

### Prosecution

The Government of Equatorial Guinea demonstrated modest law enforcement efforts to combat trafficking during the reporting period. The government prohibits all forms of trafficking through its 2004 Law on the Smuggling of Migrants and Trafficking in Persons, which prescribes sufficiently stringent penalties of 10 to 15 years' imprisonment. However, there have been no reports of individuals convicted under the trafficking provisions of this law. Police stationed at posts within open-air markets conduct regular market patrols, fining any vendors who exploit child labor and closing down the stalls of repeat offenders. In August 2007, in an effort to enforce anti-prostitution laws, the government closed down clubs in Malabo and Bata suspected of facilitating prostitution. A total of eight clubs in Malabo were closed, two of which reopened after improving conditions. Suspected females in prostitution identified during the crackdown were questioned to determine whether they might have been victims of trafficking.

In 2007, Equatorial Guinea began funding specific trafficking training seminars for its police and navy officers provided by a foreign contractor. Since November, the contractor has trained 160 officers. In February 2008, the government began distributing a set of formal procedures for identifying and detaining traffickers and providing care to victims to all police stations and military outposts in the country. The government also printed the procedures on wallet-size cards for each security officer.

### Protection

The Government of Equatorial Guinea demonstrated limited efforts to protect trafficking victims in the last year. In February 2008, the government distributed a set of procedures for identifying and providing care to trafficking victims to all police stations and military outposts in the country. These procedures instruct officers to provide for safe transport of a victim to "the designated shelter" for care. However, no trafficking shelters yet exist in Equatorial Guinea, and the government has not provided social workers with training on how to care for trafficking victims. Officials provide limited care to victims on an ad hoc basis, but were unable to provide statistics for the number of victims provided with care. In one case involving a 17-year-old Togolese market worker, a foster home provided shelter. In another case, a Nigerian victim was referred to the Nigerian Embassy in Malabo. When police enforced child labor laws by raiding markets, they did not follow formal procedures to identify trafficking victims among child laborers. Similarly, when the government closed down suspected brothels, officials did not consistently make efforts to identify trafficking victims among

females found in prostitution. Equatoguinean authorities rarely referred victims of child labor exploitation to government or civil society authorities able to help provide victim assistance.

When security officials find foreign child laborers without legal documentation, they sometimes deport them without first taking steps to determine whether they are trafficking victims. In some cases, authorities refer these laborers to their own country's diplomatic mission in Equatorial Guinea. Equatoguinean officials do not collaborate with civil society groups or international organizations to provide care to victims. Equatorial Guinea does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Victims may be inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked.

### Prevention

The Government of Equatorial Guinea continued to make progress in raising awareness of trafficking during the last year. In collaboration with UNICEF, Equatorial Guinea continued to fund and conduct sensitization workshops for local officials in both Malabo and Bata during the reporting period. The government took steps to reduce the demand for commercial sex acts by closing down brothels.

## ESTONIA (Tier 2)

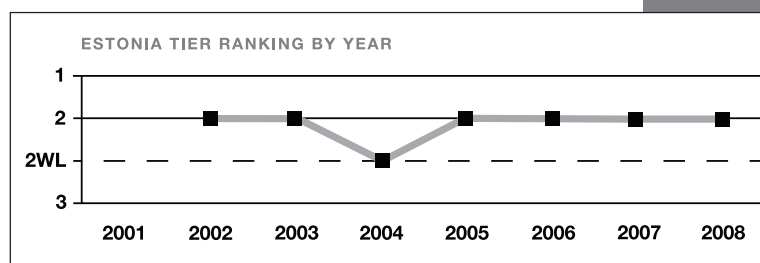
Estonia is a source, and to a lesser extent a transit destination country for men, women, and children from Russia trafficked for the purposes of commercial sexual exploitation and forced labor. Estonian women and girls are trafficked to Sweden, Finland, Norway, Denmark, the United Kingdom, Spain, Belgium, Germany, and the Netherlands for the purpose of sexual exploitation.

The Government of Estonia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, Estonia demonstrated improved law enforcement efforts by increasing the number of traffickers convicted and the length of time each trafficker served in prison. The government also significantly increased its anti-trafficking budget from \$96,000 to \$181,000, concentrating 75 percent of funding on victim assistance.

**Recommendations for Estonia:** Improve coordination efforts with regional counterparts on victim identification and repatriation; consider drafting a trafficking-specific statute that incorporates a definition of trafficking in persons in conformity with the 2000 UN TIP Protocol; and continue efforts to train police to identify potential victims and refer them for assistance.

### Prosecution

Estonian law does not prohibit all forms of trafficking, although the criminal code does prohibit enslavement, abduction, pimping, and a number of other trafficking-related crimes. The penalties for such acts range from five to 15 years' imprisonment, which are sufficiently stringent and commensurate with other grave crimes such as sexual assault. In 2007, police conducted two trafficking investigations, compared to three investigations in 2006. Authorities prosecuted three trafficking cases and convicted three traffickers in 2007, compared to one confirmed trafficking prosecution and one trafficker convicted in 2006. One of the three traffickers convicted in 2007 was sentenced to three years' imprisonment; the other two traffickers were each sentenced to one year in prison. In 2007, Estonia spent \$15,000 on 15 trafficking identification and prosecution seminars for government officials. Law enforcement officials regularly exchanged information with counterparts from Sweden, Denmark, Norway, Germany, Finland, the United Kingdom, and Belgium.



### Protection

Estonia improved its victim assistance efforts during the reporting period. The government allocated approximately \$135,750 for victim assistance programs. Three trafficking shelters established by the Nordic-Baltic Anti-Trafficking Task Force opened in various cities around the country; the Ministry of Finance contributed some funding for this project. Six Estonian victims were repatriated and assisted by these shelters; none were exploited or identified in Estonia. The government provided \$4,000 for IOM-produced brochures for social workers and other professionals to help with practical assistance to victims. Estonian authorities did not penalize victims for unlawful acts committed as a direct result of their being trafficked. Estonia encourages trafficking victims to participate in trafficking investigations and prosecutions; foreign victims are eligible to apply for temporary residency for the duration of criminal investigations and legal proceedings. Estonian authorities lack formal procedures for identifying victims among vulnerable populations, such as women arrested for prostitution violations.

### Prevention

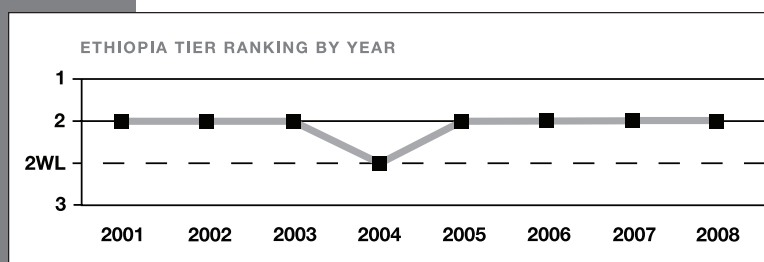
The government continued to increase its trafficking prevention efforts during the reporting period. The

government conducted a media campaign on the dangers of prostitution and conducted prostitution prevention programs in school. The government allocated approximately \$42,000 for trafficking awareness and prevention, including \$18,000 given to an NGO for the continued operation of the country's only anti-trafficking hotline.

## ETHIOPIA (Tier 2)

Ethiopia is a source country for men, women, and children trafficked primarily for the purpose of forced labor and, to a lesser extent, for commercial sexual exploitation. Rural Ethiopian children and adults are trafficked to urban areas for domestic servitude and, less frequently, for commercial sexual exploitation and forced labor, such as in street vending, begging, traditional weaving, or agriculture; situations of debt bondage have been reported. Ethiopian women are trafficked transnationally for domestic servitude primarily to Lebanon, Saudi Arabia, and the U.A.E., but also to Bahrain, Djibouti, Kuwait, Sudan, Syria, and Yemen. Some of these women are trafficked into the sex trade after arriving at their destinations, while others have been trafficked onward from Lebanon to Turkey, Italy, and Greece. Small numbers of men are trafficked to Saudi Arabia and the Gulf States for low-skilled forced labor.

The Government of Ethiopia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the Ethiopian government's ongoing efforts to provide pre-departure orientation to Ethiopian migrant workers and partner with a local NGO to detect cases of child trafficking within the country are notable, its limited capacity to prosecute these crimes is a continued cause for concern. Police investigators remain unable to properly distinguish trafficking cases from those of other crimes or to conduct solid, well-documented investigations, and the judicial system routinely fails to appropriately track the status of trafficking cases moving through the courts.



**Recommendations for Ethiopia:** Improve the investigative capacity of police and enhance judicial understanding of trafficking to allow for more convictions of traffickers; institute trafficking aware-

ness training for diplomats posted overseas; partner with local NGOs to increase the level of services available to trafficking victims returning from abroad; and launch a campaign to increase awareness of internal trafficking at the local and regional levels.

### Prosecution

While the government sustained its efforts to initiate trafficking investigations during the reporting period, prosecution of cases referred to the prosecutor's office remained inadequate, with only three specific convictions reported in the last year. In addition, law enforcement entities continued to lack the institutional capacity to separate data on trafficking cases from broader fraud cases. Ethiopia's Penal Code prohibits all forms of trafficking for labor and sexual exploitation. These statutes prescribe punishments of five to 20 years' imprisonment, punishments that are sufficiently stringent and exceed those prescribed for other grave crimes, such as rape. During the year, the Ministry of Labor (MOLSA) completed its revision of Proclamation 104/98, which governs the work of international employment agencies, in a manner that improves coordination, supervision, and control mechanisms designed to protect Ethiopian migrant workers from fraudulent recruitment and debt bondage situations.

In 2007, the Child Protection Unit at the central bus terminal reported 694 cases of child trafficking to the police, a decrease over the previous year. Of these, 50 cases were referred to the prosecutor's office; 30 were subsequently closed for lack of evidence or the escape of defendants and the remaining 20 cases are pending prosecution. Law enforcement data was not reported for areas outside of the capital. Of the 23 child trafficking cases pending prosecution at the end of 2006, 12 were dropped in 2007 and eight remained under investigation; the status of the other three cases was not reported. In regard to justice for trafficked migrant laborers, the Addis Ababa federal high court prosecutor's office reported 330 trafficking-related cases dating back seven to nine years involving charges such as the illegal sending of Ethiopians abroad, disappearances of migrant workers (abductions), visa fraud, rape, and physical abuse; prosecution of some of these cases is pending. In March 2008, the federal high court sentenced a man to five years' imprisonment for trafficking more than 40 Ethiopian men to work for a Saudi Arabian construction company, where they were forced to provide unpaid manual labor and experienced physical abuse. In November 2007, the court found a woman guilty of violating Proclamation 104/90 by illegally sending an Ethiopian female to Qatar where she was mistreated and not paid; she was sentenced to two years' imprisonment and fined

\$2,630. A third defendant was sentenced in January 2008 to one year's imprisonment and fined \$2,630 for trafficking a female domestic worker to Dubai. A small number of local police and border control agents are believed to accept bribes to overlook trafficking.

### Protection

Although the government lacks the resources to provide direct assistance to trafficking victims or to fund NGOs that provide victim care, police employ victim identification and referral procedures in the capital, regularly referring identified victims to NGOs for care. During the year, the Child Protection Units (CPUs)—joint police-NGO identification and referral units operating in each Addis Ababa police station—rescued and referred children to the CPU in the central bus terminal, which is dedicated exclusively to identifying and obtaining care for trafficked children. In 2007, this unit collected information on 694 trafficked children to facilitate their return to their families. It referred 25 children to IOM and 137 to a local NGO for care and family tracing, and assisted another local NGO in the reunification of 161 children with their relatives in Addis Ababa. As a result of an increase in social work personnel, the Addis Ababa Social and Civil Affairs Office—a government entity—reunified an additional 62 children with their families in the capital. Local police and officials in the regional administrations assisted in the repatriation of trafficked children to their home areas. Ethiopian missions in Jeddah, Riyadh, and Beirut have offices that provide services to the local Ethiopian community, including limited engagement and advice on labor-related problems. As a general matter, Ethiopian officials abroad received limited training on recognizing or responding to human trafficking and remained largely uninformed of the issue. Several local NGO service providers have designed and made available re-entry survey tools; however, the government made no effort to interview returned victims about their experiences in the Middle East. Returned women rely heavily on the few NGOs that work with adult victims and psychological services provided by the government's Emmanuel Mental Health Hospital. In 2007, there were anecdotal reports of returned trafficking victims being detained, jailed, or prosecuted for violations of laws, such as those governing prostitution or immigration.

### Prevention

Ethiopia's efforts to prevent international trafficking increased, while measures to heighten awareness of internal trafficking remained limited. In conjunction with the Ministry of Education and state-controlled Ethiopian Television and Radio Broadcasting systems, IOM produced public service announcements that aired on local television and

radio stations in four languages. While the number of in-country legal labor migration employment agencies rose from 36 to 72 between 2005 and 2007, the government significantly tightened its implementation of various labor and employment agency provisions; two employment agencies were suspended and remain under investigation for exploitative labor practices. In previous years, MOLSA subcontracted IOM to provide migrating domestic workers with pre-departure orientation sessions. During the reporting period, MOLSA assumed a leadership role over this awareness programming, employing two full-time counselors to provide pre-departure orientation on the risks of labor migration to 20,256 Ethiopian migrant workers. The Inter-Ministerial Task Force on Trafficking met during the reporting period and established four sub-committees on research, information, media, and legal affairs. From April through June 2007, the Task Force provided anti-trafficking capacity training to over 100 justice bureau and regional Supreme Court officials and police across nine regions and two city administrations, including rigorous training on Ethiopia's May 2005 anti-trafficking penal code revisions. The government did not undertake efforts to reduce demand for commercial sex acts during the reporting period. Before deploying on international peacekeeping missions, Ethiopian soldiers received training on human rights and rules of engagement from a foreign military. Ethiopia has not ratified the 2000 UN TIP Protocol.

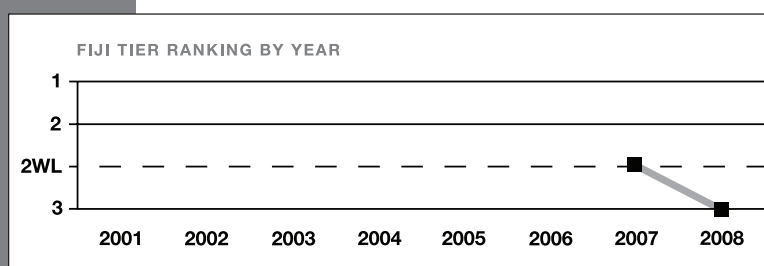
## FIJI (Tier 3)

Fiji is a source country for children trafficked for the purpose of commercial sexual exploitation and a destination country for a small number of women from the People's Republic of China (P.R.C.) and India trafficked for the purposes of forced labor and commercial sexual exploitation. In addition, Fiji boys and girls are victims of commercial sexual exploitation by Fiji citizens, foreign tourists, and sailors on foreign fishing vessels. Local hotels procure underage girls for commercial sexual exploitation by foreign guests. Taxi drivers and occasionally relatives act as facilitators. Some Fiji children are informally adopted or given to other families to raise—a tradition of child placement that can facilitate trafficking in persons.

The Government of Fiji does not fully comply with the minimum standards for the elimination of trafficking and it is not making significant efforts to do so. Despite a joint UNICEF and ECPAT report released in December 2006 documenting a problem of children exploited in the commercial sex trade in Fiji, the government has demonstrated no action to investigate or prosecute traffickers,

assist victims, or participate in public awareness campaigns to prevent trafficking.

**Recommendations for Fiji:** Collaborate with civil society and international organizations on combating commercial sexual exploitation of children and training law enforcement officers on victim identification and protection; use Fiji's laws in place to prosecute, convict, and sentence traffickers and facilitators; develop and institute a formal procedure to identify victims of trafficking among vulnerable groups such as women or children arrested for prostitution; support a visible anti-trafficking awareness campaign directed at clients of children in commercial sexual exploitation; and conduct efforts to proactively identify trafficking victims.



### Prosecution

The Government of Fiji demonstrated no significant efforts to combat trafficking in persons during the reporting period. The government is limited in its ability to focus on combating trafficking in persons by an ongoing political and economic crisis brought on by the 2006 coup and funding for police, immigration, and other institutions is generally inadequate. Fiji prohibits sex and labor trafficking through its Immigration Act of 2003, which prescribes punishments that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. The Government of Fiji reported no arrests, prosecutions, or convictions of trafficking offenders during the reporting period. A Combined Law Agencies Group (CLAG) meets monthly to address law enforcement issues, including trafficking in persons. There is no evidence of government officials' complicity in trafficking.

### Protection

The Government of Fiji did not demonstrate any significant efforts to protect victims of trafficking during the last year. The Government of Fiji's law enforcement, immigration, and social service personnel have no formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact, and the government did not identify any trafficking victims during the year. The government has not developed or implemented a process to refer identified

victims to institutions that could provide short- or long-term care. Due to severe resource constraints, the government relies on services provided by NGOs or international organizations as needed. The Government of Fiji did not actively encourage victim participation in the law enforcement efforts, as there were no investigations or prosecutions of trafficking offenders during the year.

### Prevention

The Government of Fiji demonstrated no meaningful efforts to raise awareness about trafficking during the year. There were no visible measures undertaken by the government to reduce the demand for commercial sex acts and the government did not support any anti-trafficking information or education campaigns during the reporting period. Fiji laws, including those pertaining to trafficking in persons and sexual assault, apply to Fiji citizens deployed abroad as part of peacekeeping missions. The Republic of Fiji Military Forces provided anti-trafficking training for soldiers in advance of their being deployed abroad on international peacekeeping missions. Fiji has not ratified the 2000 UN TIP Protocol.

## FINLAND (Tier 1)

Finland is a transit and destination country for women trafficked from Russia, China, Estonia, Ukraine, Belarus, Moldova, the Caucasus, Lithuania, Latvia, and Thailand to and through Finland to Sweden and other Western European countries for the purpose of sexual exploitation. During the reporting period, a small number of Russian boys were identified by authorities as trafficking victims while transiting through Finland to Sweden. Finland is a destination country for men and women trafficked from China, India, Pakistan, and Bangladesh for the purpose of forced labor; victims are exploited in the construction industry, restaurants, and as domestic servants.

The Government of Finland fully complies with the minimum standards for the elimination of trafficking. The government continued to make appreciable progress over the last year, most notably in its victim assistance and prevention work both domestically and abroad. In April 2007, the government issued its first residency permit to a victim of trafficking; Finland's Aliens Act was amended in 2006 to allow trafficking victims to remain within the country indefinitely and to qualify for unrestricted employment rights. Finland provided generous funding for NGOs implementing victim assistance and prevention projects in significant source countries totaling nearly \$600,000 in 2007.

**Recommendations for Finland:** Improve gathering



of victim assistance statistics, including the number of victims assisted by reception centers on an annual basis; continue training sessions for prosecutors and judges to increase use of section 1899-39 of the penal code; consider creating a formal witness protection program; continue improving victim repatriation efforts through collaboration with source country governments; and designate a single agency to collect anti-trafficking law enforcement data, including the number of investigations, prosecutions, convictions, and sentences given to convicted traffickers.

### Prosecution

Finland demonstrated adequate law enforcement efforts during the reporting period. Section 1899-39 of Finland's penal code prohibits all severe forms of trafficking and prescribes seven years' imprisonment for those convicted, a penalty that is sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. Related criminal statutes, such as kidnapping, pimping, and child rape, may also be used to prosecute traffickers. During the reporting period, police conducted 10 trafficking investigations, up from six in 2006. In 2007, 10 traffickers were prosecuted for sex trafficking compared to 10 sex trafficking prosecutions and one labor trafficking prosecution reported in 2006. Three traffickers were convicted in 2007 using non-trafficking statutes, down from 10 convictions in 2006. Two of the three convicted traffickers served some time in prison; one trafficker was sentenced to 16 months' imprisonment, one trafficker was sentenced to eight months' imprisonment, and one convicted trafficker was given a suspended sentence and served no time in prison. In October 2007, the government trained 200 law enforcement personnel and prosecutors on trafficking detection and investigation.

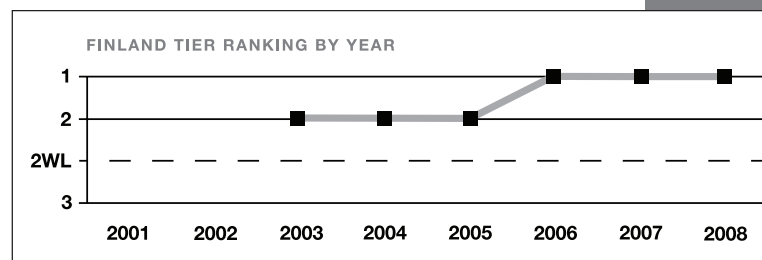
### Protection

Finland sustained its strong victim assistance efforts over the last year. The government continued to provide direct shelter, rehabilitative assistance, and medical care to victims in addition to providing the majority of funding for anti-trafficking NGOs active in Finland. Nine victims were assisted by government-run assistance centers during the reporting period. The government also funded a series of NGO-operated hotlines for victim assistance and referral. The government encouraged victims to assist in the investigation and prosecution of trafficking cases and allowed victims to apply for temporary residency; one victim received a residency permit in 2007. Victims identified by government authorities were not inappropriately penalized.

### Prevention

Finland continued its strong trafficking prevention

efforts both domestically and abroad. In 2007, the government provided \$260,000 to UNODC for an anti-trafficking and awareness project in Uzbekistan. The Border Guard and police have formal procedures for victim identification among vulnerable populations such as unaccompanied minors traveling on international flights and immigrant labor in the construction and restaurant industries. State-owned Finnair airline provided all new flight attendants as part of new employee orientation with information on how to identify and report potential trafficking victims, particularly children and unaccompanied minors on international flights; Finnair statistics indicate a consistent refusal to board passengers suspected of trafficking. The government continued its demand reduction campaign targeted at Finns who travel abroad for sex tourism; the government distributed brochures to thousands of visitors at a major annual travel fair warning that sex tourism is a crime. Finland's law provides for the extraterritorial prosecution of Finnish citizens engaged in child sex tourism, though there were no known cases prosecuted during the reporting period. Authorities monitored immigration patterns and screened for trafficking applicants at ports-of-entry. Finnish troops deployed on international peacekeeping missions received intensive anti-trafficking training; there were no trafficking related cases involving Finnish troops or government personnel deployed overseas in 2007.



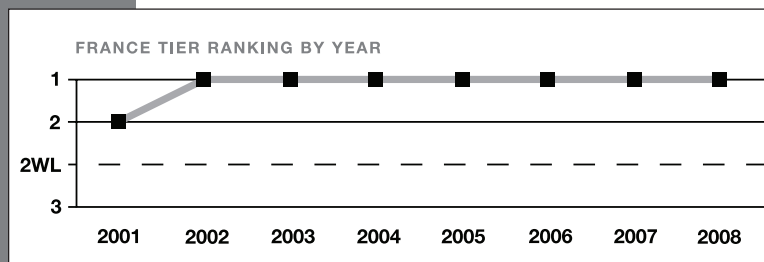
## FRANCE (Tier 1)

France is a destination country for persons trafficked for the purposes of commercial sexual exploitation and forced labor. Romania, Bulgaria, Nigeria, Cameroon, and other nations in Eastern Europe and Africa are the primary source countries for women trafficked for sexual exploitation, although some South American and Asian women are also trafficked to France. A majority of the estimated 18,000 women in France's commercial sex trade are likely victims of trafficking. Romania and Bulgaria are the primary source countries for men trafficked to France for sexual exploitation. Involuntary servitude among domestic workers, primarily young women and girls, is also a problem. One NGO reports that there have been instances of such

exploitation by diplomats serving in France. There are reports that French Guiana is a destination for women and children trafficked from Brazil for sexual exploitation.

The Government of France fully complies with the minimum standards for the elimination of trafficking. In 2007, the French government revised its anti-trafficking law to better prosecute forced labor violations and for the first time, French courts used the country's long-standing anti-trafficking statute to convict two individuals for sex trafficking crimes. The Government of France also demonstrated progress in its efforts to protect and assist victims, although NGOs expressed some frustration with the victim assistance system.

**Recommendation for France:** Consider measures to advance the usage of the anti-trafficking statute; take steps to help ensure trafficking victims are not inappropriately penalized solely for unlawful acts as a result of being trafficked; and establish a formal national referral mechanism and procedures for victim identification among vulnerable popula-



tions, such as women in prostitution.

### Prosecution

France prohibits trafficking for both sexual and labor exploitation through Article 225 of its penal code, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for rape—7 years' imprisonment. In October 2007, France strengthened its anti-trafficking law in an effort to more easily prosecute forced labor traffickers. The National Trafficking in Persons Unit reported that France convicted two individuals for sex trafficking in 2007 for the first time under pimping and anti-trafficking laws. Prosecutors continued to prefer anti-pimping laws to the anti-trafficking law in sex trafficking cases where penalties are equally stringent because prosecutors are accustomed to the established case law of long-standing pimping statutes. France reported 505 pimping arrests and prosecutions in 2006, which is comparable to 2005 data. The government does not disaggregate sentencing data by crime, making it unclear how many of these were trafficking cases. The Ministry of Interior has three teams of police that work with other EU member states to combat trafficking. These teams share information

on trafficking cases and train hotel managers and employees on identifying trafficking-related activity. There were no known efforts to apply law enforcement efforts against significant child sex trafficking reported in French Guiana, which is entirely under the administrative control of France.

### Protection

The Government of France demonstrated progress in its efforts to protect and assist victims of trafficking in 2007. The Government of France continued to protect and assist victims of trafficking, to include providing NGOs with over \$2 million for victim protection services. The government also gives victims a monthly stipend in addition to medical care, legal counsel, shelter, and psychological counseling. NGOs claimed that there is no centralized mechanism to help authorities identify victims and refer them to service providers. There is evidence that victims may be inadvertently penalized for unlawful acts that were committed as a direct result of being trafficked. NGOs reported that women in prostitution are sometimes arrested and fined for solicitation without being screened to determine whether they are trafficking victims. The Government of France provides suspected victims of trafficking with a 30-day reflection period upon admission to a shelter to consider their legal options. In cases where the victim is repatriated to their home country, France works with the country to ensure safety and medical care. To victims of trafficking who work with police to prosecute traffickers, the Government of France provides witness protection services and issues one-year residency cards that can be renewed every six months. NGOs expressed frustration that the government did not waive the fee for the residency permit (\$407), renewal fees (\$103), and visa validation tax (\$177) for trafficking victims. Victims found in small towns do not have the same access to shelters as those found in larger cities. In addition, victims in smaller towns experienced hurdles in managing the victim protection bureaucratic processes with local authorities.

### Prevention

France continued to demonstrate efforts to raise awareness and prevent trafficking in persons in 2007. In cooperation with the French Soccer Federation, the Ministry of Health launched a trafficking demand reduction campaign against prostitution at international soccer games. The Ministry of the Interior funded a publicity campaign of anti-trafficking posters. The government operates a national Trafficking in Persons Unit headed by a senior civil servant in the Ministry of Interior. Some NGOs nonetheless believe that a more robust national government body is needed to coordinate comprehensive anti-trafficking efforts. As part of on-going anti-trafficking education efforts, the government

sponsored a nationwide conference for enforcement officials, magistrates, and NGOs to discuss how to improve communication and cooperation in protecting victims and preventing trafficking in March 2007. President Chirac raised awareness of human trafficking on the Day to Commemorate Slavery on May 10, 2007. All French military personnel receive training on trafficking during basic training. There is also a three-week training given to French military peacekeepers before their departure on overseas deployment.

The French government continues to fund programs through airlines and tourism operators describing the penalties for child sex tourism, including pamphlets given to tourists that show a picture of a child and the message, "she is not merchandise." The government provides funding for Air France buses traveling to the Paris airports to broadcast a video alerting tourists that French citizens will be prosecuted for sex tourism actions on foreign soil. All tourism students in France must do course work on sex tourism. The Ministry of Foreign Affairs researches indicators of child sex tourism abroad to warn French tourist of child sex tourism sites and monitor sex tourism data.

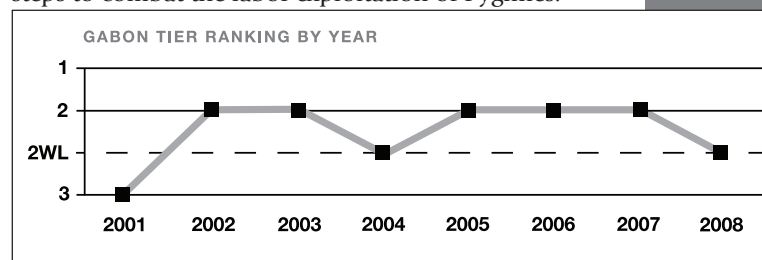
## GABON (Tier 2 Watch List)

Gabon is predominantly a destination country for children trafficked from other African countries for the purpose of forced labor. Children are trafficked primarily by boat to Gabon from Benin, Nigeria, Togo, and Guinea, with smaller numbers coming from Sierra Leone, Burkina Faso, and Cameroon. Girls are primarily trafficked for domestic servitude, forced market vending, forced restaurant labor, and sexual exploitation, while boys are trafficked for forced street hawking and forced labor in small workshops. Increasingly, young men and women are also being trafficked from other African countries, primarily for domestic servitude, but also for sexual exploitation. The majority of victims arrive by boat and are trafficked to Libreville and Port Gentil, though victims are found in smaller towns as well, including Oyem, Gamba, Tchibanga, and Franceville. Reports also indicate that some indigenous Pygmies are employed under slavery-like conditions, without effective recourse in the judicial system.

The Government of Gabon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nevertheless, Gabon is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat human trafficking over the previous year, particularly in terms of efforts to convict and punish trafficking offenders. Although

the Gabonese government arrested and prosecuted trafficking suspects, it has not reported the convictions or sentences of any trafficking offenders.

**Recommendations for Gabon:** Increase efforts to prosecute, convict, and punish trafficking offenders; increase efforts to rescue victims; develop formal procedures to identify trafficking victims among females in prostitution; ensure the rescued child victims are appropriately protected in government custody; offer formalized legal alternatives to the removal of foreign victims to countries where they face hardship or retribution; sustain progress toward the complete elimination of the practice of placing victims in jail, even temporarily; and take steps to combat the labor exploitation of Pygmies.



### Prosecution

The Government of Gabon demonstrated minimal anti-trafficking law enforcement efforts over the last year. While it arrested and is currently prosecuting several alleged traffickers, it reported no convictions. Gabon does not have one specific law that prohibits all forms of human trafficking; however, it does have several laws that collectively prohibit all forms of human trafficking. Gabonese law prohibits child labor trafficking through its 2004 Law Preventing and Combating Child Trafficking, which prescribes penalties of five to 15 years' imprisonment and a \$20,000-\$40,000 fine. Article 4, Title 1 of Law Number 3/94 criminalizes forced labor, prescribing inadequate penalties of one to six months' imprisonment and a possible fine of \$700-\$1,400. The procurement of a minor for the purpose of prostitution is prohibited under Penal Code Article 261, which prescribes a penalty of two to five years' imprisonment and a fine, a penalty that is sufficiently stringent but not commensurate with punishments prescribed for rape. Forced prostitution is prohibited by law number 21/63-94, which prescribes a penalty of two to 10 years imprisonment, which is sufficiently stringent and commensurate with penalties prescribed for rape. The government reported arresting 16 female suspected traffickers between February 2007 and January 2008, eight of whom are awaiting trial and three of whom escaped. Five of these suspects were released due to "hardship," including the need to care for children. The government did not report any trafficking convictions in the last year. Authorities are currently

investigating one suspected trafficking case involving a Beninese citizen. Gabon's effectiveness in prosecuting traffickers is handicapped by slow and inefficient legal procedures. Prosecutions of traffickers charged prior to 2007 have not moved forward. The Ministry of Justice is currently working on a project to assign judges for two year terms to work exclusively on trafficking cases.

### Protection

The Government of Gabon demonstrated steady efforts to protect trafficking victims in the last year. Gabon operates three reception centers for destitute children, including trafficking victims, two in Libreville and one in Port Gentil, which provide shelter, medical care, and rehabilitation and reintegration services. One of the centers in Libreville is fully funded by the government, while the other two are financed jointly by the government and private donors. Child victims reside in these centers until arrangements are made for their repatriation, which the government requires be funded by the victims' employers or guardians. Staff at the centers work with foreign diplomatic missions to repatriate victims. One of these centers provided assistance to 80 trafficking victims and repatriated them using funds confiscated from traffickers. In addition, another center not sponsored by the government reported that it repatriated an additional 80 victims with some logistical assistance from the government. When security forces find trafficking victims, they place those under 16 years of age in government-operated shelters or temporary foster care, while older victims are referred to a Catholic NGO. Pursuant to an arrangement between Gabon and Nigeria, security officials refer Nigerian victims to the Nigerian Embassy in Libreville.

Security forces did not employ procedures to identify trafficking victims among individuals in prostitution. Gabon continued to operate its toll-free victim hotline in collaboration with UNICEF. The government covered the hotline's expenses, staffed it with government personnel and housed it in a government-owned building. While in previous years law enforcement officials did not interview victims for evidence at trial, authorities last year solicited victims' testimony. In previous years, victims were repatriated prior to trial, resulting in stalled prosecutions since cases cannot be prosecuted without victim testimony.

The Ministry of Justice works with foreign government agencies to keep foreign victims in Gabon and provide them with care, usually in a government-affiliated facility, until the prosecution makes its case. In February 2008, Gabon sponsored and funded a workshop for government, NGO, and international organization stakeholders to discuss strategies for providing better care to trafficking

victims. The government provides de facto temporary residency status as an alternative to removing foreign victims to countries where they face hardship or retribution, and does not deport trafficked children. Victims are not inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked, although on occasion they have been housed in jails overnight, in separate quarters from criminal detainees and not confined to cells.

### Prevention

The Government of Gabon continued moderate efforts to raise awareness of trafficking during the last year. The government launched trafficking awareness-raising campaigns targeting communities in cities, towns, and villages outside the capital. Government representatives traveled to these areas to speak to community organizations and gendarmerie units about trafficking and existing laws prohibiting it. The government collaborated with an international NGO and other stakeholders to establish a network of anti-trafficking NGOs. In February 2008, the government and an international NGO released a collection of all laws and regulations concerning child trafficking to foster increased understanding of the problem. Gabon's Inter-ministerial Committee to Combat Child Trafficking increased its level of activity, meeting weekly in the past year. However, the Committee continues to lack offices and a clearly defined budget. The government did not take steps to reduce demand for commercial sex acts during the year.

## THE GAMBIA (Tier 2 Watch List)

The Gambia is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. Within The Gambia, women and girls, and to a lesser extent boys, are trafficked for sexual exploitation, in particular to meet the demand for European sex tourism, and for domestic servitude. Boys are trafficked within the country for forced begging by religious teachers and for street vending. Transnationally, women, girls and boys from neighboring countries are trafficked to The Gambia for the same purposes listed above. Primary source countries are Senegal, Mali, Sierra Leone, Liberia, Ghana, Nigeria, Guinea-Bissau, Guinea and Benin. Trafficking of Gambian boys to Senegal for forced begging and Senegalese boys to The Gambia for the same purpose is particularly prevalent. Gambian women and girls are trafficked to Senegal for domestic servitude, and possibly for sexual exploitation. Gambian women and children may be trafficked to Europe through trafficking schemes disguised as migrant smuggling. Reports in the last two years of Gambian, Senegalese, and nationals of other neighboring countries being transported from The Gambia to Spain by boat appear to be predom-

inantly cases of smuggling rather than trafficking. The Government of The Gambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. The Gambia is placed on Tier 2 Watch List for a second consecutive year for its failure to provide evidence of increasing efforts to eliminate trafficking over the previous year, particularly with regard to prosecuting traffickers and providing protection to victims. The Gambia's passage of a comprehensive law against trafficking was a significant achievement. However, overall efforts to combat trafficking over the past year stalled due to the lack of trafficking prosecutions and convictions, the absence of victim rescues, and the inappropriate deportations of child victims of forced begging.

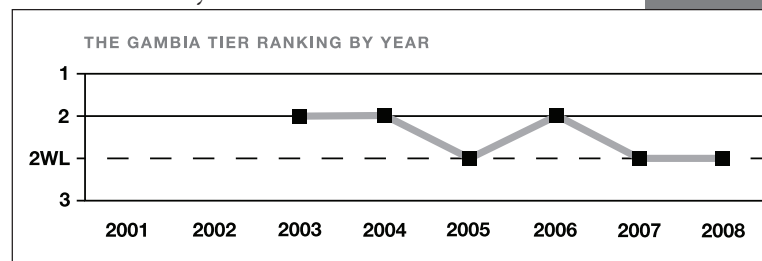
**Recommendations for The Gambia:** Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; ensure that foreign child victims (almudos) are provided with shelter, rehabilitation, and are safely repatriated as appropriate; train police to screen females in prostitution to identify trafficking victims; develop systems for collecting trafficking crime and victim care data; and adopt the draft national action plan.

### Prosecution

The Government of The Gambia demonstrated slightly increased enforcement efforts to combat trafficking during the last year through passage of a new anti-trafficking law. The Gambia prohibits all forms of trafficking through its October 2007 Trafficking in Persons Act, which prescribes a penalty of 15 years to life imprisonment for all forms of trafficking. This penalty is sufficiently stringent and commensurate with those of other grave crimes, such as rape. The Gambia's 2005 Children's Act also prohibits all forms of child trafficking, prescribing a maximum penalty of life imprisonment. The Gambia failed to report any trafficking arrests, prosecutions, or convictions in the past year. Police conducted raids in red light districts to enforce laws against prostitution without attempting to identify trafficking victims among the females found in prostitution. Although The Gambian Tourism Authority (GTA) works with NGOs and other government agencies on child sex tourism cases, no such cases were reported during the year. The Gambia lacks any system for collecting trafficking crime statistics. Officials monitor borders to ensure that traveling children are accompanied by a parent or a guardian with proof of parental consent. They report, however, that the prevalence of false documentation hinders their efforts. A mobile unit of security agents patrols the country's land and sea borders to monitor illegal immigration and, secondarily, possible trafficking.

### Protection

The Gambian government demonstrated weak victim protection efforts during the last year. Although the government has yet to develop systematic procedures for the identification of victims, the police identified and referred some victims on an ad hoc basis to the Department of Social Welfare (DSW). The DSW, in turn, usually refers Gambian victims to NGOs for care, while foreign victims are often brought to their governments' missions in The Gambia. In February 2008, the Director General of Immigration, however, issued a statement that foreign child victims of forced begging, called almudos, could face deportation as part of a government crackdown on street begging. In late February 2008, The Gambia deported over 60 Senegalese almudos. The government was unable to confirm that the victims were provided with rehabilitation services prior to their deportation. The government operates and funds its own 24-hour shelter for destitute children though no specialized facilities exist there for trafficking victims. The Gambia failed to provide data on how many victims the government referred to NGOs or its own shelter in the last year. The government continued to operate a free anti-trafficking hotline established in 2005, but it received few calls. The 2007 Trafficking in Persons Act encourages victims to assist in investigations and prosecutions by offering them temporary residence visas pending criminal or civil actions. These provisions have not yet been applied, however. The government does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Most victims are not inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked, but during the year, child victims of forced begging were punished through their detention by authorities.



### Prevention

The Government of The Gambia made minimal efforts to raise awareness about trafficking during the reporting period. The GTA continued to address child sex tourism by promoting its brochure detailing a Code of Conduct for the Protection of Children in Tourist areas. The national anti-trafficking task force met only once during the year, in June 2007, at a meeting initiated by a foreign diplomatic mission. In April 2007, DSW hosted a

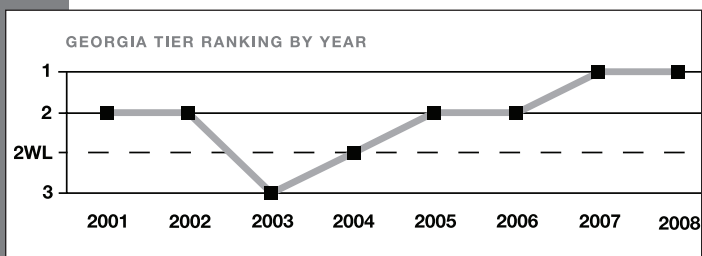
UNICEF-sponsored national conference for government officials and other stakeholders to adopt the national strategic plan of action on orphans and vulnerable children for 2007-2015, which includes the development of policy and a legislative framework to combat child trafficking. During the year, the government—particularly the DSW—worked with NGOs on sensitization programs, though financial constraints usually limited government contributions to the provision of personnel. The government has not yet adopted its 2004 draft national action plan to combat trafficking. The government has taken steps to reduce the demand for commercial sex acts by raiding brothels.

## GEORGIA (Tier 1)

Georgia is a source and transit country for women and girls trafficked primarily within the country and to Turkey and the U.A.E. for the purpose of commercial sexual exploitation. Women and girls from Ukraine, Moldova, Russia, and other former Soviet states are trafficked through Georgia to Turkey, the U.A.E., and Western Europe. Men are trafficked for the purpose of forced labor within the country and to Turkey, Russia, Greece, and the Gulf states. The breakaway regions of Abkhazia and South Ossetia were outside of the government’s control and remained likely source, destination, and transit areas for trafficking in persons.

The Government of Georgia fully complies with the minimum standards for the elimination of trafficking. The government made considerable progress over the past year, particularly in the prosecution and punishment of traffickers, and in the prevention of trafficking.

**Recommendation for Georgia:** Ensure that proactive victim identification and assistance policies are fully institutionalized and implemented in Georgia.



### Prosecution

The Government of Georgia made appreciable progress in its law enforcement efforts during the reporting period. Georgia prohibits all forms of trafficking in persons through its Law on the Fight Against Trafficking in Persons, adopted in April 2006, which prescribes penalties ranging from seven to 20 years’ imprisonment. These penalties

are sufficiently stringent and are commensurate with those for other grave crimes, such as rape. In June 2007, the Parliament of Georgia enacted an amendment to the Criminal Code of Georgia, criminalizing the exploitation of a trafficking victim. In 2007, the government investigated 37 trafficking cases, and authorities prosecuted 16 cases, including four labor trafficking cases involving 18 trafficking offenders, resulting in 18 guilty verdicts. All 18 traffickers convicted in 2007 received a prison term. The average sentence was 13 to 14 years’ imprisonment. All new Georgian police officers must complete basic anti-trafficking training. Specialized, advanced anti-trafficking training is mandatory for all Border Police and Special Operations Department members. There were no reports of trafficking-related complicity of law enforcement personnel from either NGOs or the government.

### Protection

Georgia continued to improve overall victim protections over the reporting period, although there were indications that implementation of victim identification and assistance procedures may need improvement. The government allocated \$180,000 to the State Fund for Victim Protection and Assistance (SFVPA) in 2007 and pledged to increase funding again by 50 percent in the next year. With this funding, the government funds 70 percent of the operating costs of two trafficking victim shelters and provides victims with free legal and medical assistance. The SFVPA also provides trafficking victims with a \$650 victim assistance allowance, regardless of whether the victim cooperates with law enforcement authorities. Foreign victims of human trafficking are afforded full victim assistance benefits under Georgian law, including legal alternatives to removal to countries where they would face hardship or retribution. Trafficking victims and witnesses can also be placed under protection of separate witness protection procedures in accordance with Georgia’s criminal procedure legislation. The government recognized 48 trafficking victims during the reporting period and provided SFVPA assistance services to 12. Although all trafficking victims are eligible to receive SFVPA aid, not all requested government assistance. While the government does not currently provide funding to trafficking NGOs, it maintains a positive working relationship with most of them. There is a formal mechanism for officials to use as a guide for identifying victims and referring them to service providers, and Georgian law prohibits trafficking victims from being penalized for unlawful acts committed as a result of being trafficked; however, there were reports that the government unknowingly jailed trafficking victims on immigration violations. Once identified as trafficking victims, two persons were released and repatriated by the government to the

victims' country of origin. Georgian consular services abroad facilitated in repatriating five persons to Georgia during the reporting period.

### Prevention

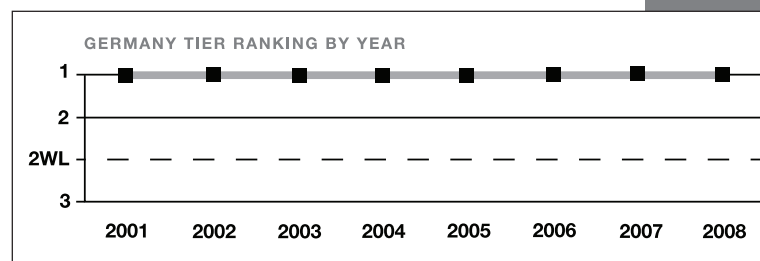
Georgia conducted extensive anti-trafficking public awareness campaigns and outreach activities during the reporting period, including meetings with university students, journalists, and ethnic minority representatives. The Permanent Interagency Anti-Trafficking Coordination Council, led by the head of the Presidential Administration, serves as the coordinating body for all government anti-trafficking efforts and involves representatives from local and international NGOs and embassies. During public meetings and TV and radio shows, the Coordination Council made efforts to reduce the demand for commercial sex acts by highlighting the new proposed legislation criminalizing "clients" who benefit from trafficking victims' exploitation. The government also broadcast two public service announcements targeting potential victims and "clients" on three television channels during the reporting period. Georgia's Civil Registry Agency continues to disseminate anti-trafficking brochures with new passports. The Ministry of Internal Affairs' Informational-Analytical Department maintains a database accessible by all government agencies that stores and organizes trafficking-related information. The Office of the Prosecutor General informs the public, NGOs, and other government agencies about trafficking cases through its quarterly newsletter and an online mailing list. In November and December 2007, IOM and the Prosecutor General's office provided training for Georgian soldiers prior to their deployment to Iraq to join the Multi-National Forces. The Ministry of Defense includes basic trafficking awareness training for all future international peacekeeping contributions as well.

## GERMANY (Tier 1)

Germany is a transit and destination country for men and women trafficked for the purposes of commercial sexual exploitation and forced labor, including in the construction industry, in restaurants and ice cream parlors, and as domestic servants. Victims are trafficked primarily from Central and Eastern Europe—including the Czech Republic, Romania, Poland, and Russia—and Nigeria to and through Germany to the United Kingdom and Scandinavian countries. In 2006—the latest available statistics—23 percent of the victims of commercial sexual exploitation were German nationals trafficked within the country. German nationals traveled to Thailand, Vietnam, and other countries for the purpose of child sex tourism.

The Government of Germany fully complies with the minimum standards for the elimination of trafficking. In 2007, the government enacted the Victims Compensation Act which now provides trafficking victims with access to psychological counseling and treatment. Germany continued to build on strategies implemented in conjunction with the 2006 Soccer World Cup Championship to raise public awareness and to improve the effectiveness of efforts to combat trafficking. Best practices and lessons learned were shared with EU member states, as well as other countries planning to host large-scale sporting events.

**Recommendations for Germany:** Explore ways, within the parameters of the German judicial system, to continue to increase the number of convicted traffickers who serve time in prison; take steps to provide more even distribution of funding for victim services among individual states; improve efforts to identify and combat labor trafficking; and consider establishing national trafficking rapporteurs in key regions around the country.



### Prosecution

The German government demonstrated adequate law enforcement efforts during the reporting period. Germany prohibits all forms of trafficking; trafficking for sexual exploitation is criminalized in Section 232 of its Penal Code, and forced labor is criminalized under Section 233. Other laws are also used to prosecute trafficking cases. Penalties prescribed for trafficking for both sexual exploitation and for forced labor range from six months to ten years' imprisonment and are sufficiently stringent and commensurate with penalties for other grave crimes, such as rape. It is common practice for judges to suspend sentences of two years or less for all crimes, including trafficking. In 2006, the most recent year for which data is available, police concluded 353 sex trafficking investigations and initiated 78 forced labor investigations, compared to 317 total investigations concluded in 2005. German authorities prosecuted 175 individuals under Section 232, and 18 under Section 233, an increase from 183 prosecutions in 2005. In 2006, 138 traffickers were convicted under Section 232, 11 traffickers were convicted under Section 233, and one under Section 233(a), an increase from 136 convictions in 2005. Of the traffickers convicted

in 2006, 33 percent—49 of 150—received prison sentences that were not suspended, a slight improvement from 2005 when only 31 percent—42 of 136 convicted traffickers—received prison sentences that were not suspended. In October 2007, the Family Ministry published guidelines for use by police, prosecutors, judges, and counseling centers to improve victim identification and to better equip them to respond to the special needs of trafficking victims.

### Protection

Germany continued to provide adequate victim assistance during the reporting period. In January 2007, the government enacted a new law allowing trafficking victims three years to file civil claims against confiscated trafficking assets; previously, proceeds confiscated from traffickers were returned to the perpetrators three months after their conviction if no claim was filed. The number of victims who applied for and received confiscated trafficking assets in 2006 was unavailable at the time of this report; however, authorities seized assets amounting to nearly \$3.4 million in 2006. Authorities identified a total of 858 victims—775 victims of sexual exploitation and 83 victims of labor exploitation—in 2006, up from 642 victims identified in 2005. The government funded 38 NGOs that provided shelter, assistance, and facilitated protection for victims of trafficking. Victims are encouraged to assist law enforcement with trafficking investigations and prosecutions. In August 2007, Germany formally codified the granting of a 30-day reflection period for foreign victims of trafficking who do not have valid immigration status in Germany; victims who assist law enforcement with investigations and prosecutions are eligible to stay in Germany for the duration of the trial. The government may grant permanent residence permits to those victims who face hardship or retribution upon return to their home country. Victims are not penalized for unlawful acts committed as a direct result of their being trafficked.

### Prevention

Germany demonstrated adequate progress in its trafficking prevention efforts, and it demonstrated its strong commitment to combat child sex tourism during the last year. The government continued to fund a number of NGOs performing public awareness both in Germany and abroad, targeting both potential victims and potential clients of trafficking victims. Public awareness programs included flyer and petition campaigns, radio and television public service announcements, and internet and print media campaigns. Prostitution is legal in Germany; however, the Family Minister said in a public statement in 2007 that the German government does not consider prostitution a suitable form of employment and noted the Ministry's primary goal is to help individuals get out of prostitution.

In 2007, several states continued to fund awareness campaigns targeted specifically at clients to reduce the demand for commercial sex acts. Germany ensures that all peacekeepers receive trafficking awareness training prior to deployment abroad.

German law permits the extraterritorial prosecution of German nationals who travel abroad to engage in child commercial sexual exploitation. The government funded two NGO-implemented domestic campaigns to raise awareness about child sex tourism, targeted at both deterring potential clients and also encouraging German tourists to report suspicious activities to law enforcement. The campaigns included the distribution of flyers to tour operators, briefings for employees in the tourism sector, and an internet website with relevant identification and reporting information. Germany also funded an NGO to implement training courses for 600 law enforcement and migration officers in Guatemala to assist in the recognition of sexual exploitation of children in tourism. Since 2006, German law enforcement has increased cooperation with officials in Southeast Asia to investigate German sex tourists operating outside of Germany and to facilitate the prosecution of perpetrators both in Germany and in destination countries where the crimes are committed. For example, German citizens were arrested in Cambodia and Thailand for child sex tourism with the assistance of German law enforcement.

## GHANA (Tier 2)

Ghana is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. Trafficking within the country is more prevalent than transnational trafficking and the majority of victims are children. Both boys and girls are trafficked within Ghana for forced labor in agriculture and the fishing industry, as porters and for street hawking. The Government of Ghana estimated in 2005 that up to 40,000 children worked as porters, or *Kayaye*, on Ghana's streets. Girls are trafficked within the country for domestic servitude and sexual exploitation. Local and international NGO reports in the past year indicate that child prostitution within the country is widespread and increasing. There were also reports that some boys are trafficked internally for prostitution. Liberian refugee children and women in Ghana are also trafficked for commercial sexual exploitation. Media and NGO reports in the last year indicated that tourist locations in Ghana are increasingly becoming destinations for sex tourists. Transnationally, children are trafficked to and from other West African countries, primarily Cote d'Ivoire, Togo, Nigeria, and The Gambia, for the same purposes listed above. Women and girls are trafficked for sexual exploita-



tion from Ghana to Western Europe, from Nigeria through Ghana to Western Europe, and from Burkina Faso through Ghana to Cote d'Ivoire.

The Government of Ghana does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Ghanaian government recently established a Human Trafficking Board, which has begun drafting a national action plan to combat trafficking. Overall victim assistance efforts have declined over the past two years, however, particularly with respect to sex trafficking victims. While Ghana took some law enforcement steps to address sex trafficking through police raids in the last year, there were limited investigations and prosecutions, and no convictions of perpetrators of this crime during the reporting year.

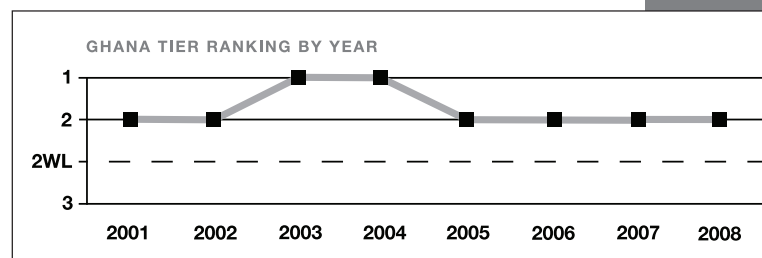
**Recommendations for Ghana:** Strengthen overall efforts to prosecute and convict traffickers; investigate and close down brothels selling children in prostitution and prosecute brothel operators; suspend government officials accused of complicity from their official duties until they can be prosecuted or cleared of allegations; develop a system for providing secure care for rescued sex trafficking victims; create increased overall shelter space for trafficking victims; train government social workers to identify trafficking victims among girls and women in prostitution; increase coordination between police and government social workers in conducting trafficking raids and rescues; and fulfill commitments to the international community to work with private cocoa companies to survey 50 percent of all cocoa producing regions to measure the incidence of worst forms of child labor and forced adult labor by July 2008.

### Prosecution

The Government of Ghana demonstrated modest efforts to combat trafficking through law enforcement efforts during the last year. Ghana prohibits all forms of trafficking through its 2005 Human Trafficking Act, which prescribes a minimum penalty of five years' imprisonment for all forms of trafficking. This penalty is sufficiently stringent and commensurate with penalties prescribed for rape. The government reported nine trafficking arrests, all of which are in various stages of prosecution. There were no reported convictions or punishments of trafficking offenders. Currently, Ghana's Criminal Investigations Department (CID) is collaborating with Ivorian authorities on a joint cross-border anti-trafficking operation. In November 2007, the CID conducted an operation against a trafficking ring, rescuing 17 female sex trafficking victims, one of whom was a minor. The victims were being trafficked through Ghana from Nigeria en route to Europe. The CID arrested the suspects; they were eventually released on bail. The suspects are

awaiting trial. Corruption among law enforcement officials is an obstacle to effective anti-trafficking measures in Ghana. During the year an undercover journalist videotaped Ghanaian immigration officials accepting bribes to facilitate the trafficking of Nigerians victims to Europe. However, the official implicated is still employed by Ghana Immigration Services (GIS), but was transferred to a position outside Accra. The GIS is conducting an internal investigation into the case.

In January 2008, the CID conducted a raid on a cluster of brothels prostituting minors, which together are called the Soldier Bar. Police detained approximately 78 male clients and three bar employees. These criminal suspects were released after several hours, in part because the CID lacks facilities to accommodate such a large number of people. None of the detainees was charged. Prior to the raid, an undercover investigative journalist hid a camera in the bar, capturing footage of children being prostituted at the bar. The Parliamentary Caucus on Population warned the bar's caretaker after the raid that it was considering closing down or demolishing the establishment. The caretaker subsequently razed the brothel himself. The caretaker, who has not been investigated or charged for facilitating child sex trafficking, alleges that the bar's owner, who was out of the country during the raid, remains in Canada.



### Protection

The Ghanaian government demonstrated limited efforts to protect trafficking victims. The government continued to provide personnel and utilities to its Madina shelter, which is funded primarily by IOM to provide care to child victims of trafficking in the fishing industry. The government also operates two homes in Accra for destitute children, some of whom are trafficking victims. The homes, however, suffer from lack of resources and are stretched beyond capacity. Ghana lacks shelters for sex trafficking victims and Ghanaian officials displayed very poor procedures for referring victims to service providers during the reporting period. The police employ no systematic procedures for identifying trafficking victims and referring them to government or NGO care facilities. When border officials find victims, they sometimes try to locate homes in border villages where the victims can stay until their families are found. In November 2007,

Ghanaian officials rescued 17 Nigerian female sex trafficking victims but due to lack of better accommodation, placed them in a jail until they could be handed over to Nigerian officials.

At the end of October 2007, an investigative journalist reported that child sex trafficking was occurring at the Soldier Bar in Accra. In January 2008, the CID raided the brothel and rescued an estimated 160 women and children, approximately 60 of whom police determined were minors. The Department of Social Welfare and the Ministry of Women and Children's Affairs assumed custody of the 60 minor girls and transported them to a shelter on the night of the raid. Due to lack of adequate facilities and security measures to care for or protect the victims, some of the women and minor girls rescued subsequently left the facility. Ghana does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Victims are not inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked.

#### **Prevention**

The Government of Ghana continued to raise awareness about trafficking during the reporting period. The government launched several campaigns to educate the public about the 2005 law against trafficking. The Human Trafficking Board and the Human Trafficking Fund mandated by the 2005 law were established in July 2007. The Board, which is composed of government agencies, international organizations and NGOs, has begun drafting a national action plan against trafficking. The government continued to work with private cocoa companies to collect data to measure the incidence of the worst forms of child labor and forced adult labor in the cocoa sector. Ghana took modest measures to reduce demand for commercial sex acts by conducting raids on two brothels exploiting trafficking victims. The government did not take measures to ensure that its nationals who are deployed abroad as part of peacekeeping missions do not engage in or facilitate trafficking.

## **GREECE (Tier 2)**

Greece is a destination and transit country for women and children trafficked for the purposes of sexual exploitation and forced labor. Women are trafficked from Eastern Europe, the Balkans, and Africa for the purposes of commercial sexual exploitation and forced labor. Source countries over the reporting period include Romania, Bulgaria, Russia, Lithuania, Moldova, Ukraine, Albania, Nigeria, and Sudan. Some Albanian men are trafficked to Greece for forced labor. Most children trafficked from

Albania to Greece are subjected to forced labor, including forced begging and petty crimes; some are trafficked for the purpose of sexual exploitation. Reportedly, trafficking of Nigerian victims for the purposes of sexual exploitation continued to increase and some victims were forced to marry traffickers or their associates to "legalize" their status in the country.

The Government of Greece does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While Greece continued to fund prevention programs in source countries, co-sponsor anti-trafficking training, and provide for domestic shelters in Greece, long-standing recommendations in previous reports concerning victim identification, victim protection, and punishment for traffickers remain unaddressed. Greece has yet to ratify a 2004 child repatriation agreement negotiated with Albania, shelters remain underutilized, and convicted traffickers are not serving imposed sentences. Inadequate protection of both identified and potential trafficking victims remain serious concerns.

**Recommendations for Greece:** Continue collaboration with NGOs in victim identification; ensure better protection for children who are victims of trafficking, including ratification of the agreement with Albania; proactively investigate and prosecute as appropriate reports of law enforcement officials' complicity in trafficking; ensure traffickers serve time in prison, deterring exploitation of additional victims in Greece; ensure witnesses are provided with adequate protection and assistance throughout the investigation; and ensure prosecution of their traffickers.

#### **Prosecution**

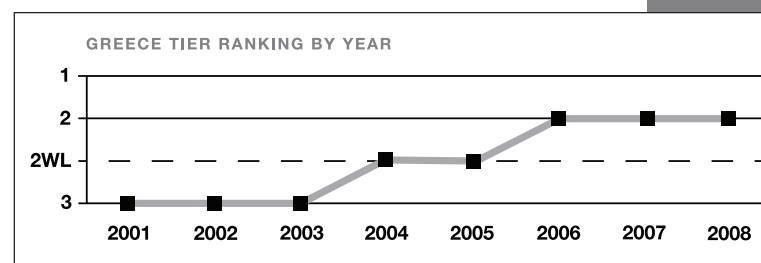
The Government of Greece's law enforcement efforts decreased in 2007, although authorities reportedly initiated 48 trafficking prosecutions. Greek law 3064, adopted in 2002, prohibits trafficking for both sexual exploitation and forced labor, and prescribes imprisonment of up to 10 years and a fine of \$13,000 to \$65,000. These penalties are sufficiently stringent and commensurate with those for other grave crimes. Law enforcement arrests decreased from 206 in 2006 to 121 in 2007, and investigations decreased from 70 to 41 in the same year. The government did not provide specific data on the number of traffickers convicted during this reporting period. The government's record on punishing convicted traffickers remained unclear. Many NGOs report that convicted traffickers who face lengthy prisons sentences are granted bail pending appeals of their convictions. The government did report that in February 2007, a court in Athens sentenced a Nigerian defendant to 19 years' imprisonment and denied his request for bail pending appeal.

The government has not provided information concerning whether any other traffickers convicted under the 2002 law are serving time in prison. The government co-sponsored an IOM training seminar aimed at assisting prosecutors in applying protections guaranteed to victims in November 2007 and included anti-trafficking as part of its training to its nationals prior to deployment on peacekeeping missions abroad. Despite continued reports of law enforcement officials facilitating trafficking, the government failed to demonstrate adequate investigations or prosecutions of these officials. NGOs and media reports indicate that some local police take bribes or accept sex services from traffickers, patronize establishments implicated in trafficking, or ignore the problem. NGOs and journalists reported that some Greek consular officials abroad facilitate trafficking by willingly granting visas to foreign trafficking victims. Police and NGOs reported that the majority of identified victims in 2007 held legal visas, and NGOs report that in most cases, the visas were expedited by traffickers and issued without personal interviews. The government is investigating two specific consular cases that occurred during the reporting period, but has not provided information about the results of these investigations. Three police officers, two of them senior, charged with trafficking complicity in 2005 have still not been brought to trial. According to Amnesty International, in April 2006, the Greek government charged two officers and a guard with raping a Bulgarian trafficking victim after the apprehension of her traffickers.

### Protection

The Government of Greece did not demonstrate significant tangible progress in protecting trafficking victims, though it continued to co-sponsor seminars on the topic and there was some progress in working with NGOs on victim identification. In 2007, only 35 trafficking victims received assistance from the government, 17 of which received full victim status via official recognition by the trafficking prosecutor. The government increased the number of victims identified from 83 in 2006 to 100 in 2007, though this is still less than the 137 victims identified in 2005. IOM reported the repatriation of 15 victims; however, the government did not facilitate the responsible return, nor did it provide assistance to the remaining 50 victims. Some NGOs, including Amnesty International and the Greek Helsinki Monitor, cite ongoing legal and practical shortcomings in the government's process of identifying and protecting trafficking victims, including concerns that victims of trafficking were required to testify against their traffickers before being given protection. In 2007, the government reported 35 victims assisted in the prosecution of their traffickers. NGOs providing informal assistance to victims who served as prosecution witnesses report that these victims would not testify without the NGOs' support; the NGOs also

report that some identified and sheltered victims are subjected to threats from their traffickers. There are continued reports that many victims remain unidentified and incarcerated in detention centers, and ultimately subject to deportation charges. During 2007, the government renewed 63 residence permits for trafficking victims. In 2007, for the first time, Greek police notified NGOs before conducting raids on locations with suspected trafficking victims, and NGOs facilitated identification and referral for the women to appropriate services. The government



also added one NGO to its 2005 Memorandum of Cooperation (MOC). These were positive developments. However, there continued to be a significant gap between the overall number of victims identified and those who receive full victim status.

There have been multiple inquiries from international donors and the Albanian government regarding the 2004 agreement drafted by the Greek and Albanian government and covering the repatriation of Albanian child trafficking victims from Greece; however, the Greek government still has not ratified the agreement. The government has not provided concrete evidence that it is respecting the guidelines for the safe return of these Albanian child victims. Some NGOs allege that only a few of the children deported to Albania are actually returned to their families, and claim that many are imprisoned in Albania only to be re-trafficked to Greece later. The government has no special protections in place for child victims of trafficking; they are sheltered in orphanages or in a separate section of an adult detention center or other institutions.

### Prevention

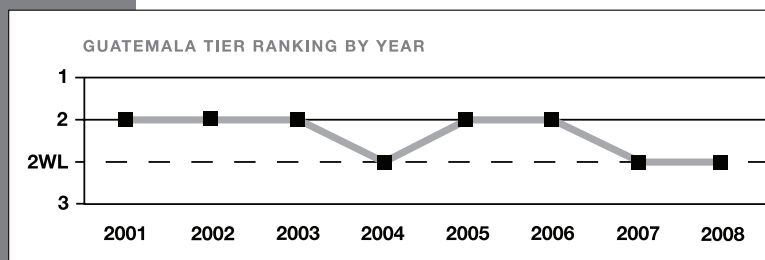
The Government of Greece sustained previous prevention efforts in 2007. The government continued to support NGOs in source countries that conduct trafficking prevention work. However, due to elections and a subsequent reorganization of a new government, Greece suspended formal inter-ministerial cooperation on trafficking for nine months of 2007. The government in 2007 failed to conduct any awareness campaigns to reduce domestic demand for commercial sex acts offered in Greece's legal sex trade; nor did it take any steps to prevent child sex tourism of its nationals traveling abroad. Greece has not ratified the 2000 UN TIP Protocol.

## GUATEMALA (Tier 2 Watch List)

Guatemala is a source, transit, and destination country for Guatemalans and Central Americans trafficked for the purposes of commercial sexual exploitation and forced labor. Human trafficking is a significant and growing problem in the country. A nascent child sex tourism problem in certain tourist areas has been reported by NGOs. Guatemalan women and children are trafficked within the country, and primarily to Mexico and the United States, for commercial sexual exploitation. Guatemalan men, women, and children are trafficked within the country, as well as to Mexico and the United States, for forced labor. In the Mexican border area, Guatemalan children are exploited for forced labor and begging; Guatemalan men and women are exploited for labor in agriculture. Border areas with Mexico and Belize remain a top concern due to the heavy flow of undocumented migrants, many of whom fall victim to traffickers. Guatemala is a destination country for victims from El Salvador, Honduras, and Nicaragua, who are subject to commercial sexual exploitation, and a transit point for Central Americans trafficked to Mexico and the United States.

The Government of Guatemala does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Guatemala is nonetheless placed on Tier 2 Watch List for a second consecutive year for its failure to provide evidence of increasing efforts to combat trafficking in persons, particularly with respect to ensuring that trafficking offenders are appropriately prosecuted, and for their crimes.

**Recommendations for Guatemala:** Enact legislative reforms or take other measures necessary to ensure that trafficking offenses can be successfully prosecuted in court; increase efforts to investigate, prosecute, convict, and punish trafficking offenders under existing laws, including public officials complicit with trafficking activity; improve victim services; provide foreign trafficking victims with a legal alternative to removal to countries where they may face hardship or retribution; increase anti-trafficking training for judges and police; and dedicate more resources to anti-trafficking efforts.



### Prosecution

The government sustained limited efforts against trafficking offenders during the reporting period. While prosecutors initiated trafficking prosecutions, they continued to face problems in court with application of Guatemala's comprehensive anti-trafficking law, Article 194 of the Penal Code. This statutory provision was amended in 2005 to expand the definition of trafficking and to prescribe six to 12 years' imprisonment, a punishment sufficiently stringent and commensurate with those for other grave crimes, such as rape. Trafficking-related crimes include "corruption of minors," which prescribes penalties of two to six years' imprisonment, and "pandering" or "procuring," which are punishable with fines rather than imprisonment. Judges continued to dismiss charges under Article 194 in favor of more familiar but less serious offenses, such as pandering, which carry penalties that are inadequate to deter trafficking crimes. Efforts to reform the anti-trafficking law must address these judicial concerns to ensure that traffickers are convicted under appropriate charges and serve serious sentences. During the reporting period, the government prosecuted eight defendants on trafficking-related offenses carrying lower penalties, securing commutable sentences ranging from three to four years in prison. No efforts to prosecute government officials complicit in trafficking have been reported. In November 2007, the attorney general's office formed a dedicated 12-person unit to investigate and prosecute human trafficking and illegal adoption cases. Credible reports from NGOs and international organizations indicate that corrupt public officials impeded law enforcement efforts and facilitated human trafficking by ignoring trafficking activity in brothels and commercial sex sites, leaking information about impending police raids to suspected traffickers, accepting or extorting bribes, sexually exploiting minors, and falsifying identity documents. Increased prosecutions of corrupt officials and expanded anti-trafficking training for police and prosecutors, particularly relating to distinctions between alien smuggling and human trafficking offenses, would strengthen the government's law enforcement efforts. Additional training to assist judges in recognizing trafficking crimes and treating victims with sensitivity would also bolster the government's efforts.

### Protection

The government made modest improvements to its protection efforts, but assistance remained inadequate overall during the reporting period. The government provides limited assistance dedicated to trafficking victims, and relies on NGOs and international organizations to provide the bulk of victim services. Child victims are eligible for basic care at seven government-run shelters, but were usually referred to NGOs such as Casa Alianza for specific trafficking victim assistance. Services for adult victims remain virtually non-existent.

In December 2007, the government opened a migrants' shelter in Guatemala City with separate space for foreign trafficking victims. This marks an improvement from previous years when foreign victims were simply detained before deportation. The government also instituted a protocol for repatriating foreign minors to their families. Guatemalan authorities encouraged victims to assist with the investigation and prosecution of traffickers, but many victims were reluctant to do so, due to fear of violence and reprisals. Strengthening the existing witness protection program and providing witness support during court proceedings would assist the government's prosecutorial efforts. Foreign adult victims were not provided legal alternatives to removal to countries where they may face hardship or retribution; in most cases, such victims were promptly deported. Due to resource constraints and the volume of migrants in the country, some aliens were simply left at the border. The government continued use of proactive police techniques such as raids and surveillance operations to rescue victims from trafficking situations. During the reporting period, the government instituted a formal mechanism for identifying trafficking victims among vulnerable populations, such as prostituted women in brothels, and developed instructions for attending to sex-crime victims, which include specific provisions on how to identify and assist trafficking victims. The government trained consular officials on recognizing and assisting Guatemalans trafficked abroad.

### Prevention

The government increased efforts to prevent trafficking during the reporting period. In September 2007, the government launched a new call center to provide information about the dangers of human trafficking, and to refer victims for assistance. The government also continued nationwide public-awareness campaigns to warn citizens of the dangers of trafficking, featuring posters, brochures, radio broadcasts, and bus advertising. The government conducted sensitization workshops for parents in rural areas, reaching more than 400 persons. In October 2007, the Ministry of Foreign Affairs hosted a regional seminar on developing model anti-trafficking legislation in Latin America. An informal interagency anti-trafficking working group was formalized into a government commission, and a 10-year national action plan to combat human trafficking was adopted. A nationwide public awareness campaign launched in 2006 included efforts to reduce demand for commercial sexual acts.

## GUINEA (Tier 2 Watch List)

Guinea is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. The majority of victims are children, and internal traffick-

ing is more prevalent than transnational trafficking. Within the country, girls are trafficked primarily for domestic servitude and sexual exploitation, while boys are trafficked for forced agricultural labor, and as forced beggars, street vendors, shoe shiners, and laborers in gold and diamond mines. Some Guinean men are also trafficked for agricultural labor within Guinea. Transnationally, girls from Mali, Sierra Leone, Nigeria, Ghana, Liberia, Senegal, Burkina Faso, and Guinea-Bissau are trafficked to Guinea for domestic servitude and likely also for sexual exploitation. Guinean women and girls are trafficked to Nigeria, Cote d'Ivoire, Benin, Senegal, Greece, and Spain for domestic servitude and sexual exploitation. Chinese women are trafficked to Guinea for commercial sexual exploitation by Chinese men living in Guinea. Networks also traffic women from Nigeria, India, and Greece through Guinea to the Maghreb countries to Europe, notably Italy, Ukraine, Switzerland, and France.

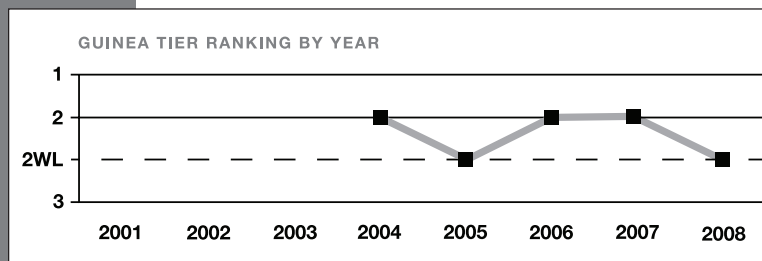
The Government of Guinea does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Nevertheless, Guinea is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to eliminate trafficking over the previous year. Guinea demonstrated minimal law enforcement efforts for a second year in a row, while protection efforts diminished over last year.

**Recommendations for Guinea:** increase efforts to investigate, prosecute, and convict traffickers; toughen prescribed penalties for child and forced prostitution; develop a system for screening vulnerable populations, such as destitute children and females in prostitution, to identify trafficking victims; end the practice of placing victims in jails in lieu of accommodation in shelters; and include investigation of child domestic servitude in the Police Mondaine's mandate.

### Prosecution

The Government of Guinea demonstrated minimal law enforcement efforts to combat trafficking during the last year. Guinea prohibits all forms of trafficking in persons through separate statutes. Labor trafficking is criminalized through Article 337 of its 1998 Penal Code, which prescribes penalties that are sufficiently stringent. Forced prostitution and child prostitution are criminalized by Article 329 of its Penal Code, which prescribes six months' to two years' imprisonment if the trafficked victim is an adult, and two to five years' imprisonment if the victim is a child. These penalties for sex trafficking of adults are neither sufficiently stringent nor commensurate with penalties prescribed for other grave crimes, such as rape. The government reported 12 trafficking prosecutions in the last year. Several suspected traffickers were arrested, although their cases were later

dismissed. The government did not report any convictions. The Police Mondaine, a vice-squad unit combating child prostitution, trafficking, and other abuses, did not investigate child domestic servitude, a prevalent form of trafficking in Guinea. In August 2007, border officials arrested four Sierra Leonean women suspected of trafficking 10 children into Sierra Leone. Guinean officials in Conakry, however, later released the four suspects, along with the children, into the custody of the Sierra Leonean Embassy in Conakry, and then dismissed the case. Guinean police continued to work with French authorities on an ongoing investigation of two women suspected of trafficking children from Guinea to France, but little progress has been made on the case.



**Protection**

The Government of Guinea demonstrated weak efforts to protect trafficking victims over the last year. Due to a lack of resources, the government does not provide shelter services for trafficking victims, but instead refers victims to NGOs and international organizations for care. The government estimated that it referred at least 30 child victims of trafficking for assistance. In cooperation with NGOs and international organizations, the government also provided limited assistance to victims who are repatriated nationals, especially children. Government assistance services included family identification, enrollment in schools or apprenticeships, job placement, and referrals to NGOs for specialized assistance. The Ministry of Social Affairs, through its Children at Risk division, continued to provide assistance to a few hundred children, some of whom are likely trafficking victims. Guinea lacks any system for identifying trafficking victims among vulnerable populations, such as destitute children or women in prostitution. In August 2007, the government intercepted 10 children suspected of being trafficked to Sierra Leone from Guinea, and placed them in an orphanage. In January 2008, the government transferred the children to the Sierra Leonean Embassy in Conakry; a Sierra Leonean diplomat later reported that the children had been returned to their families in Sierra Leone. During the year, the government estimates that it assisted at least 30 child trafficking victims to reunite with their families. The government continued to operate its free hotline for public reporting of trafficking cases or victims,

receiving one to three calls weekly. The hotline, however, is staffed by only one individual, and is therefore not a 24-hour service. The government encourages victims to assist in trafficking investigations or prosecutions by interviewing them for testimonial evidence. In addition, the government refers victims to an association of lawyers who volunteer to work on trafficking cases pro bono. The government does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Sometimes, when care alternatives are not available, the government places victims in jail in quarters separated from prisoners, where their victim status is recognized.

**Prevention**

The Government of Guinea made steady efforts to raise awareness about trafficking during the reporting period. In June 2007, the government funded a \$59,000 anti-trafficking radio campaign in Upper Guinea as part of International Children’s Month. Guinea’s Permanent Regional Monitoring System, which was formed as part of the 2005 West Africa multilateral agreement, issued a report in January 2008 detailing government and NGO anti-trafficking activities. The National Committee to Combat Trafficking in Persons failed to release its tri-annual reports on the implementation of the National Action Plan, but did meet during the year to discuss the implementation of its 2005 bilateral agreement with Mali. The government did not take measures to reduce demand for commercial sexual exploitation.

**GUINEA-BISSAU  
(Tier 2 Watch List)**

Guinea-Bissau is a source country for children trafficked primarily for forced begging and forced agricultural labor. The majority of victims are boys who are religious students, called talibe, who are trafficked by religious instructors, called marabouts, to other West African countries, primarily Senegal. The eastern cities of Bafata and Gabu are key source areas for talibe, and the most frequented route to Senegal is overland via the porous border, especially near the town of Pirada. Deceived into believing their children will receive a religious education, parents often agree to send their child away with marabouts. However, instead the instructors force the children to beg daily for up to 12 hours in urban centers and physically abuse them if they fail to collect a certain quota of money. All trafficking through and from Guinea-Bissau is overland, reportedly by foot, taxi, bus, or animal-driven carts.

The Government of Guinea-Bissau does not fully comply with the minimum standards for the elimination of trafficking; however, it is making

significant efforts to do so, despite limited resources. Guinea-Bissau is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, as evidenced by its continued failure to pass an anti-trafficking law and to prosecute and convict traffickers under related laws. The government continued to protect trafficking victims and to contribute an annual \$16,000 donation to the anti-trafficking NGO, AMIC. For the second year in a row, however, Guinea-Bissau demonstrated inadequate efforts to investigate or prosecute trafficking crimes or convict and punish trafficking offenders.

**Recommendations for Guinea-Bissau:** Draft and pass a law prohibiting all forms of trafficking in persons; increase efforts to prosecute traffickers under forced labor and trafficking-related laws; form an inter-ministerial committee on trafficking to coordinate national anti-trafficking efforts; and develop a national action plan to combat trafficking.

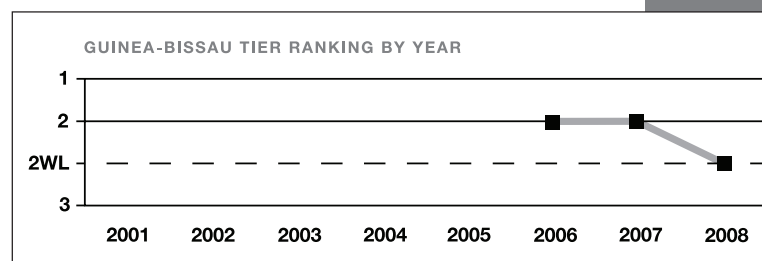
### Prosecution

The Government of Guinea-Bissau demonstrated weak anti-trafficking law enforcement efforts during the last year. Bissau-Guinean law does not prohibit all forms of trafficking. However, forced labor is criminalized. Police do not actively investigate trafficking cases, in part because they lack basic investigatory tools, such as vehicles and electricity. Police detain suspected traffickers they encounter and arrange for the transport of suspects to the police headquarters in Gabu. However, police usually release traffickers rather than charging and prosecuting them. In November 2007, officials took seven suspected traffickers into custody in the northern city of Bafata for allegedly attempting to traffic 17 children by bus from Guinea-Bissau to Senegal for forced labor. Officials failed, however, to provide follow-up information about whether the suspects, six of whom were from Guinea-Bissau and one of whom was Senegalese, were prosecuted or convicted. Also in November 2007, officials detained another group of suspects in Bafata attempting to traffic 52 Bissau-Guinean children between the ages of six and 11. One suspect was apprehended, but later released, while the others escaped. The government failed to report any trafficking prosecutions or convictions. In the last year, the government implemented a new requirement, based on existing child protection laws, that parents who collude with traffickers be jailed. Under this requirement, parents must sign a contract that holds them criminally responsible if their trafficked children have been re-trafficked after having been rescued and returned to parents. The Police, courts, and AMIC work together to explain and enforce this contract requirement. The regional court, in particular, has assumed the responsibility of explaining to parents the exact nature of their legal responsibility for their children. In the last year,

one father was jailed for 72 hours after his child had been re-trafficked to Senegal. Authorities released him after he agreed to go to Senegal to bring his child home. A police inspector within the Ministry of Interior has official responsibility for coordinating the nation's anti-trafficking enforcement response and cooperation with UNICEF, but these efforts are poorly organized.

### Protection

The Government of Guinea-Bissau continued solid efforts to provide care for trafficking victims during the year. While the government does not operate victim shelters, it contributed some funding to AMIC, which operates the country's only trafficking shelter, located in Gabu. AMIC may provide victims with assistance for up to one month before returning them to their parents. Police in Gabu and Bafata continued to refer victims to AMIC and assist in locating victims' families. The Bissau-Guinean Embassy in Senegal continued to be a leader in providing care to trafficking victims by helping NGOs in Senegal identify and repatriate victims. The embassy used its operating budget to assist trafficking victims and was later reimbursed by its Ministry of Foreign Affairs. The government cooperated with NGOs and international organizations to repatriate 62 children from Senegal in the first half of 2007. In November 2007, police intercepted 69 victims at the border with Senegal. The government does not encourage victims, all of whom are children, to assist in trafficking investigations and prosecutions. Victims are not penalized for unlawful acts as a direct result of being trafficked.



### Prevention

The Government of Guinea-Bissau made significant efforts to raise awareness about trafficking during the reporting period. The Minister of Interior traveled to key trafficking victim source areas to speak publicly to police about zero tolerance for child trafficking. Guinea-Bissau's Ambassador to Senegal contributed to regular anti-trafficking radio broadcasts in Gabu to alert parents in Muslim communities to the dangers of sending their children away for Koranic studies. To prevent parents from sending children away, local government officials also worked with NGOs and villagers to teach the Koran locally. One community developed a religious education program after the regular school day. Village elders reported that children from nearby

villages attended this evening program instead of traveling long distances, such as going to Senegal, to learn the Koran. However, Guinea-Bissau lacks any high-level coordinated initiative to combat trafficking. Guinea-Bissau has not ratified the 2000 UN TIP Protocol.

## GUYANA (Tier 2 Watch List)

Guyana is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. While official reports of human trafficking may be limited, most trafficking appears to take place in remote mining camps in the country's interior. Amerindian girls are trafficked to brothels near the mining camps and to coastal areas for sexual exploitation and domestic servitude. Young Amerindian men are exploited under forced labor conditions in mining and logging camps. Some women and girls trafficked into brothels in the interior are from northern Brazil. Reporting from other nations suggests Guyanese women and girls are trafficked for sexual exploitation to neighboring countries such as Barbados, Trinidad and Tobago, Brazil, Suriname, Venezuela, and that Guyanese men and boys are subject to labor exploitation in construction and agriculture in these same countries. Trafficking victims from Suriname, Brazil, and Venezuela transit Guyana en route to Caribbean destinations.

The Government of Guyana does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government has undertaken a commendable initiative to increase public awareness of the dangers of human trafficking through a nationwide outreach campaign and advertising of its anti-trafficking hotline, Guyana is placed on Tier 2 Watch List for a second consecutive year for failing to provide evidence of increasing efforts to combat trafficking, particularly in the area of law enforcement actions against trafficking offenders.

**Recommendations for Guyana:** Increase efforts to investigate, prosecute, convict, and sentence trafficking offenders; confront trafficking complicity by public officials; utilize proactive police strategies such as brothel raids to rescue victims from trafficking situations; provide greater victim assistance; and expand anti-trafficking training for police and magistrates.

### Prosecution

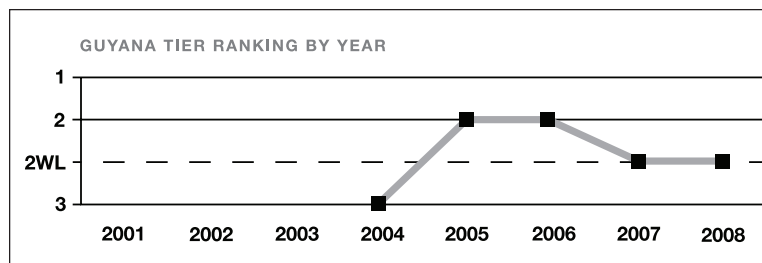
The Government of Guyana made only limited progress in law enforcement efforts against traffickers over the last year. The government prohibits all forms of trafficking through its comprehensive Combating of Trafficking in Persons Act, which became law in 2005, and prescribes punishments ranging from three years' to life imprisonment,

depending on whether the defendant is convicted on summary judgment or indictment. Such penalties are sufficiently stringent and commensurate with those for other grave crimes, such as rape. However, the government has yet to produce an anti-trafficking conviction under this 2005 law. Since June 2007, the government initiated six trafficking investigations, which is level with the number of investigations reported for 2006. There were no government efforts to investigate or address labor trafficking crimes, despite NGO reports of exploitation and abuse in the nation's mining and timber camps. In October 2007, a female suspect was formally charged with trafficking two teenagers for purposes of sexual exploitation. The defendant was freed on bail, and is scheduled to appear in court in June. Another trafficking investigation involves allegations against a policeman. Prosecutors addressed five cases which had been languishing in court for years by dismissing them. Prosecutors report that police and magistrates remained unfamiliar with the country's anti-trafficking law, and cases tried in the capital moved at a slow pace due to judicial backlog; this excessive delay may have discouraged some victims from pursuing their traffickers. Trafficking cases also suffered from a lack of coordination between police, who receive victim complaints and prosecute cases in lower courts, and the Director of Public Prosecutions, which prosecutes more serious matters. Most trafficking prosecutions are handled by untrained police prosecutors, and are routinely adjourned and dismissed. The government also has reported that prosecutions of trafficking offenders may be more difficult in rural and interior areas, where infrequent court sessions and untrained magistrates lead to the dismissal of cases. Technical training would assist the government's police and prosecutorial efforts. The Guyanese government in February committed to a British-led reform project that addresses some of these skill gaps. Use of proactive police techniques and unannounced inspections of labor camps in the nation's interior also would very likely lead to greater results and more victim rescues. In July 2007, the government added human trafficking to its list of most serious crimes, but the effect of this pronouncement on the handling of trafficking cases is unclear. There is reliable evidence of public complicity in trafficking by lower-level officials. A corruption-related charge filed against a police officer in 2006 was dismissed in May 2007 for want of prosecution.

### Protection

The Government of Guyana sustained a modest level of victim assistance during the reporting period. The government operates no shelters for trafficking victims, but it included limited funding for anti-trafficking NGOs in its 2008 budget. These NGOs provide shelter, counseling, and medical assistance for victims of abuse, including





trafficking victims, but are limited to coverage in the nation's capital. The government also provides medical attention and funding for the repatriation of foreign trafficking victims. Government officials have worked with IOM on victim identification, and additional anti-trafficking training would assist the government's efforts, particularly with respect to identifying minors in prostitution as trafficking victims. There were no reports of victims being penalized for unlawful acts committed as a direct result of being trafficked. Guyanese authorities encourage victims to assist in the investigation and prosecution of their traffickers, but some victims did not testify due to long delays in the judicial system and for fear of reprisal from their traffickers. The Guyanese government did not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution.

### Prevention

The government increased prevention efforts during the reporting period. Senior government officials publicly condemned human trafficking, and the government conducted a widespread educational and awareness-raising campaign, which reached more than 50 communities and 5,000 citizens across the country. The government also established an interagency anti-trafficking task force, and increased advertising for an anti-trafficking call line to assist potential victims. It did not, however, carry out any efforts to reduce demand for commercial sex acts during the reporting period.

## HONDURAS (Tier 2)

Honduras is principally a source and transit country for women, girls, and boys trafficked for the purpose of commercial sexual exploitation. Honduran children are typically trafficked from rural areas to urban and tourist centers such as San Pedro Sula, the North Caribbean coast, and the Bay Islands. Honduran women and children are trafficked to Guatemala, El Salvador, Mexico, and the United States for sexual exploitation. Most foreign victims of commercial sexual exploitation in Honduras are from neighboring countries; some are economic migrants en route to the United States who are victimized by traffickers. Internal child labor and forced child labor for violent criminal gangs are serious concerns.

The Government of Honduras does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, Honduras made strong efforts to increase law enforcement efforts against trafficking offenders and to increase collaboration with NGOs, but

government services for trafficking victims, particularly adults, remained inadequate.

**Recommendations for Honduras:** Increase shelter aid and victim services, or fund NGOs with protection capacity; commence criminal investigations of corrupt officials suspected of trafficking activity; amend anti-trafficking laws to prohibit labor trafficking; and increase collaboration with other countries to bring foreign tourists who sexually exploit children in Honduras to justice.

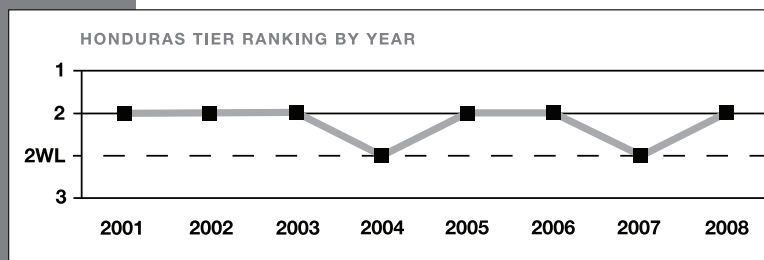
### Prosecution

The Honduran government took significant steps to investigate and punish human trafficking crimes during the reporting year. Honduras prohibits trafficking for the purpose of commercial sexual exploitation through Article 149 of its penal code and an anti-trafficking statute enacted in February 2006, but does not prohibit trafficking for the purpose of labor exploitation. Honduran laws against sex trafficking prescribe penalties of up to 13 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes such as rape. Last year, the government significantly increased efforts to investigate trafficking crimes by opening 74 investigations, initiating 13 prosecutions, and obtaining eight convictions, with sentences ranging from 5 to 27 years' imprisonment. This compares with 24 trafficking-related investigations, 17 prosecutions, eight convictions, and four significant prison terms obtained in 2006. The government also dedicated more prosecutors and police personnel to combat human trafficking activity. Of particular note was a joint effort by the police, NGO Casa Alianza, and the Tegucigalpa mayor's office to utilize proactive strategies such as raids and stakeouts to catch human traffickers and remove victims from trafficking situations. However, anti-trafficking law enforcement efforts outside the capital and San Pedro Sula were few. The government expanded anti-trafficking training for law enforcement officials in 2007, training thousands of personnel with the assistance of IOM. Law enforcement authorities regularly work with neighboring countries and the United States on anti-trafficking efforts, as well as investigations of child sex tourism. However, defendants over the age of 60 are subject to house arrest in Honduras while awaiting trial; many of these accused offenders,

including American citizens, flee or bribe their way out of the country and avoid prosecution. Some acts of complicity with human trafficking have been reported among lower-level immigration officials and in other sectors. However, no investigations or prosecutions of such corrupt activity have been opened by the government.

### Protection

The Honduran government made limited progress in its efforts to assist trafficking victims during the reporting year. The government operated no dedicated shelters or services for trafficking victims, although it referred child trafficking victims to NGOs, which could only serve a small percentage of those in need. Honduran NGOs shouldered a heavy burden to provide victim care, and received no direct funding from the government. While the government increased training on referring trafficking victims for care, NGOs report that referrals in practice are unorganized and uneven. Moreover, few resources, public or private, are available for adult trafficking victims. During the reporting period, the government worked closely with IOM to repatriate more than a dozen young Hondurans who had been trafficked to neighboring countries for sexual exploitation, and Honduran consular officials are trained to identify trafficking victims. Victims are encouraged to assist in the investigation and prosecution of their traffickers, and the government collaborated with NGOs to identify victim witnesses. There were no reports of victims being penalized for unlawful acts committed as a result of their being trafficked. Honduras does not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. There is no formal system for proactively identifying trafficking victims among vulnerable populations such as prostituted women or criminal detainees. In collaboration with an NGO, law enforcement officials in Tegucigalpa undertook a number of victim rescue efforts; fifteen minors were rescued in Tegucigalpa in seven separate cases in 2007.



### Prevention

The government made solid progress in prevention activities during the reporting period. The government's inter-institutional committee against human trafficking hosted more than 50 training sessions for government officials, civil society members, students,

and journalists, reaching more than 3,000 people. The government worked closely with NGOs and international organizations on additional TV and radio awareness-raising campaigns. In February 2008, the National Chamber of Tourism of Honduras and UNICEF launched a Code of Conduct campaign to encourage its tourism industry to prevent child sex tourism. No other government efforts to reduce demand for commercial sex acts were reported, although public awareness of the dangers of human trafficking appeared to be growing.

## HONG KONG (Tier 1)

The Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China is a destination and transit territory for men and women trafficked for the purposes of commercial sexual exploitation and forced labor. Hong Kong is primarily a transit point for illegal migrants, some of whom are subject to conditions of debt bondage, sexual exploitation, and forced labor. To a lesser extent, Hong Kong is a destination for women from the Chinese mainland and Southeast Asia who travel to Hong Kong voluntarily for legal employment in restaurants, bars, and hotels, but upon arrival are coerced into prostitution under conditions of debt bondage. Some of the women in Hong Kong's commercial sex trade are believed to be trafficking victims. Although Hong Kong continues efforts to regulate the thousands of foreign domestic workers from the Philippines and Indonesia currently working in Hong Kong, there appears to be a growing number of Indonesian workers who are subject to exploitation and conditions of involuntary servitude. Many Indonesian domestic workers earning the minimum wage are required to repay to their Indonesian recruitment agency \$2,700 within their first seven months of employment, amounting to roughly 90 percent of a worker's monthly salary. Such high levels of indebtedness assumed as part of the terms of employment can lead to situations of debt bondage, when unlawfully exploited by recruiters or employers. Additionally, the confiscation of passports by some Hong Kong employment agencies restricts the ability of migrant workers to leave their employer in cases of abuse, and places them under further control of their employment agency, leaving them vulnerable to trafficking.

The Government of Hong Kong fully complies with the minimum standards for the elimination of trafficking. The government continued to implement strong anti-trafficking measures. The government trains front-line law enforcement officials to identify trafficking victims, collect information on suspected cases of trafficking, and conduct undercover operations in establishments thought to be centers for trafficking in women.

**Recommendations for Hong Kong:** Make efforts to prevent the trafficking of Indonesian domestic workers by recruitment agencies and employers; vigorously investigate and prosecute violations of labor laws related to foreign domestic workers; and conduct a public awareness campaign aimed at customers of the commercial sex trade.

### Prosecution

The Government of Hong Kong sustained law enforcement efforts over the reporting period. Hong Kong does not have specific anti-trafficking laws, but uses its Immigration Ordinance, the Crimes Ordinance, and other relevant laws, to adequately prohibit trafficking offenses and prosecute traffickers. Labor trafficking is criminalized through the Employment Ordinance. Penalties for commercial sexual exploitation are commensurate with those for rape, and penalties for all forms of trafficking are sufficiently stringent. During the year, the government reported two trafficking convictions, and two other reports of trafficking for the purposes of prostitution with insufficient evidence to warrant prosecution. The convictions involved six Filipina victims who were told that they would work as Hong Kong club entertainers. Upon arrival in Hong Kong, they were forced into prostitution. The victims sought assistance from the Philippines Consulate, and the Hong Kong Police worked closely with the Philippines Government to investigate, prosecute, and convict two Filipina traffickers, who were sentenced to three years' imprisonment. Hong Kong law stipulates that the commission a domestic worker recruitment agency deducts from a domestic worker's pay cannot exceed 10 percent of the first month's wages and prohibits agencies from charging additional fees or rewards.

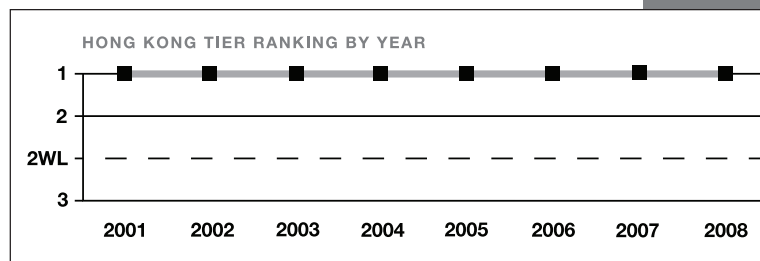
### Protection

The Hong Kong government continued to protect and assist victims of trafficking in 2007. The government encourages victim participation in the investigation of traffickers, although in practice many are reluctant to do so. Women who agree to act as witnesses for the prosecution are granted immunity and allowed to return to their home country without being charged for illegal entry or breach of condition of stay. The Hong Kong Police has special units to provide protection for victims and witnesses. Given the low number of documented trafficking victims, Hong Kong authorities refer adult victims to existing social service programs at six government subsidized NGO shelters. Under the Protection of Children and Juveniles Ordinance, child victims of trafficking may be admitted to three refuge centers, one of which is operated by an NGO, with the other two operated by the Social Welfare Department. While at the shelters, victims are provided with government-sponsored assistance that includes financial and legal assistance and counseling and psychological support.

Hong Kong authorities offer legal alternatives to the removal of foreign victims to countries where they face hardship and retribution.

### Prevention

Hong Kong continued to demonstrate efforts to prevent trafficking in persons in 2007 through widespread publicity and awareness-raising. To prevent trafficking among foreign domestic workers, the Labor Department continued to publish "guidebooks" in several languages that explain workers' rights, the role of employment agencies, and services provided by the government. These guidebooks are handed out when workers apply for identity documents, and are distributed at



strategic locations around the city, including the airport, district offices, consulates, offices of labor and migrant groups, post offices, and banks. Short "publicity messages" promoting the employment rights and benefits of foreign domestic workers are advertised in local newspapers (in various languages) and on television. The Immigration Department also delivered a talk for over 100 employment agencies of foreign domestic workers to discuss relevant provisions of the Immigration Ordinance and related offenses, as well as cautionary notes for arranging foreign domestic helper employment in Hong Kong. The Hong Kong government did not take any specific measures to reduce the demand for commercial sex acts during the reporting period.

## HUNGARY (Tier 1)

Hungary is primarily a transit and, to a lesser extent, a source and destination country for women and girls trafficked from Slovakia, Romania, Ukraine, Moldova, Poland, the Balkans, and China for the purpose of commercial sexual exploitation. While some of these trafficking victims are exploited in Hungary, most are trafficked on to Austria, Slovenia, Germany, Spain, the Netherlands, Italy, France, Scandinavian countries, the United Kingdom, Japan, and Mexico. Roma women and girls remain highly vulnerable to internal sex trafficking. Trafficking experts report that the average age of victims in Hungary is decreasing.

The Government of Hungary fully complies with the minimum standards for the elimination of trafficking. In 2007, the government demonstrated

improved law enforcement efforts by increasing the number of trafficking investigations and ensuring a majority of traffickers serve time in prison—a significant improvement from 2006. Hungary also improved efforts to combat labor trafficking and significantly increased government funding for victim assistance during the reporting period. In March 2008, the government passed its national strategy, creating a national coordinator to manage all anti-trafficking efforts.

**Recommendations for Hungary:** Continue to ensure the majority of convicted traffickers serve time in prison; continue sensitivity training for patrol officers to ensure proactive victim identification and appropriate, humane treatment of identified victims; increase the number of victims referred by police for social assistance; and conduct a campaign to reduce domestic demand for commercial sex acts.

**Prosecution**

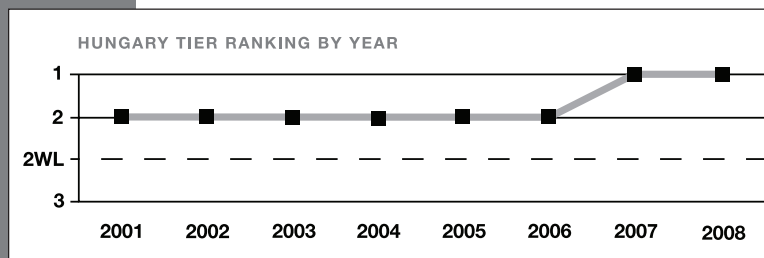
The Hungarian government demonstrated improved law enforcement efforts during the reporting period. Hungary prohibits all forms of trafficking through Paragraph 175/b of its criminal code, though prosecutors rely on trafficking-related statutes to prosecute most trafficking cases. Penalties prescribed in Paragraph 175/b range from one to 15 years’ imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In 2007, police and border guards conducted 48 trafficking investigations, up from 22 trafficking investigations in 2006. Authorities prosecuted 20 traffickers in 2007, compared with 23 in 2006. Convictions were obtained against 17 traffickers in 2007—14 for sex trafficking and three for labor trafficking—compared with 21 convictions in 2006. Sixteen traffickers were sentenced to some time in prison, a significant improvement from 2006 when only nine out of 21 convicted traffickers served time in prison. During the reporting period, six traffickers were sentenced to 18 to 20 months’ imprisonment, three traffickers were sentenced to two years’ imprisonment, four traffickers were sentenced to three to four years’ imprisonment, and three traffickers were sentenced to five years’ imprisonment.

**Protection**

Hungary enhanced its victim assistance efforts during the reporting period. The government provided \$132,000 in funding for NGOs providing victim assistance including shelter, medical care, legal assistance, and psychological counseling; in 2006, the government provided more than \$50,000 for victim assistance. In 2007, NGOs assisted 45 trafficking victims, 37 of whom were referred by government officials, compared to 23 victims referred and assisted in 2006. NGOs reported continued improvement of law enforcement to identify and assist victims; historically, poor victim treatment or failure to identify potential victims of trafficking has been an issue among street and low-level police. Victims were not penalized for acts committed as a direct result of being trafficked. There were no reported cases of mistreatment of trafficking victims by authorities. The government encouraged victims to assist with trafficking investigations and prosecutions; however, few victims chose to participate due to lack of information provided to them, language barriers, and fear of retribution by traffickers. In July 2007, the government formally enacted a law granting foreign victims a 30-day reflection period to decide whether to assist law enforcement. Victims may apply for a six-month temporary residency permit if they choose to cooperate with law enforcement; there were no data available on the number of permits granted to trafficking victims during the reporting period.

**Prevention**

Hungary demonstrated mixed progress in its efforts to prevent incidents of human trafficking throughout the year. The government did not take measures to reduce the demand for commercial sex acts. Instead, it took steps—with EU assistance—to incorporate adult prostitution into the legal economy by requiring women in prostitution to pay taxes and make social security contributions. The government provided approximately \$28,000 to IOM to conduct an anti-trafficking awareness campaign targeted at vulnerable populations; the campaign was advertised on animation flash screens installed on the sides of public buses and on approximately 70,000 pocket-sized information cards and postcards distributed in bars, restaurants, cinemas, clubs, and entertainment establishments. Hungary actively monitors immigration and emigration patterns for evidence of trafficking. Hungarian troops received trafficking awareness training prior to their deployment for international peacekeeping missions. Hungarian law permits the extraterritorial prosecution of Hungarian nationals who travel abroad to engage in child sex tourism. There is no evidence that Hungary is a source or destination for child sex tourism.



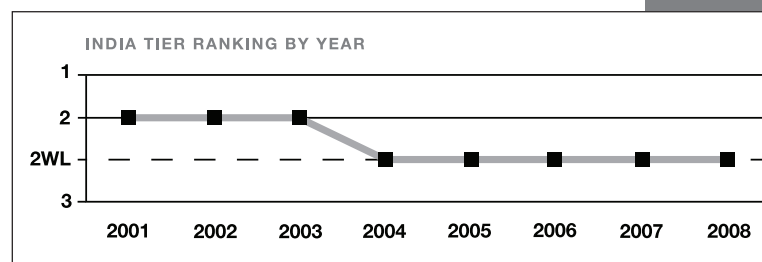
## INDIA (Tier 2 Watch List)

India is a source, destination, and transit country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. Internal forced labor may constitute India's largest trafficking problem; men, women, and children are held in debt bondage and face forced labor working in brick kilns, rice mills, agriculture, and embroidery factories. While no comprehensive study of forced and bonded labor has been completed, NGOs estimate this problem affects 20 to 65 million Indians. Women and girls are trafficked within the country for the purposes of commercial sexual exploitation and forced marriage. Children are subjected to forced labor as factory workers, domestic servants, beggars, and agriculture workers, and have been used as armed combatants by some terrorist and insurgent groups. India is also a destination for women and girls from Nepal and Bangladesh trafficked for the purpose of commercial sexual exploitation. Nepali children are also trafficked to India for forced labor in circus shows. Indian women are trafficked to the Middle East for commercial sexual exploitation. There are also victims of labor trafficking among the thousands of Indians who migrate willingly every year to the Middle East, Europe, and the United States for work as domestic servants and low-skilled laborers. In some cases, such workers are the victims of fraudulent recruitment practices that lead them directly into situations of forced labor, including debt bondage; in other cases, high debts incurred to pay recruitment fees leave them vulnerable to exploitation by unscrupulous employers in the destination countries, where some are subjected to conditions of involuntary servitude, including non-payment of wages, restrictions on movement, unlawful withholding of passports, and physical or sexual abuse. Men and women from Bangladesh and Nepal are trafficked through India for forced labor and commercial sexual exploitation in the Middle East. Indian nationals travel to Nepal and within the country for child sex tourism.

The Government of India does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. India is placed on Tier 2 Watch List for a fifth consecutive year for its failure to provide evidence of increasing efforts to combat trafficking in persons over the last year. Despite the reported extent of the trafficking crisis in India, government authorities made uneven efforts to prosecute traffickers and protect trafficking victims. During the reporting period, government authorities continued to rescue victims of trafficking for commercial sexual exploitation and forced child labor and child armed combatants, and began to show progress in law enforcement against these

forms of trafficking. Overall, the lack of significant federal government action to address bonded labor, the reported complicity of some law enforcement officials in trafficking and related criminal activity, and the critical need for an effective national-level law enforcement authority impeded India's ability to effectively combat its trafficking in persons problem. A critical challenge overall is the lack of punishment of traffickers, effectively resulting in impunity for acts of human trafficking.

**Recommendations for India:** Expand central and state government law enforcement capacity to conduct intrastate law enforcement activities against trafficking; consider expanding the central Ministry of Home Affairs "nodal cell" on trafficking to coordinate law enforcement efforts to investigate and arrest traffickers who cross state and national lines; significantly increase law enforcement efforts to punish labor trafficking offenders; significantly increase efforts to eliminate official complicity in trafficking, including prosecuting, convicting, and punishing complicit officials with imprisonment; continue to increase law enforcement efforts against sex traffickers, including prosecuting, convicting, and punishing traffickers with imprisonment; improve central and state government implementation of protection programs and compensation schemes to ensure that certified trafficking victims actually receive benefits, including compensation for victims of forced child labor and bonded labor, to which they are entitled under national and state law; increase the quantity and breadth of public awareness and related programs to prevent both trafficking for labor and commercial sex.



### Prosecution

Government authorities made no progress in addressing one of India's largest human trafficking problems – bonded labor – during the year, but made some improvements in law enforcement efforts against sex trafficking and forced child labor. The government prohibits some forms of trafficking for commercial sexual exploitation through the Immoral Trafficking Prevention Act (ITPA). Prescribed penalties under the ITPA — ranging from seven years' to life imprisonment — are sufficiently stringent and commensurate with those for other grave crimes. India also prohibits bonded and forced labor through the Bonded Labor Abolition Act, the

Child Labor Act, and the Juvenile Justice Act. These laws are ineffectually enforced, however, and their prescribed penalties — a maximum of three years in prison — are not sufficiently stringent. Indian authorities also use Sections 366(A) and 372 of the Indian Penal Code, prohibiting kidnapping and selling minors into prostitution respectively, to arrest traffickers. Penalties under these provisions are a maximum of ten years' imprisonment and a fine.

During the reporting period, the government did not make significant efforts to investigate, prosecute, convict, and sentence labor trafficking offenders. Despite the estimated millions of bonded laborers in India, only 19 suspects were arrested for trafficking for bonded labor during the reporting period. In the past several years, the State of Tamil Nadu reported convicting 803 employers, but those convicted did not receive significant punishments. In addition, despite widespread reports of fraudulent recruitment practices, the Indian government did not report any arrests, investigations, prosecutions, convictions, or punishments of labor recruiters who participate in or facilitate the trafficking of Indian workers into situations of forced labor abroad.

In addition, the government largely continued to ignore the pervasive problem of government complicity in trafficking. Corrupt officers reportedly continued to facilitate the movement of sex trafficking victims, protect brothels that exploit victims, and protect traffickers and brothel keepers from arrest and other threats of enforcement. There were no efforts to tackle the problem of government officials' complicity in trafficking workers for overseas employment. Despite the extent of the problem, authorities only made five arrests for complicity. India reported no prosecutions, convictions, or sentences of public officials for complicity in trafficking during the reporting period.

State governments continued to make efforts to address forced child labor, but failed to punish traffickers. In January, the government sponsored 22 state and federal officials to attend an ILO training program on child migration and trafficking. Since 2005, the Government of Maharashtra, through its task force against child labor, rescued 2,058 children and arrested 358 suspects. The State of Andhra Pradesh also reported rescuing over 9,000 children in a door-to-door campaign and prosecuting 17 suspected traffickers in the same time period. During the reporting period, raids throughout the country yielded 333 children rescued and five individuals arrested. Nonetheless, government authorities did not report convicting or sentencing any individual for trafficking children for forced labor. In addition, although the government enacted a ban on children working as domestic servants

and in hotels or tea stalls, the government did not demonstrate efforts to enforce this law.

State governments sustained efforts in combating trafficking for commercial sexual exploitation, but convictions and punishments of traffickers were extremely infrequent, especially given the extent of the problem. During the reporting period, state governments arrested 1,289 suspects for sex trafficking. Nonetheless, only four traffickers were convicted and received prison sentences. In June, the State Government of West Bengal established a police Anti-Human Trafficking Unit, specializing in fighting sex trafficking, in Kolkata. The State Government of Bihar established three similar units in November. India's Central Bureau of Investigation incorporated anti-trafficking training into its standard curriculum. In November, the State of Maharashtra developed an action plan to combat trafficking; it did not, however, allocate appropriate funding to accomplish the objectives of this plan.

During the reporting period, the Ministry of Home Affairs developed a system to track ITPA arrests, prosecutions, and convictions at the national level in order to develop a baseline from which the government could measure progress. The government does not break down these statistics by sections of the law, meaning that law enforcement data regarding trafficking offenses may be conflated with data regarding arrests of women in prostitution pursuant to Section 8 of the ITPA.

### Protection

India's efforts to protect victims of trafficking varied from state to state, but remained inadequate in many places during the year. Victims of bonded labor are entitled to 10,000 rupees (\$225) from the central government for rehabilitation, but this program is unevenly executed across the country. Government authorities do not proactively identify and rescue bonded laborers, so few victims receive this assistance. Although children trafficked for forced labor may be housed in government shelters and are entitled to 20,000 rupees (\$450), the quality of many of these homes remains poor and the disbursement of rehabilitation funds is sporadic. Some states provide services to victims of bonded labor, but NGOs provide the majority of protection services to these victims. The central government does not provide protection services to Indian victims trafficked abroad for forced labor or commercial sexual exploitation. Indian diplomatic missions in destination countries may offer temporary shelter to nationals who have been trafficked; once repatriated, however, neither the central government nor most state governments offer any medical, psychological, legal, or reintegration assistance for these victims.

Section 8 of the ITPA permits the arrest of women in prostitution. Although statistics on arrests under Section 8 are not kept, the government and some NGOs report that, through sensitization and training, police officers no longer use this provision of the law; it is unclear whether arrests of women in prostitution under Section 8 have actually decreased. Because most law enforcement authorities lack formal procedures to identify trafficking victims among women arrested for prostitution; some victims may be arrested and punished for acts committed as a result of being trafficked. Despite instructions that law enforcement authorities should protect minors who are exploited in prostitution, in at least two instances during the reporting period, police officers released minors into the custody of their traffickers. Some foreign victims trafficked to India are not subject to removal. Those who are subject to removal are not offered legal alternatives to removal to countries in which they may face hardship or retribution. NGOs report that some Bangladeshi victims of commercial sexual exploitation are pushed back across the border without protection services. The government also does not repatriate Nepali victims; NGOs primarily perform this function. Many victims decline to testify against their traffickers due to the length of proceedings and fear of retribution by traffickers. The government does not actively encourage victims to participate in investigations of their traffickers.

The central government continued to give grants to NGOs for the provision of services to sex trafficking victims with funding available through its Swadhar Scheme and the recently developed Ujjawala Scheme. No such efforts were made to assist victims of labor trafficking. Government shelters for sex trafficking victims are found in all major cities, but the quality of care varies widely. In Maharashtra, state authorities operated a home exclusively for minor victims of sex trafficking this year. The Governments of West Bengal, Tamil Nadu, and Andhra Pradesh also operated similar homes. Though states have made some improvements to their shelter care, victims sheltered in these facilities still do not receive comprehensive protection services, such as psychological assistance from trained counselors.

### Prevention

India made inadequate efforts this year aimed at the prevention of trafficking in persons. Several times during the year, the Ministry of Labor and Employment displayed full-page advertisements against child labor in national newspapers. The government also instituted pre-departure information sessions for domestic workers migrating abroad on the risks of exploitation. Nonetheless, the government did not report new or significant prevention efforts addressing the prominent domestic problems of trafficking of adults for purposes of forced labor and commercial sexual exploitation. The government

also did not report any efforts to reduce the demand for commercial sex acts. Similarly, the government failed to take any steps to raise awareness of trafficking for nationals traveling to known child sex tourism destinations within the country. India has not ratified the 2000 UN TIP Protocol.

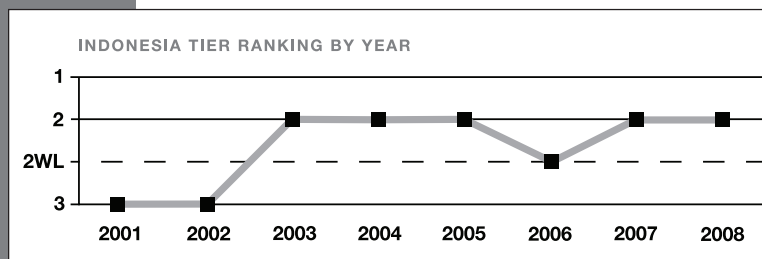
## INDONESIA (Tier 2)

Indonesia is a source, transit, and destination country for women, children, and men trafficked for the purposes of commercial sexual exploitation and forced labor. The greatest threat of trafficking facing Indonesian men and women is that posed by conditions of forced labor and debt bondage in more developed Asian countries and the Middle East. The government stopped permitting Indonesian women to travel to Japan and South Korea as “cultural performers,” to curtail a practice that led to victims being trafficked for commercial sexual exploitation. However, in 2007 traffickers increasingly used false documents, including passports, to obtain tourist visas for women and girls who are subsequently forced into prostitution in Japan, through the unlawful exploitation of recruitment debts as high as \$20,000 each. Trafficking of young girls to Taiwan as brides, mainly from West Kalimantan, persisted. Traffickers use false marriage licenses and other false documentation in order to obtain visas and subsequently force the women and girls into prostitution. Women from the People’s Republic of China, Thailand, and Eastern Europe are trafficked to Indonesia for commercial sexual exploitation, although the numbers are small compared with the number of Indonesians trafficked for this purpose.

A significant number of Indonesian men and women who migrate overseas each year to work in the construction, agriculture, manufacturing, and domestic service sectors are subjected to conditions of forced labor or debt bondage in Malaysia, Japan, Saudi Arabia, Iraq, Singapore, Taiwan, Hong Kong, United Arab Emirates, Jordan, Kuwait, Qatar, Syria, France, Belgium, Germany, and the Netherlands. Malaysia and Saudi Arabia are the top destinations for legal and illegal Indonesian migrant workers who are trafficked for domestic servitude, commercial sexual exploitation, and forced labor. Some labor recruitment companies, known as PJTKIs, operated similarly to trafficking rings, luring both male and female workers into debt bondage, involuntary servitude, and other trafficking situations. Some workers, often women intending to migrate, entered trafficking and trafficking-like situations during their attempt to find work abroad through licensed and unlicensed PJTKIs. These labor recruiters charged workers high commission fees—up to \$3,000—which are not regulated under Indonesian law and often require workers to incur debt to

pay, leaving them vulnerable in some instances to situations of debt bondage. PJTKIs also reportedly withheld the documents of some workers, and confined them in holding centers, sometimes for periods of many months. Some PJTKIs also used threats of violence to maintain control over prospective migrant workers. Recruitment agencies routinely falsified birth dates, including for children, in order to apply for passports and migrant worker documents.

Internal trafficking is a significant problem in Indonesia with women and children exploited in domestic servitude, commercial sexual exploitation, rural agriculture, mining, fishing, and cottage industries. Women and girls are trafficked into commercial sexual exploitation in Malaysia, Singapore, and throughout Indonesia. Indonesians are recruited with offers of jobs in restaurants, factories, or as domestics and then forced into the sex trade. Young women and girls are trafficked throughout Indonesia and via the Riau Islands, Kalimantan, and Sulawesi to Malaysia and Singapore. Malaysians and Singaporeans constitute the largest number of sex tourists, and the Riau Islands and surrounding areas operate a “prostitution economy,” according to local officials. Sex tourism is rampant in most urban areas and tourist destinations.



A 2006 bilateral MOU between the Indonesian and Malaysian governments, governing the employment of an estimated one million Indonesian domestic workers in Malaysia, failed to provide adequate protection to Indonesian migrant workers and explicitly endorsed a practice that is widely seen as a potential facilitator of forced labor—the right of Malaysian employers to hold the passports of Indonesian workers. This agreement has not been amended to offer protections from forced labor conditions. The Government of Indonesia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government made clear progress in bringing sex trafficking offenders to justice, in part through use of its new anti-trafficking law, a pronounced weakness shown was the failure to curb the large-scale trafficking practices of licensed and unlicensed Indonesian labor agencies. Indonesia has the region’s largest trafficking problem, with hundreds of thousands of traffick-

ing victims, and has a largely unchecked problem of trafficking-related complicity by public officials.

**Recommendations for Indonesia:** Significantly improve record of prosecutions, convictions, and sentences for labor trafficking—including against labor recruitment agencies; prohibit labor recruitment agencies from charging excessive recruitment fees; re-examine existing MOUs with destination countries to incorporate victim protection; increase efforts to prosecute and convict public officials who profit from or are involved in trafficking; and increase efforts to combat internal trafficking.

### Prosecution

The Indonesian government demonstrated increased efforts to combat trafficking in persons for commercial sexual exploitation in 2007 and implement its April 2007 comprehensive anti-trafficking law. Through that new law, Indonesia prohibits all forms of trafficking in persons, prescribing penalties of three to 15 years’ imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Police and prosecutors began using the new anti-trafficking law during the reporting period; however, other laws were still used in cases pending widespread implementation of the new law. For the second year in a row, law enforcement efforts against traffickers increased in 2007 over 2006: arrests increased 77 percent from 142 to 252, prosecutions increased 94 percent from 56 to 109, and convictions increased 27 percent from 36 to 46. These law enforcement actions were mainly against traffickers for commercial sexual exploitation. The average sentence given to convicted trafficking offenders was 45 months.

Police in late 2007 cooperated with the Manpower Ministry to shut down a manpower company that was trafficking workers, rescuing over a hundred persons, including children, and arresting staff on charges of document falsification. The 21-man national police anti-trafficking task force worked with local police, the Ministry of Manpower, the Migrant Workers Protection Agency, Immigration, Ministry of Foreign Affairs, and NGOs to shut down several large trafficking syndicates. The ongoing two-part “Operation Flower,” which began in March 2007, targeted trafficked children, primarily in commercial sexual exploitation. This operation shut down large operations in red-light districts of Jakarta, the Riau Islands, Central and West Java, and elsewhere, arresting dozens of pimps and rescuing dozens of children. Separately, local police in North Sumatra, South Sulawesi, Bali, Lombok, and West Kalimantan broke up trafficking syndicates.

Some individual members of the security forces reportedly engaged in or facilitated trafficking, particularly by providing protection to brothels



and prostitution fronts in discos, karaoke bars, and hotels, or by receiving bribes to turn a blind eye. In Sorong, Papua, local police reportedly honored the debt bondage of underage girls prostituted in local brothels as legitimate work contracts, and they pledged to enforce these terms. Although police in other areas of the country were often aware of children in commercial sexual exploitation or other trafficking situations, they frequently did not intervene to protect victims or arrest probable traffickers without specific complaints submitted by third parties. In 2007, several senior law enforcement officials complicit in trafficking were investigated for corruption, reprimanded, or transferred to less sensitive positions. There were no reports of Indonesian security forces prosecuting or disciplining their own members for involvement in prostitution or other activities related to trafficking. National Police reported arresting and prosecuting at least three immigration officials at key transit points. In May 2007, a former consul general in Johor Bahru, Malaysia, was found guilty of graft for overcharging for passport fees and sentenced to two years in prison. In January 2008, a former Indonesian ambassador to Malaysia was sentenced to 30 months in jail for corruption in the collection of migration document fees. The Corruption Eradication Commission's prosecution team indicted a former senior Manpower Ministry official and a current Manpower official on corruption in relation to an audit of funds for foreign workers in Indonesia; both face 20-year jail terms.

### Protection

Indonesia demonstrated measured improvement at national and local levels to protect victims of trafficking in Indonesia and abroad; however, available victim services remain overwhelmed by the large number of victims. Indonesia's policy is not to detain or imprison trafficking victims. Police implementation of this policy varies in practice. Local police often arrested women and children in prostitution, including trafficking victims, who operated outside of recognized prostitution zones on charges of violating public order. The Government encourages victims to assist in the investigation and prosecution of trafficking cases. Authorities continued to round up and deport a small number of foreign women in prostitution without determining whether they were victims of trafficking. The Foreign Ministry operated shelters for trafficking victims and migrant workers at its embassies and consulates abroad. In 2007, these diplomatic establishments sheltered thousands of Indonesian citizens, including trafficking victims. The Social Affairs Ministry Directorate of Social Assistance for Victims of Violence and Migrant Workers assisted victims returning from overseas by providing medical care, return and rehabilitation services. The Government provides some assistance, including limited medical aid, shelter, and

financial help to its repatriated nationals who were trafficking victims. The Indonesian government provided some funding to domestic NGOs and civil society groups that supported services for trafficking victims. Work on finishing national guidelines for services to trafficked persons, through another revision of the Standard Operating Procedures for Return, Recovery and Reintegration of Trafficking Victims and a new regulation on standard minimum services met with little progress following passage of the anti-trafficking law.

### Prevention

The Indonesian government continued efforts to promote awareness and prevent trafficking in persons. The government continued collaboration with numerous NGO and international organization efforts to raise awareness and prevent trafficking in persons. In 2007, the East Java provincial government collaborated with NGOs to formulate guidance on how to deal with trafficking cases. The Nusa Tenggara Barat province's Legal Aid Association provided legal assistance to five villages in East Lombok to help formulate village regulations regarding the recruitment of migrant workers. The North Sulawesi Department of Religious Affairs established a counseling center in 2007 to provide religious counseling to victims of trafficking and those at risk. Media coverage of trafficking, both domestic and international, expanded with national television, radio and print media, and local newspapers routinely covering trafficking cases. The Government of Indonesia had not yet formed a national task force on trafficking, although this is mandated. The Government also failed to develop a second National Plan of Action to combat trafficking in persons, despite the fact that Indonesia's first National Plan of Action expired at the end of December 2007. Apart from occasional raids on brothels or fronts for prostitution, there were no reported activities to reduce demand for commercial sex acts. There were no public awareness campaigns on reducing demand for commercial sex acts or sex tourism. However, Indonesia cooperated with Australia in the investigations of Australian nationals victimizing children for child sex tourism in Bali. Indonesian police similarly cooperated actively with U.S. law enforcement to arrest and expel American pedophiles sexually abusing children. Indonesian security forces participating in peacekeeping initiatives abroad received training on sexual exploitation and trafficking in persons prior to deployment. Indonesia has not ratified the 2000 UN TIP Protocol.

## IRAN (Tier 3)

Iran is a source, transit, and destination for women trafficked for the purposes of sexual exploitation and involuntary servitude. Iranian women are trafficked internally for the purpose of forced prostitu-

tion and for forced marriages to settle debts. Iranian children are trafficked internally and Afghan children are trafficked to Iran for the purpose of forced marriages, commercial sexual exploitation and involuntary servitude as beggars or laborers. According to non-governmental sources, Iranian women and girls are also trafficked to Pakistan, Turkey, Qatar, Kuwait, the United Arab Emirates, France, Germany, and the United Kingdom for commercial sexual exploitation.

The Government of Iran does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. Lack of access to Iran by U.S. Government officials prohibits the collection of full data on the country's human trafficking problem and the government's efforts to curb it. Iran did not provide evidence of law enforcement activities against trafficking, and credible reports indicate that Iranian authorities punish victims of trafficking with beatings, imprisonment, and execution.

**Recommendations for Iran:** Significantly increase law enforcement against traffickers; institute a victim identification procedure to systematically identify and protect victims of trafficking, particularly among groups such as women arrested for prostitution; and cease punishing victims of trafficking.

#### Prosecution

There is no evidence to indicate that Iran made significant progress in prosecuting and punishing trafficking crimes this year. The government reportedly prohibits all forms of trafficking in persons through its 2004 Law on Combating Human Trafficking, which appears to prescribe severe penalties, often including death sentences for convicted traffickers. Nonetheless, the government did not publicize evidence of enforcing this law during the reporting year through arrests, prosecutions, convictions, or sentences. Previous reports have indicated that border officials may be complicit in trafficking offenses; however, Iran did not report any disciplinary action taken against government officials believed to facilitate trafficking.

#### Protection

There were no reported efforts by the Government of Iran to improve its protection of trafficking victims

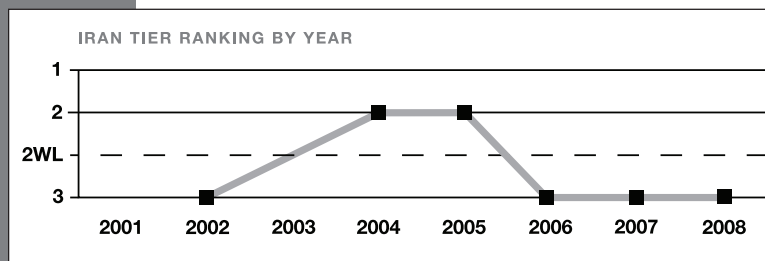
this year. The government reportedly punishes victims for unlawful acts committed as a direct result of being trafficked; for instance, victims reportedly are arrested and punished for violations of morality standards such as adultery, defined as sexual relations outside of marriage. It is unknown how many victims may have been subjected to punishment during the reporting period for such acts committed as a result of their trafficking experience. Foreign victims of trafficking do not have a legal alternative to removal to countries in which they may face hardship or retribution. Previous reports indicate that the government does not encourage victims to assist law enforcement authorities as they investigate and prosecute their trafficking cases.

#### Prevention

There were no reports of any advances in trafficking prevention measures by the Government of Iran during the reporting year. There were similarly no reports of measures taken by the government during the reporting period to reduce the demand for commercial sex acts, or of any public awareness campaigns targeting citizens traveling to known child sex tourism destinations abroad. It is recommended that Iran improve its efforts to prevent trafficking in persons by monitoring travel of Iranian women and girls to Middle Eastern countries where they are commonly trafficked for commercial sexual exploitation. Iran has not ratified the 2000 UN TIP Protocol.

## IRELAND (Tier 2)

Ireland is a destination country for women, men, and children trafficked for the purposes of commercial sexual exploitation and forced labor. An academic study by the National University of Ireland Galway and Trinity College concluded that a minimum of 76 victims were trafficked into Ireland for sexual exploitation between 2000 and 2006, and an NGO working with immigrants reported 46 cases of suspected labor trafficking from July 2005 to December 2007. Women from Eastern Europe, Nigeria, other parts of Africa, as well as smaller numbers from South America and Asia, have reportedly been trafficked to Ireland for forced prostitution. Labor trafficking victims reportedly consist of men and women from Bangladesh, Pakistan, Egypt, and the Philippines, although there may also be some victims from South America, Eastern Europe, and other parts of Asia and Africa. An Irish NGO reported that most forced labor victims are found in domestic labor, and restaurant and agricultural work. Unaccompanied minors from various source countries, particularly in Africa, represent a vulnerable group in Ireland that may be susceptible to trafficking and exploitation.



The Government of Ireland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Irish officials have shown considerable political will in combating human trafficking through the drafting of new anti-trafficking legislation, but key deficiencies in the areas of prosecution, protection, and prevention remain.

**Recommendations for Ireland:** Enact comprehensive anti-trafficking legislation; establish formal policies and procedures to ensure victims are provided with access to protection and assistance in coordination with anti-trafficking NGOs; and implement a visible trafficking demand-reduction campaign in Ireland.

### Prosecution

Ireland's prosecution efforts were hampered by a lack of comprehensive anti-trafficking legislation during the rating period. The government introduced a bill in 2007 that specifically defines and outlaws all forms of human trafficking. Irish officials anticipate the bill's enactment in June 2008. The Government of Ireland did not report any prosecutions of trafficking offenses or convictions of trafficking offenders in 2007. The Irish police launched Operation Snow in 2007, which was dedicated to investigating the possible trafficking of unaccompanied children into Ireland; it also cooperated with the United Kingdom on anti-trafficking investigations. The Irish police instituted a new training module on human trafficking as part of basic training for new police recruits and continuing education for police personnel throughout Ireland.

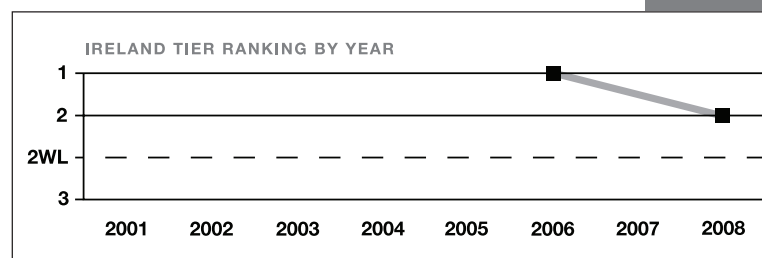
### Protection

Lacking a formal mechanism for referring victims to service providers, the Irish government referred victims on a case-by-case basis to NGOs providing food, shelter, health care, and legal assistance. The government employed some formal immigration procedures that proactively identify victims among vulnerable groups and guide law enforcement in the process of victim identification. Irish NGOs reported that the government generally treated victims well, but there have been instances in rural areas where police have detained suspected victims to verify identity and for unlawful acts committed as a result of their being trafficked. Immigration authorities can provide victims with permission to remain in Ireland. The government funded IOM to assist with return and reintegration of victims. The government and NGOs reported that the police encourage victims to assist in investigations but do not pressure them to do so. The government did not allocate specific funds for victims of trafficking in Ireland but provided funds for one NGO that works with trafficking

victims as part of its broader mission to assist women involved in commercial sexual exploitation. The Immigration, Residence, and Protection Bill, currently in the first stages of Parliamentary approval, includes provisions for the protection of trafficking victims.

### Prevention

Ireland has taken steps to improve prevention efforts. In December 2007, the Justice Ministry created an anti-trafficking unit headed by an executive director who reports directly to the Justice Minister. This unit leads and coordinates overall anti-trafficking efforts for the Government of Ireland. The government has a positive working relationship with NGOs combating trafficking. Government officials distributed and displayed NGO-funded and -developed posters aimed at assisting victims in airports, bus and rail stations, ports, hospitals, and police stations, and a partially government-funded NGO runs a hotline that offers victims and potential victims assistance. Ireland's Department of Defense includes training modules for peacekeepers that address human trafficking and sexual exploitation. While the government has not implemented a visible trafficking demand-reduction campaign in Ireland, it has contributed approximately \$438,000 over three years beginning in 2006 to the worldwide ECPAT mission, an NGO combating international child trafficking and child sex tourism worldwide. Ireland has not ratified the 2000 UN TIP Protocol.



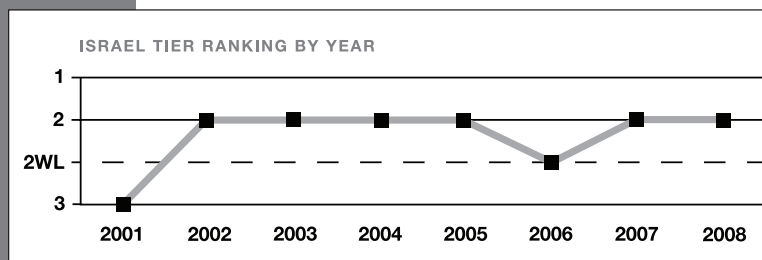
## ISRAEL (Tier 2)

Israel is a destination country for men and women trafficked for forced labor and commercial sexual exploitation. Low-skilled workers from China, Romania, Jordan, Turkey, Thailand, the Philippines, Nepal, Sri Lanka, and India migrate voluntarily for contract labor in the construction, agriculture, and health care industries. Some, however, subsequently face conditions of forced labor, such as unlawful withholding of passports, restrictions on movement, non-payment of wages, threats, and physical intimidation. Many labor recruitment agencies in source countries and in Israel require workers to pay recruitment fees ranging from \$1,000 to \$10,000—a practice that makes workers highly vulnerable to trafficking once in Israel, and in some cases, situa-

tions of debt bondage. Israel is also a destination country for women trafficked from Russia, Ukraine, Moldova, Uzbekistan, Belarus, China, and possibly the Philippines for the purpose of sexual exploitation. In addition, NGOs note an increase in the internal trafficking of Israeli women for commercial sexual exploitation, and report new instances of trafficking of Israeli women abroad to Canada, Ireland, and England. African asylum seekers entering Israel illegally are also vulnerable to trafficking for forced labor or prostitution.

The Government of Israel does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. This year, the government increased the number of convictions for sex trafficking offenses, and conducted a campaign to prevent forced labor. Israel also continues to provide victims of sex trafficking with shelter and protection assistance. Nonetheless, though the government prepared some indictments for forced labor, it did not criminally prosecute or convict any employer or recruitment agent for labor trafficking. In addition, the government still does not provide forced labor victims with adequate protection services, such as appropriate shelter, or medical and psychological assistance.

**Recommendations for Israel:** Significantly increase criminal law enforcement efforts against forced labor, including prosecutions, convictions, and sentences for practices such as unlawful withholding of passports and charging fraudulent recruitment fees; significantly increase prosecutions and punishments of internal trafficking for commercial sexual exploitation; and extend comprehensive protection services to victims of forced labor.



### Prosecution

The Government of Israel made uneven progress in prosecuting and punishing trafficking offenses during the reporting period. Israel prohibits all forms of trafficking in persons through its Anti-Trafficking Law that came into force on October 29, 2006, which prescribes penalties of up to 16 years' imprisonment for sex trafficking of an adult, up to 20 years' imprisonment for sex trafficking of a minor, up to 16 years' imprisonment for slavery, and up to 7 years' imprisonment for forced labor. These penalties are both sufficiently stringent and commensurate with

those for other grave crimes, such as rape. This year, the government convicted 38 individuals for sex trafficking—four more than last year—with sentences ranging from six months to 15 years' imprisonment and fines. In addition, 16 prosecutions for sex trafficking are in process, and another 15 cases are pending appeal. Israel made some efforts to investigate and punish acts of involuntary servitude; this reporting period, the government prepared three indictments for forced labor and one indictment for slavery. In addition, three criminal cases of fraud/deceit of foreign workers involving five defendants are pending prosecution or appeal. Nonetheless, it is important for Israel to increase criminal law enforcement efforts against forced labor and unlawful acts that contribute to forced labor, such as unlawful withholding of passports and charging illegal recruitment fees. Israel reported no prosecutions, convictions, or punishments of government officials complicit in trafficking this year.

### Protection

The Government of Israel continued to improve its protection of trafficking victims over the reporting period, but the protection of victims of forced labor remained relatively weak. The government operates a shelter largely for victims of sex trafficking with the support of a local NGO; this year, the shelter assisted 75 women and nine children. Notably, though Israel lacks a specific shelter for victims of labor trafficking, government authorities referred seven victims of forced labor to the shelter for sex trafficking during the reporting period. Victims in this shelter receive medical treatment, psychiatric and social services, stipends, and temporary residency and work permits. The government employs formal procedures to identify victims of sex trafficking and refer them to the shelter; these victims are not punished for acts directly related to being trafficked. While Israel lacks a formal procedure to identify victims of labor trafficking, immigration officers interview illegal migrant workers housed in deportation facilities on a daily basis for evidence of trafficking. According to one NGO, the tribunal that reviews immigration violation cases prior to deportation often misclassifies cases of trafficking for forced labor, resulting in the detention and automatic deportation of labor trafficking victims.

Foreign workers who file complaints regarding criminal offenses are not arrested, are generally placed in alternative employment, and are granted immigration relief. Victims of trafficking received legal alternatives to their removal to countries in which they may face hardship or retribution; the government issued temporary visa extensions for 99 trafficking victims, including six victims of forced labor. The government encourages victims of sex trafficking to assist in investigations against their traffickers, but it does not actively encourage victims of forced labor to do the same. Victims not

housed in the government shelter, including victims of internal trafficking, do not receive the same level of protection services from the government as victims located in shelters. Extending protection services to all victims of trafficking in Israel, including internally trafficked women, and improving identification and protection of victims of labor trafficking would enhance Israel's anti-trafficking response.

### Prevention

Israel made efforts to prevent trafficking in persons during the reporting period. The Immigration Police ran a radio campaign that warned employers not to exploit migrant workers. In December, the Ministry of Education and the Authority for the Advancement of the Status of Women conducted awareness campaigns in the school system that included seminars for administrators and teachers on sex trafficking. This program focused on the role of the school system in reducing demand for commercial sexual services. The government has not instituted a public awareness campaign targeting citizens traveling to known child sex tourism destinations abroad. The Government of Israel has not ratified the 2000 UN Protocol.

## ITALY (Tier 1)

Italy is a destination and transit country for women, children, and men trafficked transnationally for the purposes of commercial sexual exploitation and forced labor. Women and children are trafficked mainly from Nigeria, Romania, Bulgaria, Moldova, Albania, and Ukraine but also from Russia, South America, North and East Africa, the Middle East, China, and Uzbekistan. Chinese men and women are trafficked to Italy for the purpose of forced labor. Roma children continue to be trafficked for the purposes of sexual exploitation and forced begging. Reportedly, an increasing number of victims are trafficked for labor, mostly in the agricultural sector. According to one NGO, 90 percent of foreign seasonal workers are unregistered and two-thirds are in Italy illegally, rendering them vulnerable to trafficking. The top five source countries for agricultural workers are Poland, Romania, Pakistan, Albania, and Cote d'Ivoire. Traffickers reportedly are moving victims more frequently within Italy, often keeping victims in major cities for only a few months at a time, in an attempt to evade police detection.

The Government of Italy fully complies with the minimum standards for the elimination of trafficking. During the reporting period, the government aggressively prosecuted and convicted traffickers and continued to implement its progressive victim-centered approach for the rescue, reintegration, and repatriation of trafficking victims in Italy.

**Recommendations for Italy:** Increase outreach to women and children in prostitution and those in detention centers to ensure that trafficking victims are identified, provided care, and not penalized for crimes committed as a result of being trafficked; continue to vigorously investigate allegations of trafficking-related complicity; and further expand public awareness campaigns aimed at reducing domestic demand for commercial sex acts and take steps to prevent Italian nationals from engaging in child sex tourism abroad.

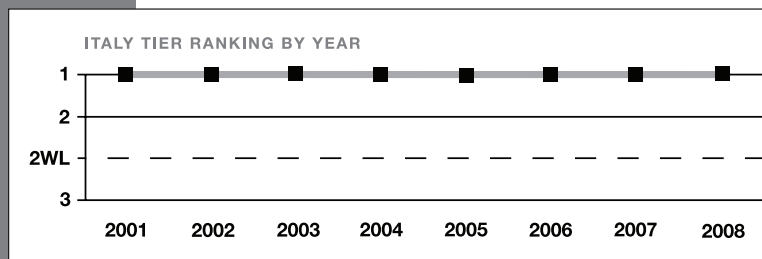
### Prosecution

The Government of Italy continued its strong law enforcement efforts in 2007. Italy prohibits all forms of trafficking in persons through its 2003 Measures Against Trafficking in Persons law, which prescribes penalties of eight to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for forcible sexual assault. The government's 2006 legislation to expand its labor trafficking law to introduce new penalties for job recruiters remains in draft form. In a major prosecution in April 2007, the government sentenced four Italians and three Romanian traffickers to between three and 12 years' imprisonment after they were convicted for the forced prostitution and exploitation of 200 Roma children between 2004 and 2006. In June 2007, the government prosecuted eight other perpetrators on charges of sexually exploiting children for coercing them into performing sexual acts in exchange for small gifts. Government investigations resulting from the previously reported large-scale anti-trafficking crackdown, "Operation Spartacus," between October 2006 and January 2007 are reportedly still ongoing. Italian prosecutors launched trafficking investigations against 1,202 individuals, prosecuted 80 trafficking cases, and courts convicted 163 traffickers in 2007. The average sentence was four years. The government reported that most traffickers remain in detention during the criminal proceedings. For sentences of more than two years, defendants are not eligible for suspended sentences.

The government continued its prosecution of 19 traffickers from a 2006 case involving the trafficking of 113 Polish tomato pickers in Puglia who were exploited in forced labor conditions, and will begin to prosecute an additional four perpetrators in early 2008. After local Italian police were initially slow to respond, prosecutors and Carabinieri vigorously investigated allegations of official complicity when notified and found no evidence to support the allegations. According to an NGO based in Genoa working with Nigerian victims of trafficking, some government officials have been imprisoned for facilitating trafficking.

## Protection

The Italian government sustained strong efforts to protect trafficking victims during the reporting period. Article 18 of the anti-trafficking law allows authorities to grant residence permits and provide protection and job training services to victims of trafficking, and during the reporting period the government expanded Article 18 benefits to labor trafficking victims. The government allocated \$3.75 million in 2007 for an additional emergency assistance plan and approved 23 projects implemented by NGOs. During the reporting period, it earmarked approximately \$9.75 million for 65 victim assistance projects, although the government did not provide data on the number of trafficking victims who benefited from these projects or the number who entered social protection programs. In 2007, NGOs, with government funding, provided literacy courses for 588 victims and vocational training for 313, helped 436 find temporary jobs and 907 find permanent jobs. In 2007, the Ministry of Interior issued 1,009 residence permits to victims who assisted in a law enforcement investigation. The government also



ensured the responsible return of 62 foreign trafficking victims in 2007 by funding their repatriation and reintegration and providing money for resettlement in their home countries. During the reporting period, the government implemented systematic procedures for victim identification among vulnerable populations in Italy. Despite the government's efforts to identify all victims of trafficking, some, such as Nigerian women in commercial sexual exploitation, are still deported. Based on a 2006 independent commission report that its victim identification measures for immigrants arriving in boats from North Africa are not fully effective, the government reportedly improved its process for identifying trafficking victims and it now allows international organizations and NGOs to inspect detention facilities and to interview migrants. Victims who file complaints against traffickers usually do not face penalties for unlawful acts committed as a direct result of their being trafficked. In 2007, the government enacted guidelines for the identification of victims of forced labor and promoted four regional studies on victims of labor exploitation.

## Prevention

The Government of Italy continued to educate the Italian public about trafficking through its funding

of NGO awareness efforts, and it initiated a new ad campaign in 2007 that included TV spots, internet banners, and bumper stickers in various languages. In March 2007, the Ministry of Interior established a committee designed to improve oversight and prosecution of trafficking and invited NGOs into the policy making process by including their membership on this committee. The Ministry of Interior is in the planning stage of a public awareness campaign, with several other countries, to reduce demand for commercial sex acts and raise awareness about human trafficking called project Pentametro. The Italian Ministry of Defense reported regularly organizes training sessions on human rights and trafficking for both civilians and military personnel who serve in international peacekeeping missions abroad. The government contributed funding to the NGO ECPAT, which conducts child sex tourism prevention activities in Italy. In February 2007, police arrested a University professor in Naples for committing child sex tourism offenses while in Thailand.

## JAMAICA (Tier 2)

Jamaica is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced labor. The majority of victims are poor Jamaican women and girls, and increasingly boys, who are trafficked from rural to urban and tourist areas for commercial sexual exploitation. Victims are typically recruited by family members or newspaper advertisements promoting work as spa attendants, masseuses, or dancers; after being recruited, however, victims are coerced into prostitution. Jamaican children also may be subjected to conditions of forced labor as domestic servants. Sex tourism in resort areas has been identified as a problem. Some trafficking of women from the Dominican Republic, Russia, and Eastern Europe into Jamaica's sex trade has been reported. Some Jamaican women and girls have been trafficked to Canada, the United States, The Bahamas, and other Caribbean destinations for commercial sexual exploitation.

The Government of Jamaica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government increased activities to prevent human trafficking, but its efforts to punish traffickers and assist victims remained inadequate.

**Recommendations for Jamaica:** Increase efforts to investigate and prosecute trafficking offenses, as well as convict and punish offenders; improve efforts to provide victims with access to assistance, particularly shelter services; increase prevention efforts to vulnerable populations, especially young people; and increase efforts to collaborate with

other countries to investigate and prosecute foreign nationals who travel to Jamaica for the purpose of child sex tourism.

### Prosecution

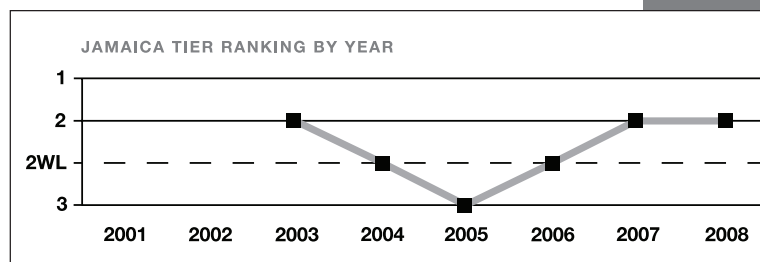
The Government of Jamaica maintained anti-trafficking law enforcement efforts during the reporting period, but did not punish any trafficking offenders. The government prohibits all forms of trafficking through its comprehensive Trafficking in Persons Act, which became effective on March 1, 2007, and which prescribes penalties of up to 10 years' imprisonment, penalties that are sufficiently stringent. This law also prohibits withholding a person's passport as a means of keeping an individual in labor or service. During the reporting period, the government charged four suspects with trafficking under its new law; these cases remain pending, in addition to six prosecutions from the previous year. The government did not convict or sentence any traffickers during the reporting period. The government also dedicated six police officers to the National Task Force against Trafficking in Persons, an interagency body that coordinates anti-trafficking activities, and reconstituted the organized-crime division of its police force to focus more attention on human trafficking crimes. A vetted police Airport Interdiction Task Force, created through a memorandum of understanding between Jamaica and the United States in 2005, investigates cases of drug trafficking and human trafficking at ports of entry. In conjunction with IOM, a large number of police, consular, and judicial officials received anti-trafficking training. No reports of official complicity with human trafficking were received in 2007.

### Protection

During the reporting period, the government showed limited efforts to provide victims with access to medical, psychological, legal, and witness-protection services. Specialized shelters for trafficking victims, especially for victims of commercial sexual exploitation, remain unavailable, although child trafficking victims have access to generalized government shelters for care. Shelter services for adult victims remain lacking, although adult victims are sometimes housed in hotels or other temporary facilities. Pursuant to its anti-trafficking statute, Jamaican authorities encourage victims to assist in the investigation and prosecution of their traffickers. Victims are not penalized for immigration violations or other unlawful acts committed as a direct result of being trafficked. Jamaica provides temporary residency for foreign trafficking victims and other legal alternatives to deportation to countries where victims would face hardship or retribution. In 2007, the government assisted IOM's repatriation of a trafficking victim from Burma who was exploited for five years as a domestic servant.

### Prevention

The government increased anti-trafficking prevention activities during the reporting period. Government officials condemned human trafficking in public statements and presentations, in addition to warning more than 250 students about the dangers of human trafficking. Anti-trafficking flyers and materials were disseminated widely. The government also tightened issuance of exotic dancer permits to Jamaican hotel establishments, and eliminated their use in night clubs. Efforts to identify victims of trafficking among holders of these permits were intensified during the reporting period, and the government reduced the total number of permits to eight. Increased government collaboration with Jamaica's hotel and tourism industry would assist efforts to prevent child sex tourism in resort areas; despite reported sexual exploitation of Jamaican children by foreign tourists, no investigations or prosecutions of such suspected criminal activity were reported by the government. The government made efforts to address demand for commercial sex acts by conducting high-profile raids on hotels and nightclubs.



## JAPAN (Tier 2)

Japan is a destination and transit country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Women and children trafficked to Japan for commercial sexual exploitation come from the People's Republic of China, South Korea, Southeast Asia, Eastern Europe, Russia, and, to a lesser extent, Latin America. Japan is a transit country for persons trafficked from East Asia to North America. The majority of identified trafficking victims are foreign women who migrate to Japan seeking work, but are subjected upon arrival to debt bondage and forced prostitution. Male and female migrant workers are subjected to conditions of forced labor. Traffickers use debt bondage to exploit women in Japan's large sex trade, imposing debts of up to \$50,000. In addition, trafficked women are subjected to coercive or violent physical and psychological methods to prevent them from seeking assistance or escaping. Traffickers also target Japanese women and girls for exploitation in pornography or prostitution. Many female victims, both foreign and Japanese, are reluctant to seek help

from authorities for fear of reprisals by their traffickers, who are often members or associates of Japanese organized crime syndicates (the Yakuza). Japanese men continue to be a significant source of demand for child sex tourism in Southeast Asia.

The Government of Japan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While Japan continued to implement reforms through its Inter-Ministerial Liaison Committee on trafficking in persons, the government's efforts to identify and protect victims of trafficking remained inadequate. In addition, prosecutions decreased from the previous year. Law enforcement authorities and other officials did not systematically employ formal victim identification procedures, resulting in the government's failure to recognize many trafficking victims. The number of victims identified and assisted by Japanese authorities fell for the second year in a row, but based on calls to victim hotlines and interviews with victims, NGOs and researchers believe the number of actual victims exceeds government statistics. Some observers attribute the decline in identified victims to the difficulty of investigating sex businesses that are increasingly moving underground due to police crackdowns on red-light districts in major cities. This increased pressure from law enforcement has eliminated visible prostitution and forced many sex businesses to thinly disguise prostitution as "delivery health" (escort) services.

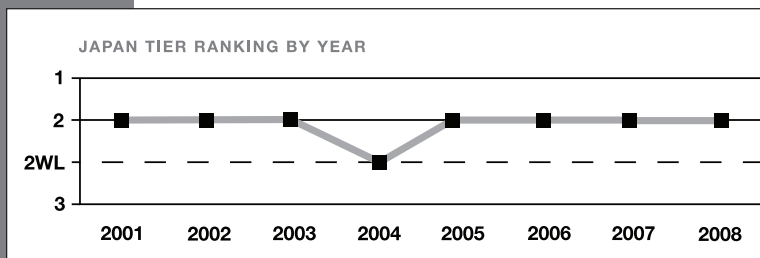
**Recommendations for Japan:** Expand proactive law enforcement efforts to investigate commercial sex businesses, especially in rural areas and including call-girl services, for possible sex trafficking; establish and implement formal victim identification procedures and train personnel who have contact with individuals arrested for prostitution, foreign trainees, or other laborers on the use of these procedures to identify a greater number of trafficking victims; criminalize recruitment through fraudulent or deceptive means for purposes of forced labor; criminally investigate and prosecute acts of labor trafficking; conduct a widespread campaign to raise public awareness of child sex tourism and warn potential Japanese offenders of prosecution under the extraterritorial provisions of the child prostitution law; send periodic formal

instructions to the National Police Agency and to Japanese Embassies and Consulates instructing officials to cooperate with foreign authorities in prosecuting possible child sexual exploitation cases against Japanese nationals; continue to increase the availability and use of translation services and psychological counselors with native language ability at shelters for victims; inform all identified victims of the availability of free legal assistance, as well as the option of extending their special-stay status as an alternative to repatriation; and revise the child pornography law to criminalize the possession of child pornography.

**Prosecution**

There was no improvement in the Government of Japan's efforts to address sex trafficking through law enforcement during the reporting period, and the government failed to address the problem of trafficking for labor exploitation. Prosecutions for sex trafficking decreased in 2007, as 11 sex trafficking cases were prosecuted, and 12 trafficking offenders were convicted, compared to 17 prosecutions and 15 convictions in 2006. Of the 12 convictions in 2007, seven offenders received prison sentences of two to four years with labor; five offenders received suspended sentences. The only labor trafficking convictions in 2007 were for two cases prosecuted under the Labor Standards Law. While Japan does not have a comprehensive anti-trafficking law, a variety of laws, including the 2005 amendment to the criminal code, the Labor Standards Law, the Employment Security Law, the Prostitution Prevention Law, the Child Welfare Law, and the Law for Punishing Acts related to Child Prostitution and Child Pornography, cover most, but not all forms of trafficking. Specifically, Japanese law does not prohibit recruitment of laborers using knowingly fraudulent or deceptive offers for purposes of forced labor.

Labor exploitation was widely reported by labor activists, NGOs, shelters, and the media. The Immigration Bureau and Labor Standard Inspection Bodies reported hundreds of abuses of the Industrial Trainee and Technical Internship Program (the "foreign trainee program"). Reported abuses included fraudulent terms of employment, debt bondage, restrictions on movement, and withholding of salary payments. While the majority of companies employ foreign trainees appropriately, participants in the first year of the three-year program were not protected by labor laws and were therefore vulnerable to trafficking. In addition, such exploitation was not limited to participants in the first year of the program. There were only two convictions for labor trafficking during the past two years despite Labor Standard Inspection Bodies having identified more than 1,209 violations of labor laws in 2006 alone, indicating a serious lack of will by the government to enforce these laws. The





government did make some efforts to address oversight of the foreign trainee program. The Ministry of Justice released a list of prohibited acts to govern the program, but there were no criminal penalties for companies found in violation of the regulations. The Cabinet approved provisions to reform the program, including applying the Labor Standards Law to the first year; but, these provisions had not yet taken effect or even been debated by the Diet during the reporting period. These measures are unlikely to have any effect on the problem without a significant increase in enforcement of labor laws.

### Protection

Despite the government's increased efforts, victim protection remained inadequate during the reporting period. The number of trafficking victims identified by the Japanese government declined for the second consecutive year. Law enforcement authorities identified 43 victims in 2007, down from 58 in 2006 and 116 in 2005. This number is disproportionately low relative to the suspected magnitude of Japan's trafficking problem. Although some observers speculate there are fewer victims identified because sex trafficking may have decreased in Japan, it is more likely the move of many sex businesses underground has made it more difficult for police to investigate and rescue potential victims. NGOs working with trafficking victims continue to assert the government is not proactive in searching for victims among vulnerable populations such as foreign women in the sex trade or migrant laborers. Of particular concern was the Japanese government's repatriation of 16 of the 43 identified trafficking victims without referring them to IOM for risk assessment and formal repatriation processing. Although police and immigration authorities take part in regular training programs, Japan has not adopted formal victim identification procedures, nor does it dedicate government law enforcement or social services personnel specifically to the human trafficking issue. During the reporting period, police and immigration authorities failed to consistently identify trafficking victims. Officials from third-country embassies reported Japanese police and immigration officers failed to recognize their citizens as trafficking victims, forcing the embassies to take charge of victim repatriation. In addition, the government did not recognize any victims of labor trafficking during the reporting period in spite of widespread reports of labor exploitation by both official and private entities.

Forty of the 43 identified trafficking victims in 2007 were provided services by government shelters—Women's Consulting Centers (WCCs)—located in each of Japan's 47 prefectures. The victims had access to subsidized medical care and some victims received psychological care while in the WCCs. However, the large majority of trafficking victims did not have

adequate access to trained psychological counselors with native language ability, a weakness the Japanese government is now beginning to address. The Ministry of Health, Labor, and Welfare surveyed the NGO community to identify interpreters with experience or training in providing counseling and psychological care to victims of trafficking, and has begun to make this information accessible to WCCs nationwide. Although the government asserts that legal assistance is available to all trafficking victims, a survey of WCC operators indicated that neither WCC staff nor victims were consistently aware free legal assistance was available. To date there have been no cases where the government actually provided legal assistance to a trafficking victim. Although victims were eligible for special stay status as a legal alternative to repatriation in cases where victims would face hardship or retribution, NGOs report most victims were unaware they could extend this status or apply for a change of status to one which permits employment. Moreover, there has never been a case of a victim staying in Japan for more than a few months. The lack of native language counseling, the isolation of victims from fellow nationals and other trafficking victims, and the lack of alternatives—particularly any option to work or generate income while in Japan—led most victims to choose an expeditious repatriation to their home country. Although the government encouraged victims to assist in the investigation and prosecution of trafficking crimes, it did not provide victims with an environment conducive to cooperation. Japan gave \$300,000 to IOM in 2007 for repatriation and reintegration assistance, and budgets about \$100,000 each year for subsidizing victims' care in private NGO shelters that specialize in assisting trafficking victims.

### Prevention

The Government of Japan demonstrated strong efforts to raise awareness about some forms of trafficking during the reporting period. The government took efforts to reduce the demand for commercial sexual exploitation through the distribution of 500,000 brochures on the trauma of trafficking, government anti-trafficking efforts, and how to receive victim assistance. The government also produced 25,000 trafficking awareness posters portraying the link between prostitution and trafficking in persons. The posters and brochures were distributed to immigration offices, police stations, and foreign embassies and consulates throughout Japan. The government donated \$79,000 to a Thai NGO to construct a dormitory for Thai students vulnerable to trafficking. A significant number of Japanese men continue to travel to other Asian countries, particularly the Philippines, Cambodia, and Thailand, to engage in sex with children. Although the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and the Protection of Children

provides Japanese courts with extraterritorial jurisdiction over Japanese nationals who have sexual intercourse with a minor in a foreign country, the government has not prosecuted a Japanese national for child sex tourism since 2005. During the reporting period, the government did not take any steps to specifically reduce the demand for child sex tourism by Japanese nationals. Japanese law does not criminalize the possession of child pornography, and this continues to contribute to the demand for commercial sexual exploitation of children and child sex tourism. According to National Police Agency statistics, 773 Japanese children were either prostituted or exploited in child pornography during the first half of 2007. Japan has not ratified the 2000 UN TIP Protocol.

## JORDAN (Tier 2 Watch List)

Jordan is a destination and transit country for women and men from South and Southeast Asia trafficked for the purpose of forced labor. Jordan is also a destination for women from Eastern Europe and Morocco for prostitution; there were no reports that any of these women were trafficked for sexual exploitation. Women from Bangladesh, Sri Lanka, Indonesia, and the Philippines migrate willingly to work as domestic servants, but some are subjected to conditions of forced labor, including unlawful withholding of passports, restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. Trafficking of domestic workers is facilitated by the fact that the normal protections provided to workers under Jordanian labor law do not apply either to domestic or agricultural laborers, leaving them highly vulnerable to abuse by exploitative employers. In response to a high rate of abuse of Filipina domestic workers by employers in Jordan, the Government of the Philippines instituted a ban on additional Filipina workers migrating to Jordan for domestic work during the reporting period. In addition, some Chinese, Bangladeshi, Indian, Sri Lankan, and Vietnamese men and women have encountered conditions similar to forced labor in several factories in Jordan's Qualifying Industrial Zones (QIZs), including unlawful withholding of passports; non-payment of wages; and physical abuse. In past years, Jordan was a transit country for South and Southeast Asian men deceptively recruited with fraudulent job offers in Jordan, but instead trafficked to work involuntarily in Iraq. There have been no substantiated reports of this, however, during this reporting period.

The Government of Jordan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nevertheless, Jordan is placed on Tier 2 Watch List for its failure to provide evidence of

increasing efforts to combat trafficking in persons over the previous year, particularly in the area of law enforcement against trafficking for forced labor. The government made minimal efforts to investigate or prosecute numerous allegations related to exploitation of foreign domestic workers employed in Jordanian homes throughout the year. National labor laws do not apply to domestic or agricultural workers, including allegations of physical and sexual abuse. There were continuing reports of abusive conditions in some QIZ factories, but the number decreased from the preceding year. Though the government made some efforts to improve enforcement of its labor laws through inspections and administrative means, Jordan failed for a second year to criminally prosecute and punish those who committed acts of forced labor. Moreover, domestic and agricultural workers remain exempt from the protections of Jordan's labor laws, facilitating the ability of unscrupulous employers to subject them to conditions of involuntary servitude. Jordan also continues to lack victim protection services, and its failure to distinguish between trafficking and illegal immigration creates vulnerability for punishment of victims of trafficking.

**Recommendations for Jordan:** Appropriately revise labor laws to cover domestic and agricultural workers; undertake legislative reforms to prohibit all forms of trafficking in persons; significantly increase criminal prosecutions, convictions, and punishments for offenses that constitute trafficking; institute and apply formal procedures to identify victims among vulnerable groups, such as foreigners arrested for illegal immigration or prostitution, and refer them to protective services; and ensure that victims are protected and not detained or otherwise punished for acts committed as a result of being trafficked, or for reporting a crime committed against them.

### Prosecution

The Government of Jordan continued to make inadequate efforts to criminally punish trafficking offenders during the reporting period. Jordan does not specifically prohibit all forms of trafficking in persons, but the government prohibits slavery through its Anti-Slavery Law of 1929; prescribed penalties of up to three years' imprisonment under this statute are not sufficiently stringent, but are commensurate with those penalties prescribed for grave crimes, such as rape. Neither labor nor sex trafficking is otherwise explicitly prohibited. However, the government can use statutes against kidnapping, assault, rape, withholding of passports, and physical restraint to prosecute trafficking-related offenses. In this reporting period, the government's Human Rights Center hotline received 2,479 complaints, including some for conditions of forced labor; although authorities reported resolving 77 percent of these cases, the government did

not provide evidence of any prosecutions, convictions, or jail sentences for forced labor of domestic workers. In addition, despite well-documented evidence of serious cases of forced labor in the QIZs from previous years, the government responded with primarily administrative penalties; courts convicted three individuals for physical abuse of foreign workers in a factory and sentenced them to fines rather than sufficient prison sentences that would create a deterrent against future forced labor crimes. The government shut down one factory in January 2008 after repeated violations of non-payment of wages, non-payment of overtime, physical abuse, and poor living conditions; no one has been prosecuted or criminally punished yet for these offenses. Through training of labor inspectors, almost all QIZ workers are reportedly in possession of their passports, and the number and severity of violations of workers' rights decreased substantially. Nonetheless, in March, an NGO reported that 176 Vietnamese workers complained, that their employer forced them to work 14-18 hours per day, withheld their passports, and did not give them their promised wages. The government returned their passports and assisted workers who wished to be repatriated to return home.

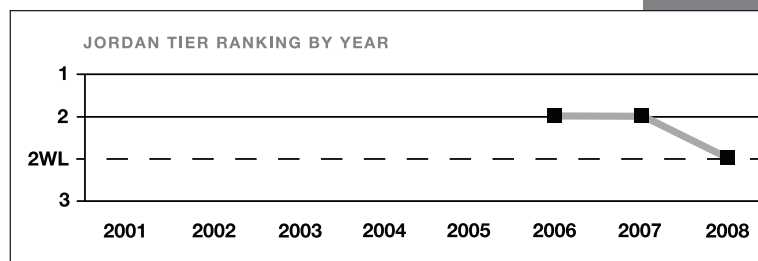
### Protection

The Government of Jordan made inadequate efforts to protect trafficking victims during the reporting period. Jordan does not operate a shelter for trafficking victims. The Government of Jordan provides non-financial support to international organizations that have anti-trafficking programs, such as UNIFEM and IOM. The government also lacks formal procedures to identify victims of trafficking among vulnerable groups, such as foreigners arrested for illegal migration or prostitution. As a result, some victims of trafficking are punished for acts committed as a result of being trafficked. In cases where foreign domestic workers run away from their employers or approach authorities to claim abuse, an employer will often accuse them of theft, for which they will be imprisoned. The government may put victims of sexual assault – including foreign workers assaulted by their employers – into jail. In February, the Ministry of Interior waived over-stay fines for 185 runaway Filipina domestic workers in order to allow them to be repatriated, but did not report helping them receive compensation for their abuses. Other workers who are unable to pay their overstay fines – including those who run away from abusive employers or who are out of legal status because their employers did not file necessary documents – may be imprisoned until their fines are paid and then deported. Victims are not encouraged to participate in investigations against their employers; sources allege that workers are discouraged from filing complaints or pressing charges and that some police dissuade workers from formally lodging claims for

sexual assault. The government does not provide foreign victims of trafficking with legal alternatives to removal to countries in which they may face hardship or retribution.

### Prevention

Jordan made limited efforts to prevent trafficking in persons this reporting period. The Ministry of Labor trained labor inspectors on anti-trafficking, and recruitment agencies on the rights of domestic workers. The government continued to publish a guidebook for domestic workers on their rights and offered hotline numbers that workers can call to report abuse. Although the Government did not financially sponsor anti-trafficking campaigns for workers in the QIZ factories, government officials participated in anti-trafficking seminars for QIZ factory management and workers organized by international and non-governmental organizations. Jordan made no discernible effort to reduce the demand for commercial sex acts. Similarly, the government did not institute a public awareness campaign or other measure targeting citizens traveling to known child sex tourism destinations abroad, although there is no indication that Jordan is a point of origin for child sex tourism. Jordan has not ratified the 2000 UN TIP Protocol.



## KAZAKHSTAN (Tier 2)

Kazakhstan is a source, transit, and destination country for men, women, and girls trafficked from Uzbekistan, Kyrgyzstan, Tajikistan, and Ukraine to Kazakhstan and on to Russia and the United Arab Emirates (U.A.E.) for purposes of commercial sexual exploitation and forced labor in the construction and agricultural industries. Kazakhstani men and women are trafficked internally and to the U.A.E., Azerbaijan, Turkey, Israel, Greece, Russia, and Germany and the United States for purposes of forced labor and sexual exploitation.

The Government of Kazakhstan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Kazakhstan demonstrated increasing efforts to combat trafficking over the previous year, specifically by improving efforts to convict and sentence traffickers to time in prison. The number of

traffickers convicted in 2007 significantly increased, and the majority of convicted traffickers served adequate sentences in prison. The government also took steps to address government officials' complicity in trafficking. Kazakhstan allocated nearly \$35,000 for victim assistance during 2007.

**Recommendations for Kazakhstan:** Continue efforts to investigate, prosecute, convict, and punish government officials complicit in trafficking; continue efforts to ensure that convicted trafficking offenders are punished adequately through time in prison; ensure that both sex and labor trafficking victims are identified and not punished; provide some financial assistance for existing trafficking shelters; consider funding a trafficking shelter in Southern Kazakhstan; increase the number of victims referred to NGOs for assistance by government officials; and ensure public awareness efforts are conducted in rural areas of the country.

### Prosecution

The Kazakhstan government made significant progress in its anti-trafficking law enforcement efforts over the reporting period. Kazakhstan prohibits trafficking in persons for both labor and sexual exploitation through Articles 128, 133, 125(3)(b), 126(3)(b), and 270 of its penal code, which prescribe penalties of up to 15 years' imprisonment – penalties sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Police conducted 22 trafficking investigations and initiated 16 prosecution cases in 2007, compared to 13 investigations and seven prosecutions in 2006. Courts convicted 19 trafficking offenders in 2007, a significant improvement from one conviction in 2006. Of the 19 convicted trafficking offenders, one was sentenced to 12 years' imprisonment, four were sentenced to 10 years' imprisonment, five were sentenced to seven years' imprisonment, four were sentenced to six years' imprisonment, two were sentenced to five

imprisonment and two officers fled authorities and remained in hiding at the time of this report.

### Protection

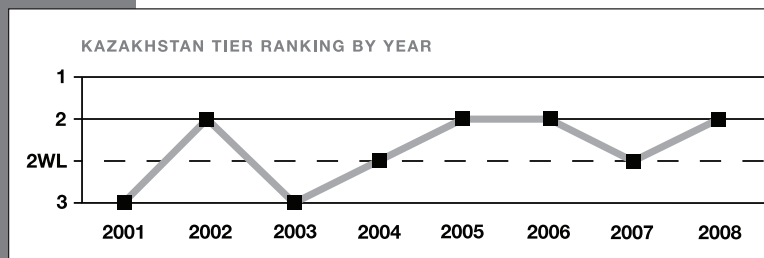
The government improved efforts to assist and protect victims during the year. The law provides that victims are not penalized for unlawful acts committed as a direct result of being trafficked; however, NGOs continued to report that some victims, as the result of not being identified by authorities, were detained in jail and prevented from leaving the country for periods ranging from a few days to several months. NGOs reported that while law enforcement officials have improved their use of formal procedures to identify victims among vulnerable populations, some labor trafficking victims remain unidentified. In 2007, the police formally identified 87 victims of labor trafficking and 25 victims of commercial sexual exploitation. The government permitted identified victims to remain in Kazakhstan for the duration of the criminal investigation. Many victims refuse to testify for fear of retribution and Kazakhstan has not devoted sufficient resources to address the physical safety of identified trafficking victims.

### Prevention

The government conducted active public awareness efforts. In 2007, the government funded the production of approximately 3,000 booklets that were distributed by NGOs among groups vulnerable to trafficking, including people in rural areas and school children. The government provided at least \$12,500 for anti-trafficking NGOs to conduct awareness campaigns during the reporting period. The government monitors formal migration patterns for evidence of trafficking. The government did not implement measures to reduce the demand for commercial sex acts during the reporting period. Kazakhstan has not ratified the 2000 UN TIP Protocol.

## KENYA (Tier 2)

Kenya is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Kenyan children are trafficked within the country for domestic servitude, street vending, agricultural labor, herding, work as barmaids, and commercial sexual exploitation, including involvement in the coastal sex tourism industry. Kenyan men, women, and children are trafficked to the Middle East, other African nations, Europe, and North America for domestic servitude, enslavement in massage parlors and brothels, and forced manual labor, including in the construction industry. Employment agencies facilitate and profit from the trafficking of Kenyan nationals to Middle Eastern nations, notably Saudi Arabia, the U.A.E., and Lebanon, as well as Germany.



years' imprisonment, and three were sentenced to three years' imprisonment. During the year there were reports of trafficking complicity of some border guards, migration police, prosecutors, and police. The government prosecuted three corrupt police officials, including the former head of the Anti-Trafficking in Persons Unit in Almaty. One officer was sentenced to six years and six months'

Chinese, Indian, and Pakistani women reportedly transit Nairobi en route to exploitation in Europe's commercial sex trade. Brothels and massage parlors in Nairobi employ foreign women, some of whom are likely trafficked. Children are trafficked from Rwanda, the Democratic Republic of the Congo, Ethiopia, Uganda, and Somalia to Kenyan towns, including Kisumu, Nakuru, Nairobi, and Mombasa. Most trafficked girls are coerced to work as barmaids, where they are vulnerable to sexual exploitation, or are forced directly into prostitution.

The Government of Kenya does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Kenya's anti-trafficking efforts improved markedly over the reporting period, particularly through greater investigations of suspected trafficking cases.

**Recommendations for Kenya:** Pass, enact, and implement the draft comprehensive anti-trafficking law; provide additional awareness training to all levels of government, particularly law enforcement officials, on trafficking crimes; increase efforts to prosecute and convict trafficking offenders; establish an official process for law enforcement officials to refer trafficking victims for assistance; and institute trafficking awareness training for diplomats posted overseas.

### Prosecution

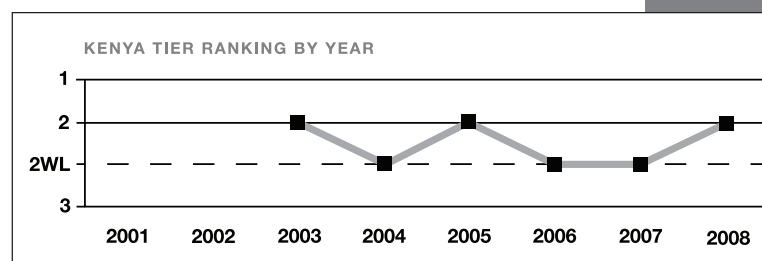
The government failed to punish acts of trafficking during the reporting period, but demonstrated significantly increased law enforcement activity throughout the reporting period. Kenya does not prohibit all forms of trafficking, though it criminalizes the trafficking of children and adults for sexual exploitation through its Sexual Offenses Act, enacted in July 2006, which prescribes penalties that are sufficiently stringent and commensurate with those for rape; however, the law is not yet widely used by prosecutors. The Employment Act of 2007 outlaws forced labor and contains additional statutes relevant to labor trafficking. In September 2007, relevant government agencies provided comments on a draft comprehensive human trafficking bill to the Attorney General's office, which continues to work with NGOs to further refine the bill.

Police opened investigations into a number of significant cases during the reporting period, including the suspected trafficking of children by two school teachers in Kirinyaga District. In October 2007, police in Malindi arrested an Italian national on suspicion of human trafficking, facilitating child prostitution, and drug trafficking. Upon the conclusion of a separate police investigation, two women were charged with child defilement and child prostitution after luring a 14-year old girl to their home and forcing her into prostitution. Two children trafficked to Tanzania for forced labor were

rescued by Kenyan officials and placed in a children's home; the investigation is ongoing as police believe the perpetrators are harboring an additional 40 children and six adults in forced labor. Six people in Bomet and Nandi Districts of Rift Valley Province were charged with the sale and trafficking of children. The Police Commissioner worked with Interpol to investigate the suspected trafficking of a Kenyan girl to The Netherlands and four children to Ireland. The Ministry of Home Affairs began, for the first time, collecting information on trafficking cases from the police, media, foreign governments, and UNODC. Corruption among law enforcement authorities and other public officials hampered efforts to bring traffickers to justice. Some anti-trafficking activists made credible claims that, in certain areas, police officials were complicit in trafficking activities.

### Protection

The government made efforts during the reporting period to improve protective services provided to trafficking victims. Kenyan officials removed 14 children from situations of trafficking in Nandi and placed them in a children's home. The government referred two additional trafficking victims to IOM for assistance during the reporting period, and ensured the well-being of a number of other victims. City Council Social Services Departments in Nairobi, Mombasa, and Kisumu operated shelters to rehabilitate street children vulnerable to forced labor and commercial sexual exploitation; the government provided services to children exploited in the commercial sex industry at these facilities. In partnership with an NGO, the Ministry of Home Affairs provided and refurbished a building to house a toll-free hotline that enables children and adults to report cases of child



trafficking, labor, and abuse. Staff members were hired and trained to serve as counselors and refer callers to government and NGO service providers. In June 2007, the Department of Home Affairs' Children's Services Unit hired an additional 180 Chief Children's Officers; during the reporting period, several children's officers posted throughout the country were involved in trafficking investigations and provided counseling and follow-up to child trafficking victims. Fifteen newly appointed Kenyan ambassadors received a first-ever briefing on human trafficking at Kenya's Foreign Service Institute; preparations are underway for

a comprehensive briefing from the Ministries of Labor and Home Affairs and IOM for mid-grade and junior officers on their responsibilities in assisting Kenyan victims abroad. The government encourages victims' assistance in the investigation and prosecution of trafficking crimes, and ensures that they are not inappropriately incarcerated or otherwise penalized for unlawful acts committed as a direct result of being trafficked. The government does not, however, provide legal alternatives to the removal of victims to countries where they would face hardship or retribution.

### Prevention

The Government of Kenya made significant progress in publicly highlighting the dangers of human trafficking and taking steps to combat it during the reporting period. On numerous occasions, senior government officials, including the Vice President, spoke publicly about trafficking and attended many awareness-raising events, including the Day of the African Child in June. The Kenyan media, especially the government-owned Kenya Broadcasting Corporation, regularly reported cases of suspected human trafficking. In July 2007, the government established the National Steering Committee to Combat Human Trafficking under the leadership of the Ministry of Home Affairs. Its Sub-Committee appointed to draft a national action plan received two days of training from IOM, after which it convened three drafting sessions and presented an initial outline of the plan in October. Officers from the Ministries of Youth and Labor received anti-trafficking training at IOM workshops in November and December 2007. In July 2007, the Malindi District Commission established and chaired a district-level committee on child sex tourism. In June 2007, a German national was arrested and charged with sexually exploiting two trafficked children from Nyanza at Likoni Children's Home. There were no reports of the Kenyan government's efforts to provide anti-trafficking training for its troops before deployment on international peacekeeping missions.

## KOREA, REPUBLIC OF (Tier 1)

The Republic of Korea (R.O.K.) is primarily a source for the trafficking of women and girls within the country and to the United States (often through Canada and Mexico), Japan, Hong Kong, Guam, Australia, New Zealand, Canada, and Western Europe for the purpose of commercial sexual exploitation. Women from Russia, Uzbekistan, Kazakhstan, Mongolia, the People's Republic of China (P.R.C.), North Korea, the Philippines, Thailand, Cambodia, and other Southeast Asian countries are recruited to work in South Korea, and a significant number of these women are trafficked for sexual exploitation and domestic servitude. An increasing challenge for the

ROK is the number of women from less developed Asian countries who are recruited for marriage to Korean men through international marriage brokers; a significant number are misled about living conditions, financial status, and expectations of their Korean husbands. Some, upon arrival in South Korea, are subjected to conditions of sexual exploitation, debt bondage, and involuntary servitude. Some employers continued to withhold the passports of foreign workers, a practice that can be used as a means to coerce forced labor. South Korean men continue to be a significant source of demand for child sex tourism in Southeast Asia and the Pacific Islands.

The Government of the Republic of Korea fully complies with the minimum standards for the elimination of trafficking. Over the last year, the government continued law enforcement efforts against sex trafficking, and signed MOUs for the Employment Placement System (EPS) with five additional countries and conducted numerous anti-trafficking awareness campaigns. The Korean National Police Agency cooperated with foreign law enforcement agencies to crack down on human smuggling networks that have been known to traffic women for sexual exploitation. However, these commendable efforts with respect for sex trafficking have not been matched by investigations, prosecutions, and convictions of labor trafficking occurring within South Korea's large foreign labor force. Efforts to reduce demand for child sex tourism, in light of the scale of the problem, would be enhanced by law enforcement efforts to investigate Korean nationals who sexually exploit children abroad.

**Recommendations for the ROK:** Expand efforts to reduce demand for child sex tourism by increasing law enforcement efforts, including cooperation with child sex tourism destination countries, to investigate and prosecute South Korean child sex tourists; pass, enact, and implement laws to protect foreign brides in Korea; and take steps to ensure that the new Employment Placement System of labor recruitment offers greater protections to foreign workers by investigating and prosecuting cases of forced labor among migrant workers.

### Prosecution

The R.O.K. government sustained progress in anti-trafficking law enforcement efforts over the last year. The R.O.K. prohibits trafficking for the purpose of commercial sexual exploitation, including debt bondage, through its 2004 "Act on the Punishment of Intermediating in the Sex Trade and Associated Acts," which prescribes up to 10 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Trafficking for forced labor is criminalized under the Labor Standards Act, which prescribes penalties of up to five years' imprisonment—also

sufficiently stringent. Some NGOs believe the 2004 laws against sex trafficking are not being enforced to their fullest potential. In 2007, R.O.K. authorities conducted 149 trafficking investigations and convicted 52 traffickers, all of whom were sex traffickers. The domestic crackdown on prostitution may have decreased the demand for commercial sexual exploitation in Korea, but it has caused an increase in the number of Korean women and girls moving abroad for commercial sexual exploitation. In 2007, the National Assembly passed the Marriage Brokerage Act, which regulates both domestic and international marriage brokers and proscribes penalties for dishonest brokers, including sentences of up to three years' imprisonment or fines. The laws to protect "foreign brides" in Korea and punish fraudulent marriage brokers need to be strengthened in order to prevent some from being trafficked. During the reporting period, the government worked with the international community on investigations related to trafficking. There were no reported prosecutions or convictions of labor trafficking offenses.

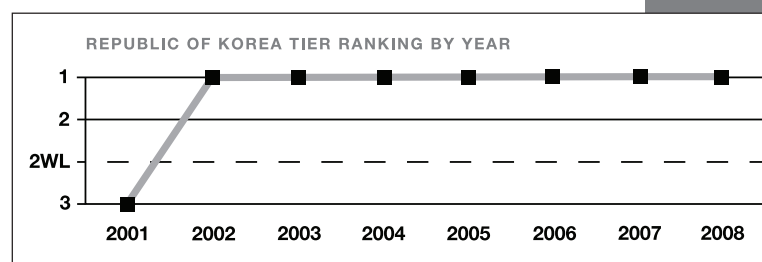
**Protection**

The Government of the Republic of Korea furthered efforts to protect victims of sex trafficking over the last year. The R.O.K. government spent \$19 million in support of a network of 53 shelters and group homes for foreigners, providing victims with a variety of services, including psychological and medical aid, counseling, and occupational training. Counseling centers that are subsidized by the central government provide medical and legal aid to trafficking victims. NGOs report that there is only one counseling center and two shelters in the country dedicated to foreign victims of sex trafficking. The Ministry of Gender Equality and Family (MOGEF) is currently training 100 interpreters to help foreigners take advantage of services already provided by the South Korean government. Most other facilities that support foreigners are geared towards helping victims of marriage trafficking rather than victims of trafficking for the purpose of commercial sexual exploitation. Most of the shelters are run by NGOs that the government funds fully or in part. This year, provincial police in cooperation with local governments will take over daily operation of the 24-hour hotline for South Korean and foreign trafficking victims that refers victims to government or NGO-run shelters and counseling centers. The government encourages sex trafficking victims to assist in the investigation and prosecution of traffickers. Korean law protects foreign women being investigated as a victim of prostitution from deportation until the case is prosecuted or resolved, primarily through the issuance of G-1 visas or orders of suspension of the victim's departure. G-1 visa holders are able to apply for jobs in Korea, but are not granted permanent residency. The R.O.K. government does not penalize victims for unlawful acts committed as a direct result of their being trafficked.

The government continued the full implementation of EPS, which is a system of recruiting foreign workers through government-to-government agreements that eliminate the role of private labor agencies and recruiters, many of which had been found to employ highly exploitative practices—including practices that facilitated debt bondage and forced labor. During the reporting period, the R.O.K. government signed MOUs with China, Bangladesh, Nepal, Burma, and Kyrgyzstan, bringing the total number of MOUs to 14. These MOUs with governments of labor source countries contained provisions guaranteeing basic rights of workers. In July 2007, the government opened a third Migrant Worker Center to support the needs of foreign contract laborers in the country. The EPS appears to be curbing incidents of extreme exploitation and forced labor, through better monitoring, and the government's encouraging of foreign workers to file complaints—civil and criminal—against their employers.

**Prevention**

The R.O.K. government acknowledges that trafficking is a problem and continued anti-trafficking prevention efforts through awareness raising campaigns. The Ministry of Justice runs 29 "John schools," set up to educate male "clients" of prostitution, presented one-day seminars—in lieu of criminal punishment—to 15,124 first-time offenders who were arrested by R.O.K. police in 2007. The courses aim to correct attendees' distorted views of prostitution and instill recognition of it as a serious crime. The MOGEF continued a public awareness campaign targeting the demand for commercial sex amongst adult males, juveniles, and university students, which included putting up billboard advertisements at train stations and airports.



A growing number of R.O.K. men continue to travel to the P.R.C., the Philippines, Cambodia, Thailand, and elsewhere in Southeast Asia for child sex tourism. The R.O.K. government educated advertisement agencies, guides, and foreign travel agencies on the Korean government's ability to punish Koreans for child sex tourism acts committed abroad, through a "Don't Be an Ugly Korean" campaign launched by the Ministry of Justice in mid-2007. It also conducted campaigns to certify reputable Korean travel agencies and related businesses, and solicited the public's ideas for the prevention of sex tourism. The R.O.K.

has a law with extraterritorial application that allows for the prosecution of R.O.K. citizens who sexually exploit children while traveling abroad. The government has never prosecuted a Korean national for child sex tourism. The Republic of Korea has not ratified the 2000 UN TIP Protocol.

## KUWAIT (Tier 3)

Kuwait is a destination and transit country for men and women for forced labor and commercial sexual exploitation. Men and women migrate willingly from Bangladesh, India, Pakistan, Sri Lanka, Nepal, Indonesia, and the Philippines to work as domestic servants or low-skilled laborers. Upon arrival, however, some are subsequently subjected to conditions of forced labor, such as restrictions on movement, unlawful withholding of passports, non-payment of wages, threats, and physical or sexual abuse. In addition, some women are forced into commercial sexual exploitation; for example, some female domestic workers are forced into prostitution after running away from abusive employers or after being deceived with promises of jobs in different sectors. Kuwait is also a transit country for South and East Asian workers recruited by Kuwaiti labor recruitment agencies for low-skilled work in Iraq; some of these workers are deceived as to the true location and nature of this work, while others willingly transit to Iraq through Kuwait, but subsequently endure conditions of involuntary servitude in Iraq. Some Kuwaiti nationals reportedly travel to destinations including Morocco, Egypt, Afghanistan, Pakistan, India, and Bangladesh to engage in commercial sex acts.

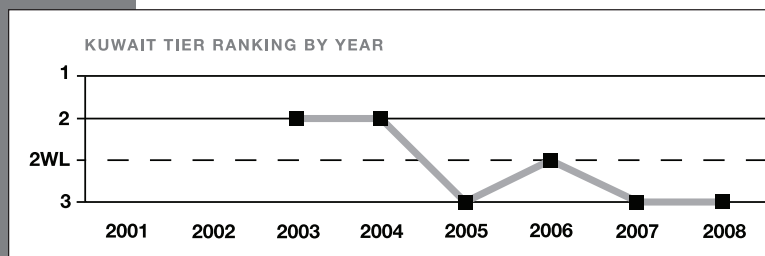
The Government of Kuwait does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. In September, Kuwait was reassessed to Tier 2 Watch List based on commitments to take future steps, including enacting already drafted legislation that prohibits all forms of trafficking; providing evidence of increased prosecutions, convictions and sentences for trafficking; continuing to develop a fully operational shelter freely accessible to all victims of trafficking; and providing technical training to law enforcement officials, attorneys, and judges on criminally

investigating and prosecuting trafficking cases. During the reporting period, however, the Government of Kuwait has not achieved any of these commitments.

**Recommendations for Kuwait:** Follow through with the above commitments; significantly increase criminal law enforcement efforts against trafficking offenders, including prosecutions, convictions, and punishment of abusive employers and those who traffic individuals for commercial sexual exploitation; develop and implement formal procedures to proactively identify victims of trafficking, including trafficked domestic workers and victims of sex trafficking, and refer them to protection services; and intensify efforts to raise public awareness of trafficking. Kuwait should also join international efforts and activities to discourage the demand for commercial sex acts and sex tourism by Kuwaiti nationals.

### Prosecution

The Government of Kuwait demonstrated no progress in punishing trafficking offenses this year. Kuwait does not explicitly prohibit trafficking in persons, though it prohibits transnational slavery through Article 185 of its criminal code, with a prescribed penalty of five years' imprisonment and a fine. Article 201 of Kuwait's criminal code prohibits forced prostitution; prescribed penalties include imprisonment of up to five years or a fine for the forced prostitution of adults, and seven years' imprisonment and a fine prescribed for the forced prostitution of minors under 18 years of age. This year, Kuwait passed an administrative ban on withholding passports, but did not report any efforts to enforce it. Despite the availability of these statutes, the government did not report any prosecutions, convictions, or punishments of traffickers for forced labor, including fraudulent recruiters and abusive employers. Rather than assign stringent prison penalties for trafficking, Kuwaiti law enforcement efforts generally focus on administrative measures such as shutting down recruitment firms, issuing orders for employers to return withheld passports, or requiring employers pay back-wages. The government also did not provide evidence of prosecuting, convicting, or punishing traffickers for commercial sexual exploitation. In addition, credible reports indicate that government officials are complicit in unlawfully selling worker visas to labor recruiters, thereby facilitating trafficking. The government reported no prosecutions, convictions, or punishments for complicity in trafficking. The government did not provide specialized training to law enforcement officers, lawyers, or judges on investigating or prosecuting trafficking.





### Protection

During the year, Kuwait made uneven efforts to improve protection for victims of trafficking. In September, the government opened a temporary shelter for victims of forced labor. The shelter has a maximum capacity of 40 women and provides medical, psychological, and legal services. It is unknown how many victims this shelter has accommodated to date. Credible sources report, however, that the shelter turns away victims who want to file complaints of trafficking or other abuses against their employers. The government continues to lack formal procedures for the systematic identification and protection of trafficking victims among vulnerable populations, such as foreign workers arrested without proper identity documents and women arrested for prostitution. As such, victims of trafficking are sometimes detained or deported for acts committed as a result of being trafficked, such as running away from their sponsors in violation of immigration laws and prostitution. Victims who are deported are not offered legal alternatives to their removal to countries in which they may face retribution. The police do not encourage victims to assist in criminal investigations of their traffickers. Government authorities often encourage victims to settle complaints against their employers out of court. In many cases, police do not take the complaints of trafficking victims seriously, and may also treat them as criminals for leaving their sponsors.

### Prevention

Kuwait made no reported efforts to prevent trafficking in persons this year. The government did not produce any public awareness campaigns during the reporting period to warn employers and workers about the risks of trafficking. Kuwait also did not launch a public awareness campaign targeting citizens traveling to known child sex tourism destinations abroad. The government did not make any discernible efforts to reduce the demand for commercial sex acts.

## KYRGYZ REPUBLIC (Tier 2)

The Kyrgyz Republic is a source, transit, and to a lesser extent a destination country for men and women trafficked from Uzbekistan, Tajikistan, and Turkmenistan for purposes of forced labor and commercial sexual exploitation. Men and women are trafficked to Kazakhstan for forced agricultural labor—mainly in tobacco fields—to Russia for forced construction work, and to China for bonded labor. Kyrgyz and foreign women are trafficked to the U.A.E., China, Kazakhstan, South Korea, Italy, Turkey, Greece, Cyprus, Thailand, Germany, and Syria for sexual exploitation.

The Government of the Kyrgyz Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the government demonstrated some limited progress in collecting law enforcement data, complicity in trafficking of low-level government officials remained a concern. NGOs reported improved efforts by law enforcement personnel in referring victims for assistance.

### Recommendations for Kyrgyz Republic:

Continue trafficking sensitivity training for police, prosecutors, and judges; increase the number of victims referred by government officials to NGOs or IOM for assistance; improve efforts to repatriate expeditiously Kyrgyz victims found abroad; vigorously investigate, prosecute, convict, and sentence government officials complicit in trafficking; ensure that victims of trafficking are not punished for acts committed as a result of being trafficked; and make efforts to improve the collection of law enforcement data.

### Prosecution

The Kyrgyz government demonstrated limited law enforcement efforts during the reporting period. A 2005 law on Prevention and Combating Trafficking in Persons criminalizes trafficking for both sexual exploitation and forced labor; prescribed sentences range from three to 20 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. In 2007, the government conducted 33 investigations—19 of them pertaining to alleged labor trafficking crimes—compared to 39 investigations in total in 2006. The government did not provide complete data on trafficking prosecutions, though authorities report the conviction of 23 trafficking offenders in 2007. Although the government was unable to provide complete sentencing data, some convicted traffickers served sentences ranging from five to eight years' imprisonment. NGOs contended that low-level law enforcement officials were complicit and accepted bribes from traffickers; other low-level police reportedly tolerated trafficking due to a lack of awareness. The government provided law enforcement personnel with trafficking-awareness training.

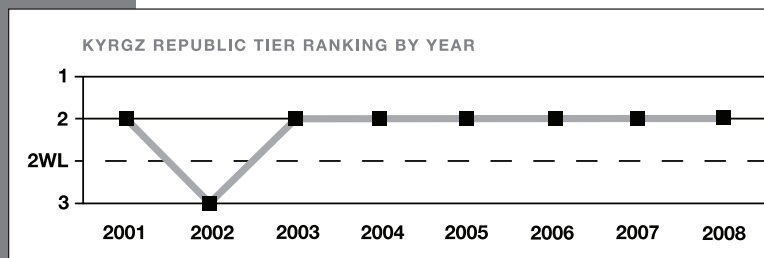
### Protection

The government sustained modest efforts to assist victims during the reporting period. Although the government provided no direct funding for victim services or medical assistance, it continued to provide space for three shelters run by anti-trafficking NGOs. Law enforcement referred four victims to IOM and NGOs for assistance in 2007. In 2007, Kyrgyz citizens identified abroad and repatriated to Kyrgyzstan accounted for 134 of the

total of 331 victims identified. Victims are encouraged to participate in trafficking investigations and prosecutions; victims who do not cooperate with law enforcement are potentially subject to being penalized for immigration violations and related offenses, although there were no reports of victims being penalized during the reporting period. The witness protection law, passed in 2006, continued to lack implementation procedures; as a result, no victims of crime—including trafficking victims—were protected by police in 2007.

### Prevention

Kyrgyzstan demonstrated limited trafficking prevention efforts over the last year. The government continued to focus significant attention on migration issues and worked to improve protection for all Kyrgyz migrant workers abroad in Russia and other destination countries. The government continued to publish brochures and leaflets in Kyrgyz and Russian for those seeking work abroad warning of the dangers of trafficking and providing the number for IOM-operated trafficking assistance hot-lines in several countries. The government does not actively monitor immigration and emigration patterns for evidence of trafficking.



## LAOS (Tier 2)

Laos is primarily a source country for women and girls trafficked for commercial sexual exploitation and labor exploitation as domestics or factory workers in Thailand. Some Lao men, women, and children migrate to neighboring countries in search of better economic opportunities but are subjected to conditions of forced or bonded labor or forced prostitution after arrival. Some Lao men who migrate willingly to Thailand are subjected to conditions of involuntary servitude in the Thai fishing and construction industry. To a lesser extent Laos is a country of transit for Vietnamese, Chinese and Burmese women destined for Thailand. Laos' potential as a transit country is on the rise with the construction of new highways linking the People's Republic of China, Vietnam, Thailand, and Cambodia through Laos. Internal trafficking is also a problem that affects young women and girls who are trafficked for commercial sexual exploitation in urban areas.

The Government of Laos does not fully comply with the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. The government increased law enforcement efforts to investigate trafficking offenses and prosecute and punish trafficking offenders. It also increased collaboration with international organizations and civil society to provide training for government and law enforcement officials, to provide repatriation and reintegration services for victims, and to launch public awareness campaigns to combat trafficking. A severe lack of resources remains the biggest impediment to the government's ability to combat trafficking in persons and it remains dependent on the international donor community to fund anti-trafficking activities.

**Recommendations for Laos:** Increase efforts to combat internal trafficking; and improve its collaboration with international organizations and civil society to build capacity to combat trafficking in persons.

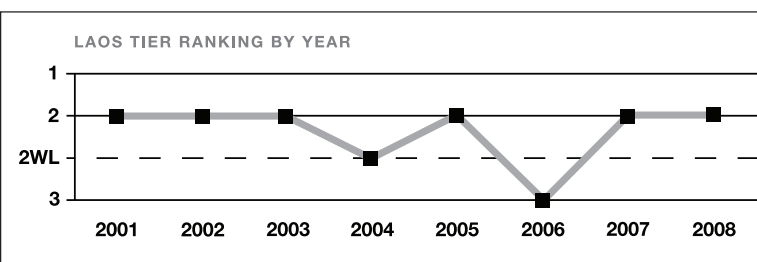
### Prosecution

The Lao government demonstrated progress in its anti-trafficking law enforcement efforts and willingness to collaborate with other countries as well as NGOs and international organizations. Laos prohibits all forms of trafficking through Penal Code Article 134, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for rape. In 2007, the Ministry of Public Security used Article 134 to investigate 38 cases of trafficking, resulting in 23 arrests and eight ongoing prosecutions. An additional 20 cases are currently under investigation. Police corruption, a weak judicial sector and the population's general lack of understanding of the court system impeded anti-trafficking law enforcement efforts. Through legal aid clinics, the Lao Bar Association assisted victims by educating the public at large on the legal system and by providing legal advice to victims of human rights abuses, including human trafficking. Corruption remained a problem with government officials susceptible to involvement or collusion in trafficking in persons, narcotics, wildlife, and illegal logging. No government or law enforcement officials have been disciplined or punished for involvement in trafficking in persons. The Lao government worked with international organizations and civil society to increase law enforcement capacity through training for police, investigators, prosecutors, and customs and border officials.

### Protection

The Lao government demonstrated progress in improving protection for victims of trafficking during the year. The Ministry of Labor and Social Welfare (MLSW) and Immigration Department

cooperated with IOM, UNIAP, and a local NGO to provide victim assistance. The MLSW continued operating a small transit center in Vientiane. Victims not wanting to return home are referred to a long-term shelter run by the Lao Women's Union or to a local NGO. Over the last year, 280 formally identified victims of cross border trafficking were repatriated to Laos from Thailand and an additional 21 were repatriated in 2008. Approximately 100 victims are currently residing in rehabilitation centers in Thailand. The Lao government provided medical services, counseling, vocational training, and employment services for victims in its transit shelter in Vientiane and at the Lao Women's Union shelter. The government actively encouraged victims to participate in investigations and prosecutions of traffickers. As of January 2007, the Lao government stopped requiring exit permits for citizens to travel abroad, which eliminated the potential for penalizing illegal migrants and trafficking victims, through fines, upon their return. Government instructions against fining, and the removal of the legal basis for those fines, effectively reduced financial penalties faced by victims. The government provided land to an NGO for a new shelter and transit center for trafficking victims in Savannakhet in 2007 and it continued to provide office space and staff to assist IOM's programs.



### Prevention

The Lao government increased efforts to prevent trafficking in persons with assistance from international organizations and civil society. For example, the MLSW worked with UNICEF to set up awareness-raising billboards near border checkpoints and larger cities. Also, in December 2007, the Lao Youth Union held a day-long event with workshops, puppet shows, and plays to address child trafficking. The event was led by the Deputy Prime Minister and Minister of National Defense who spoke about the dangers of trafficking. The government completed its national action plan to combat trafficking in July 2007. The Government of Laos demonstrated some efforts to reduce demand for commercial sex acts through periodic raids of nightclubs and discos used as fronts for commercial sex. In October and November 2007, police shut down bars and entertainment venues used for commercial sexual activities in Luang Prabang. A general increase in tourism in Laos and a concomitant probable rise in child sex tourism in the region

have attracted the attention of Lao authorities who seek to prevent child sex tourism from taking root. Vientiane Province established a task force on child sex tourism in December 2007 to coordinate efforts between the authorities and the tourism sector. The government and NGOs hosted several seminars to train tourism sector employees, including taxi drivers, on how to report suspicious behavior. Tourism police received training on guidelines drafted in July 2007 aimed at combating sex tourism and identifying potential victims. Many major international hotels in Vientiane and Luang Prabang prominently displayed posters created by international NGOs warning about child sex tourism.

## LATVIA (Tier 2)

Latvia is a source and destination country for men and women trafficked for the purposes of commercial sexual exploitation and forced labor. Latvian women are trafficked to Cyprus, Denmark, Germany, Greece, Italy, the Netherlands, Norway, Spain, and the United Kingdom for commercial sexual exploitation. Latvian women and teenage girls are also trafficked within the country for the purpose of commercial sexual exploitation. Men and women from Latvia are trafficked to the United Kingdom for the purpose of forced labor. In addition, Latvia may be a destination country for victims trafficked from Thailand for the purpose of forced labor.

The Government of Latvia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued steps to improve victim assistance by increasing access to government funded protections. The government also demonstrated increased efforts to investigate forced labor offenses. It also made modest prevention efforts by taking initial steps to combat sex tourism committed by foreign visitors to Latvia.

**Recommendations for Latvia:** Increase efforts to investigate, prosecute, convict, and sentence both sex and labor traffickers; institute formal procedures to proactively identify and refer more victims of trafficking for assistance; take steps to expand available victim services to areas outside of Riga; improve communication and coordination with NGOs; improve data collection for trafficking statistics; and take steps to reduce the demand for commercial sex acts.

### Prosecution

The Government of Latvia demonstrated sufficient law enforcement efforts during the reporting period. Latvia prohibits all forms of trafficking through Section 154-1 and 154-2 of its Criminal Code, which prescribes penalties of three to 15 years' imprisonment. These prescribed penal-

ties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. Latvia also uses non-trafficking-related laws to prosecute traffickers. Police performed 12 trafficking investigations under section 165-1, compared to 22 reported last year, and an additional 14 investigations under other sections—including nine investigations under section 154-1 involving alleged sex trafficking and two investigations involving alleged forced labor. Authorities prosecuted and convicted 21 traffickers under section 165-1, a decrease from 36 reported last year. The government also prosecuted and convicted an additional 15 traffickers under other sections of the law including seven under section 154-1, compared to none in 2006.

At least five of the convicted traffickers served time in prison. During the reporting period, two traffickers were sentenced to five to 10 years' imprisonment, two traffickers were sentenced to three to five years' imprisonment, and one trafficker was sentenced to one to three years' imprisonment. At the time of this report, the government was investigating the two cases of potential labor trafficking; however, to date, no one has been prosecuted, convicted, or sentenced for forced labor trafficking.

### Protection

The government made some efforts to improve victim protection. The Ministry of Welfare provided \$14,500 for the training of 271 social workers to improve the administration of victim assistance and rehabilitation services. Although the government allocated \$98,000 for victim assistance in 2007, it spent only \$23,000 – an increase from \$10,000 spent in 2006. The government offers foreign victims legal alternatives to removal; victims who agree to assist law enforcement may apply for temporary residency and work permits. In 2007, one trafficking victim received a temporary residency permit. Latvia encouraged victims to participate in investigations against their traffickers. In June 2007, the government instituted a 30-day

assistance; during the reporting period, 12 out of 27 identified victims qualified for and received government-funded assistance. The remaining 15 victims received assistance from non-government-funded NGOs. The government continued to provide training to law enforcement officers and specialists in orphan courts to identify victims of trafficking; however, the government referred 13 victims total to NGOs for assistance in 2007. The government did not penalize victims for unlawful acts committed as a direct result of their being trafficked.

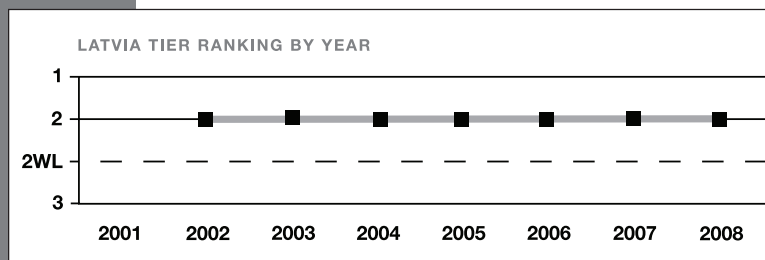
### Prevention

Latvia demonstrated modest efforts to prevent trafficking in persons during the reporting period. The Ministry of Family and Children's Affairs continued to train professionals in contact with vulnerable populations to advise potential victims of the dangers of trafficking. The Latvian government reported no measures to reduce the demand for commercial sex acts.

## LEBANON (Tier 2)

Lebanon is a destination for Asian and African women trafficked for the purpose of domestic servitude, and for Eastern European and Syrian women trafficked for the purpose of commercial sexual exploitation. Lebanese children are trafficked within the country for the purpose of commercial sexual exploitation and forced labor in the metal works, construction, and agriculture sectors. Women from Sri Lanka, the Philippines, and Ethiopia migrate to Lebanon legally, but often find themselves in conditions of forced labor, through unlawful withholding of passports, non-payment of wages, restrictions on movement, threats, and physical or sexual assault. During the armed conflict in July 2006, Sri Lankan domestic workers reported being restricted from leaving the country by their employers. Eastern European and Syrian women come to Lebanon on "artiste" visas, but some become victims of trafficking for commercial sexual exploitation when they are subjected to coercive acts such as such as unlawful withholding of passports, restrictions on movement, threats, and physical assault.

The Government of Lebanon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nevertheless, Lebanon is placed on Tier 2 for its failure to provide evidence of increasing efforts to combat trafficking over the previous year, particularly in the area of law enforcement against trafficking of domestic workers for forced labor and trafficking for commercial sexual exploitation. Although it reported 17 prosecutions last year, the government failed to convict or criminally punish anyone for trafficking offenses, despite ample evidence of conditions of forced labor. In addition, the government continued



"reflection period" during which non-Latvian victims and their dependent children are eligible for government-funded assistance and rehabilitation services while deciding whether to cooperate with law enforcement. Government authorities and two NGOs may authorize victims to obtain government

to lack victim protection services or a formal system to ensure that victims are not punished.

**Recommendations for Lebanon:** Significantly increase law enforcement activities against trafficking offenses, including arrests, prosecutions, convictions, and stringent jail punishments for abusive employers, recruitment agents, and others culpable for trafficking; develop and institute a formal procedure to identify victims of trafficking among vulnerable populations, such as women arrested for illegal migration or foreign women arrested for prostitution; and ensure that victims of trafficking are referred to protection services rather than detained for crimes committed as a result of being trafficked, such as immigration violations and prostitution.

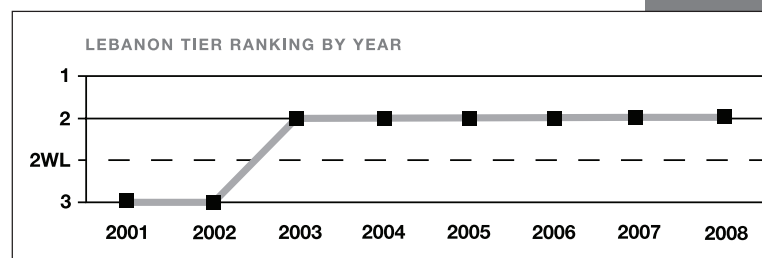
### Prosecution

Lebanon did not make significant efforts to prosecute or criminally punish trafficking offenses during the reporting period. Lebanon prohibits forced prostitution through Article 524 of its penal code; prescribed punishment under this statute is imprisonment for at least one year. In addition, commercial sexual exploitation of a person under 21 years old is prohibited by Article 523 of the penal code; the prescribed penalty for violation is imprisonment of one month to one year. The Lebanese Penal Code does not specifically prohibit forced labor, but Article 569's prohibition against deprivation of an individual's liberty to perform a task could be used to prosecute forced labor; the prescribed penalty under this statute is temporary hard labor. The prescribed penalties for acts of sex trafficking are not commensurate with those for other grave crimes, such as rape, and the prescribed penalties for prostitution of children and forced labor are not sufficiently stringent. Due to political constraints, during the reporting period, no legislation could be passed in Lebanon, on trafficking or otherwise. Domestic workers are not protected under Lebanese labor law provisions. Despite the availability of these statutes and laws against physical and sexual assault, the government reported no criminal prosecutions, convictions, or punishments for trafficking offenses; this represents a significant decrease from the 17 prosecutions reported last year. Although police arrested one employer for attempting to murder his domestic worker by beating her severely with a hammer on her back, shoulders, and hands, he was later released without a prison sentence in exchange for giving the worker \$6,500; the case is being investigated. Under its administrative laws, the government suspended the licenses of 11 recruitment agencies and closed two for, among other violations, physically abusing workers; nonetheless, no recruitment agent was criminally prosecuted or punished for the abuse. Moreover, despite widespread reports of withholding of passports—a potential indicator of forced

labor—the government did not report enforcing laws against this practice. Lebanon similarly did not report any prosecutions, convictions, or punishments for the forced labor or commercial sexual exploitation of children. Despite receiving 31 reports of physical abuse, rape, and withheld wages among adult club employees, these cases were settled out of court, and did not result in any prosecutions or convictions for trafficking offenses.

### Protection

The Government of Lebanon did not make sufficient efforts to protect victims of trafficking during the reporting period. Though government officials received training on victim interview techniques paid for by UNODC and the NGO *Caritas*, the government does not have a formal procedure to identify victims of trafficking among vulnerable populations, such as foreigners arrested for immigration violations or prostitution. As a result, victims of trafficking were likely punished for acts committed as a result of being trafficked, as foreign workers without valid residency and work permits are subject to arrest, detention, and deportation. Consistent with government regulations, it remains common for employers to force a domestic worker who breaks her contract



to repay residency and work permit fees, or pay for a paper releasing her from her contract; there is no exception for workers who break their contracts due to their employers' abuse. Victims are neither encouraged to participate in trials, nor offered legal alternatives to deportation to countries where they would face hardship or retribution. Rather, victims are often deported home before being given the opportunity to testify against their traffickers. Lebanon does not offer protection services to victims of trafficking; the government, however, referred nine trafficking victims to NGO shelters during the reporting period.

### Prevention

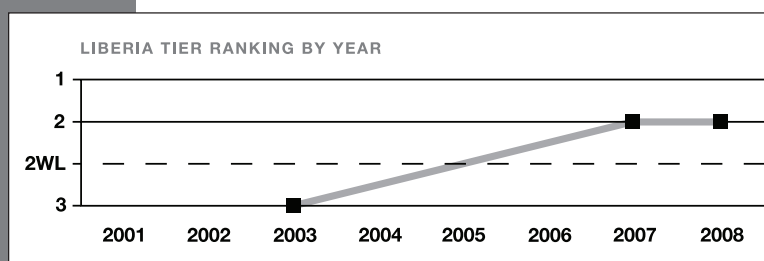
Lebanon made minimal efforts to prevent trafficking in persons. The government partnered with an NGO to produce a public awareness campaign on migrant workers' rights. In August, the Surete General and Ministry of Labor met with recruitment agencies to warn them against trafficking workers. The government did not take any steps to reduce the demand for commercial sex acts in Lebanon. The government similarly did not institute a public awareness campaign targeting citizens traveling to known child sex tourism destinations.

## LIBERIA (Tier 2)

Liberia is a source, transit, and destination country for children trafficked for forced labor and sexual exploitation. Most victims are trafficked within the country, primarily from rural areas to urban areas for domestic servitude, forced street vending, and sexual exploitation. Children are also trafficked to alluvial diamond mining areas for forced labor. Refugees and internally displaced children in Liberia have been subjected to sexual exploitation by some international organization and NGO personnel. A January 2008 UN report indicates, however, that such abuses by UN personnel have declined since the previous year. There have been reports that children are trafficked to Liberia from Sierra Leone, Guinea, and Cote d'Ivoire and from Liberia to Cote d'Ivoire, Guinea, and Nigeria for domestic servitude, street vending, sexual exploitation, and agricultural labor.

Struggling to rebuild after 14 years of civil conflict and two years of transitional rule, the capacity of the government elected in 2005 to address trafficking is limited by a crippled judiciary and a lack of resources. Aside from capacity issues, in the wake of its war, Liberia has not been sufficiently aggressive in prosecuting traffickers or providing care to victims.

The Government of Liberia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Great improvements are needed in the areas of law enforcement and victim protection. At the same time, the government undertook commendable efforts in the area of prevention.



**Recommendations for Liberia:** Increase law enforcement efforts against traffickers; allocate increased resources to police to investigate trafficking cases; develop a system for collecting data on trafficking prosecutions, convictions, and penalties; increase efforts to provide care for victims; and continue to educate the public about trafficking.

### Prosecution

The Government of Liberia demonstrated limited law enforcement efforts to combat trafficking in the last year. Liberia's 2005 Act to Ban Trafficking prohibits all forms of trafficking. No traffickers

have been convicted or sentenced under this law. The law prescribes a minimum penalty of one year imprisonment for labor trafficking of adults, six years' imprisonment for sex trafficking of adults, five to 11 years' imprisonment for child labor trafficking, and 11 to 16 years' imprisonment for child sex trafficking. These penalties are sufficiently stringent and commensurate with penalties prescribed for rape. The government investigated seven trafficking cases during the year, six of which were cases of trafficking within the country and one of which involved transnational trafficking. Three suspects remain in police custody pending trial, three were released on bail after their charges were reduced, and one suspect was deported. All newly recruited police officers continued to participate in UN-sponsored trainings on trafficking. Due to a shortage of funds, police continue to lack basic investigatory tools, such as vehicles, and rely heavily on UN assistance. The Women and Children Protection Section (WCPS) of the Liberia National Police collaborated with the UN to address sexual exploitation and abuse of minors by expatriate humanitarian workers in Liberia as well as by Liberian nationals.

### Protection

Liberia demonstrated minimal efforts to protect trafficking victims during the year. Due to lack of resources, the government does not directly provide shelter or other services to victims. However, Liberia refers victims to NGOs with the capacity to provide victim care. The WCPS referred victims to an international NGO and was available to provide security for victims. The government was unable to provide statistics on the number of children assisted. The government does not encourage victims, all of whom are children, to assist in trafficking investigations or prosecutions. Liberia does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Victims are not inappropriately incarcerated, fined or otherwise penalized for unlawful acts committed as a direct result of being trafficked.

### Prevention

The Government of Liberia made significant efforts to educate the public about trafficking. The Ministry of Labor's Commission on Child Labor launched a campaign to alert parents and children about the dangers of child labor on rubber plantations. The National Human Trafficking Task Force aired anti-trafficking radio spots funded by the Liberian government. Since November 2007, the Task Force has also worked closely with a local NGO on anti-trafficking public education programs by providing legal guidance. In October 2007, the Task Force held a government-funded workshop to sensitize local government officials about trafficking. The Task Force, which is chaired by the Minister of Labor, but which lacks a budget, held a meeting every two months in 2007. The government's Commission

on Child Labor, which was reestablished in 2005, continued to meet quarterly during the year. The government has taken steps to reduce demand for commercial sex acts through its awareness campaign against sexual exploitation and abuse.

## LIBYA (Tier 2 Watch List)

Libya is a transit and destination country for men and women from sub-Saharan Africa and Asia trafficked for the purposes of forced labor and commercial sexual exploitation. While most foreigners in Libya are economic migrants, in some cases large smuggling debts of \$500-\$2,000 and illegal status leave them vulnerable to various forms of coercion, resulting in cases of forced prostitution and forced labor. As in previous years, there were isolated reports that women from sub-Saharan Africa were trafficked to Libya for the purposes of commercial sexual exploitation. Although precise figures are unavailable, foreign observers estimate that approximately one to two percent of Libya's 1.5 to 2 million foreigners may be victims of trafficking.

The Government of Libya does not fully comply with the minimum standards for the elimination of trafficking, but is making significant efforts to do so. Libya is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to address trafficking in persons over the previous year, particularly in the area of investigating and prosecuting trafficking offenses. During the year, Libya provided in-kind assistance to training programs designed to educate law enforcement and civil society groups about trafficking. The government also appointed a national anti-trafficking coordinator responsible for Libya's efforts to protect trafficking victims and punish trafficking offenders. As in previous years, however, Libya did not publicly release any data on investigations or punishment of any trafficking offenses.

**Recommendations for Libya:** Adopt legislative reforms to criminalize all forms of trafficking; significantly increase law enforcement efforts specifically focused on human trafficking; institute and apply a formal procedure to identify and protect victims of trafficking; and continue training for law enforcement officials to sensitively treat victims of trafficking.

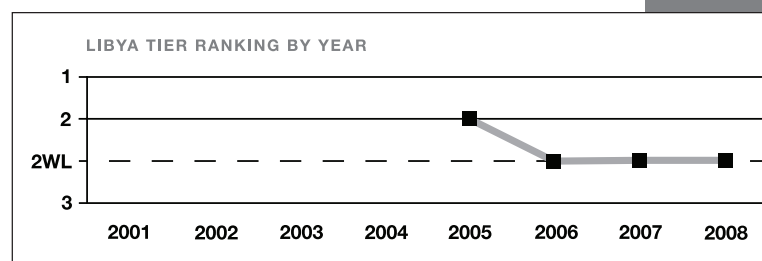
### Prosecution

The Government of Libya provided no public information on its law enforcement efforts to punish trafficking in persons during the reporting period. Libya's laws do not prohibit trafficking for commercial sexual exploitation or forced labor. The government failed to provide data on any criminal investigations, prosecutions, convictions or sentences for trafficking offenses this year, although senior officials noted during the year that Libya

prosecuted individuals for confiscating foreign workers' passports until the workers had repaid an alleged and sizeable smuggling 'debt.' Widespread corruption in the country may facilitate trafficking, but the government did not report prosecuting, convicting, or sentencing any official for complicity. In addition, Libya provided in-kind assistance for IOM training of law enforcement officials, including border security and customs, on trafficking.

### Protection

Libya took minimal steps to improve protection of victims of trafficking this year. The government did not provide protection services such as psychological or legal assistance to victims of trafficking. Libya provided in-kind support to a program that trained over 80 law enforcement officers and civil society activists to medically assist trafficking victims. Recognizing that many government officials still fail to distinguish between trafficking victims in need of protective services and other migrants, the government permitted international organizations access to vulnerable Eritreans, Ethiopians, Somalis, Sudanese, and Iraqis to screen for evidence of trafficking. While trafficking victims remained susceptible to punishment for unlawful acts, such as immigration violations and prostitution, committed as a result of being trafficked, during the reporting period, there were no reports that trafficking victims



were deported. The government does not actively encourage victims to participate in investigations and prosecutions against their traffickers.

### Prevention

During the reporting period, Libya took no discernible action to prevent trafficking in persons. The government did not conduct any public awareness campaigns to highlight the issue of trafficking in persons. Libya also did not take any measures to reduce the demand for commercial sex acts. Similarly, Libya did not undertake any public awareness campaigns targeting citizens traveling to known child sex tourism destinations abroad.

## LITHUANIA (Tier 1)

Lithuania is a source, transit, and destination country for women and children trafficked for the purpose of commercial sexual exploitation. Approximately 21 percent of Lithuanian trafficking

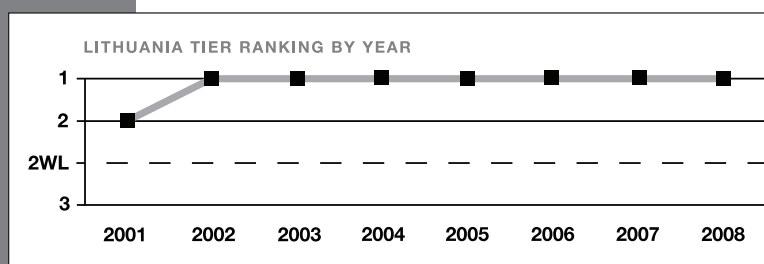
victims are underage girls. Lithuanian women were trafficked within the country and to the United Kingdom, Germany, Spain, Italy, Denmark, Norway, and the Netherlands. Women from Belarus, Russia (the Kaliningrad region), and Ukraine are trafficked to and through Lithuania for the purpose of sexual exploitation.

The Government of Lithuania fully complies with the minimum standards for the elimination of trafficking. During the last year, Lithuania sustained generous anti-trafficking funding by allocating more than \$144,000 to NGOs to help improve victim assistance and prevention efforts. The government also ensured that all convicted traffickers received prison sentences, a notable improvement from the previous reporting period.

**Recommendations for Lithuania:** Increase anti-trafficking training for law enforcement and judicial officials to ensure vigorous investigation and prosecution of trafficking cases, as well as the conviction and sentencing of traffickers to significant time in prison; continue efforts to improve witness protection for trafficking cases; and continue to improve cooperation with NGOs, especially in rural areas.

#### Prosecution

The Government of Lithuania demonstrated mixed law enforcement efforts during the reporting period; although the number of investigations, prosecutions, and convictions decreased, the government ensured that all convicted traffickers served some time in prison. Lithuania prohibits all forms of trafficking through Article 147 of its criminal code,



which prescribes penalties ranging from probation to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. In 2007, authorities initiated nine trafficking investigations, down from 26 investigations in 2006. Authorities prosecuted eight defendants during the reporting period, a significant decrease from 23 defendants prosecuted in 2006. Lithuanian courts convicted four trafficking offenders in 2007, a significant decrease from 10 convictions in 2006; however, all convicted traffickers received prison sentences—an improvement over 2006, when 20 percent of convicted traffickers served no time in prison. Sentences ranged from five to eight years'

imprisonment. Officials also acknowledge that many law enforcement officers lack experience in investigating trafficking cases and managing pre-trial investigations. Although Lithuania has bilateral cooperation agreements on combating trafficking with more than 20 countries, some NGOs claimed that officials lack the capacity to effectively obtain evidence from foreign law enforcement institutions; however, Lithuanian authorities' cooperation with police in the United Kingdom led to the successful convictions of Lithuanian traffickers. In May 2007, each of Lithuania's 10 counties appointed one police officer to coordinate anti-trafficking activities.

#### Protection

The Lithuanian government continued to improve efforts to protect and assist victims of trafficking. NGOs identified 56 trafficking victims in 2007, compared with 110 in 2006. In 2007, the government provided approximately \$144,000 to 13 anti-trafficking NGOs to conduct victim assistance and rehabilitation, including vocational training and job placement for victims. With funding from the government, IOM developed a method for victim identification and a national victim referral mechanism; it was formally adopted by police in December 2007. The government encouraged victims to assist in trafficking investigations and prosecutions, though many trafficking victims are reluctant to initiate cases. In 2007, the government allocated \$100,000 to improve witness protection services, including for victims of trafficking. Victims who participated in court proceedings were eligible for temporary residency permits. Identified victims were not penalized for unlawful acts committed as a direct result of their being trafficked.

#### Prevention

Lithuania showed significant progress in its trafficking prevention efforts. In March 2007, the government appointed a high ranking official at the Ministry of Interior to coordinate government-wide anti-trafficking activities. In 2007, the government held five anti-trafficking coordination meetings with NGOs, although NGOs reported there was uneven cooperation between NGOs and police, especially in rural areas. The government allocated approximately \$15,000 to NGOs for anti-trafficking prevention, including a campaign to reduce the demand for commercial sexual exploitation. The campaign included broadcasting of audio and video spots on radio and TV as well as posters at bus and train stations. The posters had the slogans: "It is a shame to buy women" and "Would you buy me?" These posters were displayed in approximately 2000 locations in 13 towns throughout the country. The government spent an additional \$30,000 for an anti-trafficking awareness campaign for youth in six cities during 2007.



## LUXEMBOURG (Tier 1)

Luxembourg is a destination country for women trafficked transnationally for the purpose of commercial sexual exploitation. During the reporting period, women were trafficked from Bulgaria, Poland, and Ukraine. According to the Luxembourg Red Cross, an increasing number of women from Africa and Latin America are engaged in prostitution in the country, and could be victims of trafficking.

The Government of Luxembourg fully complies with the minimum standards for the elimination of trafficking. The government improved its law enforcement efforts by sentencing and convicting more traffickers during the reporting period and took steps to address child sex tourism.

**Recommendations for Luxembourg:** Establish formal procedures to identify victims among women in the legal commercial sex trade and those in the country illegally; draft a trafficking law that distinguishes trafficking offenses from alien smuggling; establish the proposed network for victim protection; and launch an awareness campaign to educate potential clients about prostitution and its links to trafficking.

### Prosecution

In 2007, the government demonstrated strong law enforcement efforts to combat trafficking. During the reporting period, it convicted and sentenced six human traffickers on charges of procuring prostitution, human trafficking, and smuggling. Sentences ranged from one to three years' imprisonment and included fines. Article 379 of the penal code specifically criminalizes trafficking for the purpose of sexual exploitation, but does not explicitly address trafficking for purposes of forced labor. Forced labor is nonetheless criminalized in Luxembourg via its 1996 ratification of the European Social Charter. Penalties prescribed by Article 379 are sufficiently stringent and commensurate with penalties for rape. The government continued its ongoing training aimed at police, immigration, and other government officials and NGOs on victim identification. There was no evidence of trafficking complicity by Luxembourg public officials.

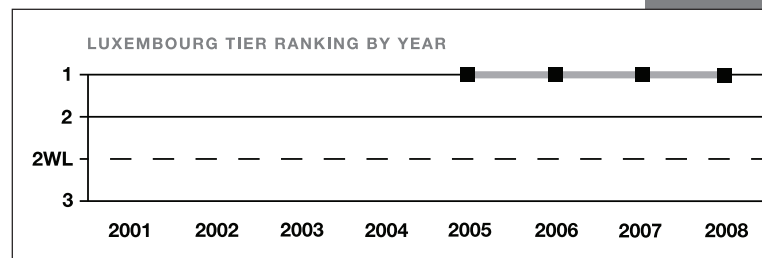
### Protection

The Government of Luxembourg continued to offer adequate protection to identified trafficking victims in 2007. The government encourages victims to participate in a criminal investigation and, through its funding of two domestic NGOs, provides shelter, protection, and assistance to victims. The government's specialized police

anti-trafficking unit reported that Luxembourg's legal commercial sex trade was a likely catalyst for trafficking and closely monitored the prostitution sector for evidence of trafficking. A 2007 report issued by the government estimated there were up to 500 women in prostitution in Luxembourg. While victims are not punished for unlawful acts committed as a direct result of their being trafficked, women in prostitution who are in the country illegally are often deported or imprisoned, and the government did not provide evidence that it systematically checked these women for trafficking indicators. The government did not establish a network to coordinate care for victims of trafficking, planned in 2006.

### Prevention

In 2007, the Ministry of Equal Opportunity conducted various symposia to publicize the negative effects of the commercial sex trade; however, it did not conduct any specific anti-trafficking awareness campaigns to prevent trafficking within the legal sex industry in Luxembourg during the reporting period. In 2007, the government co-funded and launched a campaign with ECPAT to prevent its nationals from engaging in child sex tourism abroad. The campaign created a special e-mail address to receive tips and disseminated posters and leaflets through travel agencies, at the national airport, at hospitals, and in municipal buildings. Luxembourg has not ratified the 2000 UN TIP Protocol.



## MACAU (Tier 2)

Macau is a destination for the trafficking of women and girls from the Chinese mainland, Mongolia, Russia, the Philippines, Thailand, Vietnam, Burma, and Central Asia, for the purpose of commercial sexual exploitation. Foreign and mainland Chinese women and girls are deceived into migrating voluntarily to the Macau Special Administrative Region for employment opportunities; upon arrival in Macau, some of the victims are passed to local triad groups and forced into sexual servitude through debt bondage, coercion, or force. Victims are sometimes confined in massage parlors and illegal but widely tolerated brothels, where they are closely monitored, have their identity documents confiscated, are forced to work long hours, or are threatened with violence. The control of the victims

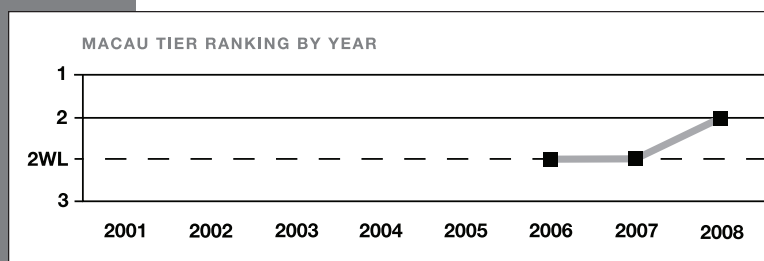
by organized crime syndicates makes it particularly dangerous for them to seek help.

The Macau Special Administrative Region (MSAR) does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government took steps toward revising its legal framework, prosecuted its first case of trafficking, and took initial steps to protect victims of trafficking. The government also established an interagency commission to coordinate efforts to fight human trafficking. Nevertheless, overall efforts to investigate and prosecute traffickers, particularly those involved in organized crime, remain inadequate. There also remains a serious lack of institutionalized protections for both foreign and domestic victims of trafficking in Macau.

**Recommendations for the Macau SAR:** Pass, enact, and implement the draft anti-trafficking law criminalizing all forms of trafficking; create and implement formal victim identification procedures to identify victims of trafficking and train law enforcement officials to use them; make greater efforts to provide shelter and victim services; and push for greater investigations and prosecutions of traffickers under the new comprehensive anti-trafficking law.

#### Prosecution

The Macau government demonstrated nascent and improved anti-human trafficking law enforcement efforts in 2007. Current Macau law does not prohibit all forms of trafficking, and only prohibits the trafficking of persons from Macau to outside destinations. Other current laws criminalize the sale or purchase of a person with the intent of placing that



person in a state of slavery, and criminalize kidnapping and rape, but these statutes are rarely used to prosecute trafficking crimes. During the reporting period, the government drafted a new anti-trafficking law, but this legislation has not yet been approved. The Macau government made little progress in investigating and prosecuting trafficking offenses. During the reporting period, the press reported six trafficking cases involving 17 women in Macau. Five of the cases involved women allegedly exploited in the commercial sex trade, and one case involved the alleged forced labor of three 14-year-old girls employed in a massage parlor. Because of limita-

tions in current Macau law, nearly all of the above cases are being pursued under statutes other than trafficking. Macau also had its first reported prosecution under the crime of international trafficking during the reporting period; the prosecution is ongoing. There were no other prosecutions during the reporting period, and there has never been a conviction for trafficking in Macau. During the reporting period, a Macau police officer was reportedly arrested after he blackmailed two women in prostitution for "protection" fees. The government has undertaken administrative discipline and criminal proceedings against him, and his case now rests in the prosecutor's office.

#### Protection

The government's protection efforts remained inadequate during the reporting period, and there remained a lack of institutionalized protections for trafficking victims. MSAR authorities have not designed any systematic, proactive ways to identify and refer for assistance victims among vulnerable populations. Although the Macau government identified 31 victims of trafficking in 2007, it is particularly concerning that none of the victims was given shelter or assistance, and all were likely deported for immigration violations. The government took initial steps to improve protection of victims of trafficking. The government's Social Welfare Bureau established a 24-hour hotline for reporting trafficking and contracted with a local NGO to provide for trafficking victim's care, including counseling services and shelter.

Foreign victims found it extremely difficult to escape their state of servitude given the lack of services in their native languages and the lack of their governments' diplomatic representation in Macau. MSAR authorities did not encourage victims to participate in the investigation or prosecution of traffickers. The control of intimidating Macau, Chinese, Russian, and Thai criminal syndicates over Macau's lucrative sex trade continued to dampen the willingness of the MSAR government to provide victims with witness protection, should they wish to participate in a prosecution of a trafficking offender. Victims were not offered legal alternatives to their removal to countries where they may face hardship or retribution. Victims detained for immigration violations were usually deported and barred from re-entry to Macau for up to two years.

#### Prevention

The government demonstrated modest progress in its trafficking prevention efforts, with senior officials making public statements on the dangers of trafficking and the need for greater measures to confront it. The government also published anti-trafficking brochures that were displayed at border checkpoints and hospitals. The government did not take

measures during the reporting period to reduce the demand for commercial sex acts or child sex tourism, or conduct any awareness campaigns targeting clients of Macau's legalized prostitution industry.

## MACEDONIA (Tier 1)

Macedonia is a source, transit, and destination country for women and children trafficked for the purpose of commercial sexual exploitation. Macedonian women and children are trafficked internally, mostly from eastern rural areas to urban bars in western Macedonia. Victims trafficked into Macedonia are primarily from Serbia and Albania. Macedonian victims and victims transiting through Macedonia are trafficked to South Central and Western Europe, including Bosnia, Serbia, Italy, and Sweden.

The Government of Macedonia fully complies with the minimum standards for the elimination of trafficking. The government made marked progress during the last year: it improved its capacity to identify and protect victims, resulting in a greatly increased number of victims identified and significantly more victims offered and provided assistance. The government's aggressive prosecution efforts resulted in an increased number of traffickers convicted.

**Recommendations for Macedonia:** Demonstrate appreciable progress in victim protection and assistance, including increased funding to the shelters for domestic victims and sustained assistance to NGOs providing victim services; proactively implement the new standard operating procedures on victim identification and the new reflection period for foreign victims; vigorously prosecute traffickers under the improved anti-trafficking legislation and sentencing guidelines, ensuring convicted traffickers receive adequate jail time; continue to vigorously prosecute any trafficking-related corruption; and expand demand reduction awareness efforts to educate clients of the sex trade about trafficking.

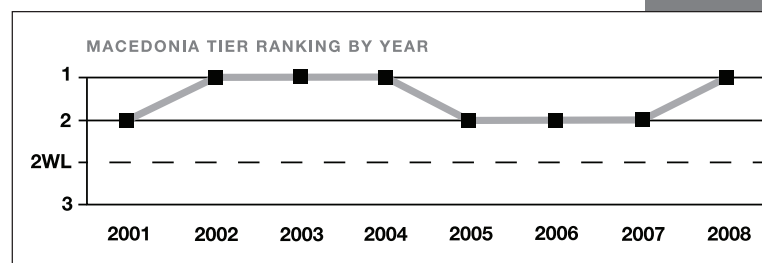
### Prosecution

The Government of Macedonia increased its law enforcement efforts in 2007. The government prohibits sex and labor trafficking through its 2004 criminal code: article 418 on all forms of trafficking in persons; article 418c on organizing a group for trafficking; and article 191 covering forced prostitution. Penalties prescribed for trafficking for commercial sexual exploitation are commensurate with those for rape. In January 2008, the government amended its criminal code, adding harsher penalties for those who traffic or attempt to traffic minors and for those who use the services of trafficked victims, to address the full range of trafficking crimes and satisfy the requirements of the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons. In 2007, the government prosecuted 55 cases related

to trafficking, and convicted 70 traffickers involved in 30 cases, a significant improvement from 54 convictions in 18 cases the previous year. Of the 70 convicted traffickers, 52 received sentences of a year or more jail time. While 39 of the 70 traffickers were convicted under smuggling charges, resulting in punishments ranging from eight months to two years, punishments for the 31 traffickers sentenced under article 418a and 418c ranged from two to nine years. The government produced and distributed a comprehensive trafficking training manual to police. Macedonia also refined how its judicial system addresses trafficking as part of an overall restructuring of its judiciary during the reporting period, including the creation of a new central office to coordinate all trafficking prosecutions nationwide and streamlining trafficking cases to a single court. The government upheld on appeal in May 2007 sentences imposed on two policemen in 2006 for trafficking-related crimes. In March 2008, the government began prosecuting a January 2007 case involving five policemen and one Ministry of Justice official charged with complicity in smuggling.

### Protection

The Government of Macedonia considerably increased its efforts to identify trafficking victims and identified 249 victims—152 foreign nationals and 97 Macedonian in 2007—compared to 17 in 2006. The government offered assistance including shelter, legal and medical assistance, witness protection, psychological assistance, and vocational training to all potential victims in 2007. However, according to data provided by NGOs, IOM, and government agencies assisting victims, less than one-third of identified potential victims accepted this assistance and protection. Although the government encourages victims to participate in investigations and trials, the short length of the reflection period allowed to foreign victims during the majority of the reporting period may have rendered



some victims reluctant to identify themselves or denounce their exploiters. In January 2008, the government introduced an extended two-month residency permit and reflection period for foreign victims to allow victims more time to receive assistance and decide whether to testify against their traffickers. This permit includes an additional six-month permit once such proceedings are underway. The government reported that no victims

applied for such a permit. There were no reports or evidence of victims of trafficking being penalized by authorities for unlawful acts committed as a direct result of their being trafficked. During the summer of 2007, a joint inter-ministerial/NGO working group drafted and enacted throughout Macedonia comprehensive and victim-centered standard operating procedures for proactive victim identification. These procedures were fully implemented throughout the country by the time they were unveiled and endorsed by the Prime Minister in January 2008. The government expanded its assistance to trafficking-related NGOs as part of its annual program for NGO assistance. The government provided approximately \$11,000 in direct support and \$62,000 in in-kind support to five trafficking-related NGOs, including the NGO that runs the shelter for domestic trafficking victims, and it pursued discussions on the provision of pro bono services by government doctors, lawyers, security personnel, and social workers with the NGO-run shelter for domestic victims.

### Prevention

The government proactively implemented its anti-trafficking plan over the reporting period. It greatly improved overall coordination and ability to collect statistics on trafficking in 2007, and opened an anti-trafficking national coordinating office within the Ministry of Interior. The National Referral Mechanism office strengthened the work of 27 centers throughout Macedonia who provide services to trafficking victims. The government provided personnel and financial support for NGOs conducting anti-trafficking prevention and awareness-raising, including efforts to educate clients on the health and legal risks of commercial sex. In April 2007, the government completed a successful pilot project for the education and integration of 10 Macedonian trafficking victims. Macedonian officials at all levels of government participated in anti-trafficking awareness campaigns. The government addressed demand reduction through legal means by adopting amendments to its criminal code in January 2008 that stiffened penalties against knowing clients of trafficking victims. The government also provided anti-trafficking training to its troops deployed abroad.

## MADAGASCAR (Tier 1)

Madagascar is a source country for women and children trafficked within the country for the purposes of forced labor and sexual exploitation. Children, mostly from rural areas, are trafficked for domestic servitude, commercial sexual exploitation, forced labor for traveling vendors, and possibly mining. Young women are also trafficked

for domestic servitude and sexual exploitation. A child sex tourism problem exists in coastal cities, including Tamatave, Nosy Be, and Diego Suarez, as well as the capital city of Antananarivo, with a significant number of children prostituted; some were recruited in the capital under false pretenses of employment as waitresses and maids before being exploited in the commercial sex trade on the coast. The main source countries for child sex tourists are France, Italy, Spain, Germany, Switzerland, Mauritius, and Reunion. Victims are usually girls, but reports of foreign male tourists seeking sex with underage boys have increased. Some internal child sex trafficking reportedly occurs with the complicity of family members, friends, transport operators, tour guides, and hotel workers. Some government officials reported significant pressure from child victims' parents to refrain from taking law enforcement action so as not to impact the family's source of income.

The Government of Madagascar fully complies with the minimum standards for the elimination of trafficking. Madagascar remains a leader in combating trafficking among sub-Saharan African countries, and has made a notable commitment to addressing the problem of child sex tourism. The government significantly increased its law enforcement efforts during the reporting period, including the adoption of a comprehensive anti-trafficking law and the punishment of local government officials who facilitated trafficking.

**Recommendations for Madagascar:** Utilize the newly passed anti-trafficking law to prosecute and punish traffickers; institute a formal process for law enforcement officials to document trafficking cases and refer victims for assistance; and continue investigation of and prosecute public officials suspected of colluding with traffickers or accepting bribes to overlook trafficking crimes.

### Prosecution

Madagascar's anti-trafficking law enforcement efforts significantly improved during the reporting period, particularly in regard to legal reforms and action against local government officials' complicity in trafficking. In July 2007, the Ministry of Labor released a decree listing prohibited forms of child labor, including prostitution, domestic slavery, and forced labor, and clarifying the application of the labor code to child workers. In August, the Parliament adopted a law against child sexual exploitation that proscribes punishment for adult exploiters of children in prostitution. In December 2007, the government enacted a comprehensive law that prohibits all forms of human trafficking though it only prescribes new punishments for sex trafficking; these range from two years' to life imprisonment, penalties that are

sufficiently stringent and commensurate with those prescribed for other grave crimes. Article 262 of the Labor Code criminalizes labor trafficking, for which it prescribes penalties of one to three years' imprisonment. As there is no centralized reporting of legal cases, the government was unable to provide comprehensive law enforcement statistics for 2007.

In some tourist areas, local police appeared hesitant to prosecute child sex trafficking and child sex tourism offenses, possibly because of deep-rooted corruption, pressures from the local community, or fear of an international incident. During the reporting period, however, the government cracked down on local officials directly or indirectly involved in facilitating trafficking and the related problem of child sex tourism. In conjunction with the prosecution of a Swiss national, Madagascar's anti-corruption agency suspended the District Chief in Nosy Be for selling fake identify cards to minors, as well as the President of the Tribunal and the local prosecutor for giving the Swiss national and other child sex tourists lenient sentences. In July 2007, the Ministry of Justice removed the prosecutor and the President of the Tribunal in Fort Dauphin as punishment for their ineffectiveness in prosecuting sex tourists. During the reporting period, the government also actively cooperated with other governments in the investigation and prosecution of trafficking cases. In November 2007, two French magistrates from Reunion were removed from their positions by the administration in Reunion for complicity in child sex tourism in Madagascar; Malagasy police conducted the local investigation. In July 2007, the government, in collaboration with UNICEF and a local NGO, completed a one-year program to train police, gendarmes, magistrates, and social workers in the protection of children, including how to recognize, investigate, and prosecute instances of trafficking.

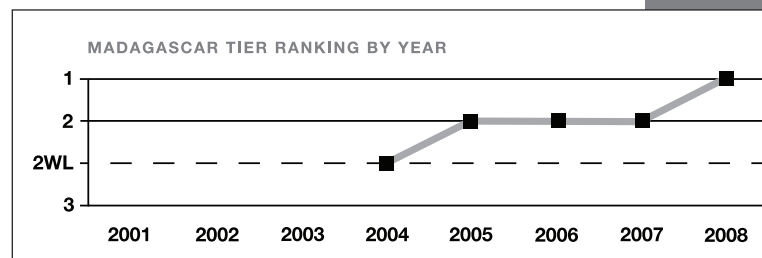
### Protection

The government sustained its efforts to assist trafficking victims. The government's Welcome Centers in Antananarivo, Tamatave, and Tulear assisted 105 victims of child labor and trafficking during the reporting period and reintegrated them into schools or vocational training. The centers' physicians provided medical and counseling services to victims, while labor inspectors taught job search skills. With foreign assistance, a fourth Welcome Center is under construction in Nosy Be. While there is no formal process to refer identified victims to NGOs for care, the three government Welcome Centers and 14 child protection networks established by UNICEF – comprised of government institutions, NGOs, and law enforcement officials – filled this role in major cities throughout the country. For example, the child protection network in Diego Suarez brought together 22 government and NGO participants to handle individual cases of child exploitation from the initial complaint

through the trial, including medical assistance, counseling, and legal advice for victims. Counseling centers run by local NGOs and supported by the Ministries of Justice and Health in Antananarivo and Fianarantsoa provided psychological support and legal advice for victims of child abuse and sex trafficking. Parents of trafficked children received advice on procedures for filing court cases, but most declined to do so, either for fear of reprisal or because of a payoff from the perpetrator. The government did not penalize trafficking victims for unlawful acts committed as a direct result of their being trafficked and encouraged them to assist in the investigation and prosecution of their exploiters. The government does not provide legal alternatives to the removal of victims to countries where they would face hardship or retribution; undocumented foreign victims, if a case were to arise, would likely be deported.

### Prevention

The government's trafficking prevention efforts, through its promotion of greater awareness of trafficking, increased over the year and reached thousands of residents. In 2007, the Ministry of Justice conducted training on child trafficking and the worst forms of child labor for 70 representatives of child protection networks and women's NGOs, as well as for 120 magistrates, lawyers, and clerks. It also conducted awareness-raising sessions for over 200 residents of high-risk neighborhoods in the capital, the staff of 10 hotels in Nosy Be, and 1,000 clients of legal clinics in Antananarivo, Mananjary, and Fort Dauphin. Furthermore, ministry officials appeared on national television and radio programs educating the public about the new anti-trafficking



law and distributed manuals on combating child trafficking to members of parliament, as well as distributing 1,000 copies of the penal code to police throughout the country. The State Secretary for Public Security continued its ongoing campaign to educate school students on child prostitution and legislation concerning the protection of minors. The Morals and Minors Brigade in Fort Dauphin alerted schools that child trafficking victims were contacted by exploiters via cell phone; many schools promptly banned the use of cell phones. The Ministry of Labor partnered with the Malagasy Soccer Federation to conduct campaigns against child labor in Majunga and Sambava, and established two additional Regional Committees

to Combat Child Labor in the southwest and the east coast. In July 2007, the government's statistical agency, in collaboration with ILO-IPEC, launched a nationwide household survey on child labor and child trafficking. In December 2007, the government adopted the National Action Plan to Fight against All Forms of Violence against Children, which includes child trafficking.

The government continued its national awareness campaign against child sex tourism by conducting a number of law enforcement actions during the reporting year. A convicted Swiss tourist received a five-year suspended sentence and was expelled from the country. Also suspected of sexual exploitation of minors in Nosy Be, two Mauritians were expelled from the country, while two other Mauritians and two Germans were arrested, but later released due to lack of sufficient evidence. In Tamatave, a foreign restaurant and hotel owner awaits the court's verdict on charges of facilitating the commercial sexual exploitation of three waitresses, including two below the age of 18. Police took additional steps to prevent child sex tourism by permanently closing several nightclubs in Nosy Be and Fort Dauphin for allowing minors on their premises. The government also displayed posters targeting sex tourists in airports and hotels, including a full-page warning in the customs booklet given to arriving international travelers. In 2007, Madagascar's president issued a stern warning to would-be sex tourists, promising that legislation against sex tourism would be enforced.

## MALAWI (Tier 2)

Malawi is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. The incidence of internal trafficking is believed higher than that of cross-border trafficking, and practices such as debt bondage and forced labor exist. Children are primarily trafficked internally for agricultural labor, but also for animal herding, domestic servitude, commercial sexual exploitation, and to perform forced menial tasks for small businesses. Trafficking victims, both adults and children, are lured by fraudulent job offers into situations of forced labor and commercial sexual exploitation within Malawi and in Mozambique, South Africa, and Zambia. In 2007, a Malawian man was allegedly trafficked to Uganda under the pretense of attending vocational school, but was instead forced to perform agricultural labor. Women and children from Zambia, Mozambique, and possibly Tanzania and Somalia are trafficked to Malawi for forced labor and commercial sexual exploitation.

The Government of the Malawi does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The failure to adequately

punish convicted traffickers in 2007 resulted in Malawi's downgrade from Tier 1 to Tier 2; insubstantial punishments such as fines and warnings did not reflect the seriousness of the crimes or help to deter future instances of trafficking. However, the government continued a number of its admirable anti-trafficking efforts during the year, including those to raise public awareness of the crime and investigate cases of child labor trafficking.

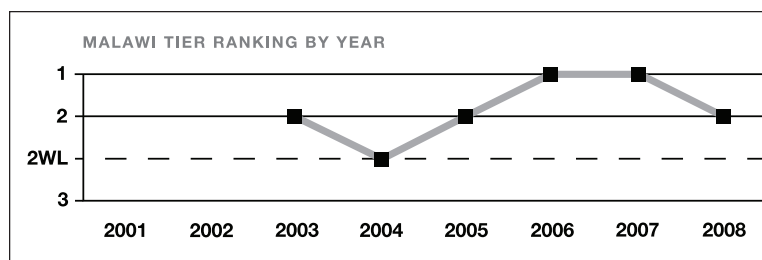
**Recommendations for Malawi:** Continue to provide training for judges, prosecutors, and police on how to investigate and prosecute trafficking cases utilizing existing laws; and pass and enact comprehensive anti-trafficking legislation.

### Prosecution

The Government of Malawi's anti-trafficking law enforcement efforts diminished over the last year. Malawi prohibits all forms of trafficking through existing laws, including Articles 135 through 147 and 257 through 269 of the Penal Code, though a lack of specific anti-trafficking legislation makes prosecution challenging and allows for potentially weak punishments to be imposed on convicted traffickers. The Child Care, Protection and Justice Bill, which defines child trafficking and sets a penalty of life imprisonment for convicted traffickers, remains in Cabinet and was not passed by Parliament during the reporting period. In early 2008, the Malawi Law Commission held consultative sessions with stakeholders and began drafting comprehensive anti-trafficking legislation to outlaw all forms of the crime. In 2007, child labor and kidnapping laws were used to convict child traffickers, although, unlike in past years, there were no reports that traffickers received prison sentences. According to the Ministry of Labor, 20 people were convicted of child labor violations—the majority of which were cases of internal child trafficking—resulting in the payment of fines; however, some traffickers who claimed ignorance of the law were merely warned and released. The minimal punishments meted out to traffickers during the reporting period demonstrated a lack of understanding on the part of judicial and other government officials of the seriousness of human trafficking crimes. For example, in June 2007, a man convicted of trafficking 12 girls within Malawi for commercial sexual exploitation was sentenced to four years in prison, but upon claiming he did not know trafficking was a crime, was allowed to pay a fine of \$132 instead. The government's Anti-Corruption Bureau received two complaints of government corruption relating to trafficking during the reporting period; both remain under investigation.

### Protection

The Malawian government's assistance to child trafficking victims appeared to decrease in 2007 as compared to the previous year. The government



## MALAYSIA (Tier 2 Watch List)

Malaysia is a destination, and to a lesser extent, a source and transit country for women and children trafficked for the purpose of commercial sexual exploitation and men, women, and

funds and operates a social rehabilitation drop-in center in Lilongwe for victims of trafficking and gender-based violence; four trafficking victims received assistance in 2007, compared to 50 in the previous reporting period. The police operated 34 victim support units throughout the country that specialize in handling gender-based violence and trafficking crimes and provide limited forms of counseling and temporary shelter. These units implemented the government's established procedures for referring victims to NGOs that provide protective services; those with medical needs were referred to government hospitals. Cross-ministerial district child protection committees monitored their districts for suspicious behavior and reported suspected trafficking cases to police and social welfare officers. The Ministry of Labor's 120 district labor inspectors also identified trafficked children. During the reporting period, the Ministry of Women and Child Development recruited and trained 160 new volunteer community child protection workers and placed them in districts throughout the country. The government encourages victims' participation in the investigation and prosecution of trafficking crimes, and does not inappropriately incarcerate, fine, or otherwise penalize victims for unlawful acts committed as a direct result of being trafficked. Government officials indicate that foreign victims are usually granted temporary residency status.

### Prevention

The government sustained its significant level of public awareness raising efforts during the reporting period. In June 2007, the government and UNICEF began a child rights information campaign called "Lekani" or "Stop!" that includes billboards, bumper stickers, and newspaper ads which provide messages against trafficking, child labor, and child sexual exploitation. The campaign also includes a radio program on child rights broadcasted by Malawi Broadcasting Corporation and primary school education materials in the local languages. The Ministry of Women and Child Development and UNICEF completed a baseline survey on child protection covering child labor and child trafficking in November 2007. The Malawi Defense Force provides training on human rights, child protection, human trafficking, and gender issues to its nationals deployed abroad as part of peacekeeping missions.

children for forced labor. Malaysia is mainly a destination country for men, women, and children who migrate willingly from Indonesia, Nepal, Thailand, the People's Republic of China (P.R.C.), the Philippines, Burma, Cambodia, Bangladesh, Pakistan, and Vietnam to work, some of whom are subjected to conditions of involuntary servitude by Malaysian employers in the domestic, agricultural, construction, plantation, and industrial sectors. Some migrant workers are victimized by their employers, employment agents, or traffickers that supply migrant laborers and victims of sex trafficking. Victims suffer conditions including physical and sexual abuse, debt bondage, non-payment of wages, threats, confinement, and withholding of travel documents to restrict their freedom of movement. In addition, some female domestics from Indonesia, Thailand, the Philippines, Cambodia, Vietnam, Burma, Mongolia, and the P.R.C. are forced into commercial sexual exploitation after being deceived with promises of jobs or after running away from abusive employers. Individual employment agents sold women and girls into brothels, karaoke bars, or passed them to sex traffickers. Some Burmese registered with the United Nations as refugees, a status not recognized by the Malaysian government, are vulnerable to being trafficked for forced labor. To a lesser extent, some Malaysian women, primarily of Chinese ethnicity, are trafficked abroad for commercial sexual exploitation. Also, a few Malaysians, specifically women and girls from indigenous groups and rural areas, are trafficked within the country for labor and commercial sexual exploitation.

The Government of Malaysia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Malaysia is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts from the previous year to tackle its large and multidimensional trafficking problem, including its forced labor problem. The Government of Malaysia enacted comprehensive anti-trafficking legislation in July 2007. It completed development of implementing guidelines, training of key law enforcement and social service officers, and issued legislative supplements to bring the law fully into force in late February 2008. The government, however, did not yet take action against exploitative employers or labor traffickers during the reporting period. The government has not yet widely implemented

mechanisms to screen victims of trafficking from vulnerable groups. The government established an interagency National Council for Anti-Trafficking in Persons that includes representatives from civil society that has drafted a national action plan. Also in March 2008, the Ministry for Women, Family, and Community Development opened two trafficking victims' shelters and began assisting foreign victims of sex trafficking.

**Recommendations for Malaysia:** Fully implement and enforce the comprehensive anti-trafficking in persons law. Adopt proactive procedures to identify victims of trafficking among vulnerable groups such as migrant workers and foreign women and children arrested for prostitution. Apply appropriate criminal penalties to those involved in fraudulent labor recruitment for the purposes of forced labor or debt bondage. Ensure that victims of trafficking are not threatened or otherwise punished for crimes committed as a result of being trafficked. Significantly improve its record of prosecutions, convictions, and sentences for sex and labor trafficking. Re-examine existing MOUs with source countries to incorporate victim protection provisions and prohibit passport or travel document confiscation in line with Malaysia's Passport Act, anti-trafficking law, and international standards. Disseminate information on the 2007 law throughout the country and train law enforcement, immigration, and prosecutors on use of the new legislation. Implement and support a visible anti-trafficking awareness campaign directed at employers and clients of the sex trade. Increase efforts to prosecute and convict public officials who profit from, are involved in trafficking, or who exploit potential victims.

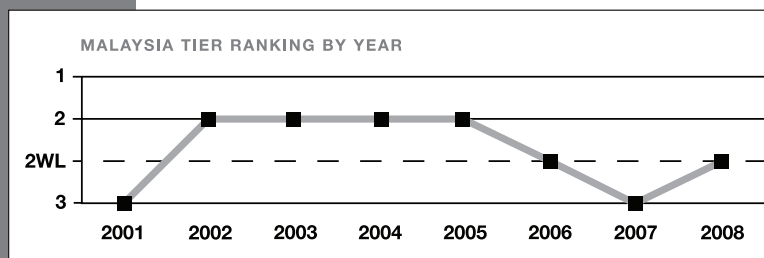
### Prosecution

The Government of Malaysia demonstrated improvements in efforts to investigate and prosecute trafficking cases during the reporting period. Malaysian law prohibits all forms of human trafficking through its July 2007 comprehensive anti-trafficking law, which prescribes penalties that are commensurate with those prescribed for other grave offenses, such as rape. The government did not provide comprehensive prosecution and conviction statistics, and, prior to bringing the new anti-trafficking law into force, continued to

rely on its Emergency Ordinance and Restricted Residence Acts for law enforcement actions against suspected sex traffickers. These laws have been criticized for lack of transparency and due process. In November 2007, a Malaysian court convicted a 32-year-old HIV positive Malaysian citizen for procuring a 14-year-old girl for sex; he was sentenced to 43 years in jail, 20 strokes of the cane, and a fine of \$15,625.00. In January 2008, police arrested a couple in Sabah for trafficking seven Filipina women for commercial sexual exploitation; the couple recruited the women with promises of jobs as waitresses. In March 2008, the police conducted a raid in Johor Bahru that resulted in the rescue of 17 Thai women trafficked into commercial sexual exploitation. A second raid by police rescued four Chinese and two Vietnamese women, also trafficked into commercial sexual exploitation. Also in March 2008, Malaysian immigration authorities carried out a raid in Seremban that resulted in the detention of three suspected traffickers and the rescue of seven Thai and three Lao women trafficked into commercial sexual exploitation. During the reporting period, the Royal Malaysian Police (RMP) detained 55 suspected traffickers for commercial sexual exploitation under the Emergency Ordinance and Restricted Residence Act. The government did not report prosecutions against suspected traffickers arrested and jailed under these preventive laws.

Despite indications of a sizable number of migrant laborers trafficked to Malaysia and widespread media reporting of the trafficking conditions many of these workers face, the government did not report any criminal investigations or prosecutions of Malaysian employers who subjected foreign workers to conditions of forced labor or Malaysian labor recruiters who used deceptive practices and debt bondage to compel migrant workers into involuntary servitude.

During the reporting period, there were several NGO and media reports regarding groups of foreign workers subjected to conditions of forced labor in Malaysia. In March 2008, Bangladeshi workers at a chain of U.K.-owned supermarkets in Malaysia reportedly faced deceptive recruitment, debt bondage, and exploitative wage deductions consistent with forced labor. In November 2007, reports surfaced regarding 1,300 Vietnamese laborers subjected to debt bondage, contract switching, confiscation of travel documents, confinement, and threats of deportation at a Hong Kong-owned apparel factory in Penang. Despite ample reporting on these incidents, Malaysian authorities did not respond with criminal investigations or prosecutions regarding the alleged offenses. In the Penang case, the complainants pursued the matter as a labor dispute, rather than ask the police to make





a criminal investigation. A 2006 Memorandum of Understanding (MOU) between the Governments of Malaysia and Indonesia covering the employment of Indonesian women as domestic servants in Malaysia authorizes Malaysian employers to confiscate and hold the passport of the domestic employee throughout the term of employment. This practice is recognized by many in the international anti-trafficking community as facilitating the involuntary servitude of domestic workers.

Malaysia, particularly in accordance with the aforementioned MOU with Indonesia, did not prosecute employers who confiscated migrant workers' passports or who confined workers to the workplace. Passport confiscation, otherwise a violation of the Passports Act, is a common method of controlling contract laborers. It also remained common practice for the wages of employees to be held in "escrow" until completion of a contract.

There were no substantiated reports of direct government involvement in the trafficking of persons at either the local or institutional level; however, there were reports of low-level complicity of immigration authorities at the land borders with Thailand and Indonesia. No government officials were implicated, arrested, or tried for involvement in trafficking.

### Protection

Malaysia's overall efforts to protect victims of trafficking remained inadequate during the reporting period. Basic protections for victims were widely unavailable to most foreign females trafficked for sexual exploitation to Malaysia during the year. The Malaysian government stated it encouraged victims to assist in the investigation and prosecution of traffickers; in practice few victims were willing to testify. A trafficking victim may file a civil suit against a trafficker under Malaysian law, but in practice this seldom happens. Potential victims continued to be charged for prostitution and immigration violations during the reporting period. The government provided no legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. There was no widespread effort by the Government of Malaysia to identify trafficking victims among vulnerable migrant groups, such as girls and women detained for involvement in prostitution or the thousands of undocumented migrant workers rounded up by RELA, a government-sponsored public security auxiliary force. Victims detained by immigration authorities, including children, were routinely processed as illegal migrants and held in prisons or illegal migrant detention facilities prior to deportation.

In March 2008, the Ministry for Women, Family and Community Development opened two shelters and provided assistance to 33 victims of

sex trafficking rescued during its first month in operation. The victims were processed through a magistrate's court within 24 hours or less to legally identify them as trafficking victims before their placement in the shelter. Prior to the opening of the government shelters, the RMP instituted an informal victim referral process that referred over 200 suspected trafficking victims to NGO and embassy operated shelters. Immigration authorities did not screen foreign women arrested for prostitution for identification as trafficking victims, but instead processed them for quick deportation. In some cases, especially those involving deportation over land borders such as along the Malaysian-Indonesian border on Borneo, trafficking victims were vulnerable to being re-trafficked by traffickers operating at formal border crossing points.

### Prevention

Senior Malaysian officials, including the Prime Minister, Foreign Affairs Minister, and Minister for Women, Families, and Social Development, increasingly spoke out against trafficking in persons, but the Government of Malaysia did not sponsor anti-trafficking information campaigns during the reporting period. In January 2008, the Director General for Enforcement in the Department of Immigration issued a public warning that employers could be charged under the new anti-trafficking law for cases involving abuse and exploitation of foreign workers. There were no visible measures taken by the government to reduce demand for commercial sex acts or raise awareness about child sex tourism. Protection officers from the Women's Ministry received specialized training on assisting victims. The RMP initiated training of trafficking victim identification during the year. All troops assigned to peacekeeping missions received training on trafficking in persons at Malaysia's Peacekeeping Training Center at Port Dickson. There were no allegations that Malaysian peacekeepers were involved in trafficking or in exploiting trafficking victims. The government has not ratified the 2000 UN TIP Protocol.

## MALI (Tier 2)

Mali is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and commercial sexual exploitation. Victims are trafficked from rural to urban areas within Mali and between Mali and other West African countries, most notably Burkina Faso, Cote d'Ivoire, Guinea, Senegal, and Mauritania. Women and girls are trafficked primarily for domestic servitude and, to a lesser extent, sexual exploitation, and boys are trafficked for forced begging and forced labor in agriculture and gold mines. Mali may be a transit country for victims, primarily adults, trafficked from other African

countries through Mali to North Africa and Europe. Although slavery is illegal in Mali, slavery-related practices, rooted in historical master-slave relationships, continue in some rural areas of the country.

The Government of Mali does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. The government's law enforcement efforts slightly increased from last year with the conviction of a trafficker, while protection efforts remained steady and prevention efforts continued to be limited.

**Recommendations for Mali:** Draft, pass, and enact a law prohibiting the trafficking of adults for purposes of labor and sexual exploitation; increase efforts to investigate, prosecute, convict, and punish trafficking offenders; develop a system for collecting data on trafficking crimes and the number of victims rescued or assisted by government authorities; establish a national committee against trafficking as called for in the government's national action plan; and increase efforts to raise public awareness about trafficking.

#### Prosecution

The Government of Mali demonstrated slightly increased law enforcement efforts to convict and punish traffickers during the last year. Mali does not prohibit all forms of trafficking, though its 2002 criminal code's Article 229 criminalizes child trafficking. The prescribed penalties under Article 229, which are five to 25 years' imprisonment, are sufficiently stringent and commensurate with penalties prescribed for rape. Criminal Code Article 242, passed in 1973, prohibits slavery, prescribing penalties of five to 10 years' imprisonment for slaveholders, and up to 20 years' imprisonment if the victim is younger than 15. Mali does not otherwise prohibit the trafficking of adults. In November 2007, Mali convicted one child trafficker, imposing a sentence of five years' imprisonment. Because the convicted individual had already served two years of pre-trial detention, his sentence was subsequently reduced to three years. Three Ivoirians are also in prison and awaiting trial for trafficking children through Mali. Authorities are investigating four additional suspects for sexually exploiting minors. The government

provided training sites and logistical assistance to NGOs that provided customs officers, police, and border guards with trafficking training. During the year, Mali cooperated with U.S. and French officials to investigate one case of child trafficking in Europe. Mali also shares law enforcement information with neighboring Guinea, Senegal, and Cote d'Ivoire pursuant to cooperative anti-trafficking agreements with these nations. In 2007, the government added a segment on child trafficking to the standard training curriculum at the national police academy.

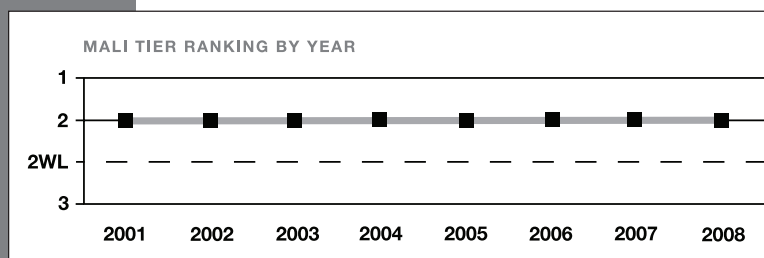
#### Protection

The Government of Mali demonstrated moderate efforts to protect trafficking victims in the last year. Due to a lack of resources, the government does not provide direct services to victims, but relies instead on victim shelters operated by NGOs. Officials from the Ministry for the Promotion of Women, Children and Families (MPFEF) posted throughout the interior of the country work with NGO counterparts to care for trafficking victims and return them to their families. The MPFEF, police, and customs also work with their counterparts from neighboring countries to facilitate the repatriation of non-Malian trafficking victims. The government also continued to provide in-kind assistance, such as land, buildings, and personnel, to NGOs providing services to trafficking victims. The Malian government was able to provide only partial data for the number of trafficking victims referred to civil society organizations in the last year. According to the MPFEF, as of June 2007, twenty-six Malian child trafficking victims were repatriated to Mali from neighboring countries, 39 Malian child trafficking victims were intercepted by police and returned to their families, and 69 children of other nationalities were intercepted in Mali and repatriated to their countries of origin. A local NGO responsible for caring for trafficking victims and locating their families reported that Malian authorities referred approximately 100 Malian and non-Malian children for assistance during 2007. Of these, 60 children were returned to their families.

The government encourages victims to assist in trafficking investigations or prosecutions by asking them to provide testimony about their traffickers. Mali does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Victims are not inappropriately incarcerated or fined for unlawful acts committed as a result of being trafficked.

#### Prevention

The Government of Mali made minimal efforts to prevent trafficking and raise awareness of trafficking during the last year. The government has participated in NGO-sponsored trafficking awareness campaigns to encourage border police and bus, taxi, and truck drivers to report suspected trafficking cases to



authorities. The government also supported awareness campaigns by providing free air-time on the government-run television station. In the last year, the government adopted a national framework for combating the worst forms of child labor. During the year the Malian police force's "morals brigade" periodically raided prostitution rings in Bamako to reduce the demand for commercial sex acts.

## MALTA (Tier 2)

Malta is a destination country for women trafficked for the purpose of commercial sexual exploitation. There is evidence that women from Russia, Ukraine, Romania, and other Eastern European countries may be trafficked to Malta for forced prostitution. Between 1,500 and 1,800 African illegal immigrants arrive in Malta each year; it is unclear whether any are trafficked to or through Malta for labor or sexual exploitation.

The Government of Malta does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Malta took initial steps toward formalizing a victim referral mechanism and providing training for law enforcement officials but has not yet conducted any trafficking prevention activities.

**Recommendations for Malta:** Demonstrate sustained implementation of a formal trafficking victim identification and referral mechanism; increase advertising of the hotline for trafficking prevention and distribution of prevention publications to potentially vulnerable people, including migrants rescued at sea; target awareness-raising activities at clients of the sex trade; continue to vigorously investigate and prosecute human trafficking, and convict and sentence trafficking offenders, including public officials complicit in trafficking; and formalize legal alternatives to victims' removal to countries in which they would face retribution or hardship.

### Prosecution

Malta demonstrated increased efforts to prosecute trafficking in persons offenses during the reporting period. Malta's criminal code prohibits trafficking for commercial sexual exploitation and involuntary servitude, and prescribes punishments of two to nine years' imprisonment. In 2002, the government enacted Chapter Nine of the penal code to replace the White Slave Traffic Ordinance, an antiquated British statute. In 2007, the government altered the penal code with Act XXXI to increase penalties for the rape or prostitution of a minor, now prescribing a three-to-nine-year sentence. These prescribed penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes. According to the police, two separate investigations

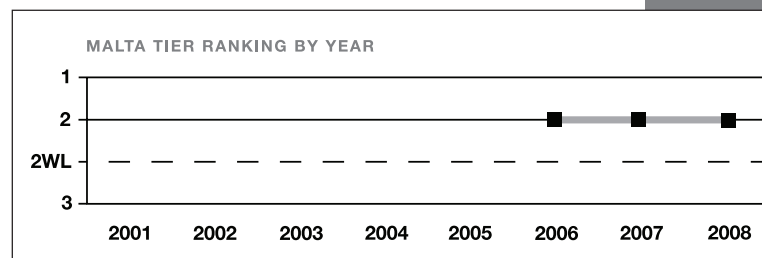
in 2007 led to the arrest of seven Maltese nationals for the trafficking of eight Russian and Ukrainian women for the purpose of sexual exploitation. In one case, the victims told police they were recruited in Russia by Maltese nationals; the Maltese police conveyed this information to Russian authorities, and the perpetrators were apprehended in Moscow. The arrestees in Malta are pending trial. In March 2007, the Government of Malta prosecuted four people for trafficking a Romanian woman into commercial sexual exploitation, an increase from one prosecution in the previous year. The case is pending conviction and sentencing. A police officer convicted for complicity in trafficking in 2005 received a three-year sentence following an appeal in 2006; in 2007, he was released after serving a total of two years in prison. Another police officer convicted in 2005 remains out of jail on bail pending his appeal. The government funded travel costs for police officers to attend European Union sponsored trafficking-related training.

### Protection

Malta took steps to protect victims of trafficking during the reporting period. Malta's Police Force and the Ministry for Social Policy formalized a Memorandum of Understanding expanding cooperation on identifying potential trafficking victims and referring them to available services in March 2008. There is no evidence that victims of trafficking were punished for unlawful acts committed as a direct result of their being trafficked; however, there were no formal measures to proactively identify victims for the majority of the reporting period. Malta assists foreign trafficking victims by offering temporary shelter in government-funded homes used primarily for victims of domestic violence. Government officials provide legal alternatives to the removal of foreign victims, once identified, to countries where they may face hardship or retribution on a case-by-case basis and if a victim requested to stay; to date, all trafficking victims have voluntarily returned to their country of origin. Malta encourages victims to assist in the investigation and prosecution of trafficking crimes.

### Prevention

The government initiated efforts to prevent trafficking in persons toward the end of the reporting



period. The government did not conduct an anti-trafficking awareness campaign or a campaign to reduce demand for commercial sex acts. In March 2008, the government agreed to extend an existing hotline to serve trafficking victims, increase training for hotline personnel to improve their ability to respond to trafficking issues, and publicize the existence of this hotline.

## MAURITANIA (Tier 2)

Mauritania is a source and destination country for children trafficked for forced labor and sexual exploitation. Slavery-related practices, rooted in ancestral master-slave relationships, continue to exist in isolated parts of the country. Mauritanian boys called *talibe* are trafficked within the country by religious teachers for forced begging. Children are also trafficked by street gang leaders within the country who force them to steal, beg, and sell drugs. Girls are trafficked internally for domestic servitude and sexual exploitation. Mauritanian children may also be trafficked for forced agricultural and construction labor, herding, and for forced labor in the fishing industry within the country. Boys from Mali and Senegal are trafficked to Mauritania for forced begging by religious teachers. Senegalese and Malian girls are trafficked to Mauritania for domestic servitude. Senegalese, Malian, Ghanaian, and Nigerian women and girls may be trafficked to Mauritania for sexual exploitation. Reports indicate that while some slaves are forced by masters into servitude, others remain with masters because they lack land and other means to live freely.

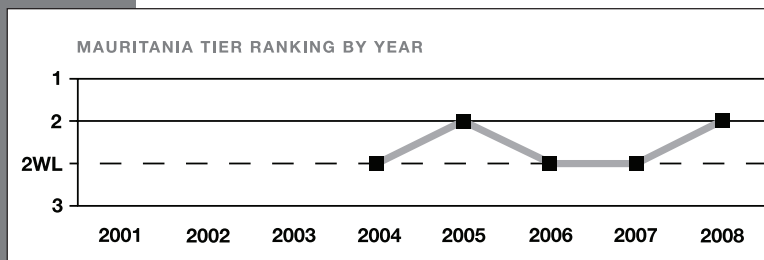
The Government of Mauritania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. While the Mauritanian government took the significant step of enacting new anti-slavery legislation, government efforts to enforce the law against trafficking were limited. Government victim protection and awareness-raising initiatives also need to be strengthened and expanded.

**Recommendations for Mauritania:** Increase efforts to prosecute trafficking and slavery offenses; revise the 2007 anti-slavery law to facilitate the filing of

complaints by slaves, such as by permitting NGOs or other advocates to file written complaints on their behalf; increase efforts to train police to identify trafficking victims among females in prostitution and children in conflict with the law; place greater emphasis on investigating and combating sex trafficking, particularly that involving children; and educate local government officials about the importance of enforcing laws prohibiting slavery and trafficking.

### Prosecution

The Government of Mauritania demonstrated increased law enforcement efforts during the year by passing new anti-slavery legislation. Mauritania prohibits all forms of trafficking through its 2003 Law Against Trafficking in Persons, which prescribes penalties of five to 10 years' imprisonment – penalties that are sufficiently stringent and exceed those prescribed for rape. In August 2007, Mauritania's National Assembly unanimously adopted a law criminalizing slavery which entered into force in February 2008. This law defines slavery and prescribes an adequate penalty of five to 10 years' imprisonment. It supplements a 1981 anti-slavery ordinance that failed to prescribe penalties or define slavery and it repeals a provision in the ordinance compensating slave owners for the liberation of their slaves. In 2007, the government pledged \$7.5 million to combat slavery, a portion of which is allocated to enforcing the new anti-slavery law. However, NGOs report that since the passage of the new law, local officials with knowledge of slavery cases have failed to enforce it. Moreover, the new legislation requires that a slave file a legal complaint before a prosecution may be pursued, and does not permit such complaints to be filed on behalf of slaves by NGOs or other advocates. Because many slaves are illiterate and unable to complete the paperwork to file a legal complaint, such provisions, which apply to civil actions as well, severely handicap the law's effectiveness. During the year, the government reported that one individual enslaving a female child was prosecuted under child protection laws prior to the passage of the new slavery law. The case was eventually settled out of court, however, and did not result in a conviction. The government failed to report any other trafficking or slavery convictions. The government established special courts to try trafficking cases and a police brigade dedicated to investigating crimes against children, especially trafficking. In December 2007, the Ministry of Justice held two UNDP-funded seminars for approximately 30 judges to discuss the new law and to inform judges of their responsibilities in its implementation. The government contributed to some of the costs of the conferences.



## Protection

The Government of Mauritania demonstrated modest efforts to protect trafficking and slavery victims. In December 2007, the Prime Minister announced that the government would make available \$7.5 million in the 2008 budget to combat slavery, part of which would be used to assist former slaves to reintegrate into society. These funds will help provide shelter, food, limited medical care, and job training. The government continued to fund jointly with UNICEF six centers in Nouakchott providing care to indigent children, many of whom were talibe. These centers, which provide basic medical and nutritional care, continued to operate below capacity despite apparent need. The government continued to provide personnel and a building to a collaborative effort with UNICEF and a private bank to provide micro credit programs to vulnerable populations, including some former slaves. The government does not encourage victims to assist in trafficking investigations or prosecutions. Mauritania does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Victims are inappropriately incarcerated, fined, or otherwise penalized for unlawful acts as a direct result of being trafficked. The government places children in jail for stealing or engaging in commercial sexual activity, while many of them are likely trafficking victims who have been forced into these activities.

## Prevention

The Government of Mauritania made sustained efforts to raise awareness of trafficking during the last year. The government held three days of national consultations against slavery. In February 2008, in cooperation with NGOs, Mauritania conducted and funded a nationwide public awareness campaign about trafficking and slavery with a focus on educating former slaves about their rights under the new law. As part of this campaign, the government sent delegations to each region of Mauritania to explain the new law and encourage people to denounce the practice of slavery. The delegations consisted of a Minister, a Ministry of Justice representative, a Human Rights Commission representative, one religious authority, and a representative from Mauritania's leading anti-slavery NGO. The delegations met with local officials and held regional and district public meetings to educate people about the new law. Several thousand people attended these meetings nationwide. After years of denying ILO representatives entrance into the country or access to information on labor practices, Mauritanian officials met with ILO representatives in May 2007, and agreed to collaborate on a national study on forced labor and the vestiges of slavery. During his 2007 election campaign, Mauritania's recently elected President pledged publicly to end slavery. The government has not taken steps to reduce demand for commercial sex acts.

## MAURITIUS (Tier 2)

Mauritius is a source for female children trafficked within the country for the purpose of commercial sexual exploitation. School girls and young girls from underprivileged areas are induced into prostitution, often by their peers or family members. Taxi drivers are known to provide transportation and introductions to both the girls and the clients.

The Government of Mauritius does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government openly acknowledges that child prostitution occurs within the country and showed greater will to curb the problem over the last year. Along with increased media coverage of the issue, the government showed greater attention to trafficking issues, leading to widespread awareness.

**Recommendations for Mauritius:** Pass and enact legislation specifically prohibiting the trafficking of adults for purposes of both labor and sexual exploitation; complete the prosecution of suspected traffickers apprehended in 2006 and 2007; and take greater steps to discourage child sex tourism to Mauritius, such as the issuance of warnings to arriving international travelers.

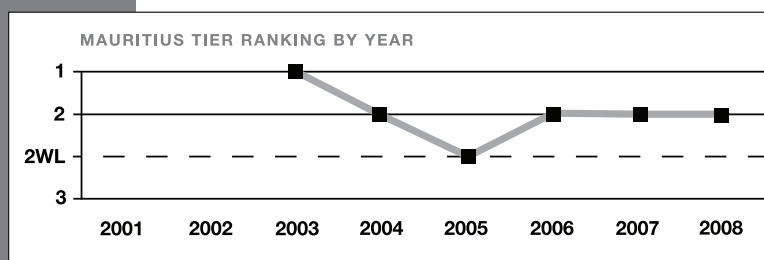
## Prosecution

The Mauritian government demonstrated increased anti-trafficking law enforcement efforts, vigorously investigating cases of human trafficking throughout the year. Mauritius prohibits all forms of child trafficking through its Child Protection Bill of 2005, which prescribes punishment of up to 15 years' imprisonment for convicted offenders. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. The government does not, however, have laws specifically prohibiting trafficking for the purpose of forced labor or debt bondage or any trafficking of adults. In July 2007, the number of police officers working in the Minors' Brigade increased from six to 35 and the number of vehicles from one to five, allowing adequate coverage of all regions of the island. During the reporting period, police discovered eight cases of children engaged in prostitution and arrested 22 adults caught exploiting such children, including three pimps; all cases remain under investigation. For example, in January 2008, police arrested a German citizen with permanent residency status for sexually exploiting a 12-year-old girl with the consent of the girl's aunt and uncle—who were arrested for pimping. In addition, the Minors' Brigade arrested two people for exploiting four children in street vending; the Ministry of Labor is investigating the case. The Ministry of Labor, Industrial Relations and Employment

conducted inspections to enforce child labor laws; during the reporting period, the Ministry dealt with 10 cases of exploitative child labor that resulted in three prosecutions and two convictions with fines; one case is still outstanding. In 2007, the Mauritius Police Force developed and began utilizing a database for tracking all trafficking-related cases.

### Protection

The Mauritian government's social service providers and law enforcement officials continued to experience difficulty locating and assisting a significant number of victims during the reporting period. The government provided funding to NGOs offering protection and services to victims of trafficking, and referred victims to these organizations for shelter and other assistance. The government-run drop-in center for children engaged in prostitution actively advertised its counseling services through bumper stickers, a toll-free number, and community outreach; its social worker continued to promote the services in schools and local communities. The center assisted 11 girls in prostitution during the year. But due to the lack of shelter at the drop-in center and often crowded conditions at existing NGO shelters, victims at times were not



able to access immediate shelter or other protective services. Mauritius has a formal protocol on the provision of assistance to all victims of sexual abuse; minors victimized by commercial sexual exploitation are accompanied to the hospital by a child welfare officer and police work in conjunction with this officer to obtain a statement. The government encourages victims' assistance in the investigation and prosecution of trafficking crimes. The government ensures that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked.

### Prevention

The government made notable efforts to prevent the commercial sexual exploitation of children and reduce demand for commercial sex acts during the year. Law enforcement officials conducted surveillance at bus stops, night clubs, gaming houses, and other places frequented by children to identify and interact with students who are at a high risk of sex trafficking. The Police Family Protection Unit and the Minor's Brigade also conducted a widespread child abuse awareness campaign at 101 schools and

community centers that contained a session on the dangers and consequences of engaging in prostitution; this campaign reached over 15,000 persons in 2007.

## MEXICO (Tier 2)

Mexico is a large source, transit, and destination country for persons trafficked for the purposes of commercial sexual exploitation and forced labor. A significant number of Mexican women, girls, and boys are trafficked within the country for sexual exploitation, often lured from poor rural regions to urban, border, and tourist areas through false offers of employment; upon arrival, many are beaten, threatened, and forced into prostitution. According to the Mexican government, up to 20,000 children are victimized in commercial sexual exploitation in Mexico every year, especially in tourist and border areas. Sex tourism, including child sex tourism, is a growing trend, especially in tourist areas such as Acapulco and Cancun, and northern border cities like Tijuana and Ciudad Juarez. Foreign child sex tourists arrive most often from the United States, Canada, and Western Europe. The vast majority of foreign victims trafficked into the country for sexual exploitation come from Central America, particularly Guatemala, Honduras, and El Salvador; many transit Mexico en route to the United States and, to a lesser extent, Canada and Western Europe. Some Central American minors, traveling alone through Mexico to meet family members in the United States, fall victim to traffickers, particularly near the Guatemalan border. Victims from South America, the Caribbean, Eastern Europe, and Asia also are trafficked into Mexico for sexual or labor exploitation, or transit the country en route to the United States. Organized criminal networks traffic women and girls from Mexico into the United States for commercial sexual exploitation. Mexican men and boys are trafficked from southern to northern Mexico for forced labor. Central Americans, especially Guatemalans, have been subjected to agricultural servitude and labor exploitation in southern Mexico. Mexican men, women, and boys are trafficked into the United States for forced labor, particularly in agriculture.

The Government of Mexico does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The federal government demonstrated its resolve to combat human trafficking by enacting comprehensive anti-trafficking legislation, dedicating financial resources to construct victim shelters, and increasing data collection among federal agencies with regard to trafficking patterns. Nonetheless, the large number of trafficking victims within Mexico remains a serious concern, and government efforts to punish trafficking offenders and complicit

officials involved in trafficking activity remained inadequate, as did victim protection and assistance.

**Recommendations for Mexico:** Increase efforts to convict and punish traffickers for their crimes; increase victim assistance; confront trafficking complicity by public officials; formalize procedures for identifying victims among vulnerable populations; expand anti-trafficking training for judges and law enforcement; and adequately fund and implement the new federal anti-trafficking law.

### Prosecution

The Government of Mexico improved efforts to combat human trafficking through law enforcement efforts during the reporting period. In November 2007, the Mexican government enacted comprehensive legislation to prohibit all forms of trafficking in persons on the federal level. The new law carries penalties of between six and 12 years' imprisonment, in addition to heavy fines, which increase to nine to 18 years in jail when the victim is a child or a person lacking mental capacity. Moreover, if the defendant is a public official, penalties increase by one-half, and include loss of the official's job. In addition to the new federal law, Articles 201 – 204 of Mexico's penal code criminalize the corruption of minors, child prostitution, and child pornography, prescribing penalties of between five and 10 years' imprisonment. All the above penalties are sufficiently stringent, and exceed those prescribed for other grave crimes, such as rape. The new anti-trafficking law also provides for victim services and formalizes a federal interagency commission, which has statutory authority to request funds to implement the new law and a national program to prevent trafficking in persons. The Interior Secretary has recently been named as the agency lead for the interagency commission, which has been meeting informally. In February 2008, the Attorney General formed a new anti-trafficking prosecutorial unit, the Crimes Against Women and Trafficking in Persons Unit (FEVIMTRA), after a federal anti-trafficking police unit had been dismantled with the change of administrations in early 2007. FEVIMTRA will prosecute all federal human trafficking cases except those involving organized crime, which will continue to be handled by a subunit of the Organized Crime division within the Attorney General's Office. Since June 2007, the federal government has arrested seven persons suspected of sex trafficking activity. No federal convictions or punishments of trafficking offenders have been reported. Moreover, there were no law enforcement efforts to criminally investigate and prosecute labor trafficking crimes, despite reports of nationals, Central Americans, and other foreigners in Mexico being subject to labor exploitation. In Mexico's federal system, state governments have played a significant law enforcement role with regard to anti-trafficking efforts. Federal jurisdiction is typically invoked in orga-

nized crime cases, or cases involving international or transnational trafficking; thus, state anti-trafficking laws are necessary for prosecuting cases on the local level. Mexico's 31 states and its federal district criminally prohibit some aspects of trafficking in persons. As of April 2008, five states—Chihuahua, Guerrero, Mexico, Sonora, and Zacatecas—have enacted comprehensive anti-trafficking laws. The State of Chihuahua initiated six trafficking-related prosecutions since enactment of its state anti-trafficking law in January 2007. In one case, a female defendant was sentenced to 11 years in jail on state human-trafficking charges for luring school-aged boys to have sex with her co-defendant, a U.S. citizen. The U.S. citizen was sentenced to nine years in prison for the rape of a 10-year-old boy. In another case involving the commercial sexual exploitation of minors, charges against an American citizen paying minors for oral sex were not pursued because the child victims allegedly "consented" to the acts. Additional anti-trafficking training would assist law enforcement with identifying trafficking victims under Mexico's new federal law, and how trafficking victims, particularly children, cannot consent to their own exploitation.

During the reporting period, the Mexican government made significant efforts to cooperate with the United States government on cross-border trafficking investigations. Since 2005, a joint U.S.-Mexico program known as Operation Against Smugglers Initiative on Safety and Security (OASISS) has facilitated information sharing among prosecutors on both sides of the border, with the goal of identifying, prioritizing, and prosecuting human trafficking and alien smuggling offenders. In coordination with U.S. law enforcement agencies, the Mexican government conducted eight operations to rescue more than 90 potential victims from trafficking situations in Mexico last year. Government-sponsored anti-trafficking training for public officials increased, and the government also received training assistance from the United States and international organizations. A suspected child trafficker extradited to Mexico from the U.S. in 2006 remained in a Cancun jail, pending prosecution, during the reporting period. The government cooperated with foreign governments on human trafficking investigations in the United States, Guatemala, El Salvador, and Argentina during the reporting period. Also of particular note is the Mexican government's assistance with a U.S. child sex tourism investigation involving a U.S. citizen in Ciudad Juarez; the defendant has since been convicted and sentenced in the United States.

Despite demonstrating progress on anti-trafficking law enforcement, competing priorities and security concerns in Mexico, along with scarce government resources, continue to hamper police and prosecutorial investigations against traffickers. Corruption

among public officials, especially local law enforcement and immigration personnel, continues to be a serious concern; some officials reportedly accept or extort bribes, discourage victim reporting, or ignore child prostitution and other human trafficking activity in brothels and commercial sex sites. The Government of Mexico can improve law enforcement efforts by making vigorous efforts to address complicity in trafficking by public officials. Expanded training for public officials about Mexico's new federal anti-trafficking law also will assist the government's anti-trafficking efforts, in addition to training state and local officials on the distinctions between alien smuggling and human trafficking offenses.

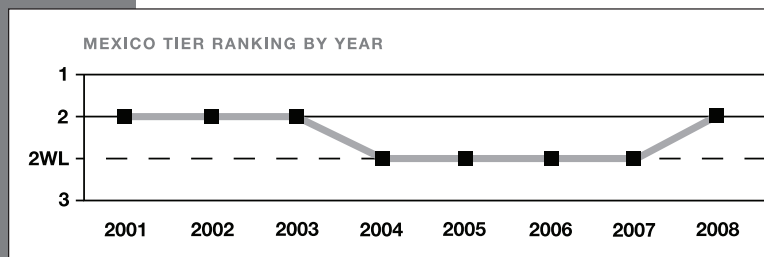
### Protection

The Mexican government maintained a modest level of victim protection over the last year, while continuing to rely on NGOs and international organizations to provide most assistance for trafficking victims. Filling a recognized need for dedicated shelters for human trafficking victims, the Mexican Congress appropriated \$7 million in January 2008 to construct two shelters for trafficking victims, to house men, women, and children, during the coming year. Mexico's social welfare agency also operates shelters for children who are victims of any form of violence, including child trafficking victims. The government offers foreign victims legal alternatives to removal to countries where they may face hardship or retribution; however, most foreign trafficking victims continued to be deported within 90 days. The government authorizes the issuance of

els, or a mechanism for referring trafficking victims to specialized NGOs for care. However, the government's immigration agency reported increased anti-trafficking training of migration officials during the reporting period, and development of guidelines for identifying trafficking victims, particularly minors, among detainees. The immigration agency also created a working group in every Mexican state to address human trafficking on the state level. Immigration authorities referred 78 foreign trafficking victims to IOM for assistance last year.

### Prevention

Both federal and state governments strengthened prevention efforts. The National Human Rights Commission (CNDH) is actively taking part in training on identifying victims of trafficking and has established 10 attention centers around the country for trafficking victims, most along the southern and northern borders. Awareness of the issue among government officials and the public is growing, and senior government officials stressed the need to fight human trafficking. With assistance from NGOs and international organizations, the government sponsored numerous seminars and training sessions to raise public awareness. Government collaboration with NGOs and international organizations on anti-trafficking efforts increased last year, but is reported to be uneven among the various federal agencies involved. The government took steps to reduce demand for commercial sex acts through state-level prosecutions of individuals engaging in commercial sex acts with children, including foreign nationals.



renewable one-year humanitarian visas to victims who assist with the prosecution of their traffickers. Nine trafficking victims received these visas during the reporting period. Many victims in Mexico are afraid to identify themselves or press their cases due to fear of retribution from their traffickers, many of whom are members of organized criminal networks. While government resources in this area may be limited, setting up a secure witness-protection program in human trafficking cases would help law enforcement to ensure the physical safety of victim witnesses, and guarantee their testimony at trial. In 2007, there were no confirmed reports of victims being penalized for unlawful acts committed as a direct result of being trafficked. The government does not currently have formal procedures for identifying trafficking victims among vulnerable populations, such as prostituted women in broth-

## MOLDOVA (Tier 3)

Moldova is a major source, and to a lesser extent, a transit country for women and girls trafficked for the purpose of commercial sexual exploitation. It is estimated that slightly more than one percent of the approximately 750,000 Moldovans working abroad are trafficking victims. Moldovan women are trafficked to Turkey, Russia, the U.A.E., Ukraine, Israel, Cyprus, Greece, Albania, Romania, Hungary, Slovakia, the Czech Republic, Italy, France, Portugal, Austria, and other Western European countries. Girls and young women are trafficked within the country from rural areas to Chisinau. Children are also trafficked for forced labor and begging to neighboring countries. Labor trafficking of men to work in the construction, agriculture, and service sectors of Russia is increasingly a problem. The small breakaway region of Transnistria in eastern Moldova is outside the central government's control and remained a significant source and transit area for trafficking in persons.

The Government of Moldova does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts



to do so. While the new government has shown initial political will very recently, it was insufficient to make up for inadequate action in the remainder of the March 2007—March 2008 reporting period, particularly the lack of follow-up on cases of alleged complicity of government officials in trafficking in persons cited in the 2007 Report. While there were a few modest positive developments over the past year—the number of trafficking investigations increased, the government hired social workers to focus on vulnerable populations, and a pilot program for the referral of trafficking victims to protective services continues to develop—the government’s lack of visible follow-up on allegations of government officials complicit in trafficking in persons greatly offset the aforementioned gains. The government approved a 2008-2009 anti-trafficking national action plan on March 19, 2008, and while it allocated funds for 2008 and sustained cooperation with NGOs during the reporting period, it did not demonstrate proactive efforts to identify trafficking victims.

**Recommendations for Moldova:** Demonstrate vigorous investigations and prosecutions of public officials complicit in trafficking; improve data on investigations, prosecutions, convictions, and sentences for traffickers, including greater specificity with respect to the particular punishments imposed for different crimes, the number of charges reduced from trafficking to pimping, and which prison sentences are reduced or vacated by amnesties; disburse increased resources for victim assistance and protection; boost proactive efforts to identify trafficking victims; and adopt measures to prevent the use of forced or child labor by trafficking offenders.

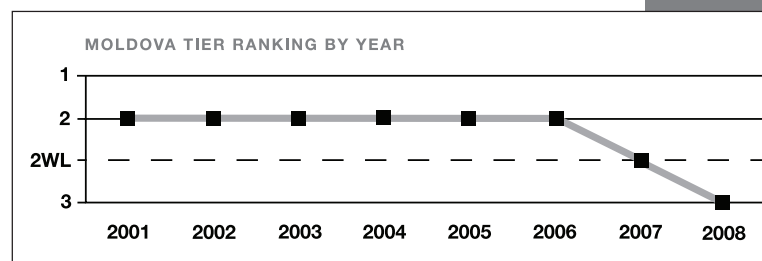
**Prosecution**

Reports of Moldovan officials’ complicity in trafficking marred anti-trafficking law enforcement efforts during the last year. The Government of Moldova prohibits all forms of trafficking through Articles 165 and 206 of its criminal code. Penalties prescribed range from seven years’ to life imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes. The Prosecutor General’s Office reported that authorities initiated 507 trafficking investigations in 2007—including 17 criminal investigations under the child trafficking statute—which is an increase from 466 investigations in 2006. Moldova’s Center to Combat Trafficking in Persons (CCTIP) reported 250 trafficking prosecutions and at least 60 convictions of traffickers. While the government’s statistical system still does not provide complete statistics on length of sentences for trafficking convictions, CCTIP reported that at least 50 traffickers convicted in 2007 are serving seven- to 10-year prison sentences. The government has not prosecuted or criminally punished any government official

allegedly complicit in trafficking. The government has also not informed the international community whether investigations of some government officials dismissed in August 2006 have yielded sufficient evidence to permit a prosecution. With respect to allegations of complicity of a former high-level CCTIP official, the government states that prosecutors investigated the allegations and found no evidence of a crime. There were several victim reports that border guards and police officers were complicit in trafficking. Moldovan law enforcement authorities reported eight bribery attempts by suspects seeking to have cases dismissed. Prosecutors noted that poor-quality investigations and corruption may have resulted in light or suspended sentences for traffickers.

**Protection**

The government provides no funding to NGOs for victim assistance, although it has allocated \$44,000 in its 2008 budget for victim rehabilitation center operating costs, and cooperated with NGOs and international assistance programs providing legal, medical, and psychological services for trafficking victims during the reporting period. Moldova’s Ministry of Internal Affairs signed a memorandum of collaboration with IOM to ensure that victims of trafficking repatriated through IOM are not apprehended by border guards but allowed to travel unhindered to the IOM Rehabilitation Center, the only comprehensive victim assistance facility in the country. While proactive identification of victims remained lacking, the government hired and paid the salaries of 547 social workers and assisted 162 persons though the nascent pilot project on referring victims to protective services, which started in five districts in 2006 and extended to seven more



in 2007. The Ministry of Foreign Affairs, in partnership with IOM, launched a project in January 2007 to develop the capacity of consular department personnel at Moldovan embassies abroad in assisting Moldovan victims and potential victims of trafficking. Moldovan law exempts victims from criminal prosecution for illegal acts committed as a result of being trafficked; however, in practice, some victims were punished for such acts. Moldova currently does not permit temporary residence status for foreign-national victims of trafficking, nor does it provide legal alternatives to deportation to countries where victims may face retribution or

hardship. The government claims that it encourages victims to assist in investigations and prosecutions of traffickers; however, insufficient measures were in place to provide for victims' safety.

### Prevention

The government approved the 2008-2009 National Action Plan on Combating Trafficking in Persons in March 2008, but there was none in place prior to that date, because the previous plan expired at the end of 2006. For most of the reporting period, the government's national anti-trafficking committee remained without a leader; however, the government appointed a chair at the Deputy Prime Minister level, as required by Moldovan law, in February 2008. The CCTIP operated a hotline for trafficking victims during the year. The government acknowledged, both publicly and privately, that trafficking was a problem; however, the government continued to rely on NGOs and international organizations to provide the majority of public awareness campaigns. CCTIP, with NGOs and international organizations, developed and conducted seminars for high school students, teaching staff from schools and universities, priests, local authorities, and local law enforcement officials. CCTIP leadership provided TV interviews to update viewers on anti-trafficking operations and increase awareness regarding the consequences of human trafficking. The Moldovan government provides free air time for anti-trafficking campaigns.

## MONGOLIA (Tier 2)

Mongolia is a source country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. Although it remains difficult to quantify, trafficking continues to be a problem in Mongolia. One NGO reported that its hotline received many more reports of trafficking this year than in the previous year. Mongolian women and girls are trafficked to China, Macau, Malaysia, and South Korea for both forced labor and sexual exploitation. Mongolian men are trafficked to Kazakhstan for labor exploitation. There is also concern about child labor in the construction, mining, and industrial sectors, where they are vulnerable to injury and face severe health hazards, such as exposure to mercury. Some Mongolian women who enter into marriages with foreign husbands—mainly South Koreans—were subjected to conditions of involuntary servitude after moving to their husbands' homeland. Mongolia continues to face the problem of children trafficked internally for the purpose of commercial sexual exploitation, reportedly organized by criminal networks. There have been several reports of Mongolian girls and women being kidnapped and forced to work in the country's commercial sex trade. Some travel agents and tour guides who took part in an

anti-trafficking workshop expressed concern that child sex tourism might be increasing; they noted that South Korean sex tourists were arriving in greater numbers and frequenting nightspots where girls and women were in prostitution. Around 150 North Koreans are currently employed in Mongolia as contract laborers. On February 5, 2008, the Mongolian government signed an agreement with North Korea that could bring as many as 5,300 North Korean laborers to Mongolia over the next five years. Although there is no evidence of force, fraud, or coercion on the part of the North Korean government in the recruitment of North Koreans for these positions, once overseas North Korean workers do not appear to be free to leave their employment, and it is unclear whether the workers in Mongolia receive their full wages.

The Government of Mongolia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made clear progress in its efforts to address trafficking over the past year, particularly in the areas of legislative reforms and the prosecution of trafficking offenders. Insufficient assistance to victims was provided by the government, and there were some indications of complicity in severe forms of trafficking by government officials. However, the government took major legislative steps to fight trafficking, including expanding the scope of the anti-trafficking law to outlaw the recruitment, harboring, and transportation of victims. The government convicted 18 trafficking offenders, up from zero in the previous 12-month period, and initiated prosecutions of many others. The government embraced anti-trafficking training provided by NGOs for police, immigration officials, Border Force officials, and other civil servants. The government started distributing one million NGO-sponsored trafficking awareness passport and train ticket inserts, which led to the rescue of four Mongolian trafficking victims in Malaysia. The government also raised the salaries of judges to make them less susceptible to bribery. While the government lacked the resources to combat trafficking effectively on its own, it cooperated with NGOs and regional and international organizations on anti-trafficking measures. However, NGOs report that cooperation varied considerably by government ministry.

**Recommendations for Mongolia:** Make more effective use of existing laws against trafficking to prosecute and convict more traffickers; investigate and prosecute government officials complicit in trafficking; expand the number of police investigators and prosecutors dedicated to addressing trafficking cases; raise awareness among law enforcement officials and prosecutors throughout the country about trafficking crimes; and improve protection and rehabilitation services for victims.

### Prosecution

The Mongolian government made progress with its anti-trafficking law enforcement efforts during the last year. Seven individuals were convicted under Article 113 of the Criminal Code, on trafficking in persons. At least two were Mongolian women who had trafficked other Mongolian women to a neighboring country. Eleven other people were convicted under Article 124 of forced prostitution, and were also sentenced to prison. At the end of this reporting period, criminal proceedings were being pursued against at least 16 individuals suspected of trafficking offenses. A key problem in the prosecution process appears to be a lack of knowledge among police and prosecutors regarding trafficking. Prosecutors frequently reject trafficking-related cases forwarded by the police, in some cases because evidence was unavailable. A report of a foreign citizen who allegedly forced an underage Mongolian girl to pose for pornographic photos was referred to police during the year, but police follow-up was lacking. NGOs reported incidences of disengaged or heavy-handed police officers, who, by their attitudes and actions, sometimes discouraged victims from pursuing criminal cases. There were several reports of law enforcement officials directly involved in or facilitating trafficking crimes during the year. Anecdotal reporting suggests that some high-level government and police officials have been clients of minors exploited in prostitution. However, the government rarely made available information related to convictions of and disciplinary actions against law enforcement officers implicated in trafficking-related corruption.

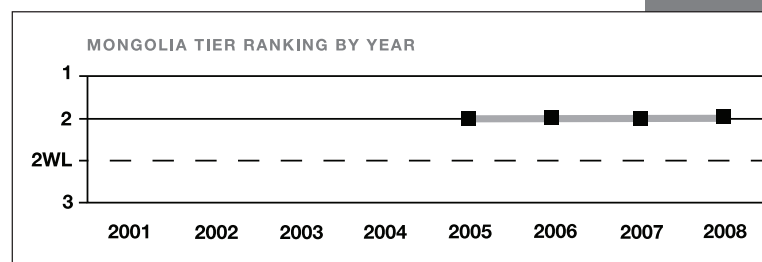
### Protection

The Mongolian government in 2007 provided limited protection and direct assistance to trafficking victims. Mongolian law continued to lack witness or victim protection provisions for any crimes, including trafficking. Given its limited resources, the government does not run or fund shelters for victims of trafficking. It also did not provide direct assistance to Mongolian trafficking victims repatriated from other countries. The government collaborated with IOM, however, in referring victims of trafficking to this international victim services provider. In 2006, the government announced plans to open a consulate in Macau in order to provide services to Mongolian nationals, including those who have been victims of trafficking, but movement on this initiative appears to have stalled.

### Prevention

Mongolia carried out some trafficking prevention efforts this year, in addition to the distribution of NGO-sponsored passport and train ticket inserts. The Ministry of Justice and Home Affairs cooperated with GEC, a leading anti-trafficking NGO, to maintain a hotline, which in 2007 received more

than 1,000 calls. Although Mongolia adopted a National Action Plan in 2005 to prevent women and girls from being forced into prostitution, this has not been fully implemented, and NGOs consider the plan to be largely ineffective. The government did not take any measures during the reporting period to reduce the demand for commercial sex acts. Mongolia has not ratified the 2000 UN TIP Protocol.



## MONTENEGRO (Tier 2 Watch List)

Montenegro is primarily a transit country for the trafficking of women and girls to Western Europe for the purpose of commercial sexual exploitation. In 2007, there were no reports of Montenegrins being trafficked to other countries. There were a small number of cases in which women and girls were trafficked into Montenegro. Women and girls from Serbia, Kosovo, Bosnia and Herzegovina, Moldova, Romania, Ukraine, and Russia are trafficked across Montenegro to Western European countries. Official statistics noted that one Montenegrin woman was trafficked within the country for sexual exploitation. Children are coerced into begging.

The Government of Montenegro does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nevertheless, Montenegro is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat trafficking in persons over the last year. Public attention to the issue of trafficking has diminished considerably in Montenegro in recent years; however, according to NGOs and international observers, official statistics underreport the incidence of trafficking, and authorities need to focus more attention on the problem.

**Recommendations for Montenegro:** Vigorously investigate and prosecute trafficking offenses to the full extent of the law, and convict and sentence trafficking offenders, including any public officials complicit in trafficking; proactively identify victims among vulnerable groups, such as women arrested for prostitution violations, undocumented migrants, and street children; provide legal

alternatives to victims' removal to countries in which they face retribution or hardship; encourage victims to assist in the investigation and prosecution of trafficking offenders; and conduct trafficking sensitivity training for judiciary officials.

### Prosecution

While the Government of Montenegro demonstrated some anti-trafficking law enforcement efforts in 2007, more vigorous investigation and prosecution of trafficking offenses are needed. Montenegro prohibits sex and labor trafficking through Article 444 of its criminal code, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for rape. During 2007, the government initiated two human trafficking investigations and prosecuted three alleged human traffickers. The judiciary convicted three traffickers, who were each sentenced to five years in prison. Adults inducing children to beg for money occurs in Montenegro and could be considered a form of trafficking under Article 444, but it is not recognized as such by Montenegrin authorities. The government provided anti-trafficking training to police of all ranks; however, law enforcement personnel, including those at the borders, often lacked training in victim identification. NGOs claimed that retention of trained anti-trafficking police officers is a problem, although this is an issue throughout the police force.

### Protection

The Government of Montenegro provided adequate support and protection to potential victims of human trafficking. Montenegro fully funds one NGO-run shelter that provided protection and care for victims; however, authorities identified only one trafficking victim during 2007. The Montenegrin government did not demonstrate a systematic effort to identify victims of trafficking among vulnerable populations, such as street children. Assistance for foreign victims was adequate. The government used an existing referral system to ensure that potential trafficking victims detained by law enforcement were referred to the NGO-run shelter for further assistance. Officials reported that victims were not detained, prosecuted, fined, or otherwise penalized for unlawful acts commit-

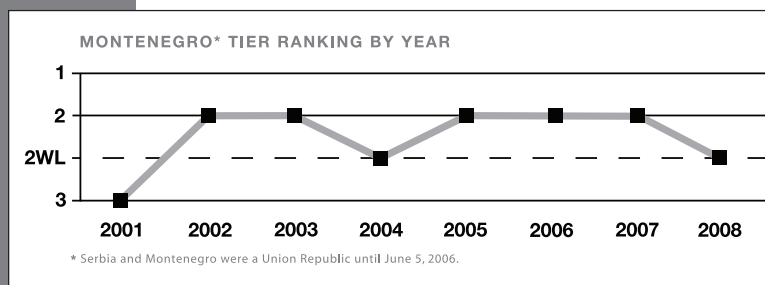
ted as a direct result of being trafficked. NGOs praised the response of many police officers in human trafficking cases but noted there remained a general lack of sensitive treatment toward identified human trafficking victims, particularly within the judiciary, and claimed the government could improve efforts to encourage victims to assist in the investigation and prosecution of traffickers.

### Prevention

Montenegro did not sustain its prevention efforts over the previous year. NGOs involved in combating human trafficking believe that official statistics underreport trafficking incidences and that authorities need to focus additional attention on the issue. The government, in coordination with NGOs, adopted an anti-trafficking action plan in March 2006 that defined goals and included precise timelines; however, the plan's implementation has not kept pace with those timelines. The anti-trafficking working group, chaired by the national coordinator, did not meet once during the reporting period, in contrast to monthly meetings held in previous years. In 2007, the government revised a directory of anti-trafficking organizations published in 2004 that it distributed to parties involved in anti-trafficking activities including consular missions abroad. There was no update on the government's plans referenced in the 2007 Report to name a senior police officer to assume responsibility for coordinating anti-trafficking activities. The government did not take steps to reduce the demand for commercial sex acts.

## MOROCCO (Tier 2)

Morocco is a source country for children trafficked internally for the purposes of domestic servitude and commercial sexual exploitation. Morocco is also a source, transit, and destination country for women and men trafficked for commercial sexual exploitation and involuntary servitude. Young Moroccan girls from rural areas are recruited to work as child maids in cities, but often face conditions of involuntary servitude, including restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. Moroccan boys also endure involuntary servitude as apprentices in the artisan, construction, and mechanics industries. Moroccan boys and girls are also exploited through prostitution within the country and increasingly are victims of a growing child sex tourism problem. Moroccan girls and women are also trafficked internally and to Saudi Arabia, Qatar, Syria, U.A.E., Cyprus, and European countries for commercial sexual exploitation. In addition, men and women from sub-Saharan Africa, India, Bangladesh, Sri Lanka, and Pakistan often enter Morocco voluntarily, but illegally, with the assistance of smugglers. Once in Morocco, however, some women are



coerced into commercial sexual exploitation to pay off smuggling debts, while men may be forced into involuntary servitude.

The Government of Morocco does not comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Morocco did not report investigating or prosecuting any recruiters for forced child labor during the reporting period. In addition, the government did not take serious steps to increase law enforcement against the commercial sexual exploitation of adults and foreign women. The government similarly failed to provide adequate protection for victims of trafficking, who were often detained and subject to automatic deportation for acts committed as a result of being trafficked.

**Recommendations for Morocco:** Significantly increase prosecutions of traffickers for forced prostitution and involuntary servitude, and institute a formal victim identification mechanism to ensure that victims are not punished or automatically deported for acts committed as a result of being trafficked.

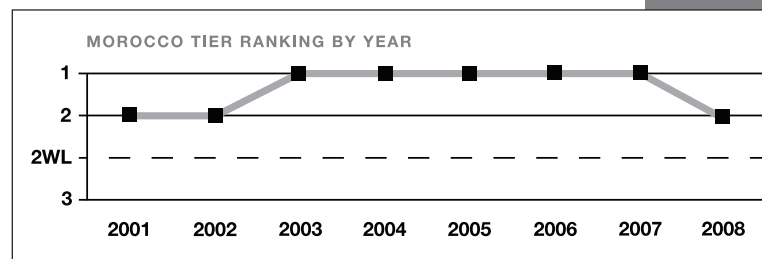
### Prosecution

The Government of Morocco made efforts to prosecute traffickers and trafficking-complicit officials over the last year. Morocco appears to prohibit all forms of trafficking. Its Penal Code prohibits forced child labor through Article 467, forced labor through Article 10, and forced prostitution and prostitution of a minor through Articles 497-499. The Government of Morocco reports that it also employs the Immigration Law of 2003 and other statutes, such as those prohibiting kidnapping, fraud, and coercion to prosecute trafficking offenses. Penalties prescribed by these various statutes for sex trafficking offenses are sufficiently stringent, and commensurate with those prescribed for other grave crimes, such as rape. In contrast, prescribed penalties for labor trafficking offenses appear not to be sufficiently stringent; penalties for child labor under Article 467 range from one to three years' imprisonment, while general penalties for forced labor under Article 10 are limited to fines for first-time offenders or six days' to three months' for repeat offenders. In 2007, Morocco prosecuted 150 cases of inciting minors into prostitution and convicted 129 individuals for this trafficking crime. The government also reported convicting 170 abusive employers of child labor. The government, however, did not provide any sentencing data by this Report's deadline to demonstrate that these convicted traffickers were punished. Moroccan auxiliary force security officers were convicted of trafficking offences in Tangier, Tetouan, and Nador; their sentences ranged from two months' suspended sentences with a fine to four years' imprisonment. During the reporting

period, Morocco reported dismantling 260 "trafficking rings;" however, the government continues to make no distinction between migrant smuggling and trafficking, so it is not clear how many, if any, were actually trafficking rings. In July 2007, the Moroccan government investigated incidents of alleged sexual exploitation of women and girls in Cote d'Ivoire by Moroccan peacekeepers; the government dropped charges when alleged victims failed to testify and claimed that they were coerced into making the accusations.

### Protection

Morocco made insufficient progress in protecting victims of trafficking over the reporting period. Foreign trafficking victims were not properly identified, and were often arrested and subject to detention and automatic deportation along with other illegal migrants. Of particular concern are reports that Morocco routinely rounded up illegal sub-Saharan migrants, including victims of trafficking, and left them at the Algerian border, often without food or water. As Morocco has not provided any data regarding these expulsions, the extent of this problem is not known. In February, the government arrested a sexually exploited minor for prostitution. In addition, first-hand reports from an NGO indicate that trafficking victims suffered physical abuse at the hands of Moroccan police. The government did not offer legal alternatives to the removal



of foreign victims of trafficking to countries where they might face hardship or retribution. Morocco also does not actively encourage victims to participate in investigations against their traffickers, but they often testify during prosecutions. Despite training diplomats in prime destination countries, very few Moroccan minor victims were repatriated from abroad. The government provided in-kind support to NGOs assisting victims.

### Prevention

Morocco improved its efforts to prevent trafficking over the reporting period. In March, the government committed \$2.6 million to develop the income-generating capacity of families at risk of sending their children for domestic work. The government also signed agreements with Catalonia and Italy to prevent illegal migration of Moroccan children, who are at extremely high risk of being trafficked. The government did not, however, show significant efforts to raise public awareness of the

commercial sexual exploitation of children and women in major cities, especially tourist areas, and did not take any reported measures to reduce the demand for commercial sex acts. Morocco has not ratified the 2000 U.N. TIP Protocol.

## MOZAMBIQUE (Tier 2 Watch List)

Mozambique is a source and, to a much lesser extent, a destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. The use of forced and bonded child laborers is a common practice in Mozambique's rural areas, often with the complicity of family members. Women and girls are trafficked from rural to urban areas of Mozambique, as well as to South Africa, for domestic servitude and commercial sexual exploitation in brothels; young men and boys are trafficked to South Africa for farm work and mining. Trafficked Mozambicans often labor for months in South Africa without pay before employers have them arrested and deported as illegal immigrants. Traffickers are typically part of small networks of Mozambican or South African citizens; however, involvement of larger Chinese and Nigerian syndicates has been reported. Small numbers of Mozambican children and adults are reportedly trafficked to Zambia for agricultural labor. Zimbabwean women and girls are trafficked to Mozambique for sexual exploitation and domestic servitude.

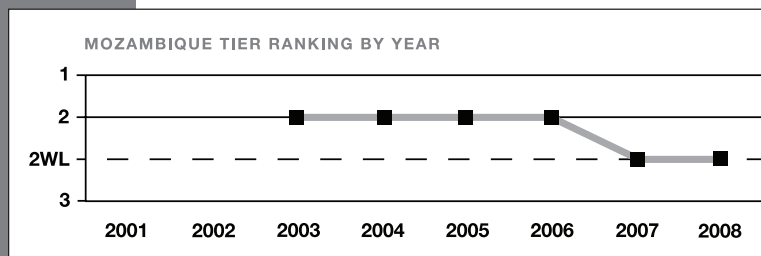
The Government of Mozambique does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Mozambique is placed on Tier 2 Watch List for the second consecutive year for its failure to provide evidence of increasing efforts to combat trafficking in persons over the last year.

**Recommendations for Mozambique:** Vigorously investigate and prosecute suspected traffickers; enact the recently passed anti-trafficking legislation; launch a nationwide public awareness campaign; and investigate and prosecute public officials suspected of accepting bribes to overlook trafficking crimes or free traffickers.

## Prosecution

The Government of Mozambique passed comprehensive anti-trafficking legislation at the end of the reporting period, and concrete law enforcement efforts increased modestly. In August 2007, the Council of Ministers approved and forwarded to the National Assembly for debate and passage a comprehensive law against human trafficking containing specific provisions on prosecution, protection, and prevention. The law was unanimously passed in April 2008, though its penalties will undergo further technical revision by the Ministry of Justice to increase the punishment for traffickers from eight to 12 years' imprisonment to 16 to 20 years' imprisonment. Before passage of this law, the government applied at least 13 relevant penal code articles to prosecute trafficking cases.

While the government conducted investigations into cases of human trafficking, there were no prosecutions or convictions of traffickers during the reporting period. Mozambican police reported breaking up trafficking schemes and arresting several transporters and facilitators; the traffickers behind the operations were never apprehended. For example, in November 2007, a labor inspector found approximately 100 workers—who had been fraudulently recruited with promises of good working conditions—subjected to conditions of forced labor by a local flower company. The Labor Inspectorate suspended the company's operations, but did not file criminal charges against the company. In January 2008, police in Manica Province stopped a truck carrying 39 children from several northern provinces bound for Maputo, ostensibly to enroll in Islamic schools. Police arrested the driver and an accompanying adult and opened an investigation into the incident. While a parallel investigation by the Attorney General's Office concluded that the children were traveling with parental consent, none of Maputo's Islamic schools had received applications for the enrollment of the children, leading police and NGOs to classify the incident as human trafficking. In March 2008, South African authorities apprehended a Mozambican female alleged to have trafficked Mozambican girls to Pretoria for forced prostitution; the Mozambican government immediately dispatched investigators from the Attorney General's office and the Criminal Investigative Police to South Africa to assist in the investigation and discuss possible extradition. Many lower-ranking police and border control agents are believed to accept bribes from traffickers, severely hindering Mozambique's prosecution efforts. In November 2007, the government extended coverage of a one-day trafficking seminar for new police officers in the country's central provinces to include the northern provinces. Training began in Nampula and, in January, commenced in Cabo Delgado and Niassa provinces.



## Protection

The government's efforts to protect victims of trafficking continued to suffer from limited resources and a lack of political commitment; government officials regularly relied on NGOs to provide shelter, food, counseling, and rehabilitation for victims of trafficking. Moreover, the government continues to lack formalized procedures for identifying potential victims and transferring them to NGOs with the capacity to provide care. In December 2007, the Ministry of Interior expanded from 151 to 155 the number of police stations with an office dedicated to women and children victimized by violence, including cases of trafficking; these offices registered complaints and filed reports of trafficking crimes before informally referring victims to NGOs for care. Between January and October 2007, the offices received 89 kidnapping cases; their director believes a majority of these cases involved human trafficking, but were recorded as kidnapping due to a lack of trafficking-specific legislation. In 2007, the Ministry of Labor transported more than 40 abused workers back to their provinces after they were found in slave-like conditions in the capital. In addition, police, with assistance from an international NGO, arranged for 39 rescued children to be flown back to their home areas. In March 2008, police rescued children from their traffickers and transported, with the assistance of the Ministry of Social Welfare, them to their home province. The government encouraged victims to assist in the investigation and prosecution of traffickers, and did not penalize victims for unlawful acts committed as a direct result of their being trafficked. The government does not provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution.

## Prevention

The government's prevention efforts remained weak; it has yet to launch a nationwide campaign to foster public awareness of human trafficking among government officials and private citizens. As a result, most Mozambicans, including many law enforcement officials, reportedly still do not have a clear understanding of what constitutes trafficking. During the year, law enforcement officials publicized several trafficking cases and government-owned media outlets covered such stories. In the weeks following the March 2008 arrest of a Mozambican trafficker in South Africa, the press ran almost daily articles on updates to the case, the need for passage of the anti-trafficking law, and at least four newly discovered cases of trafficked Mozambican children. In June 2007, the Moamba District government partnered with an NGO to jointly host a series of anti-child trafficking-themed events in Ressano Garcia, including a march through the town, theater presentations, and speeches, to celebrate the Day of the African Child.

## NEPAL (Tier 2)

Nepal is a source country for men, women, and children trafficked for the purposes of commercial sexual exploitation and involuntary servitude. Children are trafficked within the country and to India and the Middle East for commercial sexual exploitation or forced marriage, as well as to India and within the country for involuntary servitude as child soldiers, domestic servants, and circus entertainment or factory workers. NGOs cite a growing internal child sex tourism problem, with an estimated 5,000 to 7,000 girls trafficked from rural areas to Kathmandu for commercial sexual exploitation. In addition, the Nepalese Youth Foundation estimated that there are over 20,000 child indentured domestic workers in Nepal. Bonded labor also remains a significant problem in Nepal, affecting entire families forced into labor as land tillers or cattle herders. Nepali women are trafficked to India and to countries in the Middle East for commercial sexual exploitation. Men and women also migrate willingly from Nepal to Malaysia, Israel, South Korea, the United States, Saudi Arabia, the United Arab Emirates (U.A.E.), Qatar, and other Gulf states to work as domestic servants, construction workers, or other low-skill laborers, but some subsequently face conditions of forced labor such as withholding of passports, restrictions on movement, non-payment of wages, threats, deprivation of food and sleep, and physical or sexual abuse. A number of these workers are subjected to debt bondage produced in part by fraud and high recruitment fees charged by unscrupulous agents in Nepal. Despite a ban imposed by the Government of Nepal, some Nepalis are deceived and trafficked into forced labor in Iraq through the U.A.E. and Kuwait.

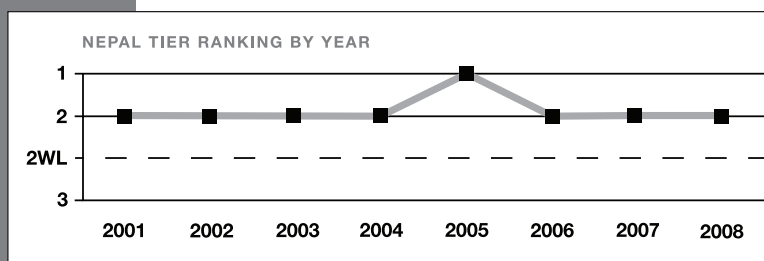
The Government of Nepal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. This year, Nepal passed a comprehensive anti-trafficking law criminalizing all forms of trafficking. The government also raised public awareness on trafficking for both forced labor and commercial sexual exploitation.

**Recommendations for Nepal:** Enforce newly enacted anti-trafficking legislation and increase law enforcement efforts against all types of trafficking, including bonded labor, forced child labor, fraudulent labor recruitment for the purpose of forced labor, and sex trafficking; increase law enforcement efforts against government officials who are complicit in trafficking; institute a formal procedure to identify victims of trafficking and refer them to protection services to ensure that they are not punished for unlawful acts committed as a result of their being trafficked; and improve

protection services available for victims of labor forms of trafficking. In order to effectively implement the new legislation and its provisions for victim compensation, the government needs to put in place more effective tracking mechanisms for both sex and labor trafficking cases.

### Prosecution

Nepal made progress in its efforts to enforce laws against trafficking. In July 2007, the Government of Nepal enacted a comprehensive anti-trafficking law—the Trafficking in Persons and Transportation (Control) Act (TPTA), which prohibits all forms of trafficking in persons and prescribes penalties ranging from 10 to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In August, Nepal also enacted a new Foreign Employment Act, which criminalizes the acts of both agencies and individuals sending workers abroad based on false promises and without the proper documentation. Chapter 9, titled "Crime and Punishment," defines fraudulent labor traf-



ficking and prescribes penalties of three to seven years' imprisonment for those convicted. Nepali law also formally prohibits bonded labor, but does not prescribe penalties for violators. In 2007, Nepal filed 111 criminal cases for deceptive recruitment practices that contribute to trafficking for forced labor, including 10 against manpower agencies and 101 against individual labor recruiters. In addition, in 2007, the Women's Cells in 24 districts and NGOs nationwide filed a total of 262 criminal cases against trafficking for commercial sexual exploitation in district courts throughout the country. The Attorney General's report, dated January 2008, states that 14 new cases were filed with the Supreme Court during the reporting period, and 13 cases were decided resulting in four convictions and nine acquittals. Serious concerns remain, regarding the prominent role complicit government officials play in trafficking; local NGOs report that police facilitate trafficking through bribes, yet the government did not report significant law enforcement efforts to investigate, prosecute, convict, or sufficiently sentence these officials complicit in trafficking. It is critical for the Government of Nepal to take serious and proactive efforts to investigate and punish this trafficking complicity.

### Protection

Nepal made modest efforts to protect victims of trafficking during the reporting period. The TPTA includes provisions for assistance to Nepali citizens trafficked abroad, the establishment of rehabilitation centers to provide medical treatment, counseling, reintegration assistance for victims of trafficking, and the creation of a rehabilitation fund to finance protection services to trafficking victims. These provisions, however, have not been implemented due to lack of resources. The government, through the Women's Cells, actively encourages sex trafficking victims to participate in investigations against their traffickers, but lacks sufficient resources to ensure their personal safety; as such, victims are reluctant to testify. Law enforcement officers do not employ formal procedures to identify victims of trafficking from among vulnerable groups, such as women arrested for prostitution. As a result, victims are likely arrested and fined for acts committed as a result of being trafficked. It is of particular concern that Nepali police do not attempt to determine the age or consent of women and girls arrested in massage parlors, dance bars, and cabin restaurants where trafficking for commercial sexual exploitation is a significant and growing problem. Foreign victims are not offered legal alternatives to removal to countries in which they may face hardship or retribution. The government does not provide victim protection services for men and women trafficked abroad for involuntary servitude.

### Prevention

Nepal sustained its efforts to prevent trafficking in persons throughout the reporting period. The Ministry of Women, Children, and Social Welfare provided small grants to task forces in 26 high-risk districts to raise awareness and mobilize communities against trafficking. The Office of the National Rapporteur for Trafficking also launched a television and radio campaign to raise awareness of trafficking. In 2007, the Ministry of Labor and Transport Management established a "safe migration" desk at the airport; to avoid screening, however, many victims were trafficked by land across the porous Indian border. To reduce demand for commercial sex acts, the government prescribed a penalty of one to three months' imprisonment for brothel customers. Although the Nepal Tourism Board agreed to amend the language in its website advertisement for "Wild Stag Weekends," it did so only after widespread international condemnation of the promotion. To date, the government has done little to prevent the exploitation of minors in the growing domestic sex industry, or to institute a public awareness campaign targeting nationals traveling to known sex tourism destinations. Nepal has not ratified the 2000 U.N. TIP Protocol.



## THE NETHERLANDS (Tier 1)

The Netherlands is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Within the Netherlands, victims are often trafficked by so called “lover boys”—men who seduce young women and girls and coerce them into prostitution. Women and girls are trafficked to the Netherlands from Nigeria, Bulgaria, China, Sierra Leone, and Romania, as well as other countries in Eastern Europe, for sexual exploitation and, to a lesser extent, forced labor. Men are trafficked to the Netherlands from India, China, Bangladesh, and Turkey for forced labor and sexual exploitation. According to the Dutch National Rapporteur for Trafficking in Persons, the highest risk sectors for labor trafficking are domestic employment, temporary employment agencies, agriculture and horticulture, restaurants, hotels, and construction.

The Government of the Netherlands fully complies with the minimum standards for the elimination of trafficking. The government continued to address trafficking through vigorous law enforcement and expanded victim protection. Prostitution, which is a contributing factor to the phenomenon of human trafficking, remains legal in the Netherlands within a government-regulated sector; however, the government undertook countermeasures to identify and prevent trafficking within the prostitution sector, and sustained a prevention initiative to raise trafficking awareness among clients of the commercial sex trade, which serves to reduce demand. In addition, the Amsterdam city government initiated plans to clean up the city’s Red Light District.

**Recommendations for the Netherlands:** Continue anti-trafficking awareness initiatives aimed at educating clients of the commercial sex trade about the causes and consequences of trafficking; evaluate why many reported trafficking victims decline to assist in the prosecution of their traffickers, and whether additional government measures would encourage more victims to do so; continue efforts to proactively identify trafficking victims in the legalized prostitution sector; and continue to review sufficiency of sentences in trafficking cases.

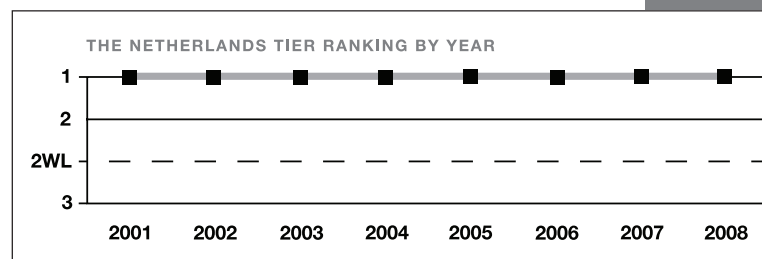
### Prosecution

The Government of the Netherlands continued to show substantial law enforcement efforts to combat trafficking. Since January 2005, the Netherlands has prohibited all forms of trafficking through Criminal Code Article 273, which prescribes penalties for any form of trafficking of six to 15 years’ imprisonment and fines of up to \$67,500. These penalties are sufficiently stringent and commensurate with those prescribed for rape. In 2006, the last year for

which statistics are available, police investigated and referred 201 sex trafficking cases for prosecution, an increase from 138 investigations in 2005. The public prosecutor prosecuted 216 sex trafficking cases, an increase from 138 in 2005, and obtained 90 convictions of trafficking offenders in 2006. The average prison sentence imposed was approximately 27 months’ imprisonment, and five-and-a-half years’ imprisonment in cases involving sexual violence. The College of Attorneys-General is investigating whether judges are systematically giving appropriate sentences in trafficking cases. In October 2007, Dutch authorities, in cooperation with law enforcement authorities in six other countries, dismantled a large criminal ring suspected of trafficking underage Nigerian asylum seekers into the Netherlands for sexual exploitation throughout Europe. Ten of the 19 suspects arrested are on trial. The government prosecuted four alleged labor trafficking cases in 2006; all resulted in acquittals in 2007, though two of these are being appealed by the government. In 2008, one labor trafficking case led to a conviction with a three-year prison term. Nine labor trafficking investigations are ongoing. All of the Netherlands’ 25 regional police forces have units with special expertise in investigating human trafficking.

### Protection

The government demonstrated increased efforts to protect trafficking victims. In 2007, the government registered 716 victims, up from 579 victims in 2006. Of the 716 victims, 49 were male, up from 30 in 2006, and 382 of the victims were exploited for commercial sexual exploitation. Dutch authorities provided a temporary residence mechanism to allow trafficking victims and witnesses to stay in the Netherlands during the investigation and prosecution of their traffickers; this included a reflection period of three months for victims to consider pressing charges. During this period, the government provides victims with legal, financial, and psychological assistance, including shelter (in facilities that also serve victims of domestic violence), medical care, social security benefits, and education financing. In October 2007, the Justice Ministry further eased requirements for trafficking victims to obtain temporary and permanent residence permits. The government opened two shelters for male victims in 2007. In December 2007, the government raised the budget for protec-



tion of trafficking victims and plans to expand shelter capacity and create additional separate shelters for men. In May 2007, the city of Amsterdam opened a special trafficking coordination center to facilitate NGO-police communication and shelter up to 10 women or girls. According to border police, since January 2006, approximately 140 underage Nigerian victims were trafficked from Dutch asylum centers and forced into prostitution elsewhere in Europe. Since 2007, the government has placed single, underage asylum seekers at secret locations under police supervision and provided intensive counseling to prevent them from being trafficked. Despite robust protection measures, many registered trafficking victims did not press charges due to fear of retaliation by their traffickers. Victims are not penalized for unlawful acts committed as a direct result of being trafficked. The Dutch Foreign Ministry provides roughly \$3.75 million per year to fund international anti-trafficking and victim protection programs, particularly in principal victim source countries such as Romania, Bulgaria, and Nigeria.

### Prevention

The Netherlands demonstrated strong trafficking awareness-raising efforts during the year. In January 2008, the government renewed its multimedia campaign targeted at sex trade “clients,” women in prostitution, and others encouraging them to report signs of trafficking to an anonymous tip line. Prostitution remains legal in the Netherlands; however, the government sponsored an initiative to combat trafficking by placing anti-trafficking public service announcements on a website frequented by men seeking women in prostitution. Beginning in 2008, the Social Ministry’s Labor Inspectorate will screen brothels to check for signs of exploitation in addition to the regular screening conducted by specially trained police units. In 2007, the Justice Ministry expanded an agreement with the Dutch newspaper association committing newspapers to require escort services to include their business license or Value Added Tax numbers in ads for sexual services. In December 2007, Amsterdam Mayor Cohen presented a plan to “get rid of the underlying criminality” of the red light district that would restrict brothels to a smaller area, exclude pimps from the district, and tighten permit requirements for brothel and escort service operators, to include criminal background investigations. A high level task force on combating trafficking chaired by the attorney general responsible for trafficking prosecution policy was inaugurated in 2008. The Dutch military provides training to all military personnel on the prevention of trafficking and sexual exploitation and additional training on recognizing trafficking victims for Dutch troops being deployed abroad for duty as international peacekeepers. Dutch military personnel serving abroad are prohibited from patronizing sex trade

establishments. Dutch military police have a protocol to identify and detain passengers at Dutch airports suspected of child sex tourism. In 2008, the government committed approximately \$780,000 over three years to an ECPAT project to implement a code of conduct for tourism operators in destination countries to prevent child sex tourism. The government also provides funds to ECPAT to show in-flight videos on flights from Amsterdam to popular holiday destinations warning travelers that child sex tourism is prosecutable in the destination country as well as in the Netherlands.

### The Dutch Caribbean Autonomous Regions

Anecdotal reporting suggests that the Netherlands Antilles and Aruba, semi-autonomous regions within the Kingdom of the Netherlands, are transit and destination regions for trafficking of men, women, and possibly children for sexual exploitation and domestic servitude, as well as forced labor in the construction and agriculture sectors. Curacao, Aruba, and Saint Maarten are destination islands for women trafficked for the sex trade from Peru, Brazil, Colombia, the Dominican Republic, and Haiti, according to local observers. At least 500 foreign women reportedly are in prostitution throughout the five islands of the Antilles, some of whom have been trafficked. While the governments of the Netherlands Antilles and Aruba admit that illegal immigration is a serious issue and are concerned about human trafficking, government officials generally do not recognize the extent of trafficking in the Dutch Caribbean.

### Recommendations for Dutch Caribbean

**Authorities:** Ensure that there is a legal framework in place to prohibit and punish all forms of human trafficking; collaborate with the Netherlands to more effectively detect trafficking and investigate and prosecute those responsible; enhance efforts to identify, protect, and assist victims of trafficking; and increase measures to prevent human trafficking.

There have been no reported investigations or prosecutions of human trafficking cases in the Dutch Caribbean Autonomous Regions. Visas for Aruba and the Netherlands Antilles are issued by Dutch embassies following review by Aruban or Netherlands Antilles’ authorities. Allegations and proven instances of corruption in the realm of immigration and work permits exist; however, corrupt officials in the Netherlands Antilles are prosecuted by an independent Public Prosecutor’s Office. Authorities are working to increase the sensitivity of police officers to recognize possible victims of trafficking among illegal immigrants.

Netherlands Antilles and Aruban officials have established formal contacts with the Dutch

government's human trafficking coordination center. The Dutch Ministry of Justice made funds available for the Netherlands Antilles to participate in IOM's anti-trafficking public awareness campaign during the reporting period.

## NEW ZEALAND (Tier 1)

New Zealand is a destination country for women from Malaysia, Hong Kong, the People's Republic of China, and other countries in Asia trafficked for the purpose of commercial sexual exploitation. Among foreign women in New Zealand's commercial sex trade, some may be trafficking victims, though estimates of international trafficking victims are modest. Commercial sexual exploitation of minors occurs within the country on a limited basis and there have been only a few instances where authorities suspect that minors in prostitution have been trafficked by third parties. New Zealand authorities are investigating allegations that some Asian and Pacific Islanders who migrate willingly to work in the agricultural sector and women from the Philippines who migrate to work as nurses are charged excessive recruiting fees by manpower agencies, and experience unjustified salary deductions and occasional contract fraud, actions that make them vulnerable to involuntary servitude or debt bondage.

The Government of New Zealand fully complies with the minimum standards for the elimination of trafficking. During the year, police increased investigations by raiding several red light areas and massage parlors suspected of exploiting migrants illegally participating in the legal commercial sex trade and minors. However, sentences handed down to those convicted of exploiting minors in commercial sex remained relatively light, including home detention in one case.

**Recommendations for New Zealand:** Implement and support a visible anti-trafficking awareness campaign directed at clients of the sex trade; continue conducting efforts to proactively identify trafficking victims in the legalized prostitution sector; institute a formal procedure to identify victims of trafficking among vulnerable groups such as foreign women arrested for prostitution or migrant laborers; and continue efforts to investigate and prosecute citizens engaged in child sex tourism.

### Prosecution

The Government of New Zealand improved law enforcement action against trafficking crimes during the past year. New Zealand prohibits sex trafficking and labor trafficking through Part 5 of the 1961 Crimes Act. The 2003 Prostitution Reform Act (PRA) legalized prostitution for those over the age of 18 and also decriminalized solicitation. Other statutes criminalize receiving financial gain from an act

involving children exploited in prostitution and prohibit child sex tourism. Penalties prescribed for trafficking are sufficiently stringent, and penalties for trafficking for commercial sexual exploitation that range up to 20 years' imprisonment, are commensurate with those for rape. While there have been no prosecutions under New Zealand's anti-trafficking law, which requires movement across an international border, internal trafficking can be prosecuted under New Zealand's laws on forced labor, slavery, other forms of abuse, and the PRA. The government has prosecuted and convicted individuals under the PRA for exploiting children in commercial sexual exploitation. Of the 94 prosecutions for crimes involving commercial sexual exploitation of minors since the PRA became effective in 2004, 31 of those prosecutions occurred in 2007, resulting in 25 convictions. Of the 25 convictions, five offenders received jail sentences, 12 offenders received community service, two offenders received probation, three were fined, and three cases were acquitted. In February 2008, a defendant found guilty of exploiting a 14- and 16-year-old in his brothel was sentenced to one year of home detention. In March 2008, a man was found guilty of seven charges under the PRA, including conducting "training sessions" for three minors in his brothel, and was sentenced to 27 months' imprisonment.

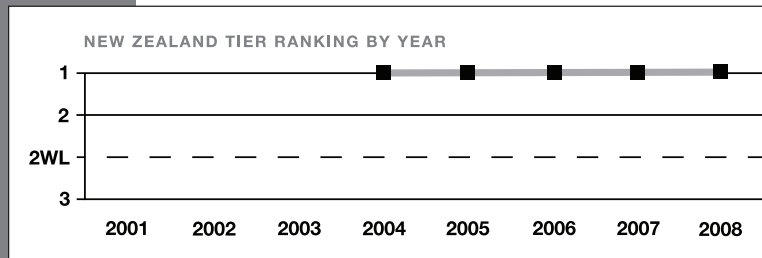
During the reporting period, police increased investigative activities directed at finding foreign nationals and underage youth in prostitution, including raids in several red light areas and massage parlors suspected of sexually exploiting minors. In January 2008, police conducted a sweep in the red light district of Auckland and found 16 underage persons suspected of engaging in commercial sexual activity. According to police, some minors were living in gang homes and controlled by pimps who exchanged sex for accommodation, food, and drugs. Charges in this case are pending.

In 2007, the Department of Labor prosecuted five persons for helping or enticing illegal workers to stay in New Zealand for material gain in violation of the Immigration Act. In one case, a Vietnamese national in New Zealand helped several workers jump ship from a Korean fishing vessel on which they were exploited and trafficked them to another Vietnamese national who exploited the workers in New Zealand's agriculture industry. The Vietnamese nationals were sentenced to 27 months' incarceration and 21 months' home detention, respectively. There is no evidence of New Zealand government officials' complicity in trafficking in New Zealand.

### Protection

The Government of New Zealand funds an extensive network of victim support and social

services for victims of crimes, to include victims of trafficking. No victims of trafficking were identified by the government during the reporting period. Temporary permits can be provided to foreign victims of trafficking in individual cases. The government provides several support services for minors involved in or at risk of commercial sexual exploitation. In an effort to deter potential trafficking of migrant workers, the government in 2007 initiated a Recognized Seasonal Employer (RSE) program. It routinely conducts compliance visits to employers under the RSE to review agreements and fees, and to check for signs of impropriety and possible trafficking. The Department of Labor is currently investigating a complaint involving Asian nurses. There were no reports of trafficked victims who were jailed, fined, or deported for unlawful acts committed as a result of being trafficked. According to the Department of Labor, the Vietnamese ship jumpers remain in New Zealand and have assisted with the investigations and prosecutions as witnesses. New Zealand continues to fund victim protection programs in key trafficking Southeast Asian source countries of the Mekong Sub-Region.



### Prevention

The Government of New Zealand continued efforts to prevent incidents of trafficking in persons over the year. There were no government-run information or education campaigns targeting transnational trafficking, underage prostitution, or exploitation of migrant workers during the reporting period. However, the government remained active in several regional and international efforts to prevent, monitor, and control trafficking. The government's foreign assistance agency, NZAID, continued to provide substantial funding to source countries and international organizations for capacity building, prevention, and services for victims of trafficking. The New Zealand government highlighted its extra-territorial legislation on child sex tourism on its travel webpage during the reporting period and punished child sex tourism committed by New Zealand residents in other countries; one person was convicted in 2007 and sentenced to a term of 820 days imprisonment. Prior to deployment for international peacekeeping missions New Zealand Defence Force (NZDF) personnel received anti-trafficking training. There were no visible measures

undertaken by the government to reduce the demand for commercial sex acts in the legalized adult commercial sex industry in New Zealand.

## NICARAGUA (Tier 2)

Nicaragua is a source country for women and children trafficked for the purposes of commercial sexual exploitation and forced labor. Women and children are trafficked for commercial sexual exploitation within the country and transnationally, primarily to Guatemala and El Salvador. In smaller numbers, women and children are also trafficked for sexual exploitation to Costa Rica, Mexico, Honduras, Venezuela, Spain, and the United States. The most prevalent form of internal trafficking is believed to be the exploitation of minors in prostitution, including for child sex tourism. However, children are also trafficked within the country for forced labor in construction, agriculture, the fishing industry, and for domestic servitude. Districts with identified human trafficking activity include Rio San Juan, Rivas, Madriz, Chinandega, Managua, Esteli, and Nueva Segovia. Young Nicaraguan males are also trafficked for the purpose of forced labor in agriculture and construction from southern border areas to Costa Rica.

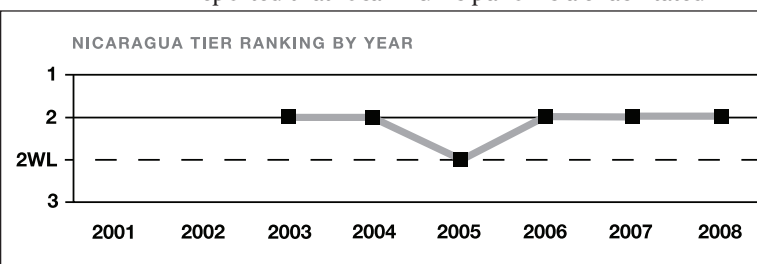
The Government of Nicaragua does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government made solid efforts to address sex trafficking through prosecutions, convictions, and awareness-raising campaigns; however, it failed to address the problem of labor trafficking. Overall victim protection efforts remained weak.

**Recommendations for Nicaragua:** Increase efforts to investigate, prosecute, convict, and punish trafficking offenders, including government officials suspected of complicity with trafficking activity; prosecute and convict labor traffickers under existing forced labor laws; bring the new penal code package which will replace Article 203 with stronger anti-trafficking statutes into force; develop and enact laws criminalizing trafficking of children and adults for forced labor; train personnel within the Ministry of the Family and its Social Protection Centers to provide specialized care for sex and labor trafficking victims; and provide care for adult trafficking victims.

### Prosecution

The Government of Nicaragua demonstrated sustained efforts to combat trafficking through law enforcement during the reporting period. Nicaragua does not prohibit all forms of trafficking in persons, though it criminalizes child and adult trafficking for the purpose of sexual exploitation through Article

203. The prescribed penalties for sex trafficking are four to 10 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other grave crimes. Penal code Article 177 prohibits the promotion of child sex tourism through travel tours and advertising campaigns, prescribing five to seven years' imprisonment and a fine. In November 2007, the National Assembly passed a penal code reform package that will replace existing Article 203 with stronger anti-trafficking statutes by increasing its penalties for sex trafficking to seven to 12 years' imprisonment, and criminalizing acts by those who facilitate the activities of traffickers. However, during the reporting period, the new amendment did not come into effect because the penal code reforms had not been published in the federal registry. Nicaragua's current and proposed laws fail to adequately prohibit the trafficking of adults or children for forced labor. During the year, the government reported that it investigated 17 trafficking cases, arrested 11 trafficking suspects, and prosecuted two cases against trafficking offenders, with both resulting in convictions. Sentences imposed ranged from four to nearly 10 years' imprisonment. Two suspected child traffickers remain under investigation. In July 2007, an Indonesian woman reported to authorities that she had been trafficked to Managua by a Nicaraguan employer for domestic servitude. The woman reportedly had been subjected to physical restraint, psychological coercion, and the withholding of her wages. While authorities referred the victim to IOM for repatriation, the government indicated it was not able to prosecute the employer because labor trafficking is not criminalized under Nicaraguan law. The employer later filed a complaint with police against IOM. In collaboration with NGOs, government officials received specialized training on recognizing, investigating and prosecuting trafficking cases. A 2007 study by the Institute of Public Policy and Strategic Studies reported that local municipal officials facilitated



trafficking by assisting lawyers hired by traffickers to prepare fraudulent documents and identification cards used to transport victims. During the year, the government failed to conduct any investigations into official complicity in trafficking.

#### Protection

The Nicaraguan government made inadequate efforts to protect trafficking victims in the last year.

The Ministry of the Family (MOF) provided services to child victims through 81 Special Protection Centers (SPC) and referred other victims to NGOs, but failed to provide data on the number of trafficking victims assisted during the year. The government does not operate shelters for adult trafficking victims. The Human Rights Ombudsman reported that the MOF and most of its SPCs lacked personnel trained to provide care to sex trafficking victims. The MOF continued to contribute personnel and resources to operate its donor-funded 24-hour trafficking telephone hotline, which provided victim callers with anti-trafficking information and car transportation to victim services. The hotline received more than 1,000 trafficking-related calls between April and December 2007. The National Police followed procedures to identify trafficking victims among females in the country's regulated prostitution sector. Nonetheless, NGOs reported that in some cases, due to lack of understanding of trafficking, police and judges treated victims as criminals for acts committed as a result of being trafficked. In most cases, the government encouraged victims to participate in trafficking investigations and prosecutions, though many refused due to fear of social stigma and retribution by traffickers. The government provided a legal alternative—temporary residency status—to the removal of foreign victims to countries where they may face hardship or retribution.

#### Prevention

The Nicaraguan government sustained solid efforts to raise awareness of trafficking during the last year. The Immigration and Migration Service continued to provide anti-trafficking videos to travelers. The Ministry of Education distributed NGO-funded anti-trafficking brochures to teachers, school children, and public officials. The government continued to publicize its free hotline through its "Call and Live" awareness campaign. In August 2007, the Ministry of Government hosted a regional anti-trafficking conference. The Women and Children Police Commissariats continued to educate the public about sex trafficking. To reduce the demand for commercial sex acts, the government continued the second phase of a regional program launched in 2006 to eradicate commercial sexual exploitation, which included measures to raise anti-trafficking awareness.

## NIGER (Tier 2 Watch List)

Niger is a source, transit, and destination country for children and women trafficked for forced labor and sexual exploitation. Caste-based slavery practices, rooted in ancestral master-slave relationships, continue in isolated areas of the country. An estimated 8,800 to 43,000 Nigeriens live under conditions of traditional slavery. Children are trafficked

within Niger for forced begging by religious instructors, forced labor in gold mines, domestic servitude, sexual exploitation, and possibly for forced labor in agriculture and stone quarries. Nigerien children are also subjected to commercial sexual exploitation along the border with Nigeria, particularly in the towns of Birni N’Konni and Zinder, and are trafficked to Nigeria and Mali for forced begging and manual labor. Women and children from Benin, Burkina Faso, Gabon, Ghana, Mali, Nigeria, and Togo are trafficked to and through Niger for domestic servitude, sexual exploitation, forced labor in mines and on farms, and as mechanics and welders. Nigerien women and children are trafficked from Niger to North Africa, the Middle East, and Europe for domestic servitude and sexual exploitation.

The Government of Niger does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Niger has nonetheless been placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to eliminate trafficking in the last year. In particular, measures to combat and eliminate traditional slavery practices were weak. The government’s overall law enforcement efforts have stalled from the previous year. While efforts to protect child trafficking victims were steady, the government failed to provide services to or rescue adult victims subjected to traditional slavery practices. Similarly, the government made solid efforts to raise awareness about child trafficking, but poor efforts to educate the public about traditional slavery practices in general.

**Recommendations for Niger:** Pass and enact its 2006 draft legislation against trafficking; strengthen efforts to prosecute and convict trafficking offenders, including those guilty of slavery offenses; increase efforts to rescue victims of traditional slavery practices; adopt the draft national action plans to combat slavery and trafficking; sign and implement its draft bilateral accord with Nigeria; and increase efforts to raise awareness about traditional slavery practices and the law against slavery.

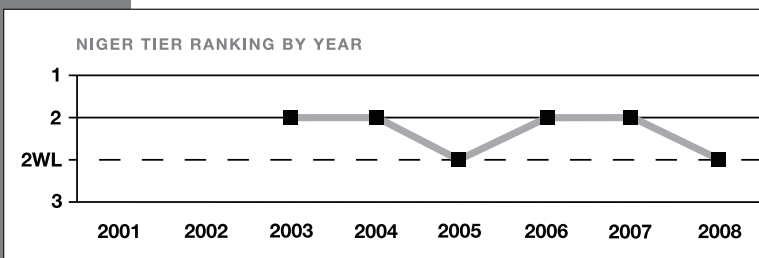
**Prosecution**

The Government of Niger decreased its anti-trafficking law enforcement efforts over the last year, particularly with respect to slavery. Niger prohibits

slavery through a 2003 amendment to Article 270 of its Penal Code and prohibits forced and compulsory labor through Article 4 of its Labor Code. Niger does not, however, prohibit other forms of trafficking. The prescribed penalty of 10 to 30 years’ imprisonment for slavery offenses is sufficiently stringent. The prescribed penalty of a fine ranging from \$48 to \$598 and six days to one month’s imprisonment for forced labor is not sufficiently stringent. In 2006, the government drafted a law against trafficking that has yet to be submitted to the Council of Ministers. In the last year, law enforcement authorities arrested 22 suspects in connection with the trafficking of 172 children. Seventeen of these suspects were released without being charged, four were charged with abduction of minors, and one was handed over to officials in Mali. Of the four individuals charged, one was sentenced in April 2007 to two years’ imprisonment for abducting her six-year-old nephew to sell him in Nigeria. The government was unable to provide an update on the status of two individuals detained and charged with enslavement in 2006. An additional three slavery cases have been pending since 2004. The Ministry of Justice approved the inclusion of an anti-trafficking training course, which focuses on special investigative techniques, international cooperation, and victim and witness protection, into the national law enforcement curriculum. Although Niger and Nigeria prepared a bilateral cooperation agreement to combat trafficking in December 2006, it has yet to be signed.

**Protection**

The Government of Niger demonstrated steady efforts to protect child trafficking victims over the last year, but poor efforts to protect adult and child victims of traditional slavery practices. Due to lack of resources, the government does not operate its own victim shelter, but refers child trafficking victims to NGOs for assistance. The government also provided some basic health care to trafficking victims. The government referred 182 child victims to NGOs for care in the last year. The government failed to report rescues of traditional caste-based slaves or to provide them with social services. To combat trafficking of boys for forced begging by religious instructors, the government developed a plan to restructure Islamic schools and increased instructor salaries. The government encourages victims to report their traffickers to law enforcement officials and allows NGOs to assist victims in pursuing prosecutions against traffickers. The Ministry of the Interior (MOI) runs a program to welcome and shelter, for about one week, repatriated Nigerien victims of trafficking. MOI officials interview victims to understand what happened in their cases and help them return to their homes in Niger. The government does not provide legal alternatives to the removal of foreign victims to countries where they



face hardship or retribution. Victims are not inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked.

### Prevention

The Government of Niger made solid efforts to educate the public about child trafficking during the reporting period. Government efforts to raise awareness about traditional slavery practices were poor, however. In June 2007, the Minister of Women's Promotion and Child Protection made a public speech acknowledging that "urgent measures" were needed to address the problem of child trafficking. She also chaired a panel discussion about trafficking that was aired on national radio. In June 2007, the government collaborated with UNICEF and NGOs to educate hotel and cyber café managers about child sexual exploitation. In November 2007, the National Commission on Human Rights and Fundamental Liberties established a national coordination committee to conduct a six-month government-funded study on forced labor, child labor, and slavery practices. Niger's 2006 draft national action plan to combat trafficking and draft plan to combat forced labor linked to slavery have yet to be adopted. While the National Commission for the Control of Trafficking in Persons established in 2006 continued to exist, it had no budget. Niger did not take measures to reduce demand for commercial sex acts during the year.

## NIGERIA (Tier 2)

Nigeria is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and commercial sexual exploitation. Within Nigeria, women and girls are primarily trafficked for domestic servitude and sexual exploitation, and boys are trafficked for forced begging by religious teachers, as well as forced labor in street vending, agriculture, mining, stone quarries, and domestic servitude. Transnationally, women, girls, and boys are trafficked between Nigeria and other West and Central African countries, primarily Gabon, Cameroon, Benin, Niger, The Gambia and Ghana, for the same purposes listed above. Benin is a primary source country for boys and girls trafficked for forced labor in Nigeria's granite quarries. Nigerian women and girls are also trafficked to North Africa, Saudi Arabia, and Europe, most notably to Italy, Spain, the Netherlands, Belgium, Austria, Norway, and Greece. Nigeria's Edo state is a primary source area for woman and girls trafficked to Italy for sexual exploitation. In 2004, Nigeria's National Agency for the Prohibition of Trafficking in Persons (NAPTIP) reported that 46 percent of Nigerian victims of transnational trafficking are children, with the majority of them being girls trafficked for commercial sexual exploitation. An increasing trend, reported on widely

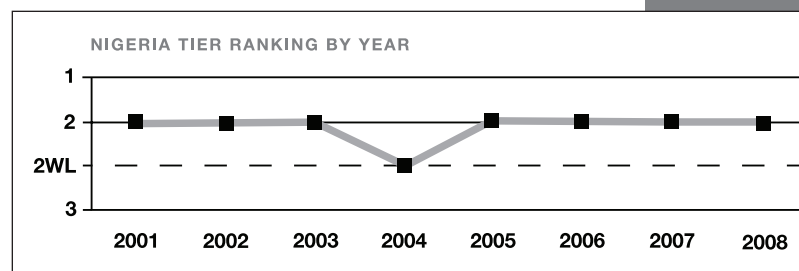
in the last year by the United Kingdom (U.K.) and the international press, is the trafficking of African boys and girls from Lagos to the U.K.'s urban centers, including London, Birmingham and Manchester, for domestic servitude and forced labor in restaurants and shops. Some of the victims are Nigerian, while others are trafficked from other African countries through Lagos.

The Government of Nigeria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nigeria continued to demonstrate a solid commitment to eradicating trafficking. Although NAPTIP made solid efforts to investigate and prosecute trafficking cases, the relative number of convicted traffickers remained low. While Nigeria assisted an increased number of victims, the quality of care provided was compromised by inadequate funding to shelters.

**Recommendations for Nigeria:** Increase efforts to prosecute and convict trafficking offenders; allocate increased funds to collecting evidence for trafficking prosecutions and to victim care at NAPTIP's shelters; increase trafficking training for judges; offer expanded legal alternatives to the removal of foreign victims to countries where they face danger or retribution; and improve trafficking and crime data collection mechanisms.

### Prosecution

The Government of Nigeria continued to combat trafficking through modest law enforcement efforts during the last year. Nigeria prohibits all forms of trafficking through its 2003 Trafficking in Persons Law Enforcement and Administration Act, which was amended in 2005 to increase penalties for traffickers, and its 2003 Child Rights Act. Prescribed penalties of five years' imprisonment for labor trafficking, 10 years' imprisonment for trafficking of children for forced begging or hawking, and a maximum of life imprisonment for sex trafficking are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. During the last year, NAPTIP reported investigating 114 trafficking cases, 62 of which were prosecuted. Of the 62 cases, seven resulted in convictions and 51 are still pending in the court. Sentences imposed on convicted trafficking



offenders ranged from one to 10 years' imprisonment. This law enforcement data, however, primarily reflects cases handled by NAPTIP's headquarters in Abuja. Trafficking data collected at the Agency's five other zonal offices are not systematically collected by NAPTIP's headquarters. Judicial effectiveness in punishing trafficking crimes is hampered by a lack of funding for thorough investigations and a lack of awareness of trafficking among judges, many of whom conflate trafficking with smuggling. Over the year, NAPTIP cooperated with law enforcement counterparts in Spain, Ireland, the Netherlands, the United Kingdom, Italy, France, Norway, and Belgium to break up an international ring comprised of over 20 traffickers. During the year, the government extradited a man wanted to stand trial for trafficking a 14-year-old Nigerian girl to the United States. NAPTIP also collaborated with other African governments during the year on trafficking cases, most notably those of Benin, Togo, and Cameroon. The government trained 750 police, immigration, customs, and border security officials about trafficking during the reporting period. NAPTIP also provided anti-trafficking training to Nigerian embassy and consulate authorities posted in source countries. In addition, Nigeria contributed training materials and instructors to a donor-funded law enforcement anti-trafficking training program.

### Protection

The Nigerian government continued steady efforts to protect trafficking victims during the last year. NAPTIP continued to operate seven shelters throughout the country – in Lagos, Abuja, Kano, Sokoto, Enugu, Uyo, and Benin City. However, due to inadequate funding, some shelters were not well-maintained, and they offered limited rehabilitation care and no reintegration services. Despite a documented significant trafficking problem in Nigeria, NAPTIP shelters were not well used. In January 2008, for example, the Lagos shelter, with a capacity for 120 victims, housed only 15 victims. The government refers victims to NGOs on an ad hoc basis, but employs no formal, systematic procedures for referring victims to service providers. NAPTIP has agreements with hospitals and clinics, however, to provide care to victims with HIV/AIDS. NAPTIP reported rescuing 800 victims, and providing assistance to 695. During the year Nigerian and Beninese authorities implemented the terms of their joint anti-trafficking plan of action by repatriating 47 Beninese children found trafficked to some of Nigeria's stone quarries during the year. NAPTIP also collaborated with Togolese officials to repatriate two victims back to Togo. NAPTIP provided trainers and other personnel to assist a foreign donor to train 34 government counselors on strategies for caring for trafficking victims. NAPTIP encourages victims to participate in investigations and prosecutions of trafficking crimes, as victim testimony is usually required to prosecute

traffickers. Because cases take so long to go to trial, however, victims have often returned to their home communities by the time their testimony is needed in court. Frequently, they are unwilling or unable to return to the court to testify. Victims also often refuse to testify due to fear of retribution. Nigeria provides a limited legal alternative to the removal of foreign victims to countries where they face hardship or retribution – short-term residency that cannot be extended. The government places foreign victims in shelters under guard until they are repatriated. Although there were no reports of victims inappropriately incarcerated, fined, or penalized for unlawful acts committed as a result of being trafficked, police do not always follow procedures to identify trafficking victims among females arrested for prostitution. The government is hesitant to conduct raids on brothels and typical raid tactics are not sensitive to trafficking victims.

### Prevention

The Government of Nigeria took some steps to raise awareness about trafficking during the reporting period. NAPTIP's public enlightenment division erected billboards and posters carrying anti-trafficking public awareness messages and hosted anti-trafficking forums in villages. The government also aired anti-trafficking public service announcements. Recent reforms tightening immigration laws related to the issuance of passports are expected to yield a decrease in trafficking. Nigerian troops receive anti-trafficking awareness training through a donor-funded program before being deployed abroad as part of peacekeeping missions for ACOTA. A national anti-trafficking forum, established by NAPTIP in 2003, met regularly in each state as well as in the six regional zones. The government did not, however, take steps to reduce the demand for commercial sex acts within Nigeria.

## NORTH KOREA (Tier 3)

The Democratic People's Republic of Korea (D.P.R.K. or North Korea) is a source country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. The most common form of trafficking involves North Korean women and girls who cross the border into the People's Republic of China (P.R.C.) voluntarily. Many of them are from North Hamgyong province, one of the poorest provinces in the country, located near the Chinese border. Once in the P.R.C., they find themselves in difficult legal and financial circumstances, are picked up by traffickers, and sold as brides to PRC nationals, usually of Korean ethnicity. In other cases, North Korean women and girls are lured out of North Korea to escape poor social and economic conditions by the promise of food, jobs, and freedom,



only to be forced into prostitution, marriage, or exploitative labor arrangements once in the P.R.C. While many women trafficked into China are sold as brides, some North Korean women in China are forced into prostitution, usually in brothels. The illegal status of North Koreans in the P.R.C. and other Southeast Asian countries increases their vulnerability to trafficking for purposes of forced labor and sexual exploitation. NGOs estimate that tens of thousands of North Koreans presently live in China, more than half of whom are women; however, there is no reliable information on how many of these North Koreans are or have been trafficked. Within the D.P.R.K., forced labor continues to be part of an established system of political repression. An estimated 150,000 to 200,000 persons in political prison camps are subjected to reeducation through labor, by logging, mining, and crop tending. Reports indicated that conditions in camps for political prisoners are extremely harsh, and many prisoners are not expected to survive.

The D.P.R.K. regime recruits an estimated 10,000 to 15,000 North Korean contract workers to fill highly sought-after jobs overseas for D.P.R.K. entities and foreign firms. While there is no evidence of force, fraud, or coercion in the recruitment process, there are continued reports that North Koreans sent abroad may be employed in harsh conditions, with their freedom of movement and communication restricted. There are concerns that this labor may be exploitative, since their salaries are deposited into accounts controlled by the North Korean government. Countries in which North Koreans work through such arrangements reportedly include Russia, Romania, Libya, Bulgaria, Saudi Arabia, Angola, Mongolia, Kuwait, Yemen, Iraq and China. The North Korean government recently signed an agreement with Mongolia that will send up to 5,300 North Korean laborers to Mongolia over the next five years. North Korean workers at joint ventures within the D.P.R.K. are employed under arrangements similar to those that apply to overseas contract workers.

The North Korean government does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government does not acknowledge the existence of human rights abuses in the country or recognize trafficking, either within the country or transnationally. The D.P.R.K. government does not differentiate between trafficking and other forms of illegal border crossing, such as illegal economic migration or defection. The government also contributes to the problem of trafficking through forced labor prison camps, where North Koreans live in conditions of servitude, receiving little food and little, if any medical care. There also remain concerns about the government's contract labor arrangements abroad, with

the D.P.R.K. government keeping most or all of the foreign exchange paid for workers' salaries.

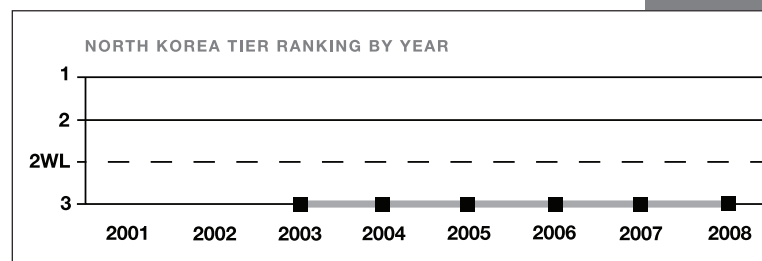
**Recommendations for North Korea:** Institute a victim identification procedure to systematically identify and protect victims of trafficking; cease the punishment of trafficking victims for acts committed as a result of being trafficked; and support NGO presence in North Korea to assist victims of trafficking.

### Prosecution

The D.P.R.K. made no effort to combat trafficking in persons through law enforcement efforts. There were no reported prosecutions or convictions during the reporting period. Little information is available on North Korea's internal legal system, and it is unlikely that North Korean laws are adequate to address the trafficking problem. Article 150 of the Penal Code criminalizes the abduction, sale, or trafficking of children, but there are no known laws that address the trafficking of adults for labor or sexual exploitation. The penal code criminalizes crossing the border without permission and defection; these laws are used against both traffickers and trafficking victims. However, the question of how laws are applied in North Korea is usually more important than their terms. Fair and transparent trials do not occur in the D.P.R.K., so it is unclear under what provisions of the law, if any, traffickers are prosecuted. The government sends political prisoners and some criminals to prison camps where they are forced to engage in harsh labor. The regime's claimed crackdowns on "trafficking networks" are likely a result of its desire to control all activity within its borders, particularly illegal emigration, rather than to combat trafficking in persons. The laws invoked against traffickers are those that seek to limit all cross-border migration, including refugee outflows, and often wind up harming trafficking victims.

### Protection

The North Korean regime not only does not recognize trafficking victims and fails to make any effort to provide protection or assistance to victims; through invocation of the same cross-border migration laws used to punish trafficking offenders, it regularly punishes victims for acts committed as a result of being trafficked by failing to differentiate them from other border-crossers. North Koreans forcibly repatri-



ated from China, including a significant number of women believed to be trafficking victims, are often jailed and forced into prison camps, where they may undergo torture and other severe punishment. The North Korean government places priority on controlling all activities within its borders; protecting individuals from mistreatment, exploitation, and retribution are not government priorities.

### Prevention

The North Korean government does not acknowledge the existence of human rights problems, including trafficking in persons. The government purports to attack trafficking networks, but in reality, this appears to be an effort to stem human smuggling into China, and a part of its effort to control all activities within and across its borders and limit the movement of its people. There is no evidence that the government operated, administered, or promoted any public awareness campaigns related to trafficking in the country. There are no known indigenous NGOs, and the few international NGOs permitted to operate in the country work under intense government scrutiny. North Korea has not ratified the 2000 UN TIP Protocol.

## NORWAY (Tier 1)

Norway is a destination country for women and children trafficked from Nigeria, Russia, Albania, Ukraine, Latvia, Lithuania, Estonia, Brazil, and East Asian nations for the purpose of commercial sexual exploitation. Victims are sometimes trafficked through transit countries such as Sweden, Denmark, Italy, and the Balkan countries en route to Norway. Children in Norwegian refugee centers are vulnerable to human trafficking.

The Government of Norway fully complies with the minimum standards for the elimination of trafficking. Norwegian courts increased the duration of time given to convicted traffickers and continue to ensure all convicted traffickers served time in prison during the reporting period. Norway continued to provide generous funding to international anti-trafficking projects in addition to local NGOs providing protection.

**Recommendations for Norway:** Continue to vigorously investigate, prosecute, convict, and sentence both sex and labor trafficking offenders; continue to ensure the majority of traffickers serve time in prison; continue efforts to reduce the domestic demand for commercial sexual exploitation in Norway; and employ proactive victim identification procedures and procedures to ensure victims are not improperly penalized for unlawful activity as a direct result of being trafficked.

### Prosecution

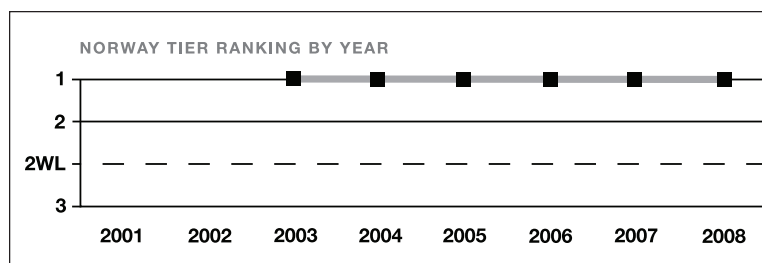
The Norwegian government sustained its adequate anti-trafficking law enforcement efforts during the reporting period. Norway prohibits all forms of trafficking in persons through its Crimes Against Personal Freedom Law of 2004, which prescribes a maximum penalty of five years' imprisonment—a penalty that is sufficiently stringent and commensurate with punishments for other grave offenses, such as rape. In 2007, police conducted at least 19 investigations, compared to 29 in 2006. Authorities prosecuted six persons for trafficking, compared to two prosecutions in 2006. Six people were convicted of trafficking during the reporting period, compared to five convictions in 2006. Courts increased the length of sentences served by convicted traffickers in 2007; all six traffickers were sentenced to 18 to 30 months' imprisonment. In 2006, four traffickers were sentenced to four to six months' imprisonment and one trafficker was sentenced to 30 months' imprisonment.

### Protection

The government sustained strong efforts to provide assistance and protection to victims of trafficking during the year. The government identified 190 victims in 2007. Victims are permitted to stay in Norway during a six-month reflection period in order to receive assistance; 30 victims benefited from the reflection period during the reporting period. The government provided \$2 million to anti-trafficking NGOs in addition to spending separate municipal funds on housing, medical care, and other forms of victim assistance. Thirty-seven victims received assistance in 2007. After their reflection periods, victims can apply for one-year residency permits. Generally, the government encourages victims to participate in trafficking investigations and prosecutions. Trafficking victims were not penalized during the reporting period for unlawful acts committed as a direct result of their being trafficked. All police officers and border patrol agents receive formal training on victim identification.

### Prevention

Norway continued its trafficking prevention efforts, both domestically and abroad. In 2007, Norway allocated \$18 million to international anti-trafficking projects. The government also funded a website aimed at raising awareness and initiated a high school education campaign on human trafficking. The government provides specialized training for employees in refugee asylum centers on identifying victims of human trafficking. The government briefs all Norwegian troops on human trafficking prior to deployment overseas on international peacekeeping missions. Norway monitors immigration patterns for evidence of trafficking. Norway does not sponsor any awareness activities aimed at reducing the demand



for commercial sex acts in Norway's legalized sex trade, although legislation recently enacted will criminalize the purchase of commercial sex starting in 2009. Norway contributes to several international organizations and NGOs to conduct domestic and international campaigns against child sex tourism. A Norwegian court also convicted one Norwegian man for child sex tourism offenses committed in Thailand, and sentenced him during the reporting period to seven years' imprisonment.

## OMAN (Tier 3)

Oman is a destination and transit country for men and women primarily from India, Pakistan, Bangladesh, Sri Lanka, the Philippines, and Indonesia, most of whom migrate willingly as low-skilled workers or domestic servants. Some of them subsequently face conditions of involuntary servitude, such as withholding of passports and other restrictions on movement, non-payment of wages, long working hours without food or rest, threats, and physical or sexual abuse. Unscrupulous labor recruitment agencies and their sub-agents at the community level in South Asia and the United Arab Emirates (U.A.E.) may also coerce or defraud workers into accepting exploitative work, including conditions of involuntary servitude, in Oman. Oman is also a destination country for women from China, India, the Philippines, Morocco, and Eastern Europe who may be trafficked for commercial sexual exploitation.

The Government of Oman does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Oman failed to report any law enforcement activities to prosecute and punish trafficking offenses this year under existing legislation. The government also continues to lack victim protection services or a systematic procedure to identify victims of trafficking among vulnerable populations, such as undocumented migrants and women arrested for prostitution.

**Recommendations for Oman:** Enact legal reforms to prohibit all forms of trafficking, including forced labor, commercial sexual exploitation, and the use of force, fraud, or coercion in the recruitment process; significantly increase investigations and

prosecutions of trafficking crimes, and convictions and punishment of trafficking offenders; institute a formal victim identification mechanism; afford victims of trafficking protection services, such as medical, psychological, and legal assistance; and cease deporting possible victims of trafficking.

### Prosecution

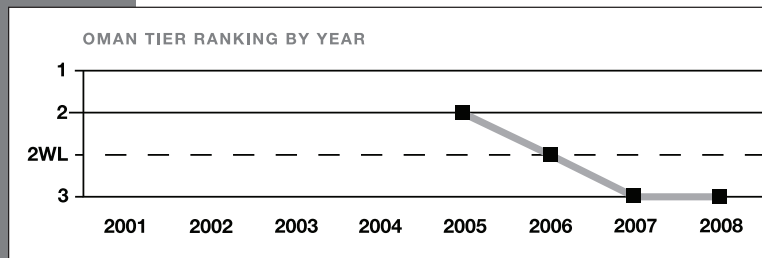
Oman failed to report any progress in prosecuting or punishing trafficking offenses over the last year. Although Oman lacks a comprehensive anti-trafficking law, it prohibits slavery under Articles 260-261 of its Penal Code, which prescribes penalties of three to 15 years' imprisonment. Oman also prohibits coerced prostitution through Article 220, with prescribed penalties of three to five years' imprisonment. Prescribed punishments for both crimes are sufficiently stringent and commensurate with penalties prescribed for other grave crimes. Although Royal Decree 74 prohibits forced labor, the prescribed penalties of up to one month in prison and/or fines are not sufficiently stringent to deter the offense. A legally enforceable circular prohibits employers from withholding workers' passports; the circular, however, does not specify penalties for noncompliance, and the practice continues to be widespread. The government did not report any arrests, prosecutions, convictions, or punishments for trafficking offenses under these laws in the last year and has taken no active measures to criminally investigate trafficking in persons. In 2008, the Ministry of Manpower (MOM) received 297 grievances from laborers, including some possible trafficking cases; the ministry negotiated all but 12 of these cases out of court. Oman did not report enforcing any criminal penalties against abusive employers.

### Protection

During the reporting period, Oman made no discernible efforts to improve protection services for victims of trafficking. The government does not provide shelter services, counseling, or legal aid to trafficking victims. Oman also lacks a systematic procedure to identify victims of trafficking among vulnerable groups, such as migrants detained for immigration violations and women arrested for prostitution. Furthermore, workers who are trafficking victims and have fled from their abusive employers without obtaining new sponsorship are subject to automatic deportation if detained by the authorities. Such victims may be reluctant to report abuse or participate in investigations for fear of detention and deportation. Oman does not offer foreign trafficking victims legal alternatives to removal to countries in which they may face hardship or retribution.

## Prevention

Oman made modest efforts to prevent trafficking in persons during this reporting period. The MOM published and began distributing a brochure in nine languages, including Urdu, Hindi, and Malayalam; these brochures provide information on rights and services available to migrant workers, as well as the contact information for the Ministry's 24-hour labor abuse hotline. The MOM also hired approximately 100 new labor inspectors and, in cooperation with the ILO, trained them in the requirements of core ILO conventions and how to recognize the signs of trafficking in persons. The government did not take any known measures during the reporting period to reduce the demand for commercial sex acts, or educate its citizens about child sex trafficking, including thorough public awareness campaigns targeting citizens traveling to known *child sex tourism* destinations.



## PAKISTAN (Tier 2)

Pakistan is a significant source, destination, and transit country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. Pakistan faces a considerable internal trafficking problem reportedly involving thousands of women and children trafficked to settle debts and disputes, or forced into sexual exploitation or domestic servitude. According to one NGO, children as young as six years old are forced into domestic service, and face physical and sexual abuse. Bonded labor is a large internal problem in Pakistan; unconfirmed estimates of Pakistani victims of bonded labor, including men, women, and children, are in the millions. A sizeable number of Pakistani women and men migrate voluntarily to the Gulf, Iran, Turkey and Greece for work as domestic servants or construction workers. Once abroad however, some find themselves in situations of involuntary servitude or debt bondage, including restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. In addition, some NGOs contend that Pakistani girls are trafficked to the Middle East for sexual exploitation. Pakistan is also a destination for women and children from Bangladesh, India, Burma, Afghanistan, Sri Lanka, Nepal, Azerbaijan, Iran, Kazakhstan, Kyrgyz Republic, Turkmenistan, Uzbekistan, and

Tajikistan for commercial sexual exploitation and forced labor. Women from Bangladesh, Sri Lanka, Nepal, and Burma are trafficked through Pakistan to the Gulf.

The Government of Pakistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Pakistan is placed on Tier 2 for its limited efforts to combat trafficking in persons over the last year, particularly in the area of law enforcement. Although the government continued to prosecute some traffickers, it did not demonstrate efforts to address the serious issues of bonded labor and other forms of labor trafficking, such as forced child labor and trafficking of migrant workers by fraudulent labor recruiters. Punishments assigned to convicted traffickers were also weak. In addition, the government failed to provide protection services to victims of forced labor.

**Recommendations for Pakistan:** Significantly increase law enforcement activities against bonded labor, forced child labor, and fraudulent labor recruiting for purposes of trafficking; vigorously investigate, prosecute, and punish acts of government complicity in trafficking at all levels; increase sentences of convicted traffickers; and expand victim protection services to include victims of forced labor and male victims of trafficking.

## Prosecution

The Government of Pakistan made insufficient law enforcement efforts to address trafficking this year. Pakistan prohibits all forms of transnational trafficking in persons through the Prevention and Control of Human Trafficking Ordinance (PACHTO); the ordinance's prescribed penalties range from seven to 14 years' imprisonment. The government also uses Sections 17-23 of the Emigration Ordinance to prosecute internal cases of trafficking. In addition, the Bonded Labor System Abolition Act prohibits bonded labor, with prescribed penalties ranging from two to five years' imprisonment and/or a fine. Prescribed penalties for trafficking in persons are sufficiently stringent and commensurate with those for other grave crimes, such as rape.

Pakistan did not demonstrate any significant law enforcement efforts against labor trafficking. Though Pakistan has a substantial problem of bonded labor—estimated to affect over one million victims—the government did not provide evidence of any arrests, prosecutions, convictions, or punishments for bonded labor. Similarly, the government did not confirm how many, if any, prosecutions or punishments occurred during the reporting period for other acts of forced labor, including fraudulent

labor recruitment and forced child labor. With respect to sex trafficking, during the reporting period, the government convicted 52 trafficking offenders—13 fewer than last year—under the PACHTO; the majority of the sentences, however, ranged from fines to six months' imprisonment, and as such, were not sufficiently stringent. Four traffickers received sentences of six months to two years' imprisonment, and one trafficker was sentenced to two to ten years' imprisonment. Given the extent of trafficking complicity by law enforcement officers, Pakistan announced a “zero tolerance” policy for government officials found to be complicit in trafficking, and applied it to two agents who were convicted and sentenced to seven years' imprisonment. Nonetheless, the government did not report systemic efforts to investigate, prosecute, and criminally punish trafficking complicity.

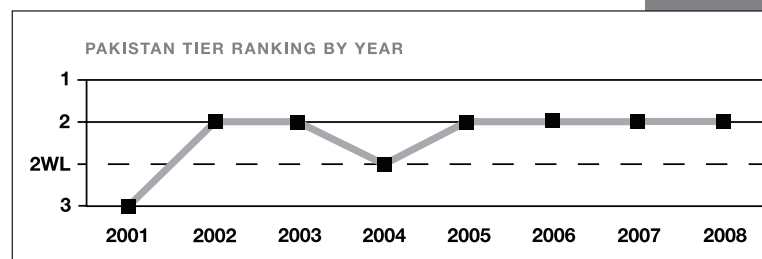
### Protection

This year, the government's efforts to protect victims of trafficking were inadequate. Pakistan did not report any programs to identify and protect victims of forced labor—the largest sector of Pakistan's trafficking victims—particularly bonded labor and child labor in informal industries such as domestic work. Male victims of trafficking, such as some boys exploited in prostitution, also did not receive government protection services. Protection for victims of commercial sexual exploitation remained limited; internally trafficked women and victims outside of the capital city could access any of 276 government centers offering medical treatment, vocational training and legal assistance to women and children. Pakistan provided limited assistance to foreign victims of sex trafficking by referring them to an IOM shelter; during the reporting period, the IOM shelter provided comprehensive care to 22 victims. The government also encouraged these victims to participate in investigations against their traffickers by permitting them to seek employment while awaiting trial. Foreign victims reportedly are not prosecuted or deported for unlawful acts committed as a result of being trafficked, but some victims may still be subject to punishment for fornication, even as victims of sex trafficking. The government does not provide foreign victims with legal alternatives to their removal to countries where they may face hardship or retribution. The Ministry of Overseas Pakistanis provides limited assistance to repatriated Pakistani trafficking victims, such as medical, legal, and financial assistance.

### Prevention

Pakistan made some efforts to prevent trafficking in persons during the reporting period. The government continued to air television, radio, and newspaper announcements warning of the dangers of trafficking children for camel jockeying in the Gulf. IOM, in conjunction with the Ministries of

Interior and Social Welfare and Special Education, conducted theater performances in high-risk areas as a way of raising public awareness of the threats and consequences of trafficking. Pakistan continues to monitor airports for trafficking patterns and potential victims. The government, however, did not take any reported measures during the reporting period to reduce the demand for commercial sex acts. Pakistan has not ratified the 2000 UN TIP Protocol.



## PANAMA (Tier 2 Watch List)

Panama is a source, transit, and destination country for women and children trafficked for the purpose of commercial sexual exploitation. The majority of victims are Panamanian women and children trafficked within the country into the sex trade. Some Panamanian women are trafficked to Jamaica and Europe for sexual exploitation. Rural children in Panama may be trafficked internally to urban areas for labor exploitation. Foreign victims trafficked into Panama are from Colombia, the Dominican Republic, and Central America. Some Colombian women reportedly migrate to Panama, intending to work in Panama's sex industry by means of the country's *alternadora* visa program, which is commonly used to facilitate prostitution. However, reports indicate that some Colombian women who obtain *alternadora* visas are defrauded as to the actual conditions of employment and later subjected to conditions of involuntary servitude and forced prostitution.

The Government of Panama does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Panama is nonetheless placed on Tier 2 Watch List for failing to show evidence of increasing efforts to combat human trafficking, particularly with respect to prosecuting, convicting, and sentencing human traffickers for their crimes, and for failing to provide adequate victim assistance. While the government launched innovative prevention initiatives during the reporting period, the government has not taken sufficient tangible measures to bring traffickers to justice.

**Recommendations for Panama:** Intensify law enforcement efforts against human trafficking;

consider terminating or taking other measures to curb the abuse of the *alternadora* visa program that is commonly used for sex trafficking; dedicate more resources for victim services; strengthen protections for foreign trafficking victims; and develop a formal system for proactively identifying trafficking victims among vulnerable populations, particularly prostituted women and at-risk youth.

**Prosecution**

The Government of Panama sustained limited efforts to investigate and prosecute trafficking crimes during the reporting period. Panama does not prohibit all forms of trafficking, although its Law 16 criminalizes trafficking for commercial sexual exploitation, prescribing punishment from five to eight years in prison, which are sufficiently stringent penalties that are commensurate with those prescribed for rape. During the reporting period, the government investigated 13 sex trafficking cases and convicted one trafficking offender, sentencing the defendant to three years in prison. Such results are even with 2006, when the government convicted one trafficking offender. The government also investigated 184 cases of child sexual exploitation; some of these cases may meet the definition of trafficking and could be prosecuted accordingly. Lack of sufficient coordination among police, prosecutors, and immigration authorities on trafficking cases was reported during the past year. More proactive police techniques to identify locations where potential trafficking activity takes place would likely lead to greater arrests and prosecutions, as would raids and other undercover operations. The government maintained anti-trafficking training for law enforcement and co-sponsored training with international partners. The government collaborates with neighboring governments on international trafficking investigations, although such cooperation reportedly could be strengthened. No reports of official complicity with human trafficking activity have been received.

**Protection**

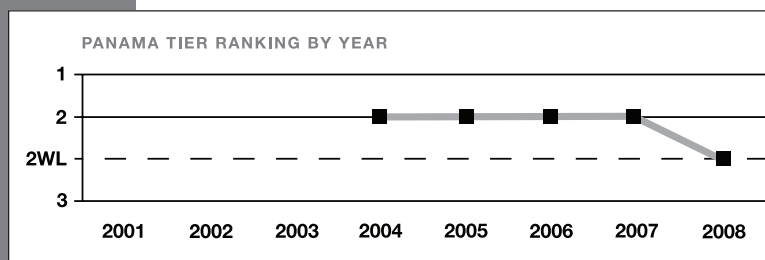
The Panamanian government continued limited efforts to assist trafficking victims during the reporting period. Most victim services were not available outside the capital. The government offered no dedicated shelter services for trafficking victims, but funded NGOs that operated two shelters accessible to trafficking victims and other victims of sexual

exploitation. The government agency in charge of anti-trafficking efforts reported limited funding for anti-trafficking activities, including victim services. The government does not have a formal mechanism for proactively identifying trafficking victims among vulnerable populations, although a new protocol on victim identification was distributed to social-service providers in the past year. Considering the high number of prostituted women in Panama’s sex trade, the development of more thorough victim identification procedures could facilitate rescue of greater numbers of trafficking victims. Panamanian authorities encourage victims to assist in the investigation and prosecution of their traffickers, and they provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. However, some prosecutors indicated that foreign victims are repatriated involuntarily before they can fully assist with legal efforts in court. There were no reports of victims being penalized for unlawful acts committed as a direct result of being trafficked.

**Prevention**

The government showed mixed progress in prevention activities during the reporting period. Despite troubling reports of exploitation of foreign women holding *alternadora* visas, the government increased the issuance of these visas or work permits to 600 in the past year. While many foreign women using these visas understand they will be involved in prostitution, some do not realize that once they arrive in Panama they will experience conditions of involuntary servitude, such as having to surrender their passports to their employers and not being able to quit or leave. Two Colombian women recently filed suit in Colombia against their recruiters for misrepresenting the nature of their prospective jobs. Additionally, there are no reported government efforts to reduce consumer demand for commercial sex acts in Panama.

The government launched an innovative pilot program with ILO called “Direct Action” to prevent at-risk Panamanian youth from being trafficked or re-trafficked. The program targeted nearly 100 vulnerable adolescents for specialized medical and psychological assistance, in addition to vocational training and furnishing of basic equipment to sell empanadas, tamales, and other food products to develop an alternate source of income. Social workers monitor these youths, and file charges against suspected traffickers when possible. The government also sponsored workshops for journalists on anti-trafficking reporting and how to portray trafficking victims more respectfully, and collaborated with NGOs and international organizations on additional projects.



## PAPUA NEW GUINEA (Tier 3)

Papua New Guinea is a country of destination for women and children from Malaysia, the Philippines, Thailand, and the People's Republic of China (P.R.C.), trafficked for the purpose of commercial sexual exploitation to brothels in the capital and at isolated logging and mining camps. Some foreign women travel to Papua New Guinea willingly on tourist or business visas and may be aware they will engage in prostitution. Upon arrival, they are dispersed to various nightclubs, bars, or employee dormitories, and some may end up in a situation of involuntary servitude. Some of the logging camps bring Asian women into Papua New Guinea by indicating in their visa applications that they will work as cooks or secretaries. It is unclear whether these women are aware they will be induced into sexual servitude. Internal trafficking of women and children for the purposes of sexual exploitation and involuntary domestic servitude occurs. Women are occasionally sold as brides. Children are held in indentured servitude either as a means of paying a family debt or because the natural parents cannot afford to support the child. Some children may be given to another family of greater wealth to serve as a housekeeper or nanny—a practice that can lead to trafficking in persons. Children in prostitution are common in the bars and nightclubs in the larger cities. There are no official statistics kept on trafficking of persons, mainly because of the tendency of the communities to remain silent about the problem.

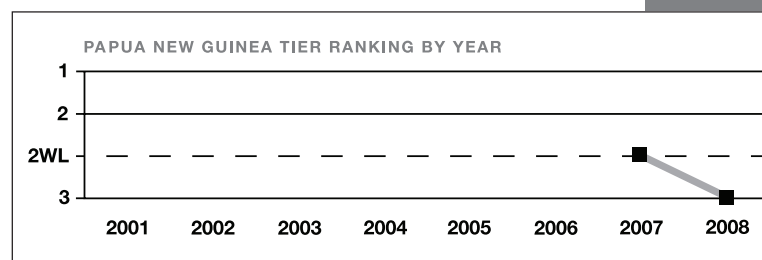
The Government of Papua New Guinea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While the government is becoming aware of trafficking as a challenge distinct from sexual violence or human smuggling, its current legal framework does not contain elements of crimes that characterize trafficking. Due to the lack of a legal definition of trafficking in persons, as well as resource constraints, no one has been arrested, prosecuted, or convicted for trafficking in persons, and there have not been any anti-trafficking operations conducted by any law enforcement agency. The government lacks victim protection services or a systematic procedure to identify victims of trafficking from among vulnerable populations, such as foreign women arrested for prostitution or children in prostitution.

**Recommendations for Papua New Guinea:** Work with international experts and donors as necessary to formulate anti-trafficking legislation that prohibits all forms of trafficking; collaborate with civil society, religious, and tribal leaders to raise awareness about trafficking, including the need to address demand; coordinate with the international

community as appropriate to develop and institute a formal procedure to identify victims of trafficking among vulnerable groups such as foreign women arrested for prostitution; ensure that victims of trafficking are not arrested, deported, or otherwise punished for acts committed as a result of being trafficked; and train law enforcement officers on victim identification and protection.

### Prosecution

The Government of Papua New Guinea did not report any progress in prosecuting or punishing trafficking offenses over the last year. Although Papua New Guinean law does not prohibit all forms of trafficking, its criminal code prohibits the trafficking of children for commercial sexual exploitation, slavery, and abduction. There are no specific penalties for crimes of trafficking adults for commercial sexual exploitation. While the penal code statute on slavery mentions trafficking, it does not specifically define its elements for the purpose of prosecution. There are no prescribed penalties for trafficking for sexual exploitation. The criminal code does not contain laws specifically addressing labor recruiters who engage in recruitment of laborers using knowingly fraudulent or deceptive offers to lure workers for the purpose of involuntary servitude. The government has not prosecuted anyone over the past year for trafficking. Prostitution is illegal in Papua New Guinea, but the laws are either selectively or rarely enforced, even with children who are victims of sex trafficking. Most internal trafficking-related crimes occur in rural areas and are referred to village courts which administer customary, rather than criminal law, resolving more cases through restitution paid to the victim. Rural complainants usually do not know about the law and the courts and are unable to access appropriate legal institutions, including the police. Wealthy business people, politicians, and members of the police are complicit in profiting from the operation of establishments profiting from prostitution. Police rarely raid them and when they do, the owners are frequently tipped off beforehand; those arrested are rarely prosecuted. Trafficking-related corruption seems to be most serious in the remote logging camps along the north coast. No public officials were investigated or prosecuted for trafficking-related crimes.



### Protection

The Government of Papua New Guinea demonstrated limited efforts to protect or assist victims of trafficking. Due to severe resource constraints, the government relies on services provided by international organizations or NGOs. The government does not undertake efforts to proactively identify trafficking victims among vulnerable populations. The government does not provide any specialized training for government officials in recognizing trafficking or providing assistance to victims. Government officials would likely refer the victim to social groups, churches, or NGOs for assistance. Victims of internal trafficking often receive compensation payments from their exploiter in the form of cash or livestock, which is culturally acceptable in Papua New Guinea, and are therefore hesitant to bring charges against traffickers. The legislature recently passed the Lukautim Pikinini Act, formerly the Child Welfare Act of 2007, which promotes the rights and well-being of children and addresses the issues of identifying and removing children from women in sexual and forced labor exploitative situation. The Papua New Guinea Children's Foundation published a National Action Plan Against Commercial Sexual Exploitation of Children, but both initiatives face potential problems of funding and enforcement.

### Prevention

The Government of Papua New Guinea relied on international organizations and NGOs to conduct awareness activities about child prostitution, HIV/AIDS, and domestic violence. There have been no public awareness campaigns about trafficking in persons or efforts to reduce demand for commercial sex acts. Papua New Guinea has not ratified the 2000 UN TIP Protocol.

## PARAGUAY (Tier 2)

Paraguay is principally a source and transit country for women and children trafficked for the purpose of commercial sexual exploitation. Paraguayan victims are trafficked abroad primarily to Argentina, Brazil, Bolivia, Spain, and Italy. Adult and child domestic servitude is a serious problem. Indigenous persons are vulnerable to labor exploitation, particularly in the Chaco region. Poor children are trafficked within the country from rural to urban centers for sexual

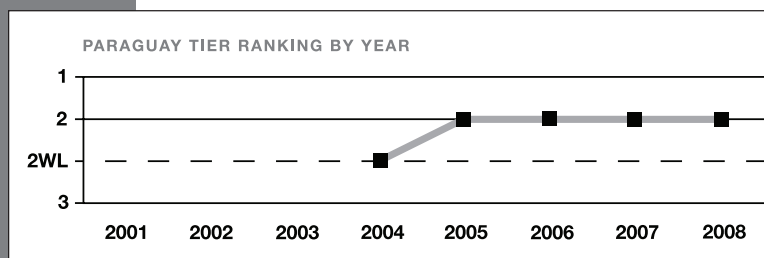
exploitation and domestic servitude. Street children and working children are common targets for trafficking recruiters. The ILO recently reported that traffickers coerce underage males, known locally as "taxi boys," into transgendered prostitution. Some of these boys are trafficked abroad, particularly to Italy. Trafficking of Paraguayan and Brazilian women and girls, and increasingly boys, for sexual exploitation remains a problem in the Brazil-Paraguay-Argentina tri-border area.

The Government of Paraguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government improved law enforcement efforts against traffickers and increased victim assistance. However, reported acts of official complicity with trafficking activity are an area for concern.

**Recommendations for Paraguay:** Intensify efforts to identify, prosecute, and punish trafficking offenders; launch criminal investigations of corrupt public officials who may facilitate trafficking activity; dedicate more resources for victim assistance; and increase efforts to raise public awareness about human trafficking, particularly among youth.

### Prosecution

The Paraguayan government improved law enforcement actions against traffickers during the past year. Paraguay prohibits transnational trafficking through provisions of its 1997 Penal Code, but internal trafficking of adults is not specifically prohibited. The 1997 Penal Code prescribes penalties of up to 10 years' imprisonment for trafficking crimes, which are sufficiently stringent and commensurate with penalties prescribed for other grave crimes. A new penal code, which was signed into law in January 2008 and will become effective in 2009, prohibits all forms of human trafficking consistent with the UN TIP Protocol. During the reporting period, Paraguayan authorities opened nine cases against suspected trafficking offenders, and achieved two convictions and sentences of two years of imprisonment for each case. The Attorney General's office in Asuncion has one prosecutor dedicated full time to prosecuting trafficking cases, although prosecutors in other parts of the country investigate trafficking allegations also. The Paraguayan government continued to cooperate with Argentina, Brazil, Spain, and other countries on transnational trafficking cases. Some government officials, including police, border guards, judges, and elected officials, reportedly were involved with and facilitated trafficking crimes. However, no criminal investigations of such suspected corrupt activity have been opened by the government.





## Protection

The government improved its efforts to protect victims of trafficking over the reporting period, but overall assistance remained inadequate. The government provides short-term services such as medical, psychological, and legal assistance, in addition to temporary shelter care for adult victims and children. With U.S. assistance, the government in December 2007 opened a new shelter for female trafficking victims; the shelter can accommodate 18 victims. The government funds a small number of anti-trafficking NGOs, but relies on larger NGOs and outside sources to provide additional victim assistance. Paraguayan authorities encourage victims to assist in the investigation and prosecution of their traffickers. There were no reports of victims being jailed, deported, or otherwise penalized for acts committed as a result of their being trafficked. Paraguay does not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. Paraguay does not have a formal system for proactively identifying trafficking victims among vulnerable populations such as criminal detainees; it relies on Argentine and Brazilian authorities to screen for victims at border crossings.

## Prevention

The government conducted trafficking prevention activities during the reporting period, particularly through its interagency anti-trafficking roundtable, which sponsored 12 seminars across the country. The government also works closely with NGOs and international organizations on additional prevention efforts, including in the tri-border area. The government did not, however, make any discernable efforts to reduce consumer demand for commercial sex acts.

## PERU (Tier 2)

Peru is primarily a source country for women and children trafficked within the country for the purpose of commercial sexual exploitation. Most victims are girls and young women from the poorest and least developed regions of Peru, recruited and coerced into prostitution in urban nightclubs, bars, and brothels, often through false employment offers. Child labor remains a serious problem in Peru. Children and adults are also trafficked into conditions of forced labor in Peru's mining, logging, agriculture, fishing, and brick-making sectors, and as domestic servants. Traffickers typically use fraud and coercion to recruit victims through false job offers. Peruvians are trafficked to Ecuador, Spain, Japan, Italy, and the United States for sexual exploitation. The government acknowledges *child sex tourism* exists, particularly in the Amazon region of the country. The Government of Peru does not fully comply

with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Peruvian government showed inadequate efforts to combat trafficking in persons, particularly in the areas of investigating and prosecuting trafficking acts, fighting trafficking-related corruption, and improving victim protection. Although a comprehensive anti-trafficking law was passed in January 2007, the implementing regulations have not yet been approved. Peru also has a draft national law enforcement plan on trafficking that is awaiting approval.

**Recommendations for Peru:** Approve regulations to implement the January 2007 comprehensive anti-trafficking law and the national law enforcement plan; intensify efforts to prosecute and appropriately punish trafficking offenders; establish and implement formal victim identification procedures; train police officers on the use of victim identification procedures and the referral of trafficking victims to protection services; increase protection services for victims; and conduct a widespread awareness and prevention campaign targeted at consumers of the commercial sex industry and *child sex tourism*.

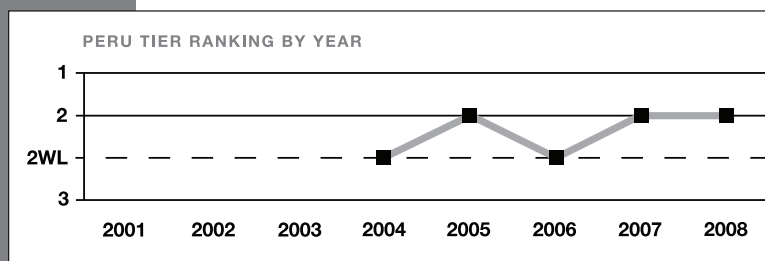
## Prosecution

The Government of Peru made modest efforts to combat trafficking through law enforcement in the last year. During the reporting period, the government did not approve the regulations required to implement the comprehensive anti-trafficking law enacted in January 2007. The new law defines trafficking in persons, strengthens sentencing guidelines, and provides protection for trafficking victims and witnesses. Without regulations for this law, however, effective police enforcement is not possible. The police in Peru's Trafficking in Persons Investigation section have received anti-trafficking information and training. Although the number of traffickers identified by police increased from 39 in 2006 to 96 in 2007, and prosecutions increased from seven to 15, no traffickers were convicted during the reporting period. In February 2008, the Peruvian Police announced that it would upgrade the Trafficking in Persons Investigation Unit to a Division, and increase its personnel from six to a projected 30 to 35 officers. In January 2007, 59 teenagers between the ages of 11 and 17 were discovered being forced to work harvesting asparagus in northern Peru. They were rescued by police, and the company is being investigated for violating child labor laws. There are numerous barriers to effective investigations of trafficking crimes, including the lack of shared information among divisions within the police at the local, metropolitan, and national levels, and the lack of witness protection in the Peruvian justice system. Corruption is a pervasive problem in Peru, and it is widely reported in Peruvian society that individ-

ual police officers tolerate the presence of children in prostitution and the operation of unregistered and unlicensed brothels. However, there were no reported investigations or prosecutions of incidents of officials' complicity in trafficking. Although some employment agencies, tourist agencies, and other apparently legitimate businesses are reported to be involved in trafficking, none were investigated or prosecuted during the reporting period. Over the past year, Peru requested the extradition of individuals in Uruguay, Spain, and Venezuela for trafficking crimes.

### Protection

The government provided limited protection for and assistance to victims of trafficking. The government does not have formal procedures for the identification of victims among vulnerable populations and for their referral to organizations that provide protection services. When detained by police, victims are rarely informed of their rights, and are not provided legal assistance or medical treatment. The police attempt to verify the identity of the victim and her age, and to contact parents if the victim is a minor. Victims usually lack personal identification documents and the police often release them without classifying them as trafficking victims or referring them to shelters.



Many minors involved in prostitution return to the brothels in search of shelter and food. During the reporting period, the government showed modest efforts in identifying victims and referring them to government-funded domestic violence shelters, although these facilities continue to lack specialized services for trafficking victims. Fourteen new assistance centers were created across the country, some outside of Lima where trafficking is a significant problem. The Government of Peru did not encourage victim participation in the investigation or prosecution of traffickers, nor did it provide protection to victims or witnesses in any trials. The government did not penalize victims for unlawful acts committed as a direct result of their being trafficked.

### Prevention

The government sustained anti-trafficking training and prevention efforts during the reporting period. The Ministry of Tourism ran a campaign against child sex tourism directed at the tourist industry and gave anti-trafficking awareness training to 100

drivers of motorcycle taxis in Iquitos who pledged to report suspected cases of trafficking to police, particularly child trafficking. As of August 2007, the Ministry of Interior assumed responsibility for paying the salaries of those who staff a toll-free IOM-assisted hotline for the reporting of trafficking crimes. The Ministry of Foreign Affairs continues to provide a training session for consular officials on trafficking issues and illegal migration. The government did not take steps to reduce the demand for commercial sex acts or *child sex tourism* during the reporting period.

## PHILIPPINES (Tier 2)

The Philippines is primarily a country of origin for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. A significant number of Filipino men and women who migrate abroad for work are subjected to conditions of involuntary servitude in Bahrain, Canada, Cyprus, Hong Kong, Cote d'Ivoire, Japan, Kuwait, Malaysia, Palau, Qatar, Saudi Arabia, Singapore, South Africa, Turkey, and the United Arab Emirates. Women and children are also trafficked from poor communities in the Visayas and Mindanao to urban areas such as Manila and Cebu City for commercial sexual exploitation, or are subjected to forced labor as domestic servants or factory workers. Filipinas are also trafficked abroad for commercial sexual exploitation, primarily to Japan, Malaysia, Singapore, Hong Kong, South Korea, and countries in the Middle East and Western Europe. Traffickers used land and sea transportation to transfer victims from island provinces to major cities. A growing trend is the use of budget airline carriers to transport victims out of the country. Traffickers used fake travel documents, falsified permits, and altered birth certificates. A smaller number of women are occasionally trafficked from the People's Republic of China, South Korea, and Russia to the Philippines for commercial sexual exploitation. Child sex tourism continues to be a serious problem for the Philippines. Sex tourists reportedly came from Northeast Asia, Europe, and North America to engage in sexual activity with minors.

The Government of the Philippines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to demonstrate exemplary efforts to prevent trafficking of migrant workers and to protect those who were exploited abroad. However, the government demonstrated weak efforts to prosecute trafficking cases and convict trafficking offenders. There were only three convictions under the 2003 anti-trafficking law during the reporting period, a minimal increase from one conviction obtained last

year. Given the scope and magnitude of the internal trafficking problem, this number of convictions is troubling. Achieving tangible results in prosecuting trafficking cases and convicting trafficking offenders is essential for the Government of the Philippines to continue progress towards compliance with the minimum standards for the elimination of trafficking.

#### Recommendations for the Philippines:

Significantly improve the record of prosecutions, convictions, and punishments for traffickers; disseminate information on the 2003 law throughout the country; train law enforcement officers and prosecutors on the use of the 2003 law; and vigorously investigate and prosecute public officials complicit in trafficking.

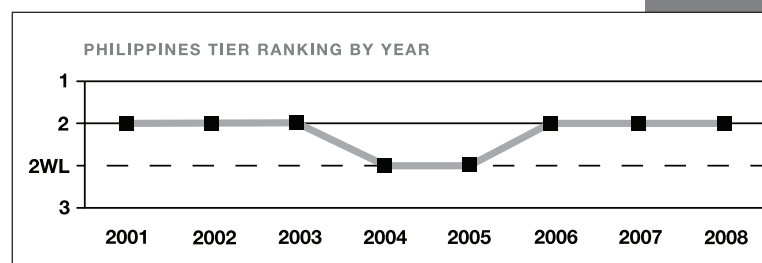
#### Prosecution

The Philippine government showed some improvement in prosecuting cases against traffickers. The Philippines criminally prohibits trafficking for both sexual and labor exploitation through its 2003 Anti-Trafficking in Persons Act, which prescribes penalties that are sufficiently stringent and commensurate with those for rape. In 2007, the government secured convictions under the 2003 law against three sex traffickers: two in Cebu City; and one in Davao. Each convicted trafficker was found guilty, sentenced to life imprisonment and ordered to pay fines ranging from \$50,000 to \$70,000. There were no criminal convictions for forced labor during the reporting period. Philippine law enforcement agencies reported 155 alleged trafficking cases to the Department of Justice (DOJ) in 2007, of which prosecutors initiated prosecutions in 56 of the cases. The remaining cases remain under preliminary investigation or were dismissed for lack of evidence. The government's ability to effectively prosecute trafficking crimes remained handicapped by a lack of resources, endemic corruption, and general ineffectiveness of the judicial system. However, the DOJ's Anti-Trafficking Task Force is composed of 17 prosecutors who focus specifically on trafficking, and an additional 72 prosecutors in regional DOJ offices handle trafficking cases. A high vacancy rate among judges significantly slowed trial times. In 2007, the Philippine Overseas Employment Agency (POEA) filed 469 administrative cases against licensed labor recruiters who used fraudulent deceptive offers to entice jobseekers abroad or imposed inappropriately high or illegal fees on prospective employees.

Under certain circumstances and with the approval of the court, the Philippines allows private attorneys to prosecute cases under the direction and control of a public prosecutor. The private prosecutors serve on behalf of the victims. In addition to the DOJ's ongoing cases, one NGO initiated 32

criminal cases and achieved one conviction in 2007; 14 cases remained on trial; eight were in preliminary hearings; eight were under investigation; and one was archived. The government cooperated with other countries in the investigation and prosecution of trafficking cases, particularly in Malaysia, Hong Kong, New Zealand, and Australia.

Widespread corruption at all levels of the government permitted many organized crime groups, including traffickers, to conduct their illegal activities. Corruption among law enforcement agents remained a particular obstacle to better anti-trafficking performance. It is widely believed that some government officials are involved in, or at least permit, trafficking operations within the country. During the year, a trial concluded against police officer Dennis Reci, charged in 2005 for allegedly trafficking minors for commercial sexual exploitation at his night club in Manila. Reci remained in detention while the case was pending the court's decision. In 2007, the Office of the Ombudsman created the Ombudsman Against Government



Employees Involved in Trafficking (TARGET), composed of special investigators and prosecutors tasked to investigate cases against government officials engaged in trafficking or trafficking-related corruption. In February 2007, the Task Force Against Trafficking at Ninoy Aquino International Airport was formed to combat trafficking at the airport by intercepting undocumented passengers, assisting victims, and monitoring involvement of airport personnel. The Task Force filed one case of trafficking involving an immigration employee at the airport and referred two other cases of trafficking-related corruption involving four immigration personnel to the Office of the Ombudsman.

#### Protection

The Philippine government sustained its strong efforts to protect victims of trafficking in 2007, including through partnerships with NGOs and international organizations that provide services to victims. The law recognizes trafficked persons as victims and does not penalize them for crimes related to acts of trafficking; nonetheless, police sometimes brought charges of vagrancy against victims. The government actively encourages victims to assist in the investigation and prosecution of trafficking and related crimes. Victims can file civil suits or seek legal action against traffickers.

Foreign trafficking victims or victims who transit the Philippines are entitled to the same assistance as citizens. The government provides temporary residency status, relief from deportation, shelter, and access to legal, medical, and psychological services. The Department of Social Welfare and Development operated 42 temporary shelters for victims throughout the country. Thirteen of these shelters were supported by a non-profit charity organization. The Philippine Ports Authority provided the building and amenities at halfway houses for trafficking victims at ports in Batangas, Davao, Manila, Sorsogon, and Zamboanga, which were managed by an NGO; the Ports Authority, police, and the Coast Guard referred victims and potential victims to the halfway houses.

The Department of Foreign Affairs (DFA) extended assistance to Philippine citizens trafficked abroad and managed repatriations. In coordination with the Department of Labor and Employment (DOLE), the DFA took the lead through its embassies in protecting the rights of migrant workers abroad. DOLE also deployed 41 labor attachés who served in 35 cities around the world to help protect migrant workers; in addition, DOLE's Overseas Workers Welfare Administration (OWWA) sent 40 welfare officers abroad to support the work of labor attachés. Due to budget constraints, the Department of Social Welfare and Development (DSWD) reduced the number of social workers in the Philippines' diplomatic missions in 2007, but maintained one social welfare attaché in Malaysia to provide psycho-social counseling to overseas Filipino workers.

### Prevention

The Philippine government demonstrated continued efforts to raise awareness and prevent trafficking in persons, mainly for migrant workers. In 2007, POEA conducted nearly 1,000 pre-employment orientation seminars for more than 50,000 departing overseas Filipino workers in 2007. POEA also trained diplomatic staff and overseas labor and social welfare officers in methods for assisting trafficking victims abroad. To protect overseas Filipino domestic workers from fraudulent or otherwise illegal recruitment offers, foreign employers are required to undergo pre-qualification screening by the Philippine Overseas Labor Office and submit a written statement committing themselves to the fair and humane treatment of their domestic workers. The government, through the Inter Agency Council Against Trafficking (IACAT), broadcast anti-trafficking infomercials that aired on local television networks in three provinces. The infomercials provided basic information about trafficking as well as how to report incidents of trafficking. In November and December 2007, the government

held three sub-national conferences on trafficking in Davao, Cebu, and Manila that brought together government officials, law enforcement, NGOs, and international organizations.

The government continued efforts to reduce demand for *child sex tourism* by cooperating with the prosecution of American nationals under terms of the U.S. PROTECT Act of 2003. At the end of the reporting period, Immigration and Customs Enforcement of the U.S. Department of Homeland Security had nine ongoing PROTECT ACT investigations in collaboration with Philippine law enforcement. The Philippines deployed a total of 725 military and police personnel in nine UN peacekeeping missions. There were no reports of Philippine peacekeepers engaging in or facilitating trafficking in persons. Prior to deployment of troops for peacekeeping operations, the Department of National Defense and the Philippine National Police (PNP) conduct seminars and training for peacekeepers, including a training module on trafficking. The Department of Foreign Affairs also provides pre-departure orientation seminars to foreign service officers and other government personnel before being assigned abroad.

## POLAND (Tier 1)

Poland is a source, transit, and destination country for women trafficked from Ukraine, Moldova, Romania, Belarus, Lithuania, Russia, Bulgaria, Cameroon, Somalia, Uganda, Kenya, Nigeria, and Vietnam to and through Poland to Austria, Belgium, Denmark, Germany, Greece, Italy, the Netherlands, Spain, Sweden, and Japan for the purpose of commercial sexual exploitation. Polish men and women are trafficked to Italy, Austria, Germany, Belgium, France, Spain, Sweden, the Netherlands, and Israel for purposes of forced labor and sexual exploitation. In 2007, there were 880 identified Polish victims of forced agricultural labor in Italy.

The Government of Poland fully complies with the minimum standards for the elimination of trafficking. Poland continued to show progress in its law enforcement efforts, notably ensuring that a majority of convicted traffickers served some time in prison. The government also continued to improve its trafficking prevention efforts; however, there was an inadequate number of shelters available to victims during the reporting period.

**Recommendations for Poland:** Continue training for prosecutors and judges to ensure trafficking offenders are convicted and serve time in prison; increase the number of victims receiving assistance; increase the number of trafficking shelters; and vigorously investigate, prosecute, convict, and sentence government officials for trafficking complicity.

### Prosecution

The Government of Poland demonstrated clear progress in its overall law enforcement efforts. Poland prohibits all forms of trafficking in persons. Article 203, Sections 3 and 4 of Article 204, and Article 253 are used to prosecute sex trafficking cases. Article 253 and organized crime statutes are used to prosecute labor trafficking cases, though there are no provisions in the criminal code that specifically define and address trafficking for labor exploitation. Prosecutors rely on trafficking definitions in the 2000 UN TIP Protocol when pursuing cases against traffickers. Penalties prescribed under Article 253 range from three to 15 years' imprisonment, and Articles 203 and 204 prescribe from one to 10 years' imprisonment; these punishments are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Police conducted 122 new investigations and prosecuted at least 58 trafficking suspects in 2007, compared to 21 investigations and 36 prosecutions conducted under Article 203 and Section 4 of Article 204 in 2006. In 2007, 70 traffickers were convicted, compared to 16 convictions under Article 203 and Section 4 of Article 204 in 2006. In 2006, the most recent year for available sentencing data, 14 out of 16 convicted trafficking offenders were sentenced to time in prison: two were sentenced to 12 months' imprisonment; four were sentenced to one to two years' imprisonment; three were sentenced to three years' imprisonment; and five were sentenced to three to five years' imprisonment. This is an improvement from 2005 when only nine out of 37 convicted traffickers served time in prison. During the reporting period, 120 judges were provided training by the Ministry of Interior and NGOs, including on application of the UN Protocol definition of trafficking in persons under Article 253. Notwithstanding the significant increases in numbers of investigations, prosecutions, and sentences from last year, some law enforcement officials and NGOs reported that the lack of a clear legal definition of trafficking in Poland's criminal code hampers prosecutions of trafficking crimes. There were unconfirmed reports of police accepting bribes to tolerate trafficking activity; however, there were no cases of law enforcement officials punished for such complicity in trafficking during the reporting period.

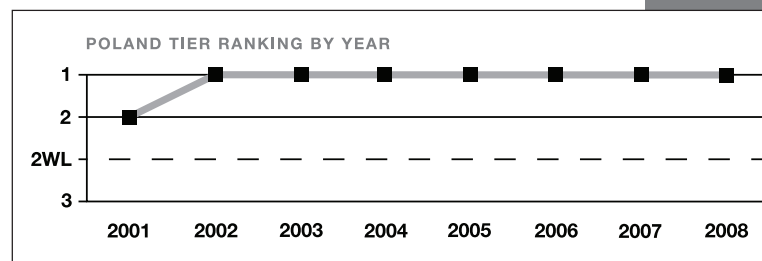
### Protection

The government provided limited assistance to foreign and domestic trafficking victims. Poland continued to fund victim assistance programs at both the national and local level; however, only 276 out of 1,015 identified trafficking victims received government-funded assistance in 2007. Although the government provided space and funding to NGOs to operate trafficking shelters, the number of shelters remained inadequate and NGOs frequently resorted to temporary arrangements to

provide medical, psychological, and legal assistance to victims. There are reports that border guards and police sometimes regard victims of trafficking as criminals, resulting in punishment or automatic deportation for acts committed as a result of being trafficked. The government encouraged victims to assist in trafficking investigations and prosecutions.

### Prevention

The government continued to improve its trafficking prevention efforts. During the reporting period, the government funded several trafficking awareness raising activities including a Ministry of Interior-run information campaign on forced labor. The government increased posters and billboards and funded NGOs to produce awareness materials. In 2007, the government adopted its third national action plan for combating human trafficking. However, the government carried out no measures to reduce the demand for commercial sex acts over the year. The government provided anti-trafficking training for all military personnel and police being deployed abroad for international peacekeeping missions. The government began developing a child sex tourism prevention campaign during the reporting period.



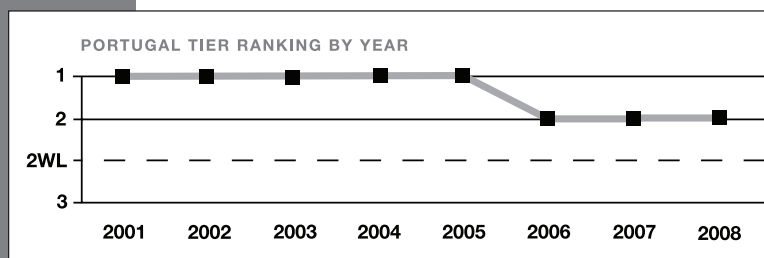
## PORTUGAL (Tier 2)

Portugal is primarily a destination and transit country for women, men, and children trafficked from Brazil, and to a lesser extent, from Ukraine, Moldova, Russia, Romania, and Africa for the purpose of commercial sexual exploitation and forced labor. Male victims from Eastern European countries are trafficked for forced labor into the farming and construction industries. Some trafficking victims transit through Portugal to other European countries.

The Government of Portugal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made significant progress in its law enforcement response to trafficking by incorporating anti-trafficking legislation in its penal code, demonstrating significant improvements in coordination among its agencies, and greatly improving its collection of comprehensive anti-trafficking law enforcement data. However, nearly

all traffickers convicted during the reporting period were given suspended sentences and not required to serve time in jail.

**Recommendations for Portugal:** Ensure convicted trafficking offenders receive prison sentences commensurate with the heinous nature of the offense committed; continue to implement procedures to proactively identify trafficking victims, and consider providing data on the number of victims identified and who accept assistance; and conduct specific anti-trafficking prevention training for military personnel going abroad.



### Prosecution

The Government of Portugal strengthened its penal code in 2007 to broaden the definition of trafficking in Portugal and increased prescribed penalties for traffickers. Portugal prohibits transnational and internal trafficking in persons for both labor and sexual exploitation through Article 160, which prescribes penalties that are sufficiently stringent and commensurate with those for other serious crimes. Notably, the penal code revisions provide for criminal punishment for labor recruiters in source countries whose knowing use of fraudulent or deceptive offers result in workers being trafficked in the destination country. Despite these legislative improvements, punishments imposed by Portuguese courts continue to be inadequate; the majority of traffickers' sentences are suspended. According to the latest statistics available, the government prosecuted 65 traffickers in 2006. Out of 49 convicted trafficking offenders, only eight actually served any jail time, with 38 receiving suspended sentences and three receiving fines. There were no reported cases of government officials complicit in trafficking.

### Protection

The Government of Portugal sustained its efforts to protect trafficking victims throughout the reporting period. Victims are allowed a 30-60-day reflection period to decide whether or not they wish to press charges against traffickers and, regardless of their decision, they have the right to a one-year residency permit. Once detained and identified by authorities, victims reportedly are transferred to shelter facilities and do not face penalties for unlawful acts committed as a direct part of their being trafficked. Police continued to receive training on how to recognize

trafficking victims and are required to fill out a standard detailed form with information when they encounter suspected trafficking cases. The government reported that police counsel all potential victims on the assistance available to them, including legal and medical remedies. The government reported that few trafficking victims opted to receive protection and assistance from NGOs and the government shelter – only 10 received assistance in 2007. The government's 20 immigrant support centers located throughout the country provide ad hoc support services to approximately 1,200 immigrants a day, a figure that reportedly includes trafficking victims. The government reported it distributed anti-trafficking pamphlets at these centers to potential trafficking victims. The government continued to fund the majority of costs for an NGO-run shelter, and provided a fixed subsidy for each victim, including their children, for another.

### Prevention

The Government of Portugal continued its proactive efforts to prevent trafficking in 2007. For example, in November 2007, the Foreigners and Borders Service (SEF), in cooperation with the Council of Europe, launched the campaign, "You are not for Sale" and SEF teams traveled throughout the country and to Brazil to disseminate and publicize the campaign. The government took some steps to reduce demand for commercial sex acts by sponsoring awareness campaigns that incorporated anti-demand aspects. In an additional effort to reduce demand, the government amended its criminal code in 2007 to provide specific penalties for clients who knowingly procure the services of a trafficking victim for sexual purposes. Although the Government of Portugal contributes troops to international peacekeeping efforts abroad, it did not conduct specific anti-trafficking prevention training targeted at its military. While there is no specific evidence that Portugal is a source or destination for child sex tourism, the government did not take any discernable steps to raise awareness among or prevent its nationals from engaging in child sex tourism abroad.

## QATAR (Tier 3)

Qatar is a destination for men and women trafficked for the purposes of involuntary servitude and, to a lesser extent, commercial sexual exploitation. Men and women from India, Pakistan, Bangladesh, Nepal, the Philippines, Indonesia, Vietnam, Sri Lanka, Ethiopia, Sudan, Thailand, Egypt, Syria, Jordan, and China voluntarily travel to Qatar as laborers and domestic servants, but some subsequently face conditions of involuntary servitude. These conditions include bonded labor; job switching; withholding of pay; charging workers for benefits for which the employer is responsible; restrictions on freedom of movement,

including the confiscation of passports and travel documents and the withholding of exit permits; arbitrary detention; threats of legal action and deportation; false charges; and physical, mental and sexual abuse. Nepali and Indian men are reportedly recruited for work in Qatar as domestic servants, but are then coerced or forced into labor in Saudi Arabia as farm workers. Qatar is also a destination for women from China, Indonesia, the Philippines, Morocco, Sri Lanka, Lebanon, India, Africa, and Eastern Europe for prostitution, but it is unknown how many are trafficked for the purpose of commercial sexual exploitation.

The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Provisions of the Sponsorship Law condone forced labor activities and slave-like conditions. In addition, Qatar failed to enforce criminal laws against traffickers, lacks an effective victim identification mechanism to identify and protect victims, continues to detain and deport the large majority of victims rather than providing them with protection, and sometimes penalized workers who complained about working conditions or non-payment of wages.

**Recommendations for Qatar:** Significantly increase criminal law enforcement efforts against abusive employers and those who force women into commercial sexual exploitation, including prosecutions, convictions, and prison sentences; expand and consistently apply a formal mechanism to distinguish victims of trafficking among those arrested for immigration violations or prostitution; enact legal reforms to prohibit all forms of trafficking, including forced labor, commercial sexual exploitation, and the use of force, fraud, or coercion in the recruitment process; and abolish or significantly amend sponsorship regulations that condone forced labor activities and slave-like conditions.

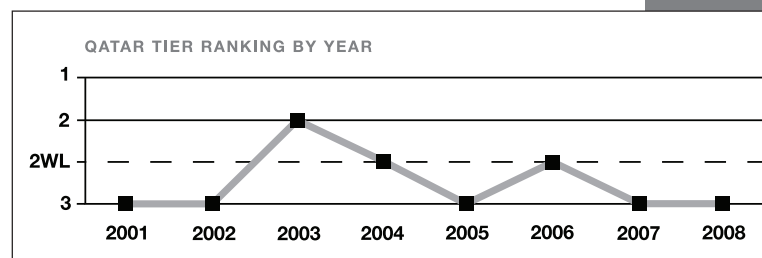
### Prosecution

The Government of Qatar made little progress in investigating trafficking offenses or punishing trafficking offenders during the reporting period. Qatar does not prohibit all acts of trafficking, but it criminalizes slavery under Section 321 and forced labor under Section 322 of its Criminal Law. The prescribed penalty for forced labor—up to six months' imprisonment—is not sufficiently stringent, however. Article 297 prohibits the forced or coerced prostitution of a minor below age 16; the prescribed penalty is up to 15 years' imprisonment. In addition, the government banned the use of child camel jockeys in 2005, prescribing a penalty of three to 10 years' imprisonment. To increase awareness of these laws, a government committee trained police, prosecutors, judges and

legal educators. Nonetheless, restrictive sponsorship regulations and common practices such as withholding of workers' passports contribute to forced labor and slave-like conditions in the country. Qatar provided evidence of investigating only one case of fraudulent recruitment, and did not report any criminal prosecutions, convictions, or sentences for trafficking, despite a serious and significant problem of trafficking for forced labor. Similarly, the government failed to report any law enforcement efforts against trafficking for commercial sexual exploitation.

### Protection

Qatar failed to adequately protect victims of trafficking during the reporting period. The government incorporated anti-trafficking in persons training into basic and continuing curriculum at the police academy, including training on dealing with victims of trafficking. Nonetheless, evidence indicates that during the last year authorities made only limited attempts to systematically identify trafficking victims among vulnerable people, such as foreign workers awaiting deportation and women arrested for prostitution, and that as a result, victims are often punished and automati-



cally deported without being offered protection. The Ministry of Interior recently agreed to send foreign domestic workers arrested for illegal immigration to the government shelter. Nonetheless, Qatar commonly fines and detains trafficking victims for unlawful acts committed as a direct result of being trafficked, such as immigration violations and running away from their sponsors, without determining the underlying causes. Though the waiting period is reportedly shorter than before, some victims remain in deportation centers for years pending resolution of their cases, permission from their sponsors to leave the country, or in retaliation for seeking to recover unpaid wages or request a new sponsor. Despite operating a shelter for victims of trafficking, the government protected only 14 victims during the reporting period. Victims often prefer to seek shelter in their embassies, but the embassies do not have sufficient resources or host government permission to operate shelters. The government forcibly shut down at least one independent shelter and deported the resident victims. Two of the victims died awaiting deportation. The government did not routinely encourage victims to assist in traf-

ficking investigations or offer victims alternatives to deportation to countries in which they may face retribution.

### Prevention

Qatar made limited efforts to prevent trafficking in persons during the reporting period. The government produced informational brochures in several targeted languages, posters, and radio and TV commercials as part of its "No to Trafficking" public awareness campaign. The government, however, did not take any reported measures to reduce the demand for commercial sex acts. Similarly, Qatar did not undertake any known public awareness campaigns targeting citizens traveling to known child sex tourism destinations abroad. Qatar has not ratified the 2000 UN TIP Protocol.

## ROMANIA (Tier 2)

Romania is a source, destination, and transit country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Romanian men, women, and children are trafficked to Italy, Spain, Switzerland, the Czech Republic, Greece, Germany, France, the Netherlands, Turkey, Austria, and Israel for the purposes of commercial sexual exploitation and forced labor in the agriculture, construction, and hotel industries. There has been an increase in trafficking of persons from Romania for labor exploitation, likely related to Romania's entrance into the European Union and new opportunities for Romanians from rural parts of the country to work abroad. Romanian men, women, and children are also trafficked internally for the purposes of commercial sexual exploitation, forced labor, and forced begging. Women from Moldova, Ukraine, and Russia are trafficked to Romania for commercial sexual exploitation. Men from other European countries may travel to Romania to sexually exploit Romanian children.

The Government of Romania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2007, the Romanian government, led by the National Agency against Trafficking in Persons (NAATIP), made efforts to combat

child sex tourism and provided some funding to NGOs providing victim assistance. Nonetheless, the government was not able to report significant efforts to address labor trafficking, since this was a newly identified phenomenon, or to institute formal procedures to identify victims of trafficking throughout the country and refer them to service providers. The number of trafficking convictions remained stable; however, the government reported a significant decrease in the total number of trafficking prosecutions, and the number of traffickers serving time in prison also decreased.

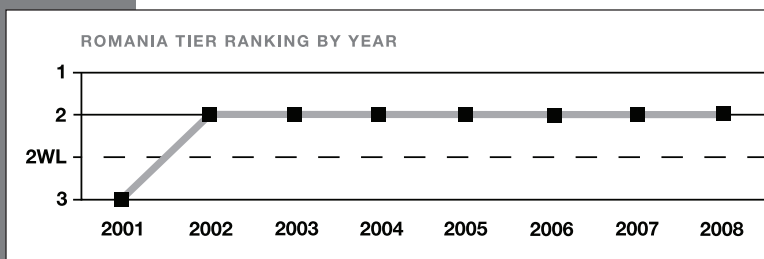
**Recommendations for Romania:** Take concerted steps to investigate and punish acts of trafficking for forced labor; increase efforts to prosecute and convict trafficking offenders; sustain efforts to ensure convicted sex traffickers receive adequate punishments; increase efforts to investigate and punish acts of government officials' complicity in trafficking; develop and employ a uniform national victim identification and referral system; and train police to ensure that victims are identified and not inappropriately fined or otherwise penalized.

### Prosecution

Romania sustained, but did not improve on, efforts to prosecute and punish traffickers during the reporting period. Romania prohibits all forms of trafficking in persons through Law no. 678/2001, which prescribes penalties of three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. In 2007, authorities investigated 232 trafficking cases both domestically as well as with foreign law enforcement counterparts, compared to 61 investigations in 2006. The government prosecuted 398 people for trafficking, a significant decrease from 780 prosecutions in 2006. During the reporting period, Romania convicted 188 individuals for trafficking offenses, similar to 187 convictions in 2006; 144 of these convicted traffickers served time in prison, a decrease from 2006 when 164 traffickers served some time in prison. One trafficker was sentenced to six to 12 months' imprisonment, 76 traffickers were sentenced to one to five years' imprisonment, 66 traffickers were sentenced to five to 10 years' imprisonment, and one trafficker was sentenced to 10 to 15 years' imprisonment. The government did not provide a breakdown of data for arrests, prosecutions, convictions, and sentences related to trafficking for forced labor. Labor trafficking appears to be increasing in Romania. Romania did not report any efforts to investigate, prosecute, or convict government officials complicit in trafficking.

### Protection

Romania continued to improve its victim protection efforts during the reporting period. Toward the end of 2007, the government provided \$72,000





in support to NGOs to provide assistance to victims of trafficking. In 2007, the government assisted 669 victims of trafficking out of 1,662 identified, a significant increase from the 476 victims assisted in 2006. Of these, 69 victims received care—42 in temporary state-run shelters and 27 in long-term NGO-run shelters. In 2007, there were at least 780 identified victims of forced labor and at least 680 identified victims of sexual exploitation. The government continued to operate eight shelters for victims of trafficking, but their quality varied. Victims are encouraged to participate in investigations against their traffickers; foreign victims receive a 90-day reflection period to decide whether they would like to cooperate in a criminal proceeding, and all victims are entitled to remain in government shelters for the duration of the trial. In practice, however, victims are often hesitant to cooperate in fear of retribution by their traffickers. No victims of trafficking were assisted by Romania's witness protection program during the reporting period. Although some law enforcement agencies have victim identification procedures, there are no national victim identification or referral procedures to systematically transfer victims to NGOs or state-run shelters. The total number of victims identified by the government significantly decreased from 2,285 in 2006 to 1,662 in 2007. Some law enforcement officers may refer victims based on personal relationships with local NGOs. Nonetheless, victims were sometimes not identified by authorities when detained for unlawful acts they committed as part of their being trafficked; as a result, victims were penalized for these acts. The Government of Romania funded the repatriation of both Romanian victims from abroad and foreign victims in 2007.

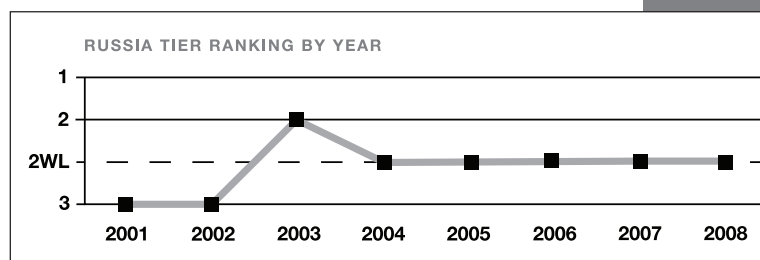
### Prevention

Romania increased its efforts to prevent incidents of human trafficking during the reporting period. The government conducted two national anti-trafficking public awareness campaigns that included messages on reducing demand for commercial sex acts, although they did not specifically target "clients" of the sex trade. The government also worked with NGOs and the tourism industry to continue a project to prevent trafficking of Romanian children for child sex tourism. There were no reported investigations, prosecutions, convictions, or sentences of foreign visitors engaging in such sexual exploitation of Romanian children in 2007. The government provided all Romanian troops with trafficking awareness training prior to their deployment abroad on international peacekeeping missions. In 2007, the national trafficking database was instrumental in identifying trafficking trends, particularly concerning the trafficking of Romanian victims to the Czech Republic for the purpose of labor exploitation.

## RUSSIA (Tier 2 Watch List)

Russia is a source, transit, and destination country for men, women, and children trafficked for various forms of exploitation. Men and women from the Russian Far East are trafficked to China, Japan, the Middle East, and South Korea for purposes of sexual exploitation, debt bondage, and forced labor, including in the agricultural and fishing industries. Russian women are trafficked to Turkey, Greece, Germany, Italy, Spain, Malta, the United States, Canada, Vietnam, Thailand, Australia, New Zealand, Costa Rica, and the Middle East for the purpose of sexual exploitation. Moscow and St. Petersburg are destination centers for children trafficked within Russia and from Ukraine and Moldova for purposes of sexual exploitation and forced begging. Moscow continues to be a significant destination for men and women trafficked within Russia and from Kyrgyzstan, Tajikistan, Uzbekistan, Ukraine, Moldova, and Belarus for purposes of sexual exploitation and forced labor, including work in the construction industry; in 2007, the number of Belarusian men trafficked to Moscow increased for purposes of forced labor in the construction, textile, and food industries. The ILO reported that an estimated one million illegal migrant workers may be victims of labor trafficking in Russia. Moscow remains a transit point for women trafficked from Uzbekistan and Armenia to the United Arab Emirates for purposes of sexual exploitation. Men from Western Europe and the United States travel to Western Russia, specifically St. Petersburg, for the purpose of child sex tourism; however, law enforcement authorities report a decrease in the number of cases of child sex tourism and attribute this to aggressive police investigations and Russian cooperation with foreign law enforcement.

The Government of the Russian Federation does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Russia is placed on Tier 2 Watch List for a fifth consecutive year for its failure to show evidence of increasing efforts to combat trafficking over the previous year, particularly in providing assistance to victims of trafficking. Comprehensive trafficking victim assistance



legislation, which would address key deficiencies, has been pending before the Duma since 2003 and was neither passed nor enacted in 2007. Although a few municipalities across Russia have victim identification and referral systems, relatively few victims assisted were referred by government officials in 2007. During the reporting period, the federal government provided no funding to anti-trafficking NGOs while it gave approximately \$40 million to other NGOs involved in civic and social work issues throughout Russia; during the previous reporting period, the Public Chamber reportedly provided funding to three anti-trafficking NGOs. Russia again increased the total number of trafficking investigations and demonstrated improved efforts to identify labor trafficking cases. Although modest improvements were noted in particular regions, the Russian government has yet to provide comprehensive victim assistance, covering the entire process from victim identification through reintegration and support systematically and throughout the country. Victim identification and assistance remains the weakest component of Russia's anti-trafficking efforts.

**Recommendations for Russia:** Develop a comprehensive national strategy that acknowledges the gravity of Russia's multi-faceted human trafficking problem and allocates adequate resources to address deficiencies in victim assistance; designate funding from the national budget and coordinate responsibilities to relevant ministries to carry out anti-trafficking efforts; establish an official coordinating body with the authority to implement a national strategy and evaluate ministerial efforts to combat trafficking; make significant national efforts to coordinate and enact victim assistance, protection, and rehabilitation; increase the number of communities with formal procedures for victim identification and referral; consider passing regulations that permit assets seized from convicted traffickers to be allocated to programs that assist and protect victims of trafficking; and create a central repository for prosecution, conviction, and sentencing data for trafficking cases.

### Prosecution

The Government of the Russian Federation demonstrated progress in its law enforcement efforts over the last year. Article 127 of the criminal code prohibits both trafficking for commercial sexual exploitation and forced labor. Other criminal statutes may be used to prosecute and convict traffickers. Article 127 provides punishments of up to five years' imprisonment for trafficking crimes, and aggravating circumstances may extend penalties up to 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with punishments prescribed for other grave crimes, such as rape. In 2007, police conducted 139 traf-

ficking investigations; 104 of these investigations were sexual exploitation cases and 35 were forced labor cases. This total is a 10 percent increase from the 125 investigations conducted in 2006 and continues the annual trend of increased prosecutions since the statute was passed in 2003. It is difficult to ascertain the exact number of prosecutions and convictions conducted in 2007 because the government did not collect and maintain such statistics; prosecution, conviction, and sentencing data was obtained by analyzing media coverage of known trafficking cases. Authorities conducted at least 36 prosecution cases—involving 103 traffickers—during the reporting period, compared to 26 prosecution cases in 2007. Likewise, at least 46 traffickers were convicted in 2007, an increase from 13 in 2006. At least 45 traffickers faced imposed prison sentences. Despite this progress, some police noted that the anti-trafficking law remains underutilized because national directives on its implementation have not yet been issued. In July 2006, the Duma passed asset forfeiture legislation that permits prosecutors to seize the assets of convicted persons, including traffickers; however, there were no reports that the law was used against traffickers in 2007. Russia identified a total of four civilian government officials complicit in human trafficking. Of those four complicit officials, one was convicted and sentenced to four years and six months' imprisonment; the remaining three were arrested and their cases were still pending at the time of this report.

Forced labor of young conscripts within Russia's military remained a concern. In 2007, five military officials were investigated and arrested for labor exploitation of military conscripts under their command.

### Protection

Russia demonstrated no significant progress in improving its inadequate efforts to protect and assist victims. Russia's Foreign Ministry reported assisting the return to Russia of some victims of trafficking from other countries. Although several municipalities across Russia have cooperation agreements between NGOs and local authorities to refer victims for assistance, relatively few of the 226 victims assisted in 2007 were referred by government officials. A large portion of assisted victims were identified abroad and referred by foreign NGOs or IOM for assistance; the number of victims identified in Russia remained low, suggesting that Russia's current ability to identify victims is inadequate.

Although some local governments provided in-kind and financial support to some anti-trafficking NGOs, the majority of aid to NGOs providing victim assistance continued to be provided by

international donors. Most government-provided assistance to victims is from regional and municipal-run domestic violence and homeless shelters; the quality of these shelters vary and, because they are not trafficking-specific, they are ill-equipped to provide for the specific legal, medical, and psychological needs of trafficking victims. Also, foreign and Russian victims found in regions where they do not reside legally are often denied access to state-run general health care and social assistance programs, as local governments restrict these services to local residents. In 2007, there were reported cases of sympathetic and enthusiastic local law enforcement referring victims to local NGOs that did not have the resources to provide the necessary services—shelter, and psychological, medical, and legal assistance—requested by the police. Russia lacks a government program for the specific assistance of victims of trafficking. A general witness protection program has been inadequate in helping trafficking victims; it only helped two during the reporting period. The comprehensive anti-trafficking legislation, in development since 2003 would strengthen assistance to trafficking victims, better define the rights of trafficking victims, allocate specified funding for anti-trafficking programs; and create a centralized authority to coordinate national anti-trafficking efforts. Police in various communities continued to encourage victims to participate in trafficking investigations and prosecutions, a positive trend noted in the past few years. Victims are permitted to reside in Russia pending the investigation and prosecution of their trafficker.

### Prevention

Russia demonstrated minimal prevention efforts during the reporting period. A few local governments provided modest funding or in-kind support to NGOs to conduct public awareness campaigns targeting at-risk populations. Various national ministries continued operating informational websites about trafficking. State-controlled media aired several documentaries about trafficking and featured frequent stories throughout Russia during the reporting period which aided public awareness. Russia actively monitors immigration and emigration patterns for signs of trafficking. The government did not take specific steps to reduce the demand for commercial sex acts. Russian law permits the government to prosecute Russian nationals who travel abroad to engage in child sex tourism. In 2007, one Russian man was charged and incarcerated by the Cambodian government for the commercial exploitation of a child; the case was pending at the time of this report.

## RWANDA (Tier 2)

Rwanda is a source country for women and children trafficked for the purposes of forced labor and sexual exploitation. Rwandan girls are trafficked within the country for domestic servitude, as well as for commercial sexual exploitation by loosely organized prostitution networks. Small numbers of children from Rwanda's Eastern Province may be trafficked to Uganda for work on tea plantations or use in commercial sexual exploitation. During the reporting period, recruiters for a renegade Congolese general, fraudulently promising civilian employment, conscripted an unknown number of Congolese boys and men from Rwanda-based refugee camps, as well as Rwandan children from towns in Rwanda, for forced labor and soldiering in the Democratic Republic of the Congo (D.R.C.).

The Government of Rwanda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government's efforts to prevent human trafficking markedly increased during the reporting period, its anti-trafficking law enforcement efforts remained extremely limited. The government did not provide data on actions, if any, taken against traffickers during the year.

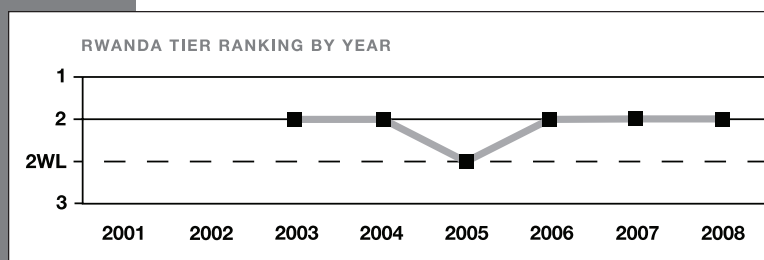
**Recommendations for Rwanda:** Enact and enforce the anti-trafficking provisions of the draft Penal Code through investigations and prosecutions of traffickers; take additional steps to remove children from prostitution and domestic servitude and to provide for their care; request that an NGO or international organization protection partner independently follow up with a cross-section of former child combatants, including victims of trafficking, to assess their reintegration; and request an independent assessment of the conscription of children by armed groups along the Rwanda–D.R.C. border.

### Prosecution

The government's anti-trafficking law enforcement efforts were very limited during the reporting period; no prosecutions or convictions of traffickers were reported. Rwandan law does not prohibit all forms of trafficking in persons, though existing statutes prohibit slavery, child labor, kidnapping, forced prostitution, and child prostitution, under which traffickers could be prosecuted. Comprehensive draft anti-trafficking legislation was incorporated into penal code revisions that passed Parliament's first review in September 2007 and remain under consideration by Parliament's Political Committee. The existing Child Protection Law is also undergoing reform; during the year, a draft law intended to protect street children by criminalizing the actions of hotels and cinema halls that provide venues for child prostitution was

incorporated into this revision. On the local level, some districts, such as Nyaruguru District, adopted and began to implement bylaws preventing child labor, and child labor benchmarks were integrated into district performance contracts.

The government did not prosecute any trafficking cases during the year, but reported one ongoing investigation into child trafficking from Burundi to Uganda through Rwanda. The government also investigated the July 2007 unlawful recruitment of eight children from Kiziba refugee camp who were fraudulently induced to leave the camp by a Congolese armed group for the purposes of forced labor and soldiering; the outcome of the investigation is not publicly available. Labor inspectors issued warnings and levied fines during the reporting period against those illegally employing children; no cases of exploitative or forced labor were brought to court. At border crossings and security checkpoints throughout the country, the National Police questioned men traveling with children without an adult female and inspected suspected irregularities, including any possible indications of trafficking; such inspections yielded no reported cases of trafficking. During the year, two police officers received specialized training in recognizing trafficking and police cadets received training on child protection.



### Protection

With the exception of its care for former child combatants, some of whom are trafficking victims, the government provided few protective services to victims. The Rwandan Demobilization and Reintegration Commission (RDRC) continued operation of a center for child ex-combatants in Muhazi, which provided three months of care and education to children returned from the D.R.C. by the United Nations Mission to the Congo; approximately 19 children arrived at the center during the reporting period. The RDRC worked with local authorities and an NGO to locate the children's families, and social workers sensitized the families before their child's return; in 2007, 62 children were reunited with their families. RDRC's social workers and district integration officers track each child's progress for two years and provide assistance with school fees and expenses, as well as offering income-generating support to their families. However, a 17-year-old Rwandan repatriated in March 2007 reported not being transferred to the Muhazi center, but instead being taken to a

military camp where he was interrogated, accused of being an FDLR agent, and ill-treated. In May 2007, Rwandan authorities and UNHCR made a joint assessment visit to Rwanda's refugee camps for displaced Congolese to verify reports of children being unlawfully and fraudulently recruited for purposes of forced labor and soldiering and to devise protective mechanisms. In the months that followed, the Ministry of Local Government, the National Refugee Commission, and UNHCR established a joint committee that met with refugee committees in the camps to warn them about the dangers of fraudulent and unlawful recruitment and to urge reporting of known incidents; specific data on or concrete outcomes of these discussions and workshops were not reported.

In October 2007, the police headquarters in Kigali established a hotline and examination room for victims of gender-based violence that are staffed by trained counselors; these could be used by female victims of trafficking. Some local authorities identified children in prostitution and brought them to the attention of local organizations for assistance. In "catch-up" education programs spread over 60 centers, the Ministry of Education provided education for 7,645 children who had missed all or part of their primary education due to work. The government did not encourage victims to participate in investigation and prosecution of trafficking crimes, nor did it ensure that child victims of commercial sexual exploitation were not penalized for unlawful acts committed as a direct result of their being trafficked.

### Prevention

The government's anti-trafficking prevention efforts significantly increased during the reporting period. At a June 2007 press conference, the Minister of Family and Gender Promotion announced Parliament's introduction of a bill against child trafficking. To complement the announcement, the government organized a 300-participant march through the city that included former child laborers; the march and rally that followed received extensive coverage by broadcast and print media. In early 2008, the Ministry of Public Service and Labor and a local NGO jointly taught a two-day refresher training on child labor to 29 of 30 district labor inspectors. Local government child development committees sensitized parents and children on child labor issues, reported cases of child labor to local authorities, and assumed responsibility for monitoring affected children's education and protection. On market days, police in some districts sensitized parents of working children on the negative impacts of child labor. Five districts in Western Province developed a joint action plan to combat child labor. In addition, five districts, including Bugasera, Gatsibo, and Rulindo, established child labor task forces comprised of the vice-mayor, education officer, police, army child

protection officer, teachers, and other local leaders to undertake cell-level assessments of the extent of exploitative child labor. In an effort to reduce the demand for commercial sex acts, men arrested for procuring females in prostitution received sensitization on women's rights, including a brochure on gender-based violence. To prevent teenage mothers from entering prostitution, in March 2008, the National AIDS Control Commission signed an agreement with district leaders in Karongi to create income-generating projects for "child mothers" living in four sectors. In addition to instruction on HIV/AIDS prevention, Rwandan troops deployed to the African Union's peacekeeping mission in Darfur received training on gender sensitivity and sexual exploitation.

## SAUDI ARABIA (Tier 3)

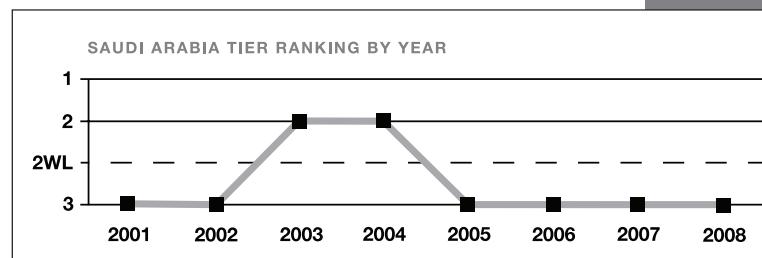
Saudi Arabia is a destination country for men and women trafficked for the purposes of involuntary servitude and, to a lesser extent, commercial sexual exploitation. Despite strict labor laws and entry visa requirements, men and women from Bangladesh, India, Sri Lanka, Nepal, Pakistan, the Philippines, Indonesia, Vietnam, Kenya, Nigeria, and Ethiopia voluntarily travel to Saudi Arabia as domestic servants or other low-skilled laborers, but subsequently face conditions of involuntary servitude, including restrictions on movement, withholding of passports, threats, physical or sexual abuse, and non-payment of wages. Women from Yemen, Morocco, Pakistan, Nigeria, Ethiopia, Tajikistan, and Thailand were also trafficked into Saudi Arabia for commercial sexual exploitation; others were reportedly kidnapped and forced into prostitution after running away from abusive employers. In addition, Saudi Arabia is a destination country for Nigerian, Yemeni, Pakistani, Afghan, Chadian, and Sudanese children trafficked for involuntary servitude as forced beggars and street vendors. Some Saudi nationals travel to destinations including Morocco, Egypt, Afghanistan, Pakistan, India, and Bangladesh to engage in commercial sexual exploitation.

The Government of Saudi Arabia does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government continues to lack adequate anti-trafficking laws, and, despite evidence of widespread trafficking abuses, did not report any criminal prosecutions, convictions, or prison sentences for trafficking crimes committed against foreign domestic workers. The government similarly did not take law enforcement action against trafficking for commercial sexual exploitation in Saudi Arabia, or take any steps to provide victims of sex trafficking with protection. The Saudi government also made no discernable effort to employ procedures to identify and refer victims to protective services.

**Recommendations for Saudi Arabia:** Enact a comprehensive anti-trafficking law that criminalizes all forms of trafficking in persons and assigns criminal penalties that are sufficiently stringent to deter the crime and adequately reflect the heinous nature of the crime; significantly increase criminal prosecutions and punishments of abusive employers and those culpable of trafficking for commercial sexual exploitation; ensure that trafficking victims are not detained or punished for acts committed as a result of being trafficked; institute a formal victim identification mechanism to distinguish trafficking victims among the thousands of workers it deports each year for immigration violations and other crimes; and extend protection to victims of sex trafficking, as well as ensure that their traffickers are criminally prosecuted.

### Prosecution

Saudi Arabia did not demonstrate efforts to criminally punish trafficking crimes over the reporting period. The government does not prohibit all forms of trafficking in persons, but penalizes forced labor through Articles 229-242 of its Labor Law. Penalties prescribed under these forced labor statutes, however, are limited to fines or bans on future hiring, and are not sufficiently stringent. These laws also do not apply to domestic servants, the primary victims of forced labor in Saudi Arabia. Saudi Arabia does not have a law specifically prohibiting trafficking for commercial sexual exploitation. There have been some cases of assault against foreign workers resulting in physical injuries or death, reports of widespread worker abuse, and anecdotal evidence of trafficking for commercial sexual exploitation. The Saudi government, however, reported no criminal investigations, prosecutions, convictions, or sentences for trafficking offenses. The government does not enforce fines or bans on hiring workers imposed upon abusive employers or recruitment agencies, and police are criticized for being unresponsive to requests for help from foreign workers.



### Protection

Saudi Arabia took inadequate measures to protect victims of trafficking and sometimes punished victims. The government claims it makes available to trafficking victims services including shelter, legal aid, and medical and psychological care. However, many victims are not always provided such assistance; they must seek shelter at their embassies,

negotiate settlements with their employers, and independently obtain funds to return home.

Saudi Arabia does not systematically attempt to identify trafficking victims among vulnerable people, such as foreign women detained for running away from their employers or women arrested for prostitution; as a result, victims of trafficking are often punished or automatically deported without being offered protection. Women arrested for prostitution are not interviewed for evidence of trafficking and may be subjected to stringent corporal punishment for adultery under Saudi law. Although Saudi Arabia offers temporary relief from deportation to some victims who identify themselves to authorities, those who have run away from their employers, overstayed their visas, or otherwise violated the legal terms of their visas may be jailed or detained. Saudi officials do not encourage victims to assist in investigations against their traffickers, and often discourage this by persuading victims to take monetary compensation in lieu of filing criminal charges against their employer. Of particular concern are reports that, in some cases, victims are returned to their employers by police officers after making a trafficking complaint. Legal recourse is available to victims in theory, but the lack of translation assistance and lengthy and costly delays often discourage victims. The government does not offer legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution.

### Prevention

Saudi Arabia made minimal efforts to prevent trafficking in persons. The government provides trafficking awareness and technical training for officials with trafficking prevention responsibilities. In November 2007, media sources reported that Saudi Arabia signed agreements to offer financial assistance to Yemen—a key source country for child beggars—to establish educational, technical, vocational, health, and infrastructure projects to prevent child trafficking. The government, however, did not take any reported measures during the reporting period to reduce the demand for commercial sex acts. Similarly, Saudi Arabia failed to undertake any public awareness campaigns targeting citizens traveling to known child sex tourism destinations abroad.

## SENEGAL (Tier 2)

Senegal is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. Trafficking within the country is more prevalent than trans-border trafficking and the majority of victims are children. Within Senegal, religious teachers traffic boys, called *talibe*, by promising to educate them, but subjecting them instead to forced begging and physical abuse. A 2007 study done by UNICEF, the ILO,

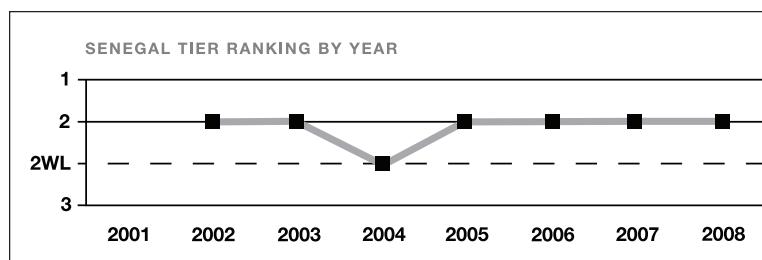
and the World Bank found that 6,480 *talibe* were forced to beg in Dakar alone. Women and girls are trafficked for domestic servitude and sexual exploitation, including for sex tourism, within Senegal. Transnationally, boys are trafficked to Senegal from The Gambia, Mali, Guinea-Bissau, and Guinea for forced begging by religious teachers. Senegalese women and girls are trafficked to neighboring countries, the Middle East, and Europe for domestic servitude and possibly for sexual exploitation. Women and girls from other West African countries, particularly Liberia, Ghana, Sierra Leone, and Nigeria may be trafficked to Senegal for sexual exploitation, including for sex tourism.

The Government of Senegal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Senegal maintained a steady commitment to rescuing and caring for victims, though law enforcement efforts remained modest.

**Recommendations for Senegal:** Increase efforts to prosecute and convict traffickers; activate the Ministry of Interior's Special Commissariat Against Sex Tourism and the Tourism Ministry's sex tourism police unit to arrest sex tourists and rescue their victims; and increase efforts to raise awareness about trafficking.

### Prosecution

The Government of Senegal demonstrated modest law enforcement efforts to combat trafficking during the last year. Senegal prohibits all forms of trafficking through its 2005 Law to Combat Trafficking in Persons and Related Practices and to Protect Victims. The law's prescribed penalties of five to 10 years' imprisonment for all forms of trafficking are sufficiently stringent and commensurate with penalties prescribed for rape. In December 2007, nine individuals, two of whom were truck drivers from Guinea-Bissau and one of whom was Senegalese, were arrested at the southern border for attempting to traffic 34 boys. The suspects are in jail awaiting trial. In 2007, a religious leader was prosecuted and sentenced to four years' imprisonment for beating a *talibe* to death. The Ministry of Tourism activated a police unit to combat sex tourism in Dakar, though a similar unit established in Mbour is not yet operational. During the year, the Ministry of the Interior activated the Special Commissariat Against Sex Tourism—which it had established in 2005—in Dakar and Mbour. The Ministry of the Interior, through its Bureau of Investigations, works closely with Interpol to monitor immigration and emigration patterns for evidence of trafficking. Senegalese police continued to work closely with Bissau-Guinean authorities to repatriate children trafficked for forced begging back to Guinea-Bissau.



### Protection

The Government of Senegal demonstrated solid efforts to protect trafficking victims over the last year. Senegal continued to operate the Ginndi Center, its shelter for destitute children, including trafficking victims. In its record keeping, the Center does not specifically track the number of trafficking victims it receives. However, the Family Ministry, which funds and operates the Center with help from international donors, has recently begun using an NGO-funded computerized database to track trafficking victims. Last year, the center received 917 destitute children, including trafficking victims. With international organization assistance, all of these children were reunited with their families in Senegal, Guinea-Bissau, Mali, and The Gambia. The government provided 77 of these children with vocational training and 329 with medical care. The government also continued to operate its free child protection hotline out of the Ginndi Center. The hotline received 66,823 calls last year. The government also sometimes refers victims to NGOs for care on an ad hoc basis. The government encourages victims to assist in trafficking investigations or prosecutions by permitting closed-door victim testimonies during trafficking prosecutions and by interviewing victims to gather evidence to prosecute traffickers. The government provides legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. Trafficking victims have the option of remaining temporarily or permanently in Senegal under the status of resident or refugee. Victims are not inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked.

### Prevention

The Government of Senegal made minimal efforts to raise awareness about trafficking during the reporting period. As part of its program against the worst forms of child labor, the Family Ministry conducted donor-funded workshops and roundtables in Mbour, Dakar, and other areas of the country to raise awareness about forced child begging, child domestic servitude, and prostitution of children. A magistrate at the High Commissary of Human Rights, the government's focal point agency to combat trafficking, holds monthly meetings with representatives from the Ministries of Justice, Tourism, Interior, Women, and Education

to better disseminate and enforce the law prohibiting trafficking. The government took measures to reduce demand for commercial sex acts in Senegal by activating a tourism police unit and a special police commissariat to combat child sex tourism. The government did not take measures to ensure that its nationals who are deployed abroad

as part of peacekeeping missions do not engage in or facilitate trafficking. The Family Ministry is working with a foreign donor to develop a new national action plan against trafficking.

## SERBIA (Tier 2)

Serbia is a source, transit, and destination country for women and girls trafficked transnationally and internally for the purpose of commercial sexual exploitation. Foreign victims are trafficked to Serbia from Macedonia, Ukraine, Moldova, Bosnia and Herzegovina, Bulgaria, Romania, Croatia, Albania, and the People's Republic of China. Serbia continued to serve as a transit country for victims trafficked from Bosnia, Croatia, and Slovenia and destined for Italy and other countries in Western Europe. Internal sex trafficking of Serbian women and girls continued to increase, comprising more than three-fourths of trafficking cases in 2007. Some children continued to be trafficked into forced labor or forced street begging. According to NGOs and law enforcement, efforts to shut down known brothels continued to prompt traffickers to better conceal victims of trafficking.

The Government of Serbia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased national funding for combating trafficking in persons, actively investigated trafficking, prosecuted high-level cases, and took a step in addressing trafficking-related corruption by investigating and charging a state prosecutor for complicity. During the reporting period, the government improved its capacity to assist trafficking victims via the establishment of 11 new municipal teams made up of government officials and NGO representatives. An inefficient judicial system resulted in trials that lasted months or years, and convicted traffickers continued to delay serving their sentences, sometimes by several years, by filing multiple appeals. This sometimes resulted in convicted traffickers remaining free and possibly continuing to exploit victims. Sentences continued to be light in many cases, and did not serve to deter trafficking in Serbia. Although the government expanded its training program to educate law enforcement how to identify victims, concerns remained about victims

sometimes not correctly identified and punished as a result of being trafficked.

**Recommendations for Serbia:** Pass implementing legislation as part of the national judicial reform plan, which will streamline the judicial process and ensure convicted traffickers serve their sentences soon after sentencing; continue to address trafficking-related corruption by vigorously prosecuting and punishing officials who facilitate trafficking; amend the penal code to raise minimum penalties for trafficking; provide evidence of vigorous prosecution, conviction, and sentencing of traffickers via comprehensive law enforcement data; implement measures in the National Strategy to Combat Trafficking in Persons, such as the protocol for victim identification and referral; include NGOs in the initial identification phase for potential victims; develop programs to assist the increasingly growing problem of children who are victims of trafficking; and improve prevention efforts, including efforts to reduce demand for commercial sex.

### Prosecution

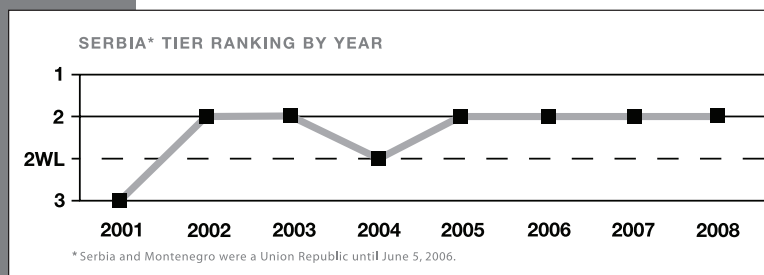
The Government of Serbia continued its efforts to actively investigate trafficking cases, though its court often imposed insufficient sentences on convicted trafficking offenders. The criminal code for Serbia criminally prohibits sex and labor trafficking in article 388 and prescribes penalties that are sufficiently stringent and commensurate with those prescribed for other grave offenses, such as rape. In 2007, the government investigated and charged 62 persons with trafficking. The government reported at least 23 trafficking convictions during the reporting period. In December 2007, in a high-profile case in Novi Sad, the judge sentenced 11 defendants, including one police officer, to a total of 42 years' imprisonment, and the defendants are reportedly serving their sentences. In another high profile case, the government investigated and indicted seven traffickers, including the Deputy Public Prosecutor, in Novi Pazar in December 2007. The prosecutor sexually exploited some of the victims and was aware of trafficking abuses they had suffered, including the death of one victim. In 2007, the government investigated a police officer for his role in facilitating the trafficking of a forced labor victim. This trial is scheduled to begin in May 2008. In March 2007, a

Belgrade court convicted 12 suspects to a total of 42 years' imprisonment for trafficking Chinese nationals through Serbia. Most convicted traffickers in Serbia continue to be freed pending appeal and there was at least one case of a convicted trafficker who remained free and continued his trafficking activities. Due to vacancies in the office of the National Coordinator, the government did not provide comprehensive law enforcement data on trafficking prosecutions, convictions, and sentences.

### Protection

The government continued to cooperate with NGOs on victim assistance, but did not provide any funding for NGOs providing victims of trafficking with services such as counseling, legal assistance, and reintegration programs. The Agency for the Coordination of Protection of Victims of Trafficking reported the identification of 60 victims in 2007, including 26 minors; 48 of the 60 were Serbian victims. The government encouraged victims to assist in the investigation and prosecution of traffickers, according to NGOs in Serbia; 90 percent of victims reportedly participated in the investigation of their traffickers. However, many victims refuse to testify in court, out of fear of reprisals by their traffickers. The government used its 2006 Witness Protection Law to protect only one trafficking victim during the year. According to NGOs, trafficking victims were often directly or indirectly forced to testify against traffickers and some courts continue to demonstrate insensitivity to trafficking victims by scheduling victims and their accused traffickers to appear in court together, despite victims' objections. Serbian law allows victims to file civil suits against traffickers for compensation, but as of March 2008 no trafficking victim had been awarded compensation. Victims pursuing criminal or civil suits are entitled to temporary residence permits and may obtain employment or leave the country pending trial proceedings. The government awarded temporary residence status to a total of six victims in 2007. Identified victims are not detained, jailed, prosecuted, or otherwise penalized for unlawful acts committed as a direct result of their being trafficked. However, one NGO reported that authorities failed to identify some trafficking victims in 2007, resulting in their arrest, detainment, and subsequent deportation. To address this issue, the government expanded its training program for law enforcement.

In 2007, thirty-seven trafficking victims were accommodated in two NGO shelters, 21 in a short-term shelter and 16 in transition housing (including two babies). Reintegration services were provided to 47 women and four men (including 22 children). During the reporting period, 11 new municipalities established social assistance teams composed of social workers, police, and NGO staff to provide





assistance to potential victims of family violence and trafficking.

### Prevention

The Government of Serbia demonstrated mixed efforts in its prevention activities in 2007. The government has yet to begin implementation of its December 2006 National Strategy to Combat Trafficking in Persons. Furthermore, the government's anti-trafficking team charged with leading Serbia's anti-trafficking efforts met only once during the year. However, the government increased its educational prevention programs during the year, and in 2007, launched a fund-raising drive for the Agency for Coordination. It also sponsored a month of anti-trafficking programs on national television during October 2007. Although the government finalized scripts for a project to which it earmarked \$100,000 for a 13-episode television series entitled "Modern Slavery," NGOs expressed concerns about the series being completed. The government did not conduct any awareness campaigns aimed to reduce demand for commercial sex acts.

## SIERRA LEONE (Tier 2)

Sierra Leone is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. Trafficking within the country is more prevalent than transnational trafficking and the majority of victims are children. Within the country, women and children are trafficked from rural provinces to towns and mining areas for domestic servitude, sexual exploitation, and forced labor in diamond mines, petty trading, petty crime, and for forced begging. Women and children may also be trafficked for forced labor in agriculture and the fishing industry. Transnationally, Sierra Leonean women and children are trafficked to other West African countries, notably Guinea, Cote d'Ivoire, Liberia, Nigeria, Guinea-Bissau, and The Gambia for the same purposes listed above and to North Africa, the Middle East, and Western Europe for domestic servitude and sexual exploitation. Sierra Leone is a destination country for children trafficked from Nigeria and possibly from Liberia and Guinea for forced begging, forced labor in mines and as porters, and for sexual exploitation. There have also been cases of children trafficked from refugee communities in Sierra Leone.

The Government of Sierra Leone does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. The government reported that it prosecuted five traffickers, but was unable to provide data on trafficking

convictions. While Sierra Leone reported that it referred victims to an international organization's shelter, the number of victims referred was low.

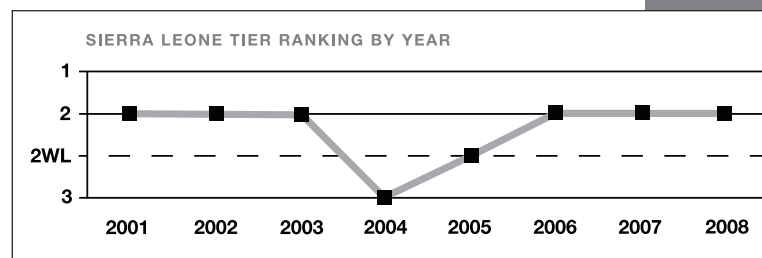
**Recommendations for Sierra Leone:** Strengthen efforts to prosecute and convict trafficking offenders; educate law enforcement officials on the distinction between trafficking and smuggling; allocate increased funding to transporting victims from the interior to Freetown for care; increase the number of government victim referrals to IOM; and develop procedures for identifying trafficking victims among females in prostitution.

### Prosecution

The Government of Sierra Leone made modest law enforcement efforts to combat trafficking in the last year. Sierra Leone prohibits all forms of trafficking through its 2005 Anti-Trafficking in Persons Act, which prescribes a maximum penalty of 10 years' imprisonment. This penalty is sufficiently stringent, but not commensurate with penalties for rape, which carry a maximum sentence of life imprisonment. Between January and December 2007, the government reported that it conducted 14 trafficking investigations. Five of these cases are being prosecuted—as compared with seven cases prosecuted in 2006. Although an international NGO reported that Sierra Leone convicted three traffickers, the government was unable to corroborate this information. In January 2008, the Sierra Leonean Embassy in Conakry received from the Guinean government four Sierra Leonean women whom Guinean authorities suspected of trafficking children to Sierra Leone, and transported them back to Sierra Leone. Rather than prosecuting them, the government and IOM determined that they were actually trafficking victims and returned them to their communities.

### Protection

The Sierra Leonean government demonstrated limited efforts to protect trafficking victims during the last year. The government does not operate its own shelter, but refers victims to the nation's only trafficking victim shelter, which is located in Freetown and operated by IOM. The Family Support Units (FSU) of the Sierra Leone Police (SLP) turned over intercepted trafficking victims to the Ministry



of Social Welfare (MOSW), which then referred the victims to IOM for assistance. Some victims outside Freetown were not referred for care, however, due to lack of transport to the capital or the difficulty of travel during the rainy season. The government reported that it referred 14 trafficking victims to IOM for assistance in the 2007 calendar year.

In January 2007, the Sierra Leonean Embassy in Conakry received from the Guinean government and protected 10 suspected child trafficking victims and returned them to Sierra Leone. The MOSW and IOM determined that the children were in fact not trafficking victims, but were related to the aforementioned four Sierra Leonean women whom Guinean authorities had suspected were trafficking these children into Sierra Leone. The children were reunited with their parents under the supervision of the MOSW. In March 2008, the government donated shelter space to IOM in order to replace the facility IOM currently rents. Although the government permits victims to participate in investigations and prosecutions, cases take so long to go to court that many victims are no longer available at the time of trial. As a result, some cases are dropped, since many cannot be successfully tried without a victim witness. The government does not actively encourage victims to participate in investigations and prosecutions. Sierra Leone does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. There were no known cases during the year of trafficking victims inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked. However, authorities' conflation of trafficking and smuggling has probably led to some trafficking victims being penalized as illegal immigrants. Also, NGOs report that police raid brothels and arrest females in prostitution without following procedures to identify trafficking victims among them.

### Prevention

The Government of Sierra Leone made inadequate efforts to raise awareness about trafficking during the reporting period. The government failed to conduct trafficking information or education campaigns. While the National Anti-Trafficking Task Force, which is composed of government officials, NGOs, and international organizations, met monthly for half the year, meetings were less frequent in the year's second half and government authorities from some key ministries rarely attended. While the 2005 anti-trafficking law mandates the creation of a Trafficking Secretariat to coordinate national anti-trafficking activities, it has yet to be established. Sierra Leone does not monitor immigration and emigration patterns for trafficking activity. Border officials continue to lack a full understanding of the distinction between smug-

gling and trafficking. The government took some measures to reduce demand for commercial sex acts by raiding brothels, but did not follow procedures to identify trafficking victims among females in prostitution. Sierra Leone has not ratified the 2000 UN TIP Protocol.

## SINGAPORE (Tier 2)

Singapore is a destination country for women and girls trafficked for the purpose of labor and commercial sexual exploitation. Some women from India, Thailand, the Philippines, and the People's Republic of China who travel to Singapore voluntarily for prostitution or work are subsequently deceived or coerced into sexual servitude. A significant number of foreign domestic workers in Singapore faces the unlawful confiscation of their travel documents, restrictions on their movement, confinement, and/or physical or sexual abuse. Some Singaporean men travel to countries in the region for child sex tourism.

The Government of Singapore does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In February, 2008 the government enacted amendments to the Penal Code that criminalize prostitution involving a minor under the age of 18, thereby ensuring that Singaporean law criminalizes all severe forms of trafficking in persons. The police adopted new training programs and procedures to familiarize officers with the new Penal Code offenses and to provide them with the skills to identify potential trafficking victims. Notably, the recent Penal Code amendments also extend extra-territorial jurisdiction over Singaporean citizens and permanent residents who sexually exploit children in other countries, and make organizing or promoting child sex tourism a criminal offense. At the same time, however, the government did not prosecute or convict any trafficking offenders during the reporting period, and did not take adequate measures to protect victims of trafficking, particularly foreign domestic workers subjected to forced labor conditions.

**Recommendations for Singapore:** Vigorously investigate and prosecute both labor and sex trafficking cases, and ensure that trafficking offenders are convicted and receive appropriate criminal punishments; increase efforts to proactively identify victims of trafficking among vulnerable groups such as foreign women and children arrested for prostitution; institute procedures to ensure that victims are not arrested, incarcerated or otherwise punished for acts committed as a direct result of being trafficked; and conduct public awareness campaigns to inform citizens and residents of the

amendments to the Penal Code and penalties for involvement in trafficking for sexual exploitation or labor.

### Prosecution

The Government of Singapore demonstrated some law enforcement efforts to combat trafficking in persons during the reporting year. Singapore expanded its anti-trafficking legal framework with the February 1, 2008 entry into force of the Penal Code (Amendment) Act of 2007 to criminalize all forms of trafficking, including the commercial sexual exploitation of sixteen- and seventeen-year-olds. Labor trafficking is prohibited through multiple sections of the Penal Code, the Employment Agency Rules, and the Employment of Foreign Workers Act. Penalties prescribed for sex trafficking, including imprisonment, fines, and caning, are sufficiently stringent, as are penalties prescribed for labor trafficking. The Ministry of Home Affairs (MHA) received and investigated 28 reports of human trafficking during the reporting period; one case remains under investigation, while the others were closed due to lack of substantiating evidence. There were no reported criminal prosecutions or convictions for labor or sex trafficking offenses during the reporting period. In 2007 the authorities arrested 130 pimps and “vice abettors” (e.g., brothel operators). Fifteen pimps and thirty vice abettors were prosecuted; however, it is unclear how many, if any, of these cases involved trafficking. There were no reports of government officials’ complicity in trafficking crimes during the reporting period.

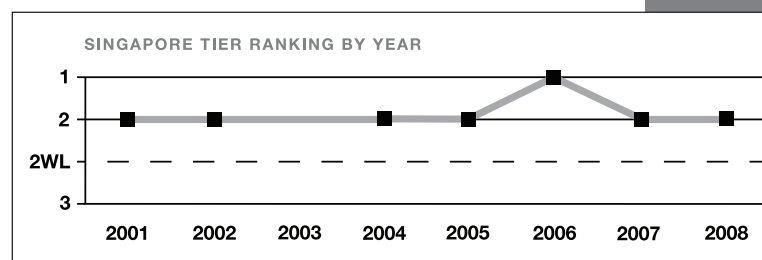
### Protection

The government did not show appreciable progress in protecting trafficking victims, particularly foreign domestic workers subjected to forced labor conditions, over the reporting period. The government does not operate victim shelters, but instead referred potential victims of trafficking to NGO shelters or foreign embassies over the reporting period. In 2007, one NGO reported offering protection to over 900 foreign workers who ran away from their employers in Singapore after complaining of abusive conditions; the NGO estimates that as many as 70 percent of such workers has cited conditions that may potentially meet the definition of trafficking in persons. The Philippines Embassy separately reported receiving complaints from as many as 212 of its nationals that raise concerns about trafficking; however, only three of its nationals elected to file criminal complaints with Singaporean authorities. Law enforcement efforts aimed at curbing prostitution likely resulted in victims of sex trafficking being penalized for acts committed as a direct result of being trafficked. In 2007, the police arrested 5,402 foreign women for prostitution, who were generally incarcerated then deported. The number of trafficking victims among this group is unknown; however, government measures to proactively identify potential trafficking

victims among this vulnerable population, if any, appear to have been limited during the majority of the reporting period. At least 60 of those reportedly arrested and deported without being formally identified and provided with appropriate protective services were minors. The government encourages identified victims to assist in the investigation and prosecution of trafficking offenders, and makes available to all foreign victims of crime temporary immigration relief that allows them to reside in Singapore pending conclusion of their criminal case. Singapore does not otherwise provide trafficking victims with a legal alternative to removal to countries where they may face hardship or retribution.

### Prevention

The Singaporean government demonstrated some increased efforts to prevent trafficking in persons during the year. The Government expanded its information campaign that aims to raise awareness among foreign workers of their rights and resources available, in an effort to prevent incidents of trafficking. It prints information on employees’ rights and police hotline numbers for domestics on prepaid phone cards. The Ministry of Manpower (MOM) has a bi-annual newsletter, published in multiple languages, that it mails directly to all 170,000 foreign domestic workers. All foreign domestic workers working in Singapore for the first time attend a compulsory course on domestic safety and their employment rights and responsibilities. The government undertook some administrative actions for violations of labor laws potentially related to trafficking, including employer fines and license suspensions for several employment agencies. In August 2007 one employer was sentenced to one year in jail for physically abusing her maid. The government did not undertake specific measures to reduce demand for commercial sex acts involving adults in the legalized commercial sex industry in Singapore. As noted above, however, the government took measures to curb participation by its nationals and others in *child sex tourism* by establishing extra-territorial jurisdiction over Singaporean citizens and permanent residents who sexually exploit children in other countries, and criminalizing organization or promotion of child sex tourism activities. Singapore has not ratified the 2000 UN TIP Protocol.



## SLOVAK REPUBLIC (Tier 2)

The Slovak Republic is a source, transit, and limited destination country for women and girls from Moldova, Ukraine, Bulgaria, the Balkans, the Baltics, and China trafficked to Germany, Austria, the Czech Republic, Switzerland, Sweden, Italy, Austria, the Netherlands, Spain, Croatia, and Slovenia for the purpose of commercial sexual exploitation. Men from Vietnam were trafficked to Slovakia for the purpose of forced labor. Roma women and girls from Slovakia are trafficked internally for sexual exploitation.

The Government of the Slovak Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government allocated \$91,000 for anti-trafficking efforts in 2007, an increase from \$60,000 in 2006. In February 2008, police began investigating the country's first identified labor trafficking case involving eight Vietnamese nationals forced to work in a cigarette factory in Bratislava. The government also made efforts to improve victim identification and assistance referral. However, the number of victims assisted by government-funded programs decreased in 2007.

### Recommendations for the Slovak Republic:

Increase the number of victims assisted by government-funded NGO programs; continue to improve communication between government ministries responsible for anti-trafficking initiatives; increase collaboration with NGOs by soliciting their advice and expertise on anti-trafficking projects and future efforts; provide additional trafficking-specific training for border police, customs officials, and social workers at refugee camps and asylum centers to increase the number of victims identified and referred for assistance by government officials; continue collaboration with NGOs in identifying victims among persons in police detention centers and immigration facilities; and increase domestic public awareness and trafficking prevention efforts.

### Prosecution

The Government of the Slovak Republic demonstrated adequate law enforcement efforts during the reporting period. The Slovak Republic prohibits all forms of

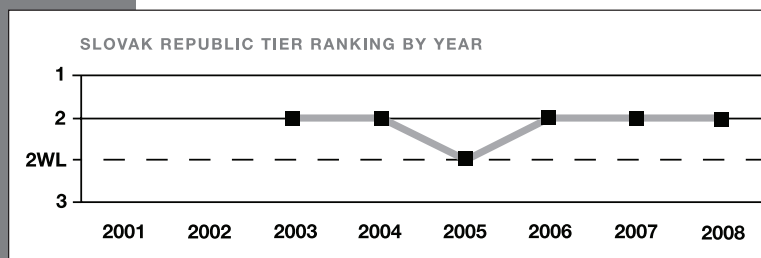
trafficking through Sections 179-181 of its criminal code, which prescribes penalties under the criminal code ranging from four to 25 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other grave crimes, such as rape. Police conducted 14 trafficking investigations in 2007, including one labor trafficking investigation, compared to 20 investigations in 2006. The government prosecuted 16 defendants in four cases, compared to 32 trafficking cases in 2006. Seven trafficking offenders were convicted during the reporting period, down from 18 convicted in 2006. Most convicted traffickers were given sentences of up to two years' imprisonment; one trafficker was sentenced to seven months' imprisonment. There were no official cases of high-level government officials involved in trafficking during the reporting period. The government extradited one person to Austria to face trafficking charges during the reporting period.

### Protection

The government demonstrated modest efforts to assist and protect victims in 2007. The Ministry of the Interior funded a new NGO program which provided shelter and assistance to four victims. In 2006, government funding to NGOs aided 10 victims; an additional 43 victims were assisted by nongovernmental-funded programs. The Ministry of Interior published a training manual and provided victim identification, referral, and sensitivity training for 490 police officers. Police identified and referred 15 victims to NGOs for assistance during the reporting period. Victims are encouraged to participate in investigations and prosecutions; foreign victims who cooperate with law enforcement are permitted to remain in Slovakia and work for the duration of the investigation or trial.

### Prevention

Slovakia demonstrated limited efforts to prevent trafficking during the reporting period. The Border and Alien Police monitored the border for evidence of trafficking. The government continued to operate a 38-bed shelter for unaccompanied minors who enter the country illegally, thus helping to prevent the trafficking of this vulnerable population. In 2007, the government allocated \$22,000 to develop and implement future awareness campaigns to reduce the demand for commercial sex acts. The Ministry of Education approved the use of NGO-produced anti-trafficking materials in schools in 2007, and the Ministry of Labor and Social Affairs cooperated with NGOs in a series of training and trafficking awareness activities aimed at vulnerable population groups, including Roma populations. During the reporting period, the government published a brochure educating its nationals traveling to other EU countries for employment opportunities about the dangers of trafficking. Slovakia did not provide trafficking awareness training for deployed peace-keeping officials during the reporting period.



## SLOVENIA (Tier 1)

Slovenia is a transit, destination, and to a lesser extent a source country for men, women, and children trafficked from Ukraine, Slovakia, Romania, Moldova, Bulgaria, Colombia, the Dominican Republic, Turkey, Albania, and Montenegro for the purposes of commercial sexual exploitation and forced labor, including in the construction industry. In 2007, disabled men from Slovakia were trafficked to Slovenia for the purpose of forced begging. Slovenian women are trafficked within the country or to countries in Western Europe for commercial sexual exploitation.

The Government of Slovenia fully complies with the minimum standards for the elimination of trafficking. The government sustained its strong law enforcement efforts and generous victim assistance funding during the reporting period. In 2007, Slovenia increased funding for victim assistance from \$85,000 to \$105,000. The government also increased and diversified its public awareness efforts.

**Recommendations for Slovenia:** Continue vigorous investigations and prosecutions of trafficking offenses; provide trafficking awareness training for judges; continue to ensure that a majority of convicted traffickers serve some time in prison; increase the number of victims referred for assistance; and conduct a domestic demand reduction campaign for commercial sex acts.

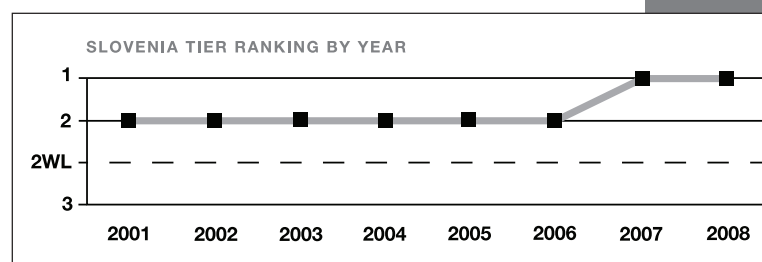
### Prosecution

The government demonstrated adequate law enforcement efforts in 2007. The government prohibits all forms of trafficking in persons through Article 387(a) of its criminal code, which prescribes penalties ranging from six months to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Authorities conducted six trafficking investigations in 2007, up from three in 2006. Courts prosecuted three cases and convicted five traffickers in 2007, down from six cases prosecuted and seven traffickers convicted in 2006. Four traffickers were given sentences ranging from 15 to 57 months' imprisonment and one convicted trafficker served no time in prison. The Slovenian Police Directorate provided eight training sessions for 165 police officers during the reporting period.

### Protection

The Government of Slovenia provided quality victim assistance and protection during the reporting period, although the number of victims assisted and referred by government officials declined in 2007. The government provided \$105,000 to two NGOs to provide both short-term and extended

victim assistance including shelter, rehabilitative counseling, medical assistance, vocational training, and legal assistance. In 2007, these NGOs assisted 26 victims or potential victims compared to 43 victims assisted in 2006. The government continued to implement its formalized victim identification and referral mechanism during the reporting period; however, during the year, police referred only four victims to NGOs for assistance, down from 21 victims referred in 2006. After identification, victims were granted a 90-day reflection period, and were encouraged to participate in trafficking investigations and prosecutions; foreign victims who assist law enforcement are eligible to stay in Slovenia for the duration of the trial. Eight victims assisted law enforcement officials with trafficking investigations and prosecutions in 2007. Victims were not punished for unlawful acts committed as a direct result of being trafficked.



### Prevention

The government increased its prevention efforts during the reporting period. Slovenia continued to fund an NGO to provide trafficking awareness classes for students in elementary and secondary schools, reaching 400 students, parents, and teachers nationwide in 2007. With government funding, one NGO conducted a radio campaign simulating a trafficking victim's call to the NGO's hotline to encourage victims to seek assistance. In September 2007, the Ministry of Education introduced the theme of human trafficking into the standard Slovenian primary school curriculum. Slovenia continued to monitor its borders for evidence of trafficking. The government continued to provide Slovenian troops assigned to peacekeeping missions in Kosovo and Afghanistan with trafficking awareness training. The government has not taken any measures to reduce the demand for commercial sex acts.

## SOUTH AFRICA (Tier 2 Watch List)

South Africa is a source, transit, and destination country for trafficked men, women, and children. South African girls are trafficked within their country for the purposes of commercial sexual exploitation and domestic servitude, while boys are trafficked internally for use in street vending,

food service, and agriculture. Anecdotal evidence suggests that South African children are forced to provide unpaid labor for landowners in return for their family occupying land or accommodation, or maintaining labor tenancy rights. Child sex tourism is prevalent in a number of South Africa's cities. South African women are trafficked transnationally to Ireland, the Middle East, and the United States for domestic servitude. Women and girls from other African countries are trafficked to South Africa for commercial sexual exploitation, domestic servitude, and other jobs in the service sector; occasionally, these women are trafficked onward to Europe for sexual exploitation. Thai, Chinese, and Eastern European women are trafficked to South Africa for debt-bonded commercial sexual exploitation. Young men and boys from Mozambique, Zimbabwe, and Malawi are trafficked to South Africa for farm work, often laboring for months in South Africa without pay before "employers" have them arrested and deported as illegal immigrants. Organized criminal groups—including Nigerian, Chinese, and Eastern European syndicates—and local gangs facilitate trafficking into and within South Africa, particularly for the purpose of commercial sexual exploitation.

The Government of South Africa does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. South Africa is placed on Tier 2 Watch List for a fourth consecutive year for its failure to show increasing efforts to address trafficking over the last year. The government provided inadequate data on trafficking crimes investigated or prosecuted or on resulting convictions or sentences. In addition, it did not provide information on its efforts to protect victims of trafficking and continued to deport and/or prosecute suspected foreign victims without providing appropriate protective services.

**Recommendations for South Africa:** Fully implement the trafficking provisions of the Sexual Offenses and Children's Acts and raise awareness among all levels of relevant government officials as to their responsibilities under these provisions; develop and employ national procedures for victim protection, including the identification of trafficking victims among undocumented immigrants; and regularly compile national statistics on the number of trafficking cases prosecuted and victims assisted, as is done for other crimes.

#### **Prosecution**

The South African government did not provide information on anti-trafficking investigations that resulted in the punishment of any traffickers in 2007. For the majority of the reporting period, South Africa did not have laws that specifically prohibited trafficking in persons, though a variety of other criminal statutes, such as the Prevention of Organized Crime Act, were used to prosecute trafficking crimes. Law

enforcement authorities could also use existing laws prohibiting involuntary servitude, child labor, and forced labor to prosecute labor trafficking cases, but do not appear to have done so. The lack of specific anti-trafficking statutes and explicit penalties for trafficking crimes continued to hamper South African law enforcement efforts in 2007, as many working-level police, labor, and social welfare officials possessed little understanding of the crime or did not view it as part of their responsibilities. However, in December 2007, several sections of the Sexual Offenses Amendment Act came into force, including Chapter 7 Part 6 which contains broad provisions against sex trafficking, but makes no provision for victim protection. Implementing regulations for the Children's Act of 2005 remained unfinished, preventing use of the law's provisions on child trafficking. The comment period on a draft comprehensive human trafficking bill closed in June 2007 and the South African Law Reform Commission (SALRC) staff finalized the text to be recommended to the Department of Justice in early 2008.

Although the government initiated a number of significant investigations during the reporting period, it made little progress in prosecuting or convicting suspected traffickers. In November 2007, new racketeering charges were filed against the suspected trafficker in a December 2006 sex trafficking case involving Thai women. Four cooperating Thai witnesses remain in protective custody and are expected to testify when the case comes to trial in May 2008. In July 2007, ten Thai women were arrested, along with their two Indian and Thai traffickers, at a brothel in Durban. Three women agreed to testify for the state and remain under government protection; seven women and their alleged traffickers await prosecution. After receiving a tip from Zimbabwean police in June 2007, the South African Police Service (SAPS) arrested a South African man for allegedly trafficking a Zimbabwean woman to South Africa with promises of a job. While he was initially taken into custody under charges of violating migration laws and the Sexual Offenses Act, the status of this case is unknown. Because some parents had given consent for the initial travel, the Cape Town magistrate's court dismissed, in December 2007, charges against a man accused of trafficking boys to the city for street vending and detaining them against their will without pay. In March 2008, the SAPS arrested 27 prostituted Chinese women, as well as the seven men accused of transporting them to South Africa and selling them into the sex trade; a police spokesman indicated that the women entered the country illegally and would be deported. The status of the Department of Labor's investigations, if any, into cases involving child labor trafficking is unknown; also unknown are any prosecutions of child labor trafficking. In early 2007, Labor Department officials conducted a week of surprise visits to homes employing adult domestic workers to inspect working conditions; the results of these

inspections are unknown. The government did not provide information on the status of pending cases reported in 2006.

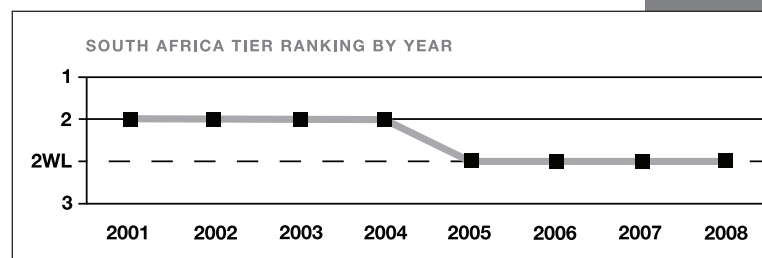
The South African Police Service has a Human Trafficking Desk within its Organized Crime Unit; the government did not provide information related to actions or investigations taken by the Desk during the reporting period. The government did not document or track anti-trafficking law enforcement efforts or provide specialized anti-trafficking training to law enforcement, prosecutorial, or judicial personnel. During 2007, there was little cross-border cooperation on human trafficking between the government and its neighbors. Some local law enforcement officials are believed to be connected with organized criminal elements that engage in human trafficking.

### Protection

Government protection for trafficking victims during the reporting period remained inadequate, and formal protocols to identify and care for trafficking victims were lacking. Police referred an unknown number of internal child trafficking victims to local NGO-run shelters during the reporting period. As part of its ongoing program to assist organizations that shelter vulnerable populations, the government granted funding to some facilities that provided housing for trafficking victims, though not in a consistent or timely fashion. In 2007, the Department of Home Affairs referred one foreign child victim of trafficking to IOM for assistance. The Department of Social Development (DSD) provided the victim with shelter accommodation, schooling, and basic needs. However, DSD did not refer any children to IOM for assistance during the reporting period. It is unknown whether law enforcement or social service officials referred foreign victims directly to other organizations in 2007. Organizations working to help trafficked children continued to lament South Africa's shortage of social workers, a situation resulting in inadequate case monitoring and follow-up, and failure in some cases to accompany children to court.

The government actively encouraged victims' assistance in the investigation and prosecution of their traffickers; South Africa's witness protection program safeguarded at least seven Thai trafficking victims during the year to enable their involvement. The government provided these witnesses shelter and modest food stipends. Despite this positive development, the government continued to arrest and, at times, prosecute suspected trafficking victims for unlawful acts committed as a direct result of their being trafficked, as noted in the aforementioned case of the 27 Chinese women. In addition, extensive delays in scheduling court appearances have resulted in some alleged victims choosing not to testify during the trial of their traffickers. However,

the new Sexual Offenses Act states that sex trafficking victims are not liable to stand trial for any criminal offense, including any migration-related offense, which was committed as a direct result of being trafficked. No similar provision exists for victims of labor trafficking. The lack of national coordination and procedures for victim protection continued to lead to deportation of most foreign victims before they were provided protective services or were able to give evidence in court. Immigration officials did not attempt to identify trafficking victims among the thousands of undocumented foreigners they detained—notably Zimbabweans and Mozambicans—before deporting them.



### Prevention

The government demonstrated minimal progress in combating human trafficking through prevention efforts. It conducted no anti-trafficking information or education campaigns during the reporting period. The Sexual Offenses and Community Affairs Unit of the National Prosecuting Authority (NPA/SOCA) serves as the de facto lead of the government's anti-trafficking effort and chairs the Trafficking in Persons Inter-sectoral Task Team made up of government departments, IOM, UNODC, and a local NGO. The Task Team produced no significant outcomes in 2007. In January 2008, NPA/SOCA established an internal Human Trafficking Unit comprised of a national trafficking coordinator and a program manager. This Unit is tasked with reviving the Inter-sectoral Task Team and undertaking data gathering and public awareness raising activities, as outlined in the government's 2006 anti-trafficking plan of action. NPA/SOCA launched a website in December 2007 outlining its proposed strategy for responding to human trafficking. The website also provides the public with information on the nature of human trafficking and instructions for reporting a case or obtaining victim assistance. The government made no progress in investigating the cross-border trafficking of Mozambican, Malawian, and Zimbabwean children for agricultural labor. In January 2008, however, the government signed a Memorandum of Understanding with the Zimbabwean government to conduct a joint project to regularize the status of illegal Zimbabwean migrant farm workers in South Africa's Limpopo Province and ensure them proper employment conditions. The government did not undertake efforts to reduce domestic demand for

commercial sex acts or to combat child sex tourism during the reporting period. All South African troops destined for peacekeeping missions abroad are provided training on sexual exploitation issues prior to their deployment.

## SPAIN (Tier 1)

Spain is a transit and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. While most victims are women between the ages of 18 and 24 trafficked for sexual exploitation, females as young as 16 are also trafficked to Spain for the same purpose, and men are trafficked for forced labor, usually in agriculture. Primary source countries for victims trafficked to Spain are Romania, Russia, Brazil, Colombia and Nigeria, although victims are also trafficked from other areas of Latin America, Eastern Europe, and Africa. In smaller numbers, Chinese victims are trafficked to Spain primarily for labor exploitation.

The Government of Spain fully complies with the minimum standards for the elimination of trafficking. Spain undertook sustained measures to assist trafficking victims, prosecute traffickers, provide anti-trafficking law enforcement statistics, prevent trafficking, and reduce the demand for commercial sex.

**Recommendations for Spain:** Establish a formal referral mechanism and procedures for victim identification; implement a national action plan to combat trafficking; expand commercial sex and child sex tourism demand reduction campaigns; and continue to seek active participation from NGOs on anti-trafficking efforts, including policy initiatives.

### Prosecution

The Government of Spain demonstrated strong efforts to combat trafficking through law enforcement in the last year. Spain prohibits all forms of trafficking in persons through Article 318 of its Criminal and Penal Code. The prescribed penalties for sex trafficking is five to 15 years' imprisonment, and the penalty for labor trafficking is four to 12 years in prison. These are sufficiently stringent, and the penalties prescribed for sex trafficking are commensurate with the prescribed penalties for

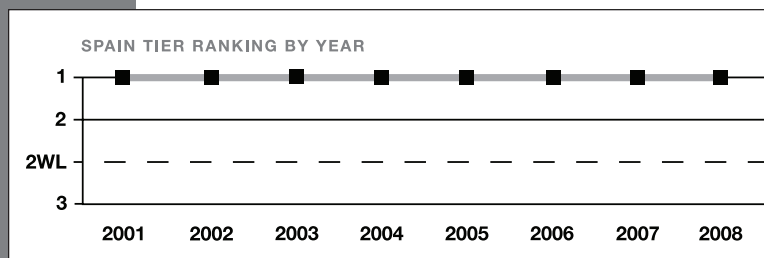
rape. The government implemented new legislation in 2007 that increased prescribed penalties for trafficking by two to six years in prison if the offender is found to be part of a criminal organization, and passed additional legislation in 2007 that allows Spanish courts to prosecute cases of trafficking that have occurred outside Spain's borders. During the reporting period, police arrested 530 individuals for sex trafficking and 161 for labor trafficking. Government officials prosecuted 102 trafficking cases, convicted 142 trafficking offenders, and imposed an average prison sentence of 4.6 years on those convicted. Over 67 percent of these sentences were greater than four years, and approximately 25 percent of the convictions resulted in a fine and/or suspended sentence. Spain announced in early 2008 that it would allot \$8.6 million to fund an anti-trafficking cooperation agreement with several Central American countries.

### Protection

The government sustained impressive efforts to provide care for trafficking victims during the reporting period. In 2007, Spain increased funding to anti-trafficking NGOs providing care to victims. Spain does not have a formal mechanism for referring victims to service providers; however, Spanish police continued informally to refer rescued victims to NGOs providing temporary shelter and rehabilitation services. Victims receive medical assistance, including emergency care, through the national health care system. The police identified 1,035 sex trafficking victims and 445 labor trafficking victims in 2007. The government encourages foreign victims to assist in trafficking investigations and prosecutions by providing work and residence permits to victims choosing to assist, giving them the option of either permanent residence status or funding to return to their own countries after the prosecution. There is no indication that victims are inappropriately incarcerated, fined, or penalized for unlawful acts committed as a direct result of being trafficked. Spain does not employ formal procedures for identifying victims among vulnerable groups, such as women in prostitution.

### Prevention

Spain sustained efforts to raise awareness about trafficking over the past year. The Spanish government instituted a toll-free hotline that offers trafficking victims and potential victims information. Regional offices of the national police conduct quarterly reviews to set goals for combating trafficking and to assess progress. Spain has not yet, however, enacted its National Integral Plan Against Trafficking in Persons which was expected to be finalized in 2007. The plan includes a government pledge of almost \$45 million per year and the dedication of over 200 new police and civil guards to its enforcement. Local governments continued demand-reduction campaigns. The city of Madrid targeted potential





sex solicitors with the slogan, “Do not contribute to the perpetuation of 21st Century Slavery.” Spanish military troops deploying abroad as international peacekeepers received anti-trafficking training through participation in multilateral training efforts. Under the motto “There Are No Excuses,” the Spanish government warned travelers against child sex tourism. In January 2008, the Ministries of Labor and Social Affairs and Foreign Affairs teamed up with Save the Children to host an international conference on child trafficking, which addressed child sex tourism.

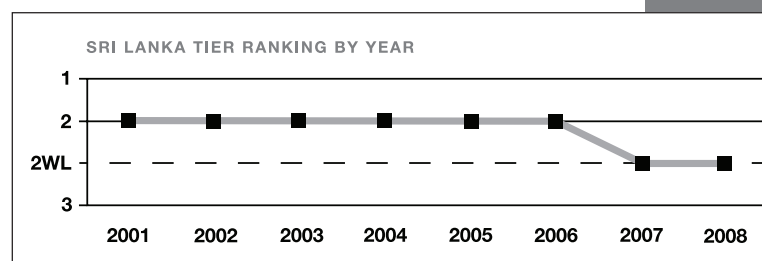
## SRI LANKA (Tier 2 Watch List)

Sri Lanka is a source and destination country for men and women trafficked for the purposes of involuntary servitude and commercial sexual exploitation. Sri Lankan men and women migrate willingly to Kuwait, Jordan, Saudi Arabia, Qatar, Lebanon, the United Arab Emirates, Singapore, Hong Kong, Malaysia, and South Korea to work as construction workers, domestic servants, or garment factory workers. However, some find themselves in situations of involuntary servitude when faced with restrictions on movement, withholding of passports, threats, physical or sexual abuse, and debt bondage that is, in some instances, facilitated by large pre-departure fees imposed by recruitment agents. Children are trafficked internally for commercial sexual exploitation and, less frequently, for forced labor. The designated Foreign Terrorist Organization Liberation Tigers of Tamil Eelam (LTTE) continued to recruit, sometimes forcibly, children for use as soldiers in areas outside of the Sri Lankan government’s control. Government security forces may also be complicit in letting a pro-government paramilitary organization recruit, sometimes forcibly, child soldiers. Reports also indicate that a small number of women from Thailand, China, Russia, and other countries of the Newly Independent States are trafficked into Sri Lanka for commercial sexual exploitation. In November 2007, over 100 Sri Lankan peacekeeping soldiers were repatriated based on accusations that they engaged in sexual misconduct, some cases involving minors, in Haiti.

The Government of Sri Lanka does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Sri Lanka is placed on Tier 2 Watch List for failing to provide evidence of increasing efforts to combat severe forms of trafficking in persons over the previous year, particularly in the area of law enforcement. The government failed to arrest, prosecute, or convict any person for trafficking offenses and continued to punish some victims of trafficking for crimes committed as a result of being trafficked. At the same time, Sri Lanka protected some victims of trafficking, including Sri Lankan nationals trafficked abroad. The government appointed

a focal point on trafficking in persons in July, who convenes a monthly anti-trafficking working group to develop and coordinate anti-trafficking policy.

**Recommendations for Sri Lanka:** Significantly improve record of prosecutions, convictions, and sentences; institute a formal procedure to identify victims of trafficking among vulnerable groups, such as women arrested for prostitution; ensure that victims of trafficking are not arrested, punished or automatically deported for acts committed as a result of being trafficked; and further train law enforcement officers on victim identification and protection.



### Prosecution

Sri Lanka made little progress on its law enforcement efforts this reporting period. The Sri Lankan government prohibits all forms of trafficking through an April 2006 amendment to its penal code. Trafficking offenses are punishable by up to 20 years’ imprisonment; these penalties are commensurate with those assigned for other grave crimes. While the government took administrative action against 350 labor recruiters engaging in fraudulent recruitment practices, it did not criminally prosecute, convict, or sentence recruiters for practices that amounted to trafficking. The government initiated one investigation of a recruitment agent involved in a case where three females were to be trafficked to Saudi Arabia as domestic servants. Sri Lanka similarly failed to report any prosecutions or convictions for trafficking for commercial sexual exploitation, including trafficking of children. Sri Lanka, in cooperation with the UN, launched an investigation into allegations of the complicity in sexual misconduct of Sri Lankan peacekeepers in Haiti, including sexual exploitation of minors. The government investigated 47 cases of child abduction for forced labor as child soldiers, resulting in 37 being returned home. No arrests, prosecutions, or convictions were made in relation to these cases, however. There were no public officials arrested for facilitating trafficking, nor were there substantiated reports that any officials were involved in trafficking.

### Protection

The Sri Lankan government’s efforts to provide protection for trafficking victims improved nominally, but remained limited. The government did not provide foreign trafficking victims with legal

alternatives to their removal to countries where they would suffer retribution or hardship. Sri Lanka also failed to ensure that victims of trafficking were not punished for acts committed as a result of being trafficked. Of particular concern are ongoing reports that women arrested on suspicion of being trafficked into Sri Lanka for the purpose of sexual exploitation were asked to pay fines in exchange for release from prison and were usually deported thereafter. Law enforcement officers continue to lack a formal system to identify potential victims of trafficking. The government does not provide specialized training for victim identification, though law enforcement officers participated in NGO-provided training.

For Sri Lankan victims, the government relies primarily on NGOs to provide victim protection services due to resource constraints. Police encourage these victims to assist in investigations against their traffickers, but do not undertake any specific measures to ensure victim or witness safety. For Sri Lankan victims trafficked overseas, the government operates shelters in diplomatic missions, offers repatriation assistance, and provides compensation to some who have registered with the government before leaving. In early 2008, the government paid for the repatriation of over 200 Sri Lankan domestic workers from safe houses in the Middle East. For repatriated Sri Lankan victims, however, there is little government effort to investigate the crimes committed against them. Limited aid is offered in terms of shelter, counseling, and medical care upon return. The government opened two temporary shelters for women who are victims of violence, and these were made available to trafficking victims. The government established an inter-ministerial committee to address the issue of child soldiers. Sri Lanka provides two rehabilitation centers specifically for children conscripted as soldiers; since their establishment in 2005, the rehabilitation centers have assisted 52 children.

### Prevention

Sri Lanka made modest efforts to prevent trafficking in persons during the reporting period. In August 2007, the Bureau of Foreign Employment (BFE) began requiring that all overseas employment contracts be signed in the presence a BFE official to ensure that migrant workers understand the contracts' terms. The government conducted 26 awareness campaigns on child sexual exploitation among teachers, students, hotel staff, taxi and rikshaw drivers, and others employed in the tourism industry. In February 2008, the government established a hotline for complaints about child labor, sexual exploitation, and other abuses. Sri Lanka has not ratified the 2000 UN TIP Protocol.

## SUDAN (Tier 3)

Sudan is a source country for men, women, and children trafficked internally for the purposes of

forced labor and sexual exploitation. Sudan is also a transit and destination country for Ethiopian women trafficked abroad for domestic servitude. Sudanese women and girls are trafficked within the country, as well as possibly to Middle Eastern countries such as Qatar, for domestic servitude. In 2007, Greek law enforcement authorities identified a female sex trafficking victim from Sudan. The terrorist rebel organization, Lord's Resistance Army (LRA), continues to harbor small numbers of Sudanese and Ugandan children in the southern part of the country for use as cooks, porters, and combatants; some of these children are also trafficked across borders into Uganda or the Democratic Republic of the Congo. In March 2007, six Sudanese girls were abducted by the LRA near Maridi, Western Equatoria. Sudanese children are unlawfully conscripted, at times through abduction, and utilized by armed rebel groups—including all SLA factions, the Popular Defense Forces, Janjaweed militia, and Chadian opposition forces—in Sudan's ongoing conflict in Darfur; the Sudanese Armed Forces and associated militias also continue to exploit young children in this region. There were confirmed reports of unlawful child recruitment in mid-2007 by the JEM/Peace Wing among communities of internally displaced persons in Dereig, South Darfur. Militia groups in Darfur, some of which are linked to the government, abduct women for short periods of forced labor and to perpetrate sexual violence. Forcible recruitment of adults and particularly children by virtually all armed groups involved in Sudan's concluded north-south civil war was commonplace; thousands of children still associated with these forces await demobilization and reintegration into their communities of origin.

In addition to the exploitation of children by armed groups during the two decades-long north-south civil war, thousands of Dinka women and children were abducted and subsequently enslaved by members of the Missiriya and Rezeigat tribes during this time. An unknown number of children from the Nuba tribe were similarly abducted and enslaved. A portion of those who were abducted and enslaved remained with their abductors in South Darfur and West Kordofan and experienced varying types of treatment; others were sold or given to third parties, including in other regions of the country; and some ultimately escaped from their captors. While there have been no known new abductions of Dinka by members of Baggara tribes in the last few years, inter-tribal abductions continue in southern Sudan, especially in Jonglei and Eastern Equatoria states.

The Government of National Unity of Sudan does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While the government did take limited steps to demobilize child soldiers,

combating human trafficking through law enforcement or prevention measures was not a priority for the government in 2007.

**Recommendations for Sudan:** Demobilize all remaining child soldiers from the ranks of the armed forces, as well as those of aligned militias; take steps to identify and provide protective services to all types of trafficking victims found within the country; and make a much stronger effort, through a comprehensive policy approach that involves all vested parties, to identify, retrieve, and reintegrate abductees who still remain in situations of enslavement.

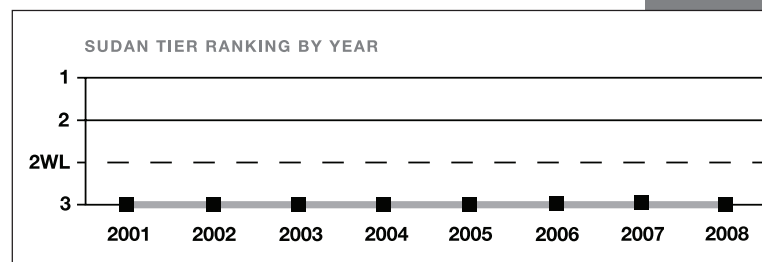
### Prosecution

The government's anti-trafficking law enforcement efforts were negligible during the reporting period; it did not investigate or prosecute any suspected trafficking cases. Sudan is a large country with porous borders and destitute hinterlands; the national government has little ability to establish authority or a law enforcement presence in many regions. Sudan's criminal code does not prohibit all forms of trafficking in persons, though its Articles 162, 163, and 164, criminalize abduction, luring, and forced labor, respectively. The Interim National Constitution prohibits slavery and forced labor. No trafficker has ever been prosecuted under these articles. In 2007, the Council of Ministers approved the Child Protection Act, which prohibits the recruitment or enlistment of soldiers under the age of 18; the act must be approved by the parliament before it can be implemented. The draft Sudan Armed Forces Act, which was expected to be debated in the National Assembly in October 2006, was returned to the Council of Ministers for review. The bill prescribes criminal penalties for persons who recruit children under 18 years of age, as well as for a range of human rights violations, including abduction and enslavement. In June 2007, Southern Sudan's Child Protection Act of 2006, which prohibits the recruitment of children, passed its first reading in the Southern Sudan Assembly and is now in its second reading. The government does not document or track anti-trafficking law enforcement efforts; nor does it provide specialized anti-trafficking training to law enforcement, prosecutorial, and judicial personnel.

### Protection

Sudan's Government of National Unity (GNU) made only minimal efforts to protect victims of trafficking and focused primarily on the demobilization of child soldiers during the last year. The government continued to have funding and capacity gaps in its own entities involved in combating trafficking, and the GNU continued to demonstrate extremely low levels of cooperation with humanitarian workers in the Darfur region on a broad spectrum of issues, including human trafficking.

In 2006, the GNU and the Government of Southern Sudan (GoSS) passed legislation formally establishing the National Disarmament, Demobilization, and Reintegration (DDR) Commission, and its Northern and Southern components—the Northern Sudan DDR Commission (NSDDRC), and the Southern Sudan DDR Commission (SSDDRC), respectively. During the period, disarmament, demobilization, and reintegration commissions were established in the northern cities of Nyala, Geneina, and El Fasher, and provided with staff. However, while the training of staff in child protection and the demobilization and reintegration of children began, the work of these commissions cannot commence in the absence of a clear agreement between the GNU and armed groups as to how to proceed. In 2007, the NSDDRC demobilized 283 children serving with the Sudan People's Liberation Army (SPLA) in South Kordofan. The NSDDRC also facilitated cross-border return to Bentiu of child soldiers demobilized from the SPLA. The staff of the SSDDRC grew to 225 people in 2007 and representatives were posted to all southern states. In contrast to the previous reporting period, SSDDRC staff received salaries and training on child protection, demobilization, reintegration, and family tracing. The SSDDRC, with the coordination of and assistance from UNICEF, demobilized approximately 1,000 child soldiers, including girls, between 2006 and 2007, with 1,500 remaining, including 227 at an SPLA camp in Southern Blue Nile. The SSDDRC continued to register child soldiers throughout the year and coordinated with the NSDDRC to trace and reunify them with their families.



The Committee for the Eradication of Abduction of Women and Children (CEAWC), established in 1999 to facilitate the safe return of abducted women and children to their families, was not operational during the majority of the reporting period. Before March 2008, its most recent retrieval and transport missions took place in January-February 2006; since that time, neither the GNU nor the GoSS provided CEAWC with the necessary funding for the transport and reunification of previously identified abductees with their families. However, in early March 2008, the GoSS provided CEAWC with \$1 million to resume its program; soon after, CEAWC negotiated the release of 95 individuals in the Nyala region and 71 individuals in the Ed Daein region of South Darfur from their abductors, and transported them to transit centers. However,

the return process was fraught with serious protection concerns. Reports indicate that CEAWC's community workers regularly denied social workers from the State Ministries of Social Welfare access to those arriving at the transit centers, and prevented UN staff from interviewing new arrivals, visiting the transit centers, and viewing convoy departure manifests. CEAWC arranged convoys to transport released abductees to the south, but failed to provide access to sufficient food and water. In addition, CEAWC made no preparation to provide for the basic needs or shelter of the former abductees after their arrival in southern Sudan; lacks a mechanism to conduct family tracing or reintegrate abductees into their former communities; and does not follow up with the abductees after their return to assess their well being or the success of their integration.

In April 2007, the Governments of Sudan and the United Arab Emirates (U.A.E.) signed a Memorandum of Understanding to establish claims facilities to compensate Sudanese children who worked as camel jockeys in the U.A.E. for their injuries. In June 2007, three child camel jockeys were repatriated from the U.A.E and received by their extended families. In January 2007, the Khartoum State Police established a child and family protection unit with the support of UNICEF. The unit, which offers various services such as legal aid and psychosocial support, assisted more than 400 child victims of abuse and sexual violence and could potentially provide these services to trafficking victims. Similar units are slated to open in Western Darfur, Ghedaref, and Kassala States.

### Prevention

The government made limited efforts to prevent future incidences of trafficking during the reporting period. The National Council on Child Welfare collaborated with UNICEF to launch a comprehensive child protection awareness campaign in North Kordofan as part of the celebration of the June 2007 Day of the African Child. Aiming to create a greater community response to grave child rights violations, the campaign was also launched in Darfur, Eastern Sudan, Khartoum, and the three areas, and consists of messages on a number of child protection issues, including unlawful child recruitment and sexual and gender-based violence. Sudan has not ratified the 2000 UN TIP Protocol.

## SURINAME (Tier 2)

Suriname is principally a destination and transit country for men, women, and children trafficked transnationally for the purposes of commercial sexual exploitation and forced labor. It is also a source country for underage Surinamese girls, and increasingly boys, trafficked internally for sexual

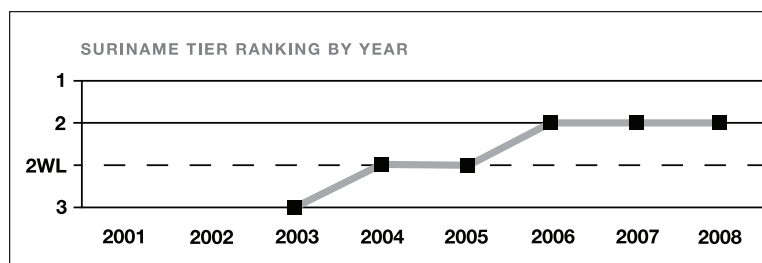
exploitation. Some of these children are trafficked into the sex trade surrounding gold mining camps in the country's interior. Foreign girls and women from Guyana, Brazil, the Dominican Republic, and Colombia are trafficked into Suriname for commercial sexual exploitation; some transit Suriname en route to Europe. Chinese men are subjected to possible debt bondage in Suriname, and are subject to forced labor in supermarkets and the construction sector. Chinese women reportedly are exploited sexually in massage parlors and brothels. Haitian migrants, typically en route to French Guiana, sometimes are forced to work in Surinamese agriculture.

The Government of Suriname does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government sustained a moderate level of law enforcement action against trafficking crimes, and modestly improved victim assistance and prevention efforts. However, official complicity with suspected trafficking activity is an area for concern.

**Recommendations for Suriname:** Intensify efforts to identify, prosecute, and adequately punish trafficking offenders; commence criminal prosecutions of corrupt public officials who may facilitate trafficking activity; investigate reports of forced labor; dedicate more resources for victim assistance; and amend anti-trafficking laws to better protect foreign trafficking victims.

### Prosecution

The Surinamese government sustained moderate anti-trafficking law enforcement efforts over the last year. Suriname prohibits all forms of human trafficking through its criminal code, prescribing punishment from five to 20 years' imprisonment. These punishments are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. An interagency anti-trafficking in persons working group leads government efforts to investigate and prosecute traffickers. During the reporting period, the government convicted a defendant charged with trafficking Brazilian women into prostitution, and sentenced him to 2.5 years in prison. A trial against four brothel owners charged with trafficking women from the Dominican Republic for sexual exploitation continued. In February 2008, police arrested two brothel owners for trafficking Brazilian women into the country; these cases are pending. An anti-trafficking police unit randomly checked brothels for children as well as adults in forced or coerced conditions. Police cooperated with authorities in Guyana and the Dominican Republic on transnational trafficking cases, and sought improved cooperation with Colombia, the Netherlands Antilles, and French Guiana. There



were reports that some Surinamese immigration and customs officials facilitated trafficking into the country by accepting bribes. No prosecutions of such trafficking complicity have been initiated, although investigations of these allegations continue.

### Protection

The government made modest improvements to protect victims of trafficking during the year. Police and prosecutors relied chiefly on civil society partners, particularly a recently established NGO, the *Trafficking-in-Persons Foundation*, to shelter and assist victims. The government assisted these NGOs with finding safe houses to shelter victims, and worked closely with consular representatives from other countries on repatriation efforts. The government also extended services provided to domestic violence victims to trafficking victims, and widely distributed among key personnel an operations manual on how to identify and treat trafficking victims. Surinamese authorities encourage victims to assist in the investigation and prosecution of their traffickers. There were reports that some foreign victims were incarcerated and deported for immigration violations. Suriname does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. The government's anti-trafficking in persons working group is finalizing draft legislation to provide trafficking victims with temporary residency status. Suriname continued discussions with governments in neighboring Guyana, French Guiana, and Brazil on modalities for repatriating trafficking victims.

### Prevention

The government improved prevention efforts during the reporting period. Senior officials continued to condemn and draw public attention to the problem of human trafficking in Suriname. The government's anti-trafficking in persons working group worked with IOM to implement awareness-raising campaigns across the country, reaching approximately 40,000 people. Outreach activities also were directed to the nation's border area with Guyana, where many trafficking victims enter the country. Military police, who man ports of entry in this area, were trained on identifying potential trafficking victims. The anti-trafficking in persons working

group also issued widespread media warnings about potential trafficking activity after suspicious advertisements were placed in local newspapers recruiting young people to work abroad. However, no discernable government campaigns to reduce demand for commercial sex acts took place during the reporting period. Suriname has not

ratified the 2000 UN TIP Protocol.

## SWEDEN (Tier 1)

Sweden is a destination, and, to a lesser extent, a transit country for women and children trafficked from Estonia, Russia, Poland, Albania, Slovakia, Nigeria, Hungary, Serbia, Montenegro, Macedonia, Venezuela, and Thailand for the purpose of commercial sexual exploitation. Some of these women and children are trafficked on to Norway, Denmark, Germany, and the United Kingdom. In 2007, police noted an increase in women and children under the age of 15 trafficked from Romania and Bulgaria for the purposes of forced begging and petty theft. Authorities also observed a renewed influx of unaccompanied Chinese children, 23 of whom disappeared from Swedish asylum centers in June 2007; authorities believe these children were eventually trafficked to the United Kingdom for forced labor. Boys and young men from the United Kingdom were trafficked to Sweden for the purpose of forced labor; these victims were forced to work on construction sites, lay asphalt, do yard work, and perform other odd jobs.

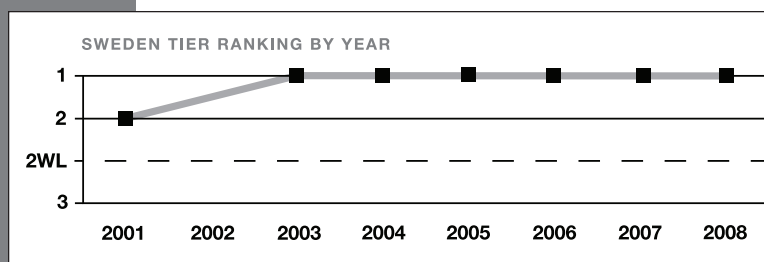
The Government of Sweden fully complies with the minimum standards for the elimination of trafficking. Beginning in July 2007, all foreign victims of trafficking were granted temporary residence permits for a minimum 30-day reflection period to consider whether to cooperate with law enforcement. In December 2007, the government adopted a national action plan on child sexual exploitation, improved awareness on trafficking issues, and increased internal and international cooperation to combat child sex tourism. The government continued to fund both awareness and victim assistance programs in trafficking source countries.

**Recommendations for Sweden:** Develop action plans in larger cities to encourage greater victim participation in investigations and prosecutions; consider clarifying the 2002 anti-trafficking law to increase the number of successful prosecutions; continue training for judges on the application of the anti-trafficking law to ensure more convicted traffickers are prescribed sentences that are commensurate with available trafficking penalties; strongly increase efforts to address labor trafficking;

and continue efforts to better identify, address, and prevent child trafficking to Sweden.

### Prosecution

Over the last year, the Government of Sweden sustained strong law enforcement efforts to fight sex trafficking, but made limited efforts to address labor trafficking. Sweden's 2002 anti-trafficking law prohibits trafficking for both sexual exploitation and forced labor, which prescribes penalties of two to 10 years' imprisonment, which are commensurate with penalties prescribed for other grave crimes. Prosecutors continued, however, to rely on a prostitution procurement law with weaker penalties to prosecute and convict a number of sex traffickers. In 2007, police conducted 15 trafficking investigations, a decrease from 28 investigations in 2006. Authorities prosecuted and convicted two sex traffickers using the anti-trafficking law and 11 using the procurement statute, down from 21 prosecutions and convictions in 2006. One trafficker was sentenced to up to eight years' imprisonment, one trafficker was sentenced to 14 months' imprisonment, and 11 traffickers were sentenced to up to two years' imprisonment; no trafficking sentences were suspended. Authorities reported 34 cases of labor trafficking in 2007, though the government failed to prosecute or convict any labor traffickers. Authorities did work with British and Irish counterparts, however, on several labor trafficking investigations over the reporting period.



### Protection

Sweden continued to provide adequate victim assistance both domestically and in source countries during the reporting period. The government continued to fund NGOs in Sweden and abroad to provide victim rehabilitation, health care, vocational training, and legal assistance. Swedish authorities encourage victims to participate in trafficking investigations and prosecutions; identified foreign victims are granted a minimum 30-day temporary residency permit that provides victims with access to health care and social services. Over the reporting period, 11 female victims stayed in state-funded shelters and 10 received temporary residency permits. Victims who decline to participate in investigations are subject to deportation. The Swedish government does not offer legal alternatives to

the removal of foreign victims to countries where they face hardship or retribution. In 2007, authorities deported one victim to Nigeria. There are no government programs for assistance to repatriated victims; however, some state-funded NGOs have programs to ensure victims from specific source countries are provided with safe repatriation. The government ensures that victims are not penalized for unlawful acts committed as a result of their being trafficked.

### Prevention

The Government of Sweden continued its trafficking prevention efforts. In 2007, the Swedish International Development Agency (SIDA) continued funding awareness-building projects in the former Yugoslavia, Romania, Albania, and Bulgaria. SIDA also contributed \$42,000 to a UNODC project based in Brazil to counter trafficking and migrant smuggling. The Ministry of Foreign Affairs eliminated the position of Swedish Ambassador for International Cooperation against Trafficking in Human Beings. Sweden adequately monitored immigration patterns for evidence of trafficking and continued its annual report, assessing trafficking trends and government efforts. In March 2007, the Swedish National Defense Ministry adopted new regulations, organized an education campaign, and distributed anti-trafficking awareness material to Swedish troops being deployed as international peacekeepers.

## SWITZERLAND (Tier 1)

Switzerland is primarily a destination and, to a lesser extent, a transit country for women trafficked from Hungary, Poland, Bulgaria, Slovakia, the Czech Republic, Slovenia, Ukraine, Moldova, Brazil, the Dominican Republic, Thailand, Cambodia, Nigeria, and Cameroon for the purpose of commercial sexual exploitation. Swiss authorities noted an increase in the number of women trafficked from Eastern Europe, specifically Romania, for sexual exploitation. Limited cases of trafficking for the purpose of domestic servitude and labor exploitation also were reported.

The Government of Switzerland fully complies with the minimum standards for the elimination of trafficking. In January 2008, a new Swiss federal law entered into force granting trafficking victims a stay of deportation proceedings and strengthening the legal status of trafficking victims and witnesses. The Swiss Police Academy also held two anti-trafficking training classes for police officers from around the country. The government provided \$1.4 million to international organizations and NGOs to provide victim assistance and conduct awareness efforts in source countries.

**Recommendations for Switzerland:** Increase the number of convicted traffickers serving time in prison; continue to provide training for Border Guard officials to improve identification of potential victims; continue to improve the collection of trafficking law enforcement data; and sustain efforts after the 2008 European Soccer Cup to reduce the domestic demand for commercial sex acts.

### Prosecution

The Government of Switzerland demonstrated anti-trafficking law enforcement efforts during the reporting period. Switzerland prohibits both trafficking for sexual exploitation and trafficking for labor exploitation under the new Article 182 of the Swiss penal code, which prescribes penalties of up to 20 years' imprisonment and are commensurate with penalties prescribed for other grave crimes, such as rape. During the reporting period, authorities conducted at least 28 investigations, down from 39 in 2006. Authorities reported preliminary data of at least nine prosecutions in 2007, compared to 20 prosecutions reported in 2006. Courts reported convicting nine traffickers in 2007, compared to 20 reported convictions in 2006. Of those reported convicted, one trafficker was sentenced to 10 months' imprisonment and one trafficker was sentenced to 2.5 years' imprisonment; the remaining seven traffickers received suspended sentences or a fine and served no time in prison. In comparison, six of 20 trafficking offenders convicted in 2006 were reportedly given imposed sentences of between two to four years' imprisonment while 13 traffickers reportedly served no time in prison. During the reporting period, the Swiss Federal Office of Police reorganized and hired new staff to increase efforts to fight trafficking in persons.

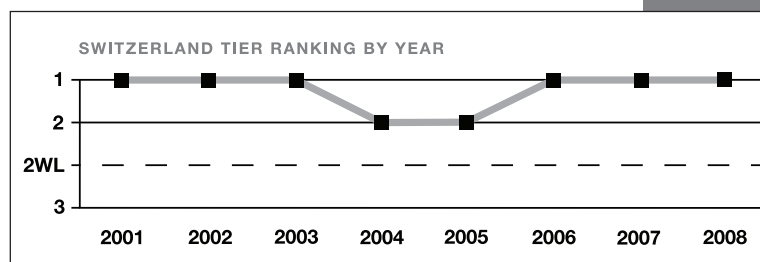
### Protection

The government continued to improve its victim protection efforts during the reporting period. In January 2008, a new Swiss federal law entered into force, formalizing a 30-day reflection period for victims of trafficking and authorizing the Swiss federal government to assist victims logistically and financially with repatriation to their countries of origin. In 2007, cantonal immigration authorities offered 33 trafficking victims 30-day reflection periods, compared to 39 victims in 2006. Six victims were offered short-term residency permits to stay in Switzerland for the duration of the legal proceedings against their traffickers, compared to three in 2006. Four victims were granted long-term residency permits on the grounds of personal hardship, compared to three in 2006. The Swiss government continued funding for NGOs to provide victim assistance services and shelter for victims. In 2006, the most recent year for which information was available, 80 victims received government-funded

assistance compared to 126 victims reported from the previous year. In 2006, at least 65 victims assisted law enforcement by testifying against their traffickers. Ten out of 26 cantons have a formal procedure for victim identification and referral. Victims were not penalized for unlawful acts committed as a result of their being trafficked.

### Prevention

Switzerland continued its prevention efforts in 2007. The government again funded NGOs to carry out prevention campaigns in various countries including Cambodia, Mongolia, Burma, Moldova, Russia, and Lebanon. The Government of Switzerland provided anti-trafficking training to its troops being deployed abroad as international peacekeepers and maintained its zero-tolerance policy regarding any acts of sexual exploitation committed by these military personnel. Although



the Swiss Border Guard monitored migration patterns for evidence of trafficking, authorities reported difficulty with identifying potential victims at border check-points. The government partially funded an NGO-run public awareness campaign targeting male clients of commercial sex leading up to the European Soccer Cup in Summer 2008. During the reporting period, one Swiss national was charged with traveling to Madagascar for the purpose of child sex tourism. In another case, Swiss authorities assisted Cambodian officials with the investigation of a Swiss national who was later convicted of child sexual exploitation in Cambodia and sentenced to 11 years' imprisonment.

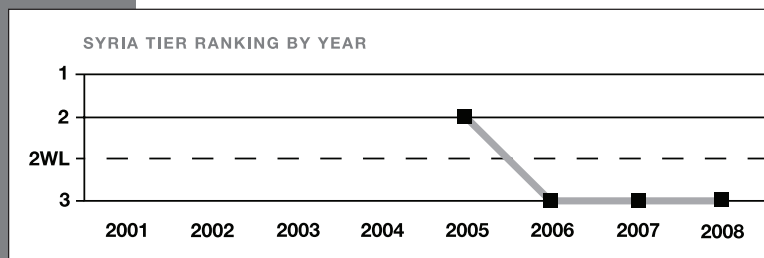
## SYRIA (Tier 3)

Syria is a destination and transit country for women and children trafficked for commercial sexual exploitation and forced labor. A significant number of women and children in the large and expanding Iraqi refugee community in Syria are reportedly forced into commercial sexual exploitation by Iraqi gangs or, in some cases, their families. Similarly, women from Somalia and Eastern Europe are trafficked into commercial sexual exploitation. Russian, Ukrainian, and Belarusian women recruited for work in Syria as cabaret dancers are not permitted

to leave their work premises without permission, and they have their passports withheld—indicators of involuntary servitude. Some of these women may also be forced into prostitution. Anecdotal evidence suggests that Syria may be a destination for sex tourism from other countries in the region. In addition, women from Indonesia, Sri Lanka, the Philippines, Ethiopia, and Sierra Leone are recruited for work in Syria as domestic servants, but some face conditions of involuntary servitude, including long hours, non-payment of wages, withholding of passports, restrictions on movement, threats, and physical or sexual abuse. Syria may also be a transit point for Iraqi women and girls trafficked to Kuwait, the United Arab Emirates (U.A.E.), and Lebanon for forced prostitution.

The Government of Syria does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Syria again failed to report any law enforcement efforts to punish trafficking offenses over the last year. In addition, the government did not offer protection services to victims of trafficking and may have arrested, prosecuted, or deported some victims for prostitution or immigration violations.

**Recommendations for Syria:** Significantly increase law enforcement against trafficking offenders by prosecuting and punishing them with prison sentences; improve protection for victims by providing shelter, medical, and psychological services or institute a formal referral system to ensure that victims receive such care from NGOs; provide funding or in-kind assistance to NGOs offering protection services to victims of trafficking; and institute and apply a formal procedure to identify trafficking victims among individuals arrested for consensual prostitution or illegal immigration. It is particularly important that the government cease housing minor victims of commercial sexual exploitation in detention centers.



### Prosecution

The Government of Syria made no discernible efforts to criminally punish trafficking crimes during the reporting period. Syria does not specifically prohibit any form of trafficking in persons, but its government could use statutes against kidnapping, pimping, and sexual assault to prosecute some trafficking cases.

In addition, Article 3 of Law 10 of 1961 prohibits prostituting a minor less than 16 years old, with a prescribed penalty of one to seven years' imprisonment. This penalty is sufficiently stringent and commensurate with the penalty for other grave crimes, such as rape. Decree 81 sets guidelines for conditions of domestic workers; prescribed penalties for violation are imprisonment for an unspecified length of time or fines of only \$2, which are not sufficiently stringent to deter the offense of forced labor. During this reporting period, Syria did not report any investigations, arrests, prosecutions, convictions, or punishments of trafficking offenses. In addition, despite reports that many police officials take bribes to ignore prostitution, the government reported no law enforcement efforts to combat government complicity in trafficking.

### Protection

During the year, the Syrian government made limited progress in protecting trafficking victims. The government does not have a shelter to protect victims of trafficking, but in December, the Ministry of Social Affairs and Labor approved the opening of an IOM-operated shelter. The government also approved the creation of a formal system for police, immigration officers, judges, and other government officials to refer victims of trafficking to the planned IOM shelter; to date, no one has been referred by the government to an existing shelter run by international NGO *Caritas*. The government continues to lack formal victim identification procedures to identify potential trafficking victims among vulnerable populations, such as illegal migrants or women arrested for prostitution. As a result, victims of trafficking were arrested and charged with prostitution or violating immigration laws. Anecdotal reports also suggest that some foreign women in prison on prostitution charges have been beaten by prison officials. Another source reported that Syrian authorities will often release incarcerated Iraqi women and minors in prostitution to their traffickers. Child victims of commercial sexual exploitation are housed in juvenile detention facilities, rather than referred to protective services offered by NGOs. Syria does not actively encourage victims to assist in investigations or prosecutions of their traffickers and does not provide foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution. The government does not fund anti-trafficking training for law enforcement officers, but officials from the Ministry of Interior received training organized and funded by IOM on victim sensitivity.

### Prevention

Syria took minimal steps to prevent trafficking over the year. In January 2008, the Ministry of Interior co-sponsored with IOM a three-day conference designed to raise awareness among parliamentari-



ans and journalists on trafficking. In addition, Syria did not conduct any public awareness campaigns to educate employers and workers on the rights of domestic workers. Syria also did not take any measures to reduce the demand for commercial sex acts. Similarly, the government did not undertake any public awareness campaigns targeting citizens traveling to known child sex tourism destinations abroad. Syria has not ratified the 2000 UN TIP Protocol.

## TAIWAN (Tier 2)

Taiwan is primarily a destination for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. It is also a source of women trafficked to Japan, Australia, the United Kingdom, and the United States. Women and girls from the People's Republic of China (P.R.C.) and Southeast Asian countries are trafficked to Taiwan through fraudulent marriages, deceptive employment offers, and illegal smuggling for sexual exploitation and forced labor. Many trafficking victims are workers from rural areas of Vietnam, Thailand, Indonesia, and the Philippines, employed through recruitment agencies and brokers to perform low-skilled work in Taiwan's construction, fishing, and manufacturing industries, or to work as domestic servants. Such workers are often charged high job placement and service fees, up to \$14,000, resulting in substantial debt that labor brokers or employers use as a tool for involuntary servitude. Many foreign workers remain vulnerable to trafficking because legal protections, oversight by authorities and enforcement efforts are inadequate.

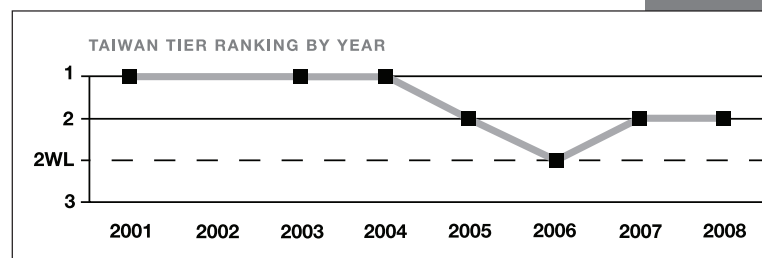
Taiwan authorities reported that traffickers continued to use fraudulent marriages to facilitate labor and sex trafficking, despite increased efforts by the authorities to prevent this practice. Some women who are smuggled onto Taiwan to seek illegal work were sometimes sold in auctions to sex traffickers, and subsequently forced to work in the commercial sex industry. NGOs reported a sharp increase during the reporting period in the number of boys rescued from prostitution, mainly discovered during police investigations of online social networking sites suspected of being front operations for prostitution rings.

Taiwan authorities do not fully comply with the minimum standards for the elimination of trafficking; however, they are making significant efforts to do so. Taiwan authorities made clear progress during the rating period by improving efforts to investigate and prosecute trafficking cases, approving amendments to Taiwan's Immigration Act that will significantly enhance legal protections for trafficking victims, and approving a budget plan of \$12.6 million for victim protection measures.

**Recommendations for Taiwan:** Pass and implement a comprehensive anti-trafficking law prohibiting and punishing all severe forms of trafficking; extend full Labor Standards Law protections to all categories of foreign workers, including domestic helpers and nursing caregivers; fully implement the immigration law amendment to extend its protections to trafficking victims; ensure that law enforcement personnel, prosecutors, and judges consistently follow formal trafficking victim identification procedures to prevent the prosecution of trafficking victims; establish procedures for referring victims to shelters; improve incentives for victims to assist in the prosecution of traffickers; increase police efforts to investigate trafficking crimes and to identify trafficking victims; launch a campaign to discourage child sex tourism, both domestically and abroad, by people from Taiwan; and improve cooperation with labor source-country governments.

### Prosecution

The authorities on Taiwan made significant efforts in investigating and prosecuting trafficking crimes over the last year, particularly involving labor exploitation. Taiwan does not have a comprehensive anti-trafficking law, but a number of its laws collectively criminalize most forms of trafficking. Section 296 and 296-1 of Taiwan's criminal code prohibit slavery and the use of coercion or decep-



tion to exploit a victim, but existing legal definitions and proof burdens hamper prosecutors' ability to obtain convictions in cases involving fraudulent recruitment, coercion, or deception. One convicted under Section 296 or 296-1 can face up to seven years in prison. The Labor Standards Law, which prohibits forced labor under Articles 5 and 75, ensures overtime rates, and sets limits on the work-day and work-week. However, this law does not apply to the 160,000 foreign workers employed as private nursing caregivers or domestic helpers on Taiwan, who are especially vulnerable to labor exploitation. Typical punishments imposed on offenders convicted of forced labor under the Labor Standards Law are fines or imprisonment of less than one year—punishments that are not sufficient. All employers of foreign laborers are covered by the Employment Service Act, which punishes labor trafficking offenses with fines, jail time, or both.

The Ministry of Justice took commendable steps during the reporting period to standardize data on trafficking to obtain more precise statistics on sex and labor trafficking cases. The Ministry of Interior reports that authorities commenced prosecutions against 423 individuals for suspected trafficking in 2007, most of which were sex trafficking cases. Also in 2007, 74 individuals were convicted, including 16 for sexual exploitation of a minor, 53 individuals for sexual exploitation, and five for labor exploitation. However, most individuals convicted of sexual and labor exploitation of adults received a sentence of less than one year. During the reporting period, there were confirmed incidents of several local authorities accepting bribes and sexual services in return for ignoring illegal sex and labor trafficking activities. Of the nine local authorities charged with aiding or abetting trafficking activities in 2007, one was sentenced to 12 years in prison and the remaining eight cases are still pending. The Taiwan Criminal Investigation Bureau continued to assist U.S. law enforcement authorities in investigations of Taiwan-based smuggling networks involved in trafficking women to the United States.

### Protection

Protection efforts by Taiwan authorities have improved modestly, but remained inadequate during the reporting period. The vast majority of trafficking victims in Taiwan continue to be undetected by law enforcement authorities. Although Taiwan has formal victim identification procedures and has provided training on these procedures, immigration officers, police, prosecutors, and other law enforcement personnel do not consistently follow the procedures. It is widely reported that authorities, particularly at the local level, fail to identify the vast majority of trafficking victims, classifying them instead as illegal immigrants or "runaway" foreign workers in illegal labor status. As a result, many trafficking victims are detained, prosecuted, fined, or jailed, and ultimately deported. The majority of victims are treated simply as illegal immigrants or illegal laborers, and housed in formal, long-term detention facilities, which are sometimes plagued by overcrowding and poor sanitation. While incarcerated, most detainees have no access to psychological or legal counseling, and only limited access to medical services. Only a small percentage of trafficking victims are properly identified and removed from detention facilities. Some trafficking victims who were formally identified as such were inappropriately incarcerated solely for unlawful acts that were a direct result of being trafficked. During the reporting period, some identified victims, the majority of whom were held in detention facilities, were prosecuted for immigration, labor, and criminal law violations. In most cases, only those victims who cooperated with prosecutors in cases where charges were actually filed against the trafficker or other defendants were excused from punishment.

The treatment afforded to victims varies considerably from place to place. The Council for Labor Affairs (CLA) provides subsidies to 11 NGO-operated shelters for trafficking victims. Most of those sheltered in these facilities were referred by churches, NGOs, or other informal channels. In July 2007, the Executive Yuan approved the "Human Trafficking Implementation Plan," setting aside \$12.6 million for construction and improvement of shelter facilities, education, and training for authorities. During the reporting period, the National Immigration Agency solicited bids to operate a shelter for trafficking victims, but when no NGOs bid for the funds, which they deemed insufficient, the Legislative Yuan (LY) cut the funding allocation from the 2008 budget. Although the LY amended Taiwan's immigration law to provide additional protections to trafficking victims in 2007, these amendments have not yet gone into effect.

### Prevention

The Taiwan authorities report that their efforts to combat trafficking abroad are hampered by a lack of formal diplomatic relations with source-country governments and an inability to join relevant international organizations. Domestically, the Taiwan authorities used broadcast and print media to sensitize the public to the plight of trafficked women forced to work in Taiwan's commercial sex industry. The authorities also continued an outreach program to enhance foreign workers' understanding of their rights and the resources available to them, which included the distribution of multilingual emergency contact cards, announcements in foreign-language publications, and radio and television advertisements. The CLA spent \$2.1 million in 2007 on 24 Foreign Labor Consultant Service Centers, which provide counseling, legal aid, and labor dispute resolution services to foreign workers. As part of an ongoing campaign to combat child sex trafficking, authorities on Taiwan displayed public service announcements at 680 cinemas nationwide and broadcast announcements on television and on online chat rooms frequented by Taiwan's youth. Taiwan continues to operate an island-wide toll-free hotline for foreign spouses and foreign workers seeking assistance. Taiwan has an extraterritorial law criminalizing the sexual exploitation of children by Taiwan residents traveling abroad; however, it did not take other steps during the reporting year to reduce demand for child sex tourism.

## TAJIKISTAN (Tier 2 Watch List)

Tajikistan is a source country for women trafficked through Kyrgyzstan and Russia to the United Arab Emirates (U.A.E.), Turkey, and Russia for the purpose of commercial sexual exploitation. Women are also reportedly trafficked to Pakistan for the purposes of sexual exploitation and forced labor. Men are

trafficked to Russia and Kazakhstan for the purpose of forced labor, primarily in the construction and agricultural industries. Boys and girls are trafficked internally for various purposes, including forced labor and forced begging.

The Government of Tajikistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Tajikistan is placed on Tier 2 Watch List for its failure to provide evidence over the previous year of increasing efforts to combat human trafficking, especially efforts to investigate, prosecute, convict, and sentence traffickers. Despite endemic government corruption and evidence of individual low- and mid-level officials' complicity in trafficking, the government did not punish any public officials for trafficking complicity during the reporting period. Lack of capacity and poor coordination between government institutions remained key obstacles to effective anti-trafficking efforts; corruption remained a contributing factor. Tajikistan made only some efforts to raise awareness about the dangers of trafficking among its estimated one million citizens who find permanent or seasonal work abroad, primarily in Russia and Kazakhstan. The government approved changes to its law defining trafficking. The government continued to improve cooperation with IOM and NGOs.

**Recommendations for Tajikistan:** Vigorously investigate and prosecute both sex and labor trafficking offenses, and convict and sentence to time in prison trafficking offenders; make efforts to improve trafficking data collection and analysis; investigate, prosecute, and convict government officials who participate in or facilitate trafficking in persons and ensure that they serve some time in prison; improve technical capacity to increase the use of trafficking-specific statutes; improve coordination between institutions responsible for investigating and prosecuting cases; improve public awareness efforts among permanent and seasonal workers abroad; and develop a victim identification and referral mechanism.

### Prosecution

Tajikistan demonstrated decreased anti-trafficking law enforcement efforts during the reporting period. Article 130.1 of the criminal code prohibits both sexual exploitation and forced labor, and prescribes penalties of five to 15 years' imprisonment, which are sufficiently stringent, but not commensurate with penalties prescribed for other grave crimes, such as rape. To date, the government has not successfully prosecuted a single trafficking case using Article 130.1, and authorities report that they generally do not prosecute labor trafficking cases. In 2007, authorities reported 12 traffick-

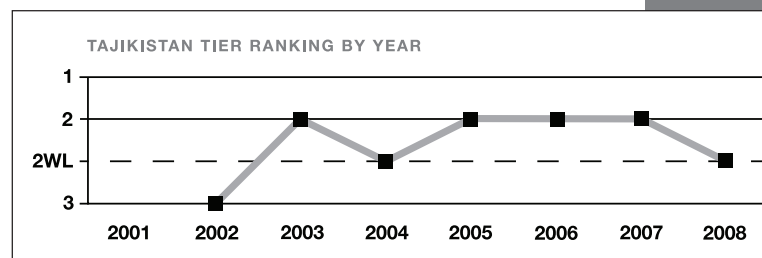
ing investigations, compared to 34 in 2006. The government reported 19 prosecutions, compared to 34 reported in 2006. Courts reported 11 convictions for 2007, compared to 52 convictions reported in 2006. The government did not provide specific information on convicted traffickers serving time in prison. Despite reports of some government officials assisting traffickers by providing false passports, birth certificates, and marriage certificates, the government provided little information on efforts to investigate or punish corrupt officials. The government worked with some foreign governments on trafficking investigations; however, Tajik officials did not use such cooperation to gather evidence for prosecutions in Tajikistan. Justice officials developed legal commentaries on trafficking statutes for use in the criminal justice system, and modules on trafficking statutes have been integrated into the judicial training curriculum.

### Protection

The government sustained modest efforts to assist trafficking victims during the reporting period. The Ministry of Health continued to provide some health and social services to victims, including those assisted in two foreign-funded shelters. The Ministry of Interior also continued to provide security and protection for these shelters. Forty-six victims were provided with shelter and assistance during the year. The government made no efforts to develop and implement systematic victim identification procedures or a domestic mechanism to refer victims to care providers. Although the government provided no special training for diplomatic staff in Tajikistan's embassies and consulates abroad, Tajik embassy officials in the U.A.E. assisted in the repatriation of 35 victims in 2007. Border guards also assisted repatriated victims by expediting them through immigration and customs. Victims were encouraged to participate in trafficking investigations and prosecutions; however, social stigma and the lack of a witness protection program significantly hindered such participation.

### Prevention

Tajikistan demonstrated very limited prevention efforts during the reporting period. Some local government officials participated in trafficking prevention and awareness campaigns in coopera-



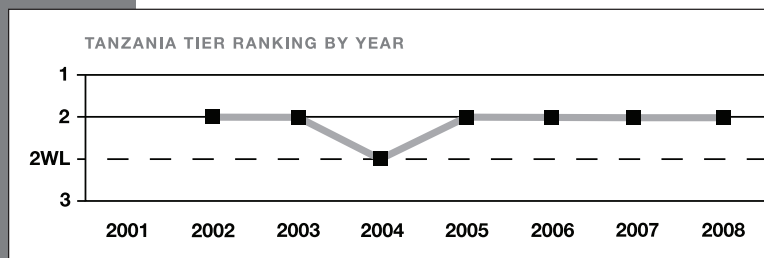
tion with NGOs and international organizations. The government made some structural reforms to improve its ability to monitor emigration patterns for evidence of trafficking. The government continued to station border guards at Dushanbe's airports and along border checkpoints, and trained them to identify potential traffickers and victims.

## TANZANIA (Tier 2)

Tanzania is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Boys are trafficked within the country for forced labor on farms, in mines, and in the informal business sector. Tanzanian girls from rural areas are trafficked to urban centers and the island of Zanzibar for domestic servitude and commercial sexual exploitation; some domestic workers fleeing abusive employers fall prey to forced prostitution. In some regions, unregistered employment agencies are involved in recruiting minors from rural areas to work as house girls in the capital, where they are subject to exploitation. Tanzanian men are reportedly trafficked to South Africa for forced labor, and girls are trafficked to Oman, the United Arab Emirates (U.A.E.), and possibly other European or Middle Eastern countries for forced domestic labor and involvement in sexual exploitation. Small numbers of Somali children are trafficked to Tanzania for labor and sexual exploitation. Citizens of neighboring countries may be trafficked through Tanzania for forced domestic labor and sexual exploitation in South Africa, Europe, and the Middle East.

The Government of Tanzania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so.

**Recommendations for Tanzania:** Pass and enact comprehensive anti-trafficking legislation; develop national procedures for victim protection, including the identification of victims among undocumented migrants prior to deportation; institute trafficking-specific data collection systems for use by the national police and courts; and provide training to law enforcement authorities on differentiating trafficking from smuggling and other crimes.



## Prosecution

Tanzania's anti-trafficking law enforcement efforts improved significantly last year as a result of new training of police, unprecedented government funding of the police's Anti-Human Trafficking Unit, and increased awareness of trafficking among Tanzania's law enforcement community. Tanzanian law does not prohibit all forms of trafficking in persons, and Zanzibar has a separate legal code from the mainland of Tanzania. On the mainland, traffickers can be prosecuted under existing statutes criminalizing the sale of people, forced labor, child labor, and various sexual offenses. On Zanzibar, traffickers can be prosecuted under the Penal Act that criminalizes kidnapping, abduction, and slavery. Following a six-month period for Zanzibar to comment on draft national anti-trafficking legislation, Tanzania's Cabinet approved the bill in mid-January 2008 and introduced it for a first reading to the Parliament two weeks later. The bill was then moved to a committee for discussion and editing, with a Parliamentary vote expected before the end of 2008.

Using existing laws, the government actively investigated cases of trafficking during the reporting period; however, there were no known prosecutions or convictions. The Anti-Human Trafficking Unit investigated all trafficking leads reported to police by the public or other law enforcement authorities. For example, the unit arrested a Zanzibari businessman in Bagamoyo for allegedly attempting to traffic 42 boys and six adults from Somalia into situations of sexual exploitation and child labor in South Africa via Tanzania, Zambia, and Malawi; the accused was released on bail while the investigation continues. The unit is also continuing an investigation into a Zanzibari brothel marketing children via the Internet; this type of cyber-crime is new in Tanzania and police are seeking training in how to investigate these crimes. The Tanzanian police also collaborated with Interpol to locate a suspected Tanzanian trafficking victim in South Africa using newly acquired cell phone technology. An April 2007 foreign government-sponsored "training of trainers" program for 18 police and immigration officials in Zanzibar launched the Zanzibari Government's specialized anti-trafficking training program. This resulted in the Zanzibari government's June 2007 co-training, with a U.S. anti-trafficking expert, of 22 immigration officials. On the mainland, 332 law enforcement officials received specific anti-trafficking training in 2007. Involvement in, or tolerance of, trafficking by low-level immigration officials is suspected, but not proven.

## Protection

The government's efforts to protect victims of trafficking during the reporting period were notable, though it continued to suffer from a

lack of resources. Government officials regularly relied on three NGOs to provide shelter, counseling, and rehabilitation for victims of trafficking. Government authorities referred trafficking victims to these NGOs in regions where victim assistance was available. For instance, in the second quarter of 2007, one NGO shelter received 23 female trafficking victims; 17 were referred by police and one by a social worker. In January 2008, the Anti-Human Trafficking Unit changed its policy of requiring trafficking victims to go to a police station to make a statement; now a plain-clothes female police officer visits shelters to obtain sex trafficking victims' statements in a more private setting. The Unit also hired a female police sergeant to better facilitate its interactions with female victims. A 24-hour crime hotline staffed by Tanzania police officers is available for citizens to make anonymous reports about suspected trafficking victims. While still severely constrained by lack of funding, the Ministry of Labor budgeted approximately \$60,000 to its Labor Administration and Inspection Services for child labor inspections. In 2007, the Ministry of Labor withdrew nearly 1,100 victims from forced child labor situations, most of whom were provided the opportunity to compensate for their missed education by enrolling in one the Ministry of Education's 305 Community Learning Centers. The government generally encourages victims' assistance in the investigation and prosecution of their traffickers, but the lack of national procedures for victim protection likely led to the deportation of most foreign victims before they were identified or able to give evidence in court. Foreign victims are not offered legal alternatives to their removal to countries in which they would face hardship or retribution. In a few cases, the lack of adequate shelter facilities forced Tanzanian officials to house potential trafficking victims in prisons.

### Prevention

Political will to address human trafficking in Tanzania increased significantly during the reporting period, resulting in additional concrete prevention efforts. President Kikwete's personal commitment to combat trafficking accelerated the drafting of anti-trafficking legislation and law enforcement training. Staff of the Anti-Human Trafficking Unit appeared in radio and TV spots and distributed booklets about human trafficking; these awareness raising efforts resulted in a significant increase in the number of leads received by the unit during the last six months of 2007. The Ministry of Health's National AIDS Control Program conducted a half-day training of trainers session on human trafficking for 41 healthcare coordinators from 21 regions; these trainers then provided training to healthcare workers in their regions. Tanzanian nationals receive human rights training, including sessions on gender and women's rights, the protection of

civilians, and international humanitarian law, before their deployment as part of international peacekeeping missions.

## THAILAND (Tier 2)

Thailand is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Thailand's relative prosperity attracts migrants from neighboring countries who flee conditions of poverty and, in the case of Burma, military repression. Significant illegal migration to Thailand presents traffickers with opportunities to force, coerce, or defraud undocumented migrants into involuntary servitude or sexual exploitation. Women and children are trafficked from Burma, Cambodia, Laos, the People's Republic of China (P.R.C.), Vietnam, Russia, and Uzbekistan for commercial sexual exploitation in Thailand. A number of women and girls from Burma, Cambodia, and Vietnam are trafficked through Thailand's southern border to Malaysia for sexual exploitation. Ethnic minorities such as northern hill tribe peoples who have not received legal residency or citizenship are at high risk for trafficking internally and abroad, including to Bahrain, Australia, South Africa, Singapore, Malaysia, Japan, Hong Kong, Europe, and the United States. Some Thai men who migrate for low-skilled contract work to Taiwan, South Korea, Israel, the United States, and Gulf states are subjected to conditions of forced labor and debt bondage after arrival.

Following voluntary migration to Thailand, men, women, and children, primarily from Burma, are subjected to conditions of forced labor in agricultural work, factories, construction, commercial fisheries and fish processing, domestic work, and begging. Thai laborers working abroad in Taiwan, Malaysia, the United States, and the Middle East often pay large recruitment fees prior to departure, creating debt, which in some cases may be unlawfully exploited to coerce them into conditions of forced labor. Children from Burma, Laos, and Cambodia are trafficked into forced begging and exploitative labor in Thailand. Four key sectors of the Thai economy (fishing, construction, commercial agriculture, and domestic work) rely heavily on undocumented Burmese migrants, including children, as cheap and exploitable laborers.

The Government of Thailand does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In November, the Thai National Legislative Assembly passed a new comprehensive anti-trafficking in persons law, which the Thai government reports will take effect in June 2008. While there were no criminal prosecutions of

forced labor cases during the reporting period, Thai authorities in March 2008 conducted a raid on a shrimp processing factory in Samut Sakhon province, rescuing 300 Burmese victims of forced labor. The Ministry of Labor subsequently released guidelines on how it will apply stronger measures to identified labor trafficking cases in the future. Nevertheless, the Thai government has yet to initiate prosecutions of the owners of a separate Samut Sakhon shrimp processing factory from which 800 Burmese men, women, and children were rescued from conditions of involuntary servitude, including physical and psychological abuse and confinement, in September 2006. The factory remains in operation.

**Recommendations for Thailand:** Enact and begin implementing the comprehensive anti-trafficking legislation throughout the country, particularly its provisions against trafficking for labor exploitation; train law enforcement officers, prosecutors, and judges on the new legislation; and increase criminal punishments of exploitative employers and recruitment agencies.

### Prosecution

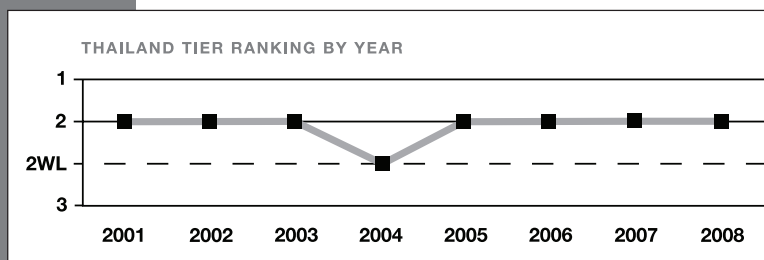
The Royal Thai Government demonstrated progress in its law enforcement efforts to combat trafficking in persons. Thailand passed new comprehensive anti-trafficking legislation in November 2007, which the Thai government reports will go into force in June 2008. The new law will criminally prohibit all forms of trafficking in persons—covering labor forms of trafficking and the trafficking of males for the first time—and prescribes penalties that are sufficiently stringent and that are commensurate with penalties prescribed for other grave crimes, such as rape. It will also make trafficking in persons a predicate crime for prosecution under the Anti-Money Laundering Act. Previous Thai anti-trafficking legislation that was used during the reporting period defined trafficking only in terms of sexual exploitation and allowed only females and children to be classified as victims eligible to receive shelter or social services from the government.

The Royal Thai Police reported that 144 sex trafficking cases had been prosecuted in the two-year period ending in June 2007. In April 2007, a Thai

employer was sentenced to more than 10 years' imprisonment for forced child labor in the first-ever conviction under Thailand's 1951 anti-slavery law. The victim, a female domestic worker, worked for the employer for four years without pay and was physically abused. In December, a Thai Criminal Court sentenced two traffickers to seven years' imprisonment for luring a 15-year old girl to enter prostitution in Singapore under false pretenses. In May 2007, the Attorney General's Office created a Center Against International Human Trafficking (CAHT) located within the Attorney General's office. The CAHT has eight full-time attorneys devoted to coordinating the prosecution of all trafficking cases in Thailand. Corruption is still sometimes a problem with local police or immigration officials protecting brothels, seafood, and sweatshop facilities from raids and occasionally facilitating the movement of women into or through Thailand. Two police officials faced prosecution for trafficking Burmese migrant workers in Tak province in April 2007.

In March 2008, a team of Labor Ministry, immigration, police, and NGO representatives raided a shrimp processing factory in Samut Sakhon and found 300 Burmese migrant workers confined to the premises and working in exploitative conditions. For the first time, the government included 20 males amongst the classified 74 trafficking victims and referred them to a government-run shelter. However, the government handcuffed and detained other illegal male Burmese migrant laborers at the factory and sent them to a holding cell to await deportation. Reportedly, these workers, who experienced the same exploitation as those deemed "victims" by the Thai government, were treated as criminals—detained, not allowed to retrieve personal belongings or identity papers left at the factories, and sent to a detention facility. Police filed criminal charges against the owners of the shrimp processing factory within 24 hours and are investigating the labor brokers who supplied the Burmese workers. The Ministry of Labor in April 2008 released new guidelines on how it will apply stronger measures in dealing with identified labor trafficking cases in the future.

A Thai Labor Court awarded \$106,000 in damages to 66 trafficking victims rescued in the September 2006 raid of a separate shrimp processing factory in Samut Sakhon. However, as of March 2008, the government has yet to initiate a criminal prosecution of the factory's operators. In other cases involving possible trafficking for labor exploitation, law enforcement reported 41 cases of labor fraud and 16 of illegal labor recruitment. The Ministry of Labor's Department of Employment reported that 28 labor recruiting firms were prosecuted in administrative



labor courts in 2007 for violating regulations on labor recruitment rendering workers vulnerable to trafficking. These prosecutions mostly resulted in monetary fines, with only one license suspension. Department of Social Welfare officials and NGOs use the threat of punitive sanctions under the 1998 Labor Protection Act to negotiate settlements with abusive employers exploiting foreign trafficking victims in sweatshops and in domestic work. A total of 189 individual facilitators or brokers received fines and other administrative sanctions for violating labor recruiting regulations in 2007.

### Protection

The Thai government continued to provide impressive protection to foreign victims of sex trafficking in Thailand and Thai citizens who have returned after facing labor or sex trafficking conditions abroad. However, protections offered to foreign victims of forced labor in Thailand were considerably weaker, as male victims of trafficking were not yet included under victim protection provisions of Thai law. The new comprehensive anti-trafficking legislation passed in November 2007 promises, when enacted and implemented in June 2008, to extend protections to male victims of trafficking and victims of labor trafficking. The government allows all female trafficking victims, Thai and foreign, to receive shelter and social services pending repatriation to their country of origin or hometown. It does not, however, offer legal alternatives to removal to countries where victims face hardship or retribution, such as the repressive conditions found in Burma. The government encourages female victims' participation in the investigation and prosecution of sex trafficking crimes. In cases involving forced labor, the 1998 Labor Protection Act allows for compensatory damages from the employer, although the government offers no legal aid to encourage workers to avail themselves of this opportunity; in practice, few foreign laborers are able to pursue legal cases against their employers in Thai courts. Formidable legal costs and language, bureaucratic, and immigration barriers effectively prevent most of them from participating in the Thai legal process. Female victims of sex trafficking are generally not jailed or deported; foreign victims of labor trafficking and men may be deported as illegal migrants. The Thai government refers victims of sex trafficking and child victims of labor trafficking to one of seven regional shelters run by the government, where they receive psychological counseling, food, board, and medical care. In April 2008, the Ministry of Labor presented a series of operational guidelines for handling future labor trafficking cases. The guidelines include provisions that grant immunity to trafficking victims from prosecution arising from their possible involvement in immigration or prostitution crimes and provide migrant

trafficking victims temporary residence in Thailand pending resolution of criminal or civil court cases.

Thai embassies provide consular protection to Thai citizens who encounter difficulties overseas. The Department of Consular Affairs in the Ministry of Foreign Affairs reported that 403 Thai nationals were classified as trafficking victims abroad and repatriated from a number of countries including Bahrain (368 victims), Singapore (14 victims) and Malaysia (12 victims). In 2007, the government's shelters provided protection and social services for 179 repatriated Thai victims and 363 foreigners trafficked to Thailand. In 2007, the Ministry of Foreign Affairs Department of Consular Affairs conducted training in Thailand and abroad for community leaders, victims, and laborers. The MFA sent psychologists to provide training to Thai volunteers in Taiwan helping Thai trafficking victims; organized a workshop amongst Thai translators under the "Help Thais" program in Singapore; and coordinated translators to assist 36 Thai trafficking victims arrested in Durban, South Africa. A 2005 cabinet resolution established guidelines for the return of stateless residents abroad who have been determined to be trafficking victims and can prove prior residency in Thailand. These stateless residents can effectively be given residency status in Thailand on a case-by-case basis.

### Prevention

The Thai government continued to support prevention and public awareness activities on sex and labor trafficking as well as sex tourism during the year. Thai government law enforcement efforts to reduce domestic demand for illegal commercial sex acts and child sex tourism have been limited to occasional police raids to shut down operating brothels. At the same time, awareness-raising campaigns targeting tourists were conducted by the government to reduce the prevalence of child sex tourism and prostituted children. The Thai government also cooperated with numerous foreign law enforcement agencies in arresting and deporting foreign nationals found to have been engaging in child sex tourism. In 2007, the Thai government disseminated brochures and posts in popular tourist areas such as Chiang Mai, Koh Samui, Pattaya, and Phuket warning tourists of severe criminal charges for procurement of minors for sex. Thailand has not ratified the 2000 UN TIP Protocol.

## TIMOR-LESTE (Tier 2)

Timor-Leste is a destination country for women from Indonesia, the People's Republic of China (P.R.C.), Thailand, Malaysia, and the Philippines trafficked for the purpose of commercial sexual

exploitation. Timorese women and children are vulnerable to being trafficked from rural areas or from camps for internally displaced persons to Dili with lures of employment and then forced into commercial sexual exploitation. Following the re-establishment of international peacekeeping operations in 2006, several businesses suspected of involvement in sex trafficking have reopened. Widespread internal displacement, poverty, and lack of awareness of trafficking risks could lead Timor-Leste to become a source of vulnerable persons trafficked to other countries.

The Government of Timor-Leste does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2007, the government reconvened its interagency Human Trafficking Task Force and included representatives from international organizations and civil society. The January 2 and 17, 2008 raids against two brothels fronting as bars also reflect the new government's commitment to increase its efforts to combat trafficking.

**Recommendations for Timor Leste:** Institute formal procedures for the identification of trafficking victims and ensure that victims are not penalized for unlawful acts committed as a result of their being trafficking victims; improve coordination among government ministries to ensure that victims are not repatriated or deported before they have an opportunity to assist with investigations or prosecutions; train law enforcement officers on victim identification and protection and increase collaboration with international peacekeeping forces in investigating potential trafficking cases.

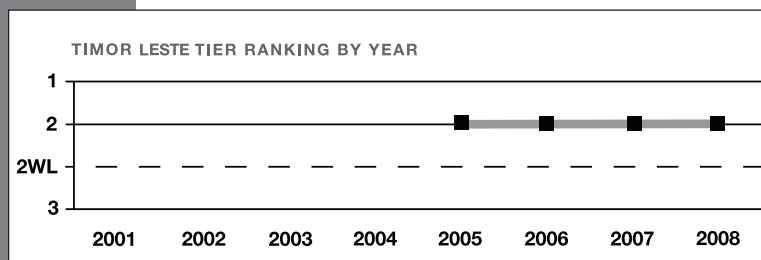
### Prosecution

The Government of Timor-Leste demonstrated limited anti-trafficking law enforcement efforts over the past year. Pending promulgation of a national penal code, Timor-Leste's judicial system still relies significantly on the Indonesian penal code. The government similarly depends upon international assistance to process court cases, the backlog of which rose to over 4,000 by the end of 2007. The government also relies on international police officials for a significant share of its

law enforcement effort. The Timorese police will only begin to assume independent law enforcement authority incrementally during the course of 2008. Timor-Leste prohibits all forms of sex and labor trafficking through its 2003 Immigration and Asylum Act, which prescribes penalties for sex trafficking that are sufficiently stringent, but are not commensurate with those prescribed for rape. While there were no reported prosecutions or convictions for trafficking for labor or sexual exploitation during the last year, law enforcement operations increased. In November 2007, the government intervened to prevent a group of minors from traveling to Malaysia under circumstances that suggested trafficking. In January 2008, the United Nations Police Force (UNPOL) and the National Police of Timor-Leste (PNTL) conducted a joint raid at a Dili bar suspected of sex trafficking. They arrested 32 suspects, mainly women from the P.R.C., Indonesia, Malaysia, and Timor-Leste. The PNTL conducted a separate raid at another Dili bar, where they arrested over 87 suspects, mainly foreign women engaging in prostitution. While neither raid resulted in prosecution of traffickers, Timorese authorities also did not prosecute the victims. In both cases, the Timorese police detained and then released all suspects after 48 hours and after charging the foreign women with immigration violations because they had entered the country on tourist visas or without visas. The Office of the Prosecutor-General dismissed cases against suspected traffickers in both cases due to the lack of witnesses. There are allegations that some police officers in Dili have accepted bribes or sex in exchange for allowing brothels with suspected trafficking victims to continue operations. There has been no official confirmation of these allegations of low-level corruption from the government, international organizations, or NGOs.

### Protection

A severe lack of resources and human resources capacity constraints continued to limit the Timorese government's ability to provide assistance to victims of trafficking during the reporting period; the government continued to rely on international organizations and NGOs for victim protection. Its law enforcement, immigration, and social services personnel do not employ formal procedures to proactively identify trafficking victims among high-risk populations, such as foreign women engaging in prostitution. Therefore, victims of trafficking may be charged with immigration violations and either deported or repatriated through a process known as "voluntary abandonment." Under this arrangement, foreigners found in Timor-Leste without valid documentation, but thought to be trafficking





victims, are given 10 days to depart the country and are provided assistance with travel documents. There is no threat of prosecution involved in the voluntary abandonment process, and there were no reports of voluntary abandonment being forced or coerced. Several other victims were repatriated through the help of their embassies or an international organization. The Ministry of Labor assisted in arranging shelter and aid for victims of trafficking with local NGOs or international organizations when cases are brought to its attention. The government did not provide victims with legal alternatives to their removal to countries where they face hardship or retribution. Although the government encouraged victims to participate in investigations or prosecutions, it also penalized victims for unlawful acts committed as a direct result of their being trafficked.

### Prevention

The Government of Timor-Leste continued to rely on international organizations and NGOs for awareness raising efforts on trafficking in persons. The Human Trafficking Task Force, which includes representatives from the government, international organizations, and local NGOs, resumed meetings in August 2007, after a hiatus resulting from the 2006 crisis. A collaborative public awareness campaign by the government, international organizations, and local NGOs produced posters and leaflets targeting potential victims in Dili and throughout the districts. The leaflets provide emergency contact telephone numbers for the police and NGOs. Another campaign features senior government officials holding handcuffs and delivering an anti-trafficking message. A two-day anti-trafficking workshop held in Dili in March 2008 for law enforcement officers, civil servants, and NGOs, highlighted ministerial level commitment to raising Timorese awareness of the problem of trafficking in persons. At the opening ceremony, the Foreign Minister emphasized that the government views border security as crucial in the fight against human trafficking. He outlined efforts by the military and the police to improve border security, and reaffirmed the commitment of the government to strengthening cooperation both inter-agency and with international partners. While modest, these steps indicate a growing commitment by the government to overcome its limited resources and reliance on international organizations and NGOs to increase public awareness. Timor-Leste has not ratified the 2000 UN TIP Protocol.

## TOGO (Tier 2)

Togo is a source, transit and, to a lesser extent, a destination country for women and children trafficked for the purposes of forced labor and

commercial sexual exploitation. Trafficking within Togo is more prevalent than transnational trafficking and the majority of victims are children. Togolese girls are trafficked primarily within the country for domestic servitude, as market vendors, produce porters, and for commercial sexual exploitation. To a lesser extent, girls are also trafficked to other African countries, primarily Benin, Nigeria, Ghana, and Niger for the same purposes listed above. Togolese boys are most commonly trafficked transnationally to work in agricultural labor in other African countries, primarily Nigeria, Cote d'Ivoire, Gabon, and Benin, though some boys are also trafficked within the country for market labor. Beninese and Ghanaian children have also been trafficked to Togo. There have been reports of Togolese women and girls trafficked to Lebanon and Saudi Arabia, likely for domestic servitude and sexual exploitation. Togolese women may be trafficked to Europe, primarily to France and Germany, for domestic servitude and sexual exploitation. In the last year, 19 Togolese girls and young women were trafficked to the United States for forced labor in a hair salon.

The Government of Togo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Togo demonstrated solid law enforcement efforts by increasing the number of traffickers convicted. However, sentences imposed on convicted traffickers were inadequate and protection efforts were diminished over last year.

**Recommendations for Togo:** Increase efforts to prosecute and convict traffickers; continue to ensure that convicted traffickers receive adequate sentences involving jail time; pass a law prohibiting the trafficking of adults; provide care for male victims older than 15 years of age; and establish the National Committee to Combat Child Trafficking mandated in Togo's 2005 law against child trafficking.

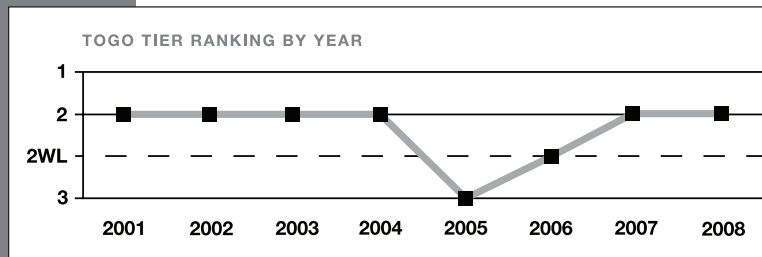
### Prosecution

The Government of Togo demonstrated sustained law enforcement efforts to combat trafficking during the last year. Togo does not prohibit all forms of trafficking, though in July 2007, the government enacted a Child Code that criminalizes all forms of child trafficking. This law supplements Togo's 2005 Law Related to Child Trafficking, which criminalizes the trafficking of children, but provides a weak definition of trafficking and fails to prohibit child sexual exploitation. Togo's maximum prescribed penalty of 10 years' imprisonment for child labor trafficking is sufficiently stringent. The prescribed penalties of one to five years' imprisonment for sex trafficking of children

15 years and older and 10 years' imprisonment for sex trafficking of children younger than 15 years are sufficiently stringent and commensurate with penalties prescribed for statutory rape. On June 15, 2007 five traffickers were convicted in the northern cities of Kara and Sokode. They were sentenced to penalties of one to two years' imprisonment, and some also paid a fine of \$2,000 each, five times Togo's per capita income. In September 2007, Togolese and American officials worked together to expel an American accused of child sex tourism from Togo. In 2007, with support from UNICEF, the government organized four five-day workshops and provided some instructors to train 108 law enforcement officials, including magistrates, police, gendarmerie, military and customs officers, on strategies for enforcing laws against child trafficking. The government relies largely on ILO-funded local vigilance committees, usually composed of local government officials, community leaders, and youth, to report trafficking cases.

### Protection

The Togolese government demonstrated modest efforts to protect trafficking victims over the last year. Togolese law enforcement officials regularly referred trafficking victims to government authori-



ties or NGOs for care. The Ministry of Social Affairs, the Ministry of Child Protection, and The National Committee for the Reception and Reinsertion of Trafficked Children assisted victims primarily by alerting two NGOs in Lome that provide immediate victim care, and by working with these organizations to return victims to their home communities. In 2007, however, the Minister of Child Protection also established a vocational training center for destitute children where the government has placed some trafficking victims before returning them to their families. The government reported that it referred 224 trafficking victims to one NGO in Lome during the year and that 56 Togolese victims trafficked abroad were intercepted and repatriated in 2007. Neither the government nor NGOs provide any care for male victims older than 15 years. The government sometimes encourages victims to assist in trafficking investigations or prosecutions on an ad hoc basis. The government does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribu-

tion; however the majority of victims are Togolese. Victims are not inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked.

### Prevention

The Government of Togo made steady efforts to raise awareness about trafficking during the reporting period. With UNICEF support, in 2007 the government organized a trafficking training for journalists. With assistance from UNICEF, ILO, and local NGOs, the government also developed a national action plan to combat trafficking and a manual on trafficking victim protection procedures. Local government officials continued to play an active role as members of ILO-funded local anti-trafficking committees to raise awareness of trafficking by organizing skits and radio announcements in local language. Togolese troops deployed abroad as part of peacekeeping missions receive some trafficking awareness training prior to their deployment. Although the 2005 anti-trafficking law called for a National Committee to Combat Trafficking, this coordinating body has not yet been established. Togo did not take measures to reduce demand for commercial sex acts. Togo has not ratified the 2000 UN TIP Protocol.

## TURKEY (Tier 2)

Turkey is a significant destination, and to a lesser extent, transit country for women and children trafficked primarily for the purpose of commercial sexual exploitation. This year, five men were reported trafficked from Turkmenistan for purposes of forced labor. Women and girls are trafficked from Moldova, Russia, Ukraine, Belarus, Bulgaria, Kyrgyzstan, Turkmenistan, Uzbekistan, Azerbaijan, Georgia, and Romania for sexual exploitation. This year, three victims were reported trafficked to Turkey from outside of Eastern Europe and Eurasia—from Morocco, Tunisia, and Sri Lanka. Some victims are reportedly trafficked through Turkey to the area administered by Turkish Cypriots for the purpose of sexual exploitation.

The Government of Turkey does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government significantly increased its law enforcement response in 2007 by convicting and punishing more traffickers. It further improved interagency and NGO cooperation and continued to institutionalize and implement comprehensive law enforcement training. In addition, the Government of Turkey made efforts to address trafficking-related official complicity among law enforcement. However, a lack of secure and consis-

tent government support for Turkey's trafficking shelters frustrated solid improvements in Turkey's anti-trafficking efforts.

**Recommendations for Turkey:** Ensure consistent and sustained assistance for trafficking victims, including through sustained monetary assistance to shelters in Ankara and Istanbul; expand non-detention facilities for potential victims and other irregular migrants awaiting screening; strive to ensure that all potential victims are identified; address demand reduction and educate the clients of the commercial sex trade and forced labor in trafficking public awareness campaigns; vigorously investigate, prosecute, convict, and punish any official complicity in trafficking; and continue to improve the effectiveness of judicial cooperation with source countries.

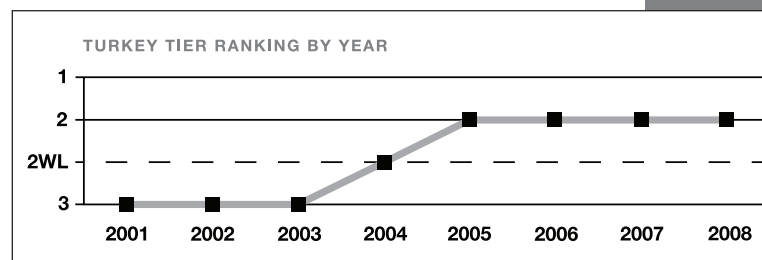
### Prosecution

The Government of Turkey demonstrated strong anti-trafficking law enforcement and prosecutorial efforts during the reporting period. Article 80 of the Penal Code prohibits trafficking for both sexual exploitation and forced labor, and prescribes penalties of eight to 12 years' imprisonment, which are sufficiently stringent and commensurate with prescribed penalties for other grave crimes, such as sexual assault. The government reported convicting four traffickers during 2007 under its recently amended Article 80, but most prosecutions—initiated before the Article 80 amendment—continued under Article 227, the previous primary anti-trafficking statute. In addition to the four Article 80 convictions, the government, in 2007, prosecuted 160 suspects and convicted 121 trafficking offenders, a dramatic increase from the 36 convicted in 2006. Penalties imposed on traffickers convicted under Article 227 averaged three years' imprisonment and included fines, some of them substantial. Thirty-two convicted traffickers received jail sentences of over four years. Under Turkish law, a jail term of two years or less can be reduced to probation; out of the 121 convictions, 26 were sentenced to two years or less. Eighteen traffickers convicted under other criminal statutes received fines and prison terms ranging from 10 months to four years and two months. While some improvements have been made, the Government of Turkey should continue to expand law enforcement cooperation and seek opportunities to improve judicial cooperation with source countries. According to a few media reports in 2007, a limited number of public servants were arrested for crimes related to trafficking. The Government of Turkey reported that, between 2004 and 2007, 32 public officials were subject to judicial action for assisting traffickers, mediating prostitution, or accepting bribes.

In 2007, the government relieved a Court of Appeals Judge of his duties for aiding traffickers; the prosecution is ongoing. The government continued an investigation involving a prison warden who was arrested and jailed in February 2007 for misuse of authority and accepting bribes that facilitated trafficking. A judicial committee recommended that she be expelled from public duty.

### Protection

The government continued its victim assistance efforts; however international donors stepped in to help remedy a funding shortfall for one trafficking shelter during the reporting period. Although there was no interruption in core services, a funding shortfall forced one shelter to forego staff salaries and divert other resources in order to finance these core services. A lack of consistent and guaranteed funding for Turkey's trafficking shelters weakened the government's overall protection efforts in 2007. The government has reported that it is focused on finding a long-term financial solution to this problem. NGO-run shelters provided care to 109 trafficking victims in 2007. In 2007, the government identified a total of 148 trafficking victims; IOM assisted 118 of these victims. The remaining victims rejected the IOM referral mechanism and chose to return immediately to their countries, with their safe return guaranteed by the government. Four minor victims not formally referred to IOM for assistance were nonetheless assisted by the shelters and their welfare ensured by the Prime Ministry Social Services and Orphanages Directorate. The government encourages victims to participate in trafficking investigations and prosecutions, offers them free legal assistance, and offers legal alternatives to their removal to countries where they would face retribution or hardship. Foreign victims may apply for humanitarian visas and remain in Turkey up to six months with the option to extend for an additional six months; the government issued three humanitarian visas for victims in 2007. The government does not punish identified victims for crimes committed as a result of being trafficked. The government took steps to ensure the responsible and secure repatriation of trafficking victims by following specific exit procedures and contacting governments about their documentation and notifying them of subsequent repatriation. Turkey is an important destination for Armenian victims trafficked for



sexual exploitation purposes, according to a 2007 joint OSCE-ILO-UNDP-ICMPD study, "Republic of Armenia Law Enforcement Anti-Trafficking Training Needs Assessment," and a 2007 OSCE assessment, "Trafficking in Human Beings in the Republic of Armenia," though comprehensive statistics are difficult to obtain. The Government of Turkey did not report identifying any victims from Armenia in 2007, but Armenian victims have been identified and assisted in previous reporting periods.

### Prevention

The government increased its prevention efforts in 2007. The government's interagency task force met more frequently and developed a new National Action Plan, currently awaiting formal adoption. The government signaled that it will take over funding and operation of the "157" anti-trafficking hotline from IOM. This hotline became operational for international calls in 2007, and 28 victims were rescued through its use during the reporting period. The Jandarma (Gendarmerie) published a guidebook and distributed 3,280 copies to educate officers to identify trafficking, and national police distributed 1,000 copies of a similar guide to its units in 2007. Authorities continued to distribute small passport inserts to travelers entering the country at designated ports-of-entry and Turkish embassies provided trafficking awareness inserts to visa applicants in source countries, although the extent to which this method of alerting potential victims is effective is questionable, given that many source country nationals do not require a visa to enter Turkey. In 2007, the government published its first annual report on combating human trafficking in Turkey. Turkey's NATO Partnership for Peace (PFP) training center hosted anti-trafficking training for Turkish and other NATO and PFP country personnel. The center also hosts annual anti-trafficking training for Turkish units assigned to peacekeeping operations. Thirty Turkish personnel received this training in 2007. The government did not report any measurable steps to reduce demand for commercial sex acts within Turkey's legally regulated prostitution sectors during the year.

## UGANDA (Tier 2)

Uganda is a source and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Ugandan children are trafficked within the country, as well as to Canada, Egypt, the United Arab Emirates, and Saudi Arabia for forced labor and commercial sexual exploitation. Karamojong women and children are sold in cattle markets or by intermediaries and forced into situations of domestic servitude, sexual exploitation, herding, and begging. Security companies in Kampala recruit Ugandans to serve as security guards in Iraq where, at times, their travel documents

and pay have reportedly been withheld as a means to prevent their departure; these cases may constitute trafficking. Pakistani, Indian, and Chinese workers are reportedly trafficked to Uganda, and Indian networks traffic Indian children to the country for sexual exploitation. Children from the Democratic Republic of the Congo (D.R.C.), Rwanda, and Burundi are trafficked to Uganda for agricultural labor and commercial sexual exploitation. Until August 2006, the terrorist rebel organization, Lord's Resistance Army (LRA), abducted children and adults in northern Uganda to serve as soldiers, sex slaves, and porters; while no further abductions of Ugandan children have been reported, at least 300 additional people, mostly children, were abducted during the reporting period in the Central African Republic and the D.R.C.

The Government of Uganda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so.

**Recommendations for Uganda:** Prosecute, convict, and punish alleged trafficking offenders; pass and enact the draft comprehensive anti-trafficking law; and develop a mechanism for providing, in partnership with NGOs, protective services to all types of trafficking victims.

### Prosecution

The government sustained its anti-trafficking law enforcement efforts over the reporting period; however, the lack of a comprehensive anti-trafficking law meant that statistics on trafficking prosecutions and convictions were not separately kept. The government released crime statistics for 2007, which indicated that child trafficking crimes had increased over the previous year. The Inspector General of Police also announced that 54 children had been kidnapped, abducted, or stolen during the year; seven rescued children were believed to be potential trafficking victims who had not yet reached their destinations. Ugandan law does not prohibit trafficking, though existing Penal Code Act statutes against slavery, forced, and bonded labor, and procurement for prostitution could be used to prosecute trafficking offenses. In July 2007, Uganda's female parliamentarians introduced the Prohibition of Trafficking in Persons Bill in Parliament, a comprehensive draft anti-trafficking law, where it garnered unanimous support from the floor. It received its first reading in December and was referred to the Committee on Defense and Internal Affairs in February 2008. In January 2008, Mbarara police arrested three suspected traffickers and rescued 11 children who were allegedly being trafficked to Australia, Canada, and the United States. The suspects appeared in court in early February; a Rwandan pleaded guilty and was

sentenced with a caution and released. A Burundian was charged with illegal entry into Uganda and was co-accused with a Ugandan woman of robbery; both were remanded to jail. In 2007, the Commissioner for Labor and the Parliament began investigating companies alleged to be withholding the travel documents and pay of Ugandan security guards in Iraq; while a government report cleared three labor export agencies of fraud in February 2008, several other firms have been blacklisted for fraudulent recruitment for Iraq. The government's Amnesty Commission offered blanket amnesty to ex-combatants to induce defection or surrender of rebels and to recognize abductees as victims forced to commit atrocities. Eighty LRA combatants, many of whom had been abducted as children, applied for and received amnesty in 2007. Because of this process, the government has not arrested, prosecuted, or convicted LRA rebels for trafficking offenses. In April 2007, police officers, trained during the previous reporting period by the National Police's Child and Family Protection Unit and ILO-IPEC, trained more than 150 additional police officers on child labor rights and worst forms of child labor.

### Protection

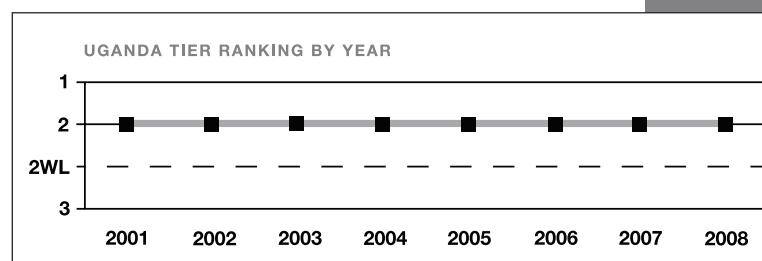
The Ugandan government showed efforts to offer initial protection to children demobilized from the LRA, though it did far less to care for victims of other types of trafficking. The negotiated Final Peace Agreement between the Government of Uganda and the LRA, which includes provisions for the protection of children associated with the LRA, was not signed by the LRA's leader, Joseph Kony. In 2007, the Ugandan military's Child Protection Unit received and debriefed 28 surrendered children who had been abducted by the LRA; the children were processed at transit shelters before being transported to NGO-run rehabilitation centers for longer-term care. The Amnesty Commission provided each child with a mattress, blanket, oil, and approximately \$75. Police transferred 11 rescued Rwandan, Burundian, and Congolese victims of child labor trafficking to UNHCR in Mbarara for care. The government continued to remove Karamojong children from the streets of Kampala and transferred them to shelters in Karamoja; the largest transfer took place in April and May 2007. National and local level officials, particularly district child labor committees, supported the efforts of ILO-IPEC by identifying 2,796 children for withdrawal from the worst forms of child labor. Local governments also convened child labor committees that monitored the working conditions of children.

The government provided few protective services to children in prostitution; instead the Ministry of Gender, Labor, and Social Development referred trafficked children to non-governmental organiza-

tions for care. Those rounded up with adults during police sweeps were generally released without charge. The Minister of Internal Affairs possesses the authority to allow foreign victims to remain in Uganda to assist with investigations; in 2007, the Minister granted two trafficking victims continued presence in Uganda. In most cases, however, victims are deported to their country of origin. The government encourages victims of sex trafficking cases to testify against their exploiters.

### Prevention

The government continued its efforts to increase public awareness of human trafficking. In

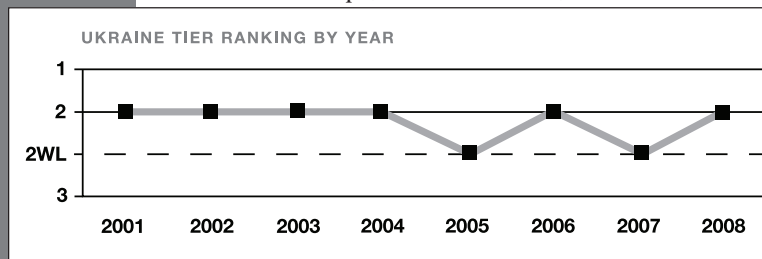


mid-2007, the government used the annual Labor Day and Day of the African Child celebrations to raise public awareness about child trafficking and promote the new child labor laws. The police's Child and Family Protection Unit used community meetings, school visits, and radio programs to raise awareness of trafficking. The government-run press, radio, and television stations ran public service announcements about trafficking. The Ugandan government, which currently chairs the Commonwealth, raised anti-trafficking issues as a priority for member states at the Commonwealth Heads of Government Meeting in November 2007. Uganda's Inspector General of Police co-hosted a UNODC conference on trafficking in Kampala in June 2007. Immigration officials monitored flights to Dubai, which have been used in the past to traffic children. The government began drafting regulations to prevent the trafficking of Ugandans abroad through fraudulent labor recruitment companies. Government efforts to reduce the demand for commercial sex acts included a billboard campaign in Uganda's major cities discouraging "sugar daddies," arrests of men found procuring females in prostitution on disorderly conduct charges, and the prevention of a regional convention of women in prostitution from taking place in Kampala. Uganda has not ratified the 2000 UN TIP Protocol.

## UKRAINE (Tier 2)

Ukraine is a source, transit, and destination country for men, women, and children trafficked transnationally for the purposes of commercial

sexual exploitation and forced labor. Ukrainian women are trafficked to Russia, Poland, Turkey, the Czech Republic, the United Arab Emirates, Austria, Italy, Portugal, Germany, Greece, Israel, Spain, Lebanon, Hungary, Slovak Republic, Cyprus, United Kingdom, Netherlands, Serbia, Argentina, Norway, and Bahrain. The majority of Ukrainian labor trafficking victims were men exploited in Russia, the Czech Republic and Poland, primarily forced to work as construction laborers, sailors, and factory and agriculture workers. There are indications Ukraine is a destination for people from neighboring countries trafficked for forced labor and sexual exploitation. In addition, trafficking occurs within Ukraine; men and women are trafficked within the country for the purposes of labor exploitation in the agriculture and service sectors, commercial sexual exploitation, and forced begging. Ukrainian children are trafficked both internally and transnationally for commercial sexual exploitation, forced begging, and involuntary servitude in the agriculture industry. An IOM survey released in December 2006 concluded that since 1991, approximately 117,000 Ukrainians had been forced into exploitative situations in Europe, the Middle East, and Russia.



The Government of Ukraine does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While there was little evidence of efforts to curb trafficking complicity of government officials and of concrete steps to protect and assist trafficking victims at the national level, local governments made some progress on victim assistance. The government also made modest, but tangible, progress in improving the punishment of convicted traffickers, prosecuting labor trafficking, training the judiciary, and carrying out prevention activities.

**Recommendations for Ukraine:** Continue efforts to ensure that convicted traffickers serve significant jail time; take steps to curb complicity by government officials; continue trafficking-specific training for prosecutors and judges; increase funding for victim protection and assistance; and take steps to discourage the demand for commercial sex acts.

### Prosecution

In 2006, Ukraine made progress in prosecuting and punishing trafficking offenses. The government prohibits all forms of trafficking through Article 149 of its Criminal Code, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. This year, the government completed 82 criminal investigations and arrested 56 people on trafficking charges. The Interior Ministry reported that the number of prosecutions for labor trafficking increased from 3 in 2006 to 23 in 2007. Overall, the government prosecuted 95 cases resulting in 83 convictions of trafficking offenders under Article 149. Of the total number of persons convicted, 59 were placed on probation and not subjected to imprisonment. In June 2007, the Prosecutor General ordered prosecutors to take a more aggressive posture with regard to sentencing convicted trafficking offenders and to appeal every case in which a judge ordered probation rather than jail time. As a result, during the second half of 2007, the share of convicted trafficking offenders receiving jail time rose to 44 percent, up from 36 percent during the first half of the year. Despite widespread reports of trafficking-related corruption, Ukraine failed to demonstrate any efforts to vigorously investigate, prosecute, convict, or sentence government officials complicit in trafficking this year. The government financed regular, formal training seminars for Interior Ministry anti-trafficking officers throughout Ukraine. The Ukrainian Academy of Judges and the Academy of Prosecutors, with sponsorship from the OSCE, participated in eight seminars for 203 judges and prosecutors from around the country on victim related issues and sensitivity training for trafficking-related cases. The government cooperates with other governments on anti-trafficking law enforcement efforts but acknowledged the need to simplify procedures for mutual legal assistance between Ukraine and trafficking destination countries.

### Protection

Ukraine's prevention efforts remained heavily reliant on international donor funding. Law enforcement agencies referred 456 victims to NGOs for assistance. Through donor-sponsored programs and some government services, foreign and domestic victims of trafficking in Ukraine receive shelter, medical, psychological, legal, and job placement assistance. The national government did not increase funding for victims, and there has been uneven support offered by local governments. The Kherson regional government allocated \$20,170 to anti-trafficking activities including support of a reintegration center; however, the trafficking victim shelter in Lutsk is on the verge of being closed due to lack of government support.

Ukraine does not punish victims for unlawful acts committed as a direct result of being trafficked, but sex trafficking victims' rights are incorrectly characterized as "willing prostitutes" and denied confidentiality. Although more victims are reportedly willing to participate in investigations against their traffickers, a weak witness protection system and a bias against sex trafficking victims still discourage many from testifying in court. Courts in the Ivano-Frankivsk region are implementing a pilot program to develop a modern witness protection program. The government does not provide foreign victims with legal alternatives to removal to countries in which they may face hardship or retribution.

### Prevention

The government made progress in preventing trafficking in persons during the reporting period. In 2007, the government broadcasted a public service announcement on television entitled "Do not look at employment abroad through rose-colored glasses" throughout Ukraine and ran a parallel billboard campaign. The national government spent approximately \$53,465 for printing and distributing materials for raising awareness, and local governments made additional contributions to prevention activities. The government did not undertake any prevention efforts directed at reducing demand for commercial sex acts. For the past three years, Ukraine's National Academy of Defense has conducted, jointly with IOM, anti-trafficking classes for Ukrainian troops being deployed for international peacekeeping duties. During the reporting period, the Ministry of Interior worked with Interpol to prevent known child sex tourism offenders from entering Ukraine.

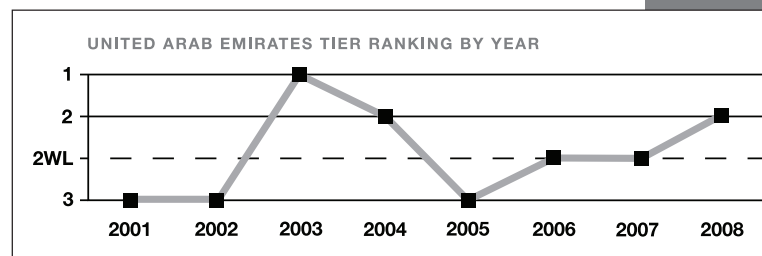
## UNITED ARAB EMIRATES (Tier 2)

The United Arab Emirates (U.A.E.) is a destination country for men and women trafficked for the purposes of labor and commercial sexual exploitation. Women from India, Sri Lanka, Bangladesh, Indonesia, Ethiopia, Eritrea, and the Philippines travel willingly to the U.A.E. to work as domestic servants, but some subsequently face conditions of involuntary servitude such as excessive work hours without pay, unlawful withholding of passports, restrictions on movement, non-payment of wages, and physical or sexual abuse. Similarly, men from India, Sri Lanka, Bangladesh, and Pakistan are drawn to the U.A.E. to work in the construction industry, but are often subjected to similar conditions of coercive labor and to debt bondage as they work to pay off recruitment costs sometimes exceeding the equivalent of two years' wages. Women from Uzbekistan, Kyrgyzstan, Ukraine,

Russia, Kazakhstan, Armenia, Azerbaijan, Ethiopia, Eritrea, Somalia, Uganda, India, Pakistan, Afghanistan, China, the Philippines, Iraq, Iran, and Morocco are reportedly trafficked to the U.A.E. for commercial sexual exploitation. Some foreign women were reportedly recruited to work as secretaries or hotel workers by third-country recruiters, but were coerced into prostitution or domestic servitude. The U.A.E. may also serve as a transit country for women trafficked into forced labor in Oman, and men deceived into working involuntarily in Iraq. During the last year, there were no new reports of children identified as trafficked for the purpose of camel jockeying, and the U.A.E. repatriated at least three former child camel jockeys from Sudan.

The Government of the United Arab Emirates does not fully comply with the minimum standards for the elimination of trafficking, but is making significant efforts to do so. An active anti-trafficking committee chaired by a cabinet-level official coordinated the U.A.E.'s anti-trafficking efforts. The government increased prosecutions, convictions, and sentences for sex trafficking offenders; trained law enforcement officers on anti-trafficking methods; opened a shelter for victims of trafficking; and continued its efforts to support former child camel jockeys and reached agreements to provide compensation to them. Nonetheless, the U.A.E. did not aggressively prosecute or punish acts of trafficking for forced labor, despite potential of a widespread problem among domestic and low-skilled foreign workers.

**Recommendations for the U.A.E.:** Continue to increase law enforcement efforts to identify, prosecute and punish acts of sex trafficking; significantly increase law enforcement efforts against labor trafficking, including prosecuting and punishing employers and recruiters who defraud or abuse workers; significantly increase protection services available for victims of trafficking, particularly victims of forced labor; and institute a formal procedure to proactively identify victims of trafficking among vulnerable populations, such as foreigners arrested for prostitution or immigration violations.



### Prosecution

The U.A.E. government made progress in prosecuting acts of sex trafficking over the last year, but showed limited efforts to punish forced labor. The U.A.E. prohibits all forms of trafficking through Federal Law No. 51, which prescribes penalties ranging from one year to life imprisonment. Prescribed penalties under this law are sufficiently stringent and commensurate with those for other grave crimes, such as rape. The U.A.E.'s labor law, however, does not sufficiently protect workers in domestic service, making them vulnerable to forced labor. During this reporting period, the U.A.E. prosecuted and convicted 15 individuals for sex trafficking; their sentences ranged from nine months' to 10 years' imprisonment. The U.A.E. government also reported investigating an additional seven trafficking suspects and filing charges against six others for sex trafficking. Nonetheless, criminal law enforcement efforts against trafficking for forced labor remain severely inadequate; despite continuing reports of widespread and prevalent conditions of labor exploitation, the government referred only one recruitment agent for prosecution, but reported no convictions or punishments for such crimes. To improve their capacity and technical skills, the government trained law enforcement officers, prosecutors, and judges on anti-trafficking investigation and prosecution techniques. The government also hired over 200 new labor inspectors, bringing the total to approximately 425 inspectors to enforce labor laws; these inspectors went through three-month training courses in labor law and other key skills in identifying and addressing labor violations, including trafficking-related offenses.

### Protection

During the reporting period, the Government of the U.A.E. made noticeable, but uneven, efforts to protect victims of trafficking. In July, Dubai authorities opened a government shelter for victims of abuse, including victims of trafficking. Between October 2007 and March 2008, this shelter provided rehabilitation services to 28 trafficking victims, four of whom were minors. Government officials and NGOs may refer victims to this shelter.

Although the government trained law enforcement officers on victim sensitivity, the U.A.E. continues to lack a formal and comprehensive procedure to proactively identify victims of trafficking among vulnerable populations, such as foreign women detained and charged for prostitution violations and those arrested for immigration violations. As a result, some victims of trafficking who do not identify themselves to authorities are detained and automatically deported for unlawful acts as a result of being trafficked. Women who formally identify themselves as trafficking victims may access government-

provided temporary housing in hotels, counseling, medical care, and repatriation aid in Dubai. Until the opening of the government shelter, the Dubai government also referred self-identified victims to an NGO-sponsored shelter. Because the U.A.E. does not offer victims long-term legal alternatives to removal to source countries where they may face retribution, however, many victims are reluctant to report being trafficked. Officers in police stations reportedly encourage victims to assist in trafficking investigations, but many victims still fear arrest, deportation, or retribution from their traffickers. Importantly, victims who agree to testify against their traffickers receive incentives that encourage them to stay in the U.A.E. and cooperate, such as shelter and alternative employment pending a trial.

In practice, government authorities continue to interpret the anti-trafficking law to exclude some who have been forced into commercial sexual exploitation or labor. For instance, victims who willingly come to the U.A.E. with the intent of entering into prostitution may be treated as criminals and deported regardless of any victimization that may occur after their arrival. Similarly, the U.A.E. generally does not recognize males forced into labor as trafficking victims, particularly if they are over the age of 18 and entered the country voluntarily. As such, victims of forced labor who run away from their sponsors may be arrested and automatically deported for immigration violations.

### Prevention

The U.A.E. has made impressive efforts to prevent trafficking this year. To address the issue of non-payment of wages, which contributes to the debt bondage of some workers, the Ministry of Labor announced in October 2007 that salaries of foreign workers must be paid through an electronic system that can be monitored; this nascent system is increasing, but is not yet uniform. To support child camel jockeys and prevent re-trafficking, the U.A.E. committed approximately \$8 million to UNICEF to aid repatriated camel jockeys; separately, the U.A.E. signed Memoranda of Understanding with Pakistan, Bangladesh, Sudan, and Mauritania to establish claims facilities to compensate former child camel jockeys for their injuries. The Emirati government provided \$15 million in financial assistance to a global UN conference on trafficking. The government did not make significant efforts to raise public awareness of trafficking issues domestically, such as among Emirati employers of foreign workers. Similarly, the government did not initiate a significant public awareness campaign to reduce the demand for commercial sex acts. Dubai authorities shut down two nightclubs notorious for prostitution of foreign nationals. The government did not institute an awareness program targeted for nationals



traveling to known child sex tourism destinations abroad. The U.A.E. has not yet ratified the 2000 UN TIP Protocol.

## UNITED KINGDOM (Tier 1)

The United Kingdom (U.K.) is a destination and, to a lesser extent, transit country for women, children, and men trafficked for the purposes of commercial sexual exploitation and forced labor. Some victims, including minors from the U.K., are also trafficked within the country. Migrant workers are trafficked to the U.K. for forced labor in agriculture, construction, food processing, domestic servitude, and food service. Source countries for trafficking victims in the U.K. include Lithuania, Russia, Albania, Ukraine, Malaysia, Thailand, the People's Republic of China (P.R.C.), Nigeria, and Ghana. According to some NGO sources, in 2007 there was an increase in women identified as trafficked from both Nigeria and the P.R.C. for the purpose of sexual exploitation. Unaccompanied minors, including girls from the P.R.C., were trafficked for the purpose of sexual exploitation. British police estimate that up to 4,000 trafficked persons, primarily women, are being exploited in the U.K. at any given time. Law enforcement operations increasingly reveal a large percentage of the trafficking problem in the U.K. occurs hidden in residential areas throughout the country.

The Government of the United Kingdom fully complies with the minimum standards for the elimination of trafficking. Over the last year, U.K. authorities continued to launch aggressive anti-trafficking law enforcement efforts to uncover trafficking and identify victims.

**Recommendations for the U.K.:** Adopt and implement formal procedures for identifying victims among vulnerable populations, including unaccompanied minors, women arrested for prostitution and immigration violations, and undocumented migrants; provide systematic and specialized care for child trafficking victims; continue to expand shelter and assistance capacity to meet the needs of all victims found; and establish a mechanism to systematically collect and analyze comprehensive law enforcement data, including data on victims.

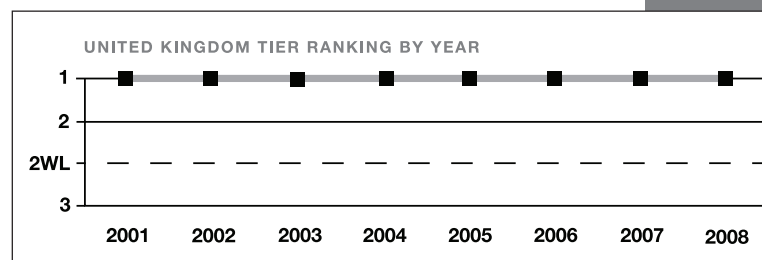
### Prosecution

The U.K. Government continued its proactive law enforcement efforts to combat trafficking though its conviction rate for trafficking offenders decreased significantly during the reporting period. The U.K. prohibits all forms of trafficking through its 2004 Sexual Offenses Act and its 2004 Asylum and Immigration Act, which prescribe penalties of a

maximum of 14 years' imprisonment, although the specific punishments prescribed for sex trafficking are less severe than those prescribed for rape. In 2007, the government launched Pentameter II, a large scale operation aimed at rescuing victims, disrupting trafficking networks, developing intelligence and raising public awareness. In 2007, the government reported it initiated prosecutions involving at least 52 suspected trafficking offenders. Although the government reported 75 ongoing prosecutions during the previous reporting period, it convicted only 10 trafficking offenders in 2007, a significant decrease from 28 convictions obtained in 2006. Sentences imposed on convicted trafficking offenders in 2007 ranged from 20 months' to 10 years' imprisonment, with an average sentence of four years. In January 2008, police arrested 25 members of Romanian organized crime organizations using Romanian children, including a baby less than a year old, as pickpockets and in begging schemes.

### Protection

The government demonstrated sustained efforts, but mixed results in its protection efforts in 2007. U.K. police referred 259 trafficking victims to one service-providing organization for shelter and assistance. The government began piloting a national referral mechanism as part of Pentameter II to improve identification for all potential trafficking victims in the U.K. While it continued to provide care for adult women trafficked for sexual exploitation, not all identified trafficking victims received necessary care and protection. Out of 888 adult women victims referred to its specialized trafficking shelter, only 181 victims were accommodated by the limited-capacity facilities, with an additional 141 assisted on a non-resident basis only. Some of the remaining 566 victims who were not accommodated at the shelter did not meet all of the government's criteria for admission. Victims must be over 18; involved in prostitution within 3 months of referral; willing to cooperate in the prosecution of their traffickers; and must have been trafficked into the U.K. from abroad. Victims who did not meet these criteria were reportedly referred to other social service agencies, NGOs, or to their respective embassies. The government continued to provide significant funding for



its specialized shelter and in 2007 provided an additional \$200,000 to the \$4.8 million grant it awarded in 2006. The government continued to encourage victims to assist in trafficking investigations and prosecutions.

Police rescued a number of children from exploitation during the reporting period; however, NGOs and international organizations continue to express serious concerns regarding the government's ability to protect children from traffickers in the U.K. In a limited 2007 study that revealed 80 reported cases of known or suspected child trafficking to the U.K. in the previous three years, some 60 percent of victims were found to have disappeared from social services centers. Another study conducted by the government in 2007 identified a minimum of 330 individual cases of children trafficked into the U.K. While the U.K. government stipulates that victims are not inappropriately incarcerated, fined or penalized for unlawful acts as a direct result of being trafficked, some victims reportedly were charged and prosecuted for immigration offenses in 2007. One victim who managed to escape from her trafficker during the reporting period was repeatedly imprisoned on immigration violations, according to media sources. The U.K. government did not provide systematic and specialized victim care for adult victims of labor trafficking. The U.K. provides foreign victims with legal alternatives to their removal to countries where they face hardship or retribution. According to NGOs, however, this process continues to be cumbersome and inconsistent for victims seeking such alternatives. By filing asylum, humanitarian protection or extraordinary relief claims on a case-by-case basis, such victims may obtain residency.

### Prevention

The government continued to demonstrate strong leadership to prevent trafficking during the reporting period. In December 2007, it launched a "Blue Blindfold" public awareness campaign in 12 major cities, including posters, a public service TV advertisement and notices on buses in high-risk areas. In 2007, the government finalized a national action plan on trafficking, including projects to reduce demand. The government awarded a grant to one NGO to develop training on child trafficking in 2007 and provided funding for the development of an advice line on child trafficking for front-line care-givers. To combat demand for commercial sex acts, police conducted outreach to "clients" of the sex trade and provided information on how to report possible victims of trafficking, and some localities implemented a "name and shame" program for those vehicles seen trolling such areas. Police and immigration officials distributed brochures about trafficking during the reporting period, including

information on where victims can go for assistance. The Ministry of Defense provided anti-trafficking training to U.K. nationals deployed abroad for international peacekeeping missions in 2007. To combat child sex tourism, the government retained a registry of known pedophiles that required them to report any planned foreign travel before departure. The government sustained cooperation with Interpol in sharing intelligence with other countries in order to intercept known sex offenders; several cases are pending.

## URUGUAY (Tier 2)

Uruguay is a source and transit country for men, women, and children trafficked for purposes of commercial sexual exploitation and forced labor. Most victims are women, girls, and some boys trafficked within the country to border and tourist areas for sexual exploitation. A government agency found that families had facilitated the exploitation of many children in prostitution. Impoverished parents reportedly turned over their children for domestic and agricultural servitude in rural areas. Some Uruguayan women have been trafficked to Spain and Italy for sexual exploitation.

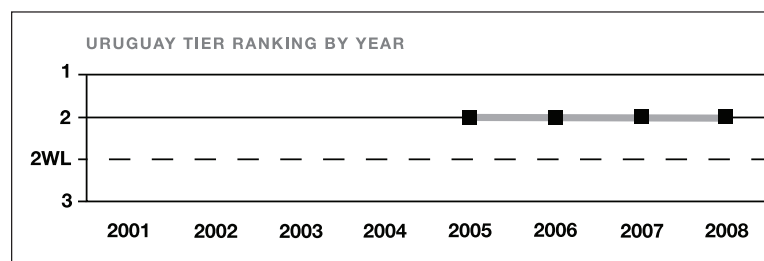
The Government of Uruguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government enacted much-needed anti-trafficking legislation and increased efforts to convict and punish trafficking-related crimes, but its assistance to trafficking victims remained lacking.

**Recommendations for Uruguay:** Continue to increase law enforcement efforts against trafficking offenders; identify locations where suspected trafficking activity takes place, and conduct raids or other operations to rescue victims from such situations; increase victim services and protection efforts; and expand anti-trafficking training for judges and law enforcement personnel across the country.

### Prosecution

The Government of Uruguay increased anti-trafficking law enforcement efforts over the last year. In December 2007, Uruguay enacted an anti-trafficking statute as part of a comprehensive immigration reform package. Article 78 of this new law prohibits all forms of trafficking in persons, and prescribes penalties of four to 16 years' imprisonment, which are sufficiently stringent and exceed penalties prescribed for rape. Uruguayan law also criminalizes trafficking of minors and child pornography, prescribing penalties ranging from six months' to

12 years' imprisonment—penalties which are sufficiently stringent and commensurate with those for other grave crimes. Forced labor is prohibited under Section 1 of Title XI of the Uruguayan penal code, and punishable by six to 12 years' imprisonment, penalties which are sufficiently stringent. During the reporting period, the government secured three criminal convictions for child pornography. The government inspects legal brothels and other locations for the presence of minors. No victim rescues have been reported. The government cooperates with foreign authorities on international trafficking cases. There is no evidence of official complicity with human trafficking.



### Protection

Due to limited resources, the Uruguayan government's efforts to protect trafficking victims remained inadequate during the year. While the government provided some assistance to NGOs working in the area of trafficking, the availability of victim services remained uneven across the country, especially outside the capital. The government does not have a formal system for identifying trafficking victims among vulnerable populations, such as women in prostitution or undocumented migrants. The government encourages but does not force victims to assist in the investigation and prosecution of their traffickers. Victims' rights are generally respected, and there were no reports of victims being jailed, deported, or otherwise penalized. Uruguayan law provides legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. The government assisted IOM with the repatriation of three Uruguayans trafficked abroad last year.

### Prevention

The government modestly improved its efforts to raise public awareness about the dangers of human trafficking, and collaborated with IOM to combat trafficking in tourist and border areas. The Ministry of Education continued to produce anti-trafficking commercials for national television, and maintained its program of including anti-trafficking segments in its sex education curriculum. The government also sponsored two anti-trafficking workshops with participants from the region. Uruguayan troops deployed on international

peacekeeping missions received anti-trafficking training at UN-certified training centers. Last year, there were no reported government efforts to reduce consumer demand for commercial sex acts.

## UZBEKISTAN (Tier 2 Watch List)

Uzbekistan is a source country for women and girls trafficked to the United Arab Emirates (U.A.E.), Kazakhstan, Russia, Thailand, Turkey, India, Israel, Malaysia, South Korea, Japan, and Costa Rica for the purpose of commercial sexual exploitation. Men are trafficked to Kazakhstan and Russia for purposes of forced labor in the construction, cotton, and tobacco industries. Men and women are also trafficked internally for the purposes of domestic servitude, forced labor in the agricultural and construction industries, and for commercial sexual exploitation. Many school-age children are forced to work in the cotton harvest each year.

The Government of Uzbekistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Uzbekistan is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat severe forms of trafficking over the previous year. Specifically, the government did not amend its criminal code to increase penalties for convicted traffickers and did not provide financial or in-kind assistance to NGOs providing assistance to victims during the reporting period. The government also did not take steps to end forced child labor during the annual cotton harvest. However, in March 2008 Uzbekistan adopted ILO Conventions 138 (on minimum age of employment) and 182 (on elimination of the worst forms of child labor) and is working with ILO on implementation. The Government of Uzbekistan also demonstrated its increasing commitment to combat trafficking in March 2008 by adopting a comprehensive anti-trafficking law. The new law establishes a coordination mechanism for government ministries responsible for various anti-trafficking efforts, promises state funding will be used to provide victim protection and assistance, and ensures that victims will not be punished for acts committed as a result of being trafficked.

**Recommendations for Uzbekistan:** Continue to work with ILO and UNICEF on implementation of adopted conventions to reduce the use of child labor in the cotton harvest; provide financial or

in-kind support to the country's two anti-trafficking shelters; increase protection for vulnerable labor migrants; and take steps to improve the collection of law enforcement trafficking data. The government should also implement the new comprehensive anti-trafficking law by: establishing a National Interagency Commission on Combating Trafficking; organizing public awareness campaigns; providing medical and psychological help to victims; and establishing specialized agencies for support and protection of trafficking victims.

### Prosecution

Uzbekistan reported improved law enforcement efforts to combat trafficking; however, many traffickers served no time in prison during the reporting period. Uzbekistan's current laws do not criminalize all forms of trafficking in persons. Some articles of the government's criminal code are used to prosecute sex trafficking cases and some labor trafficking cases, though current laws do not adequately criminalize all forms of forced labor. Penalties prescribed under the trafficking-related statutes of the criminal code range from five to eight years; however, convicted persons who are given sentences of less than 10 years are often amnestied and may not serve time in prison. This practice is commensurate with punishments prescribed for others grave crimes, such as rape. Also, first-time female traffickers are more likely to be amnestied than male traffickers due to Uzbek cultural beliefs. Many trafficking offenders are therefore not adequately punished. In 2007, the police reported 273 trafficking investigations involving 303 suspects, compared with 250 investigations involving 268 suspects reported in 2005, the most recent year available for trafficking data. Authorities prosecuted and convicted 185 suspects for trafficking in 2007, compared to 148 convictions in 2005. As of January 2008, at least 66 traffickers were serving sentences of six months' to three years' imprisonment. There were

272 police officers dedicated to combat trafficking in persons, including 118 that worked exclusively on the issue. Anti-trafficking training was added to the curriculum for young officers at the Ministry of Interior training academy in 2007.

### Protection

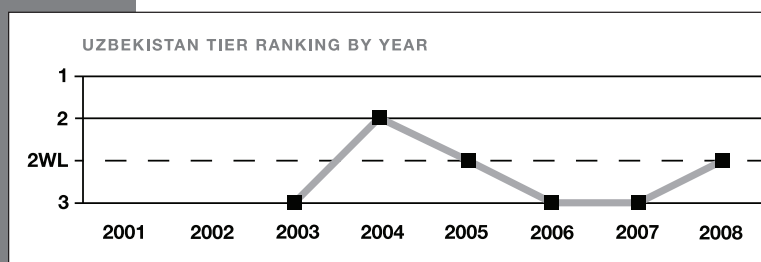
The government demonstrated modest improvement in its victim assistance and protection efforts during the reporting period. NGOs reported growing trafficking awareness and sensitivity towards victims among law enforcement officials. Police, consular officials, and border guards referred women returning from abroad who appeared to be trafficking victims to IOM for assistance. NGOs reported a need for additional victims' shelters in two other regions of the country. The two existing trafficking shelters in Uzbekistan were funded by foreign donors and received no financial or in-kind assistance from the government during the reporting period.

In 2007, NGOs reported assisting 497 victims trafficked for sexual and labor exploitation, compared to 681 reported victims in 2006. While 40 victims assisted law enforcement in trafficking investigations in 2007, many victims remain afraid to provide testimony or information for fear of retribution by their traffickers, and the government provided no victim-witness protection. The new comprehensive anti-trafficking law requires increased protection for victims who are cooperating with investigations. Repatriated victims are asked to sign documentation confessing to their illegal departure from Uzbekistan; however, NGOs reported that identified victims of trafficking were not punished for acts committed as a result of being trafficked.

### Prevention

The government continued its prevention efforts during the reporting period. In 2007, the government provided free office space to an anti-trafficking NGO in Jizzakh. More than 200 Uzbek law enforcement officials in all 12 provinces received anti-trafficking training conducted by NGOs in 2007, increasing awareness about the issue among lower-level officers. The government's inter-agency working group on trafficking met five times in 2007 and drafted comprehensive anti-trafficking legislation, which was adopted by Parliament in March 2008 and signed into law by the President.

In 2007, the government reported that there were 360 anti-trafficking articles printed in newspapers and magazines, police officers participated in 184 radio speeches, and 793 television segments on trafficking were aired throughout the country. Most items in the media addressed trafficking for sexual exploitation, although there was limited coverage of labor trafficking as well. The government gave extra scrutiny to unaccompanied young women traveling to recognized trafficking destination countries. Uzbekistan has not ratified the 2000 UN TIP Protocol.



There were unconfirmed reports of government officials involved in trafficking-related bribery and fraud. In March 2008, a member of the lower house of parliament resigned over sex trafficking allegations.

## VENEZUELA (Tier 2 Watch List)

Venezuela is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Venezuelan women and girls are trafficked within the country for sexual exploitation, lured from poor regions in the nation's interior to urban and tourist areas. Victims are recruited through false job offers, and subsequently forced into prostitution or conditions of labor exploitation. Child prostitution in urban areas and child sex tourism in resort destinations such as Margarita Island appear to be growing. Venezuelan women and girls are trafficked for commercial sexual exploitation to Western Europe and Mexico, in addition to Caribbean destinations such as Trinidad and Tobago, Aruba, and the Dominican Republic. Men, women, and children from Colombia, Peru, Ecuador, Brazil, the Dominican Republic, and the People's Republic of China (P.R.C.) are trafficked to and through Venezuela and may be subjected to commercial sexual exploitation and forced labor.

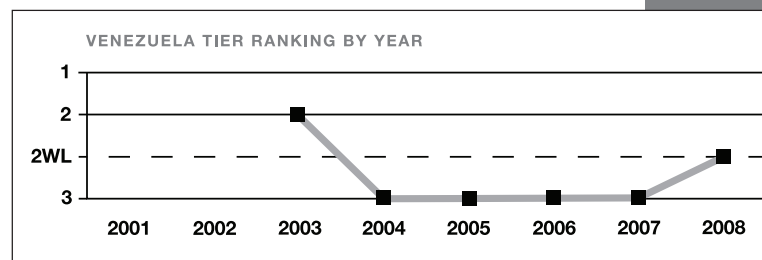
The Government of Venezuela does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the Government of Venezuela showed greater resolve to address trafficking through law enforcement measures and prevention efforts, though stringent punishment of offenders and victim assistance remain lacking. Nevertheless, the Government of Venezuela is placed on Tier 2 Watch List for failing to provide evidence of increasing efforts to protect and assist trafficking victims.

**Recommendations for Venezuela:** amend laws to prohibit and adequately punish all forms of trafficking in persons; intensify efforts to investigate, prosecute, convict, and sentence trafficking offenders; confront trafficking complicity by public officials; provide greater assistance to trafficking victims; and increase training for law enforcement officials.

### Prosecution

The Government of Venezuela made limited, but improved, anti-trafficking law enforcement efforts over the last year. Venezuelan law prohibits most forms of trafficking in persons. In March 2007, the government enacted the Organic Law on the Right of Women to a Violence-Free Life. Article 56 of the new law prohibits the trafficking of women, girls, and adolescents for purposes of sexual exploitation, prostitution, forced labor, or slavery, and prescribes punishments of 15 to 20 years' imprisonment. Articles 46 and 47 of the new law prohibit forced

prostitution and sexual slavery, and carry penalties of 15 to 20 years' imprisonment. This legislation closed a gap in Venezuelan law, in which the internal trafficking of adults was not prohibited. These new anti-trafficking provisions, however, do not address the trafficking of adult males or boys. Article 16 of the Organic Law Against Organized Crime, enacted in 2005, prohibits trafficking across international borders for labor or sexual exploitation, and prescribes penalties ranging from 10 to 18 years imprisonment. Provisions of Venezuela's 2004 Naturalization and Immigration Law criminalize transnational trafficking for labor exploitation, prescribing punishments of four to 10 years imprisonment. The above penalties are sufficiently stringent, and commensurate with those for other grave crimes. The Child Protection Act and various articles of Venezuela's penal code can be used to prosecute internal trafficking of minors, but many of these statutes carry extremely low penalties, mostly fines. Instituting more stringent penalties would improve deterrence of trafficking crimes against children, particularly boys.



During the reporting period, the government opened two criminal investigations against three trafficking suspects in Caracas; these cases are pending. Government officials reported that an additional 12 trafficking-related investigations remain open from previous years. However, the actual number of trafficking investigations is difficult to determine since the government may not be distinguishing between human trafficking and alien smuggling crimes. No convictions or sentences against trafficking offenders are reported. Police indicate that some trafficking victims are reluctant to press charges due to long court delays and fear of reprisals from their traffickers. Additional training for police and prosecutors on victim interviewing, in addition to providing victims with greater government or NGO support during court proceedings, should assist with encouraging victims to confront and prosecute their traffickers. International organizations indicate that the government cooperates with Interpol on some transnational trafficking cases, and has increased screening for potential trafficking situations at airports and border checkpoints after receiving UNHCR-sponsored training last year. The government is investigating an immigration official

for trafficking-related complicity. Corruption among other public officials, particularly related to the issuance of false identity documents, appeared to be widespread.

### Protection

The Venezuelan government's efforts to assist trafficking victims remained inadequate during the reporting period. The government did not operate shelters dedicated for trafficking victims, and relied on NGOs to provide the bulk of victim assistance without government funding. Government-provided psychological and medical examinations were available for trafficking victims, but comprehensive victim services such as counseling, follow-up medical assistance, job training, and reintegration assistance remained lacking. The government operates a national hotline through which it receives trafficking complaints, and refers trafficking victims to NGOs for care. The government reported assisting 22 trafficking victims last year, in addition to collaborating with IOM to repatriate two Venezuelan victims who had been trafficked to Switzerland and Mexico. The lack of a secure witness protection program discouraged some victims from assisting with the investigation and prosecution of their traffickers. According to NGOs, the government does not have a formal mechanism for identifying trafficking victims among prostituted persons in the nation's commercial sex trade. Additional anti-trafficking training for public officials would assist the government's efforts, particularly on identifying minors in prostitution as trafficking victims. There were no reports of victims being jailed or penalized for crimes committed as a result of being trafficked. The government provides some legal protection for the resettlement of foreign victims to third countries if it appears they may face hardship or retribution if returned to their country of origin.

### Prevention

The government acknowledges that human trafficking is a problem in Venezuela, but views the country as principally a transit point. It has not yet recognized its role as a source country for women and children trafficked within the country and internationally for sexual exploitation. Nonetheless, the government increased efforts to reduce demand for commercial sex acts and to raise public awareness about the dangers of human trafficking by airing public service announcements and widely distributing posters and pamphlets against commercial sexual exploitation, forced labor, and child sex tourism, and advertising the government's hotline number. The government also reported shutting down a hotel on Margarita Island which had been advertised in the United Kingdom as a destination for sex tourism. It also sponsored a large number of nationwide anti-trafficking workshops and training programs for police officers and other government officials. The government part-

nered with UNICEF to continue to draft a national anti-trafficking action plan, and collaborated with NGOs and international organizations on other anti-trafficking efforts, but relations with these organizations are reported to be uneven. Moreover, high turnover in official personnel appears to have hampered some of the government's overall anti-trafficking progress. Dedicated personnel would assist the government's efforts, in addition to training on application of Venezuela's different anti-trafficking laws and distinctions between alien smuggling and human trafficking offenses.

## VIETNAM (Tier 2)

Vietnam is primarily a source country for women and children trafficked for commercial sexual exploitation and forced labor. Women and children are trafficked to the People's Republic of China (P.R.C.), Cambodia, Thailand, the Republic of Korea, Malaysia, Taiwan, and Macau for sexual exploitation. Vietnamese women are trafficked to the P.R.C., Taiwan, and the Republic of Korea via fraudulent or misrepresented marriages for commercial exploitation or forced labor. Vietnam is also a source country for men and women who migrate willingly and legally for work in the construction, fishing, or manufacturing sectors in Malaysia, Taiwan, P.R.C., Thailand, and the Middle East but subsequently face conditions of forced labor or debt bondage. Vietnam is a destination country for Cambodian children trafficked to urban centers for forced labor or commercial sexual exploitation. Vietnam has an internal trafficking problem with women and children from rural areas trafficked to urban centers for commercial sexual exploitation and forced labor. Vietnam is increasingly a destination for child sex tourism, with perpetrators from Japan, the Republic of Korea, the P.R.C., Taiwan, the UK, Australia, Europe, and the U.S. In 2007, an Australian NGO uncovered 80 cases of commercial sexual exploitation of children by foreign tourists in the Sapa tourist area of Vietnam alone.

The Government of Vietnam does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government stepped up prosecutions and strengthened cross-border cooperation on sex trafficking with Cambodia, China, and Thailand to rescue victims and arrest traffickers. At the same time, there were some cases in which Vietnamese workers on contracts brokered by recruiters linked to state-licensed companies were exploited and, in its intervention, the government may have focused on upholding its image of Vietnam as an attractive source of guest workers, to the detriment of investigating complaints of trafficking. Vietnam collaborated with law enforcement from Cambodia, the P.R.C, and Laos to rescue victims and arrest traffickers suspected of sex trafficking.

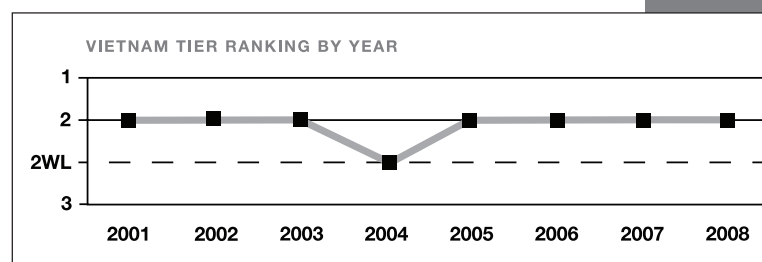
**Recommendations for Vietnam:** Implement Vietnam's 2006 Export Labor Law and Decisions issued in 2007 to apply stringent criminal penalties to those involved in fraudulent labor recruitment or exploitation of labor; take steps in state-affiliated labor contracts to protect Vietnamese migrant workers from being subjected to practices that contribute to forced labor, such as the withholding of travel documents; ensure that state-licensed labor recruitment agencies do not engage in fraud or charge illegal "commissions" for overseas employment; extend proactive procedures to identify victims of labor trafficking among vulnerable groups such as repatriated Vietnamese migrant laborers; take measures to ensure that victims of labor trafficking are not threatened or otherwise punished for protesting or leaving an exploitative labor situation in Vietnam or abroad; and implement and support a visible anti-trafficking awareness campaign directed at clients of the sex trade.

### Prosecution

The Vietnamese government demonstrated increased law enforcement efforts to combat trafficking in persons for sexual exploitation and uneven efforts to combat labor trafficking. Existing laws do not comprehensively cover trafficking in persons; however, various statutes in the Penal Code allow for all forms to be prosecuted. The government's July 2007 Prime Ministerial Directive 16 directed to the Ministry of Justice to propose draft legislation to the National Assembly on a comprehensive new anti-TIP law and broadened the definition of trafficking in Vietnam to include men, not just women and children. The Directive also imposed a level of accountability on all provincial People's Committee chairmen for combating trafficking in persons.

Penalties prescribed for trafficking both for sexual and labor exploitation are sufficiently stringent and those for sexual exploitation are commensurate with those for other grave crimes, such as rape. The majority of traffickers are prosecuted under Articles 119, 120, and 275 of the Penal Code, which deal with trafficking for commercial sexual exploitation. The government did not report any prosecutions or convictions for crimes of labor trafficking such as forced labor or debt bondage. According to Vietnam's National Steering Committee on trafficking in persons, in 2007, police investigated 369 cases of sex trafficking involving 930 women and children victims. Police arrested 606 suspected traffickers and prosecuted 178 cases, obtaining 339 individual convictions of trafficking offenders. Nineteen traffickers were sentenced to 15-20 years in prison. The remaining 320 received convictions with sentencing of less than 15 years. The level of involvement by officials in facilitating trafficking appears to be low. There are occasional reports of border guards taking bribes to look the other way.

In April 2007 in Ho Chi Minh City, police disrupted a Korean trafficking ring that fraudulently recruited Vietnamese for marriages, rescuing 118 women. Three separate traffickers were convicted and sentenced from 6-12 years for trafficking women to Macau to allegedly work as masseuses and then forced them into prostitution. Police from Vietnam and Laos cooperated in rescuing eleven women and breaking up a sex trafficking ring that moved women and girls to Malaysia, the Philippines, and Indonesia. In July, the Ho Chi Minh People's Court convicted six Vietnamese with sentences ranging from 5-12 years for trafficking 126 women to Malaysia under the guise of a matchmaking agency.



### Protection

The Vietnamese government demonstrated growing efforts at protecting victims in 2007, especially for victims of sex trafficking. A number of victim assistance and assessment centers were established in particular border areas. Sex trafficking victims were encouraged to assist in the investigation and prosecution process, as well as file civil suit against sex traffickers. There were no reports of sex trafficking victims being punished or otherwise penalized for acts committed as a direct result of being trafficked. The government still has no formal system of identifying victims of any type of trafficking, but the Vietnam Women's Union (VWU) and international organizations, including IOM and UNICEF, continue training the Border Guard Command and local Vietnamese authorities to identify, process, and treat victims. In 2007, the Government issued Decision No. 17, on receiving and providing assistance to sex trafficking victims returning from abroad.

There were reports in February 2008 of a group of over 200 Vietnamese men and women recruited by Vietnamese state-run labor agencies for work in apparel factories in Jordan, who were allegedly subjected to conditions of fraudulent recruitment, debt bondage, unlawful confiscation of travel documents, confinement, and manipulation of employment terms for the purpose of forced labor at their worksite. These conditions led to a worker strike and, subsequently, altercations among workers and with the Jordanian police. Some reports stated that the workers faced threats of retaliation by Vietnamese government officials and employment

agency representatives if they did not return to work. The Vietnamese government repatriated the group, after labor negotiations with the Taiwanese employer and Jordanian authorities on behalf of the workers. None of the workers who returned to Vietnam has been detained by the Vietnamese government, which has stated that the workers will not be prosecuted criminally, although they could be subject to civil financial penalties from the recruitment firms due to the breaking of their contracts. There were no reported efforts by the Vietnamese government to consider any of the repatriated workers as possible victims of trafficking.

In March 2007, the VWU opened the national “Center for Women and Development” in Hanoi to provide shelter, counseling, financial and vocational support to sex trafficking and domestic violence victims. The Ministry of Labor, Invalids, and Social Affairs (MOLISA) reported that 422 women and child victims of sex trafficking were repatriated. Officials assigned to Taiwan and the Republic of Korea received briefings on assisting Vietnamese brides. Under the Prime Minister’s Decree 69, steps to protect Vietnamese women from sham or trafficked situations as a result of brokered marriages included heightened due diligence in issuing marriage certificates and steps to ensure that the marriage is voluntary. The Vietnam Women’s Union began a program with its counterpart in South Korea to set up pre-marriage counseling centers and hotlines in key source areas of Vietnam.

### Prevention

The Vietnamese government continued to demonstrate progress in efforts to prevent trafficking through public awareness. International organizations and NGOs continued collaboration with the government to provide training and technical assistance to various ministry officials as well as partnering in public awareness campaigns. The VWU and the Vietnam Youth Union conducted events including advertisements, radio and television campaigns as well as targeted events at schools in high-risk areas. The VWU collaborated with its counterpart in the Republic of Korea to conduct awareness campaigns and establish a hotline for Vietnamese brides. It sponsored a television documentary for women planning to marry foreigners that depicted positive and negative outcomes. Vietnam Television occasionally addresses trafficking in a popular home economics program by featuring returnees who discuss their experiences and how to avoid trafficking. In 2007, Vietnam television worked with MTV to broadcast a U.S. Government-funded anti-trafficking documentary and awareness campaign. There were no visible measures undertaken by the government to reduce demand for commercial sex acts. In late 2007, Vietnam established a *child sex tourism* investigative unit within its Ministry of Public Security. Vietnam actively worked with the

USG on a successful prosecution of an American citizen who was a promoter of child sex tourism in Vietnam. A requirement that all tourists staying in hotels register their passports could assist in keeping child sex tourists away from Vietnam; however, many short-stay hotels geared towards prostitution and typically do not require registration. Vietnam has not ratified the 2000 UN TIP Protocol.

## YEMEN (Tier 2)

Yemen is a country of origin for children, mostly boys, trafficked for forced begging, forced unskilled labor, or forced street vending. Yemeni children are trafficked across the northern border into Saudi Arabia or to the Yemeni cities of Aden and Sana’a for forced work, primarily as beggars. Unconfirmed estimates suggest that 10 Yemeni children are trafficked into Saudi Arabia per day, according to the Ministry of Social Affairs and Labor. Some of these children may be sexually exploited in transit or once they arrive in Saudi Arabia. To a lesser extent, Yemen is also a source country for women and girls trafficked internally and possibly to Saudi Arabia for the purpose of commercial sexual exploitation, as well as a possible destination country for women from Ethiopia, Eritrea, Somalia, and the Philippines. Yemeni girls are trafficked within the country for commercial sexual exploitation; one study by ILO-IPEC indicates that girls as young as 15-years-old are exploited for commercial sex in hotels, casinos, and bars in the governorates of Mahweet, Aden, and Taiz. In addition, street children are vulnerable to commercial sexual exploitation.

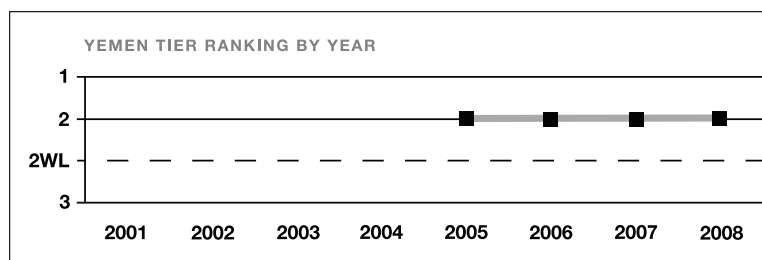
The Government of Yemen does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Yemen opened a shelter for child victims in Sana’a and continued to provide protection and reintegration services to victims repatriated from Saudi Arabia. Nonetheless, Yemen reported fewer trafficking convictions this year, and reported no significant efforts to address trafficking for commercial sexual exploitation.

**Recommendations for Yemen:** Significantly increase prosecutions of trafficking crimes, particularly of repeat trafficking offenders and of crimes that constitute sex trafficking; improve protection services available to victims of trafficking for commercial sexual exploitation; prevent the incarceration of trafficking victims; and institute a formal victim identification mechanism to identify and refer victims to protection services.

### Prosecution

The Government of Yemen did not improve its efforts to punish trafficking crimes over the reporting period. Article 248 of the penal code prescribes a 10-year prison sentence for anyone





who “buys, sells, or gives as a present, or deals in human beings; and anyone who brings into the country or exports from it a human being with the intent of taking advantage of him.” This prescribed penalty is commensurate with that for other grave crimes, such as rape. Article 161 of Yemen’s Child Rights Law specifically criminalizes the prostitution of children. Despite the availability of these statutes, Yemen reported only 14 arrests and six convictions for child labor trafficking; the government did not provide information regarding the sentences assigned to the convicted traffickers. The government did not report law enforcement efforts against trafficking for commercial sexual exploitation. Moreover, despite indications of government officials’ complicity in trafficking, Yemen did not prosecute any officials for such complicity.

### Protection

Yemen made limited progress in protecting victims of trafficking over the last year. In July 2007, the Yemeni government provided 80 female police officers with training on how to deal with trafficked children. It opened a shelter in Sana’a in February to receive trafficked children returning from Saudi Arabia; this shelter has protected 10 boys since its opening. The government also received 622 children in its reception center during the reporting period, providing child victims repatriated from Saudi Arabia with social services, limited medical care, and family reunification services. Nonetheless, the government continues to lack protection services for victims of sex trafficking. The government did not employ procedures for proactively identifying victims of sex trafficking among high-risk groups; as a result, victims, including minors, were arrested and jailed for crimes committed as a result of being trafficked, such as prostitution. The government may encourage child victims to assist in investigations against their traffickers, but does not offer legal alternatives to removal to countries in which they may face hardship or retribution.

### Prevention

Yemen made modest progress in preventing trafficking in persons during the reporting period. The government produced an anti-trafficking public awareness campaign against child labor trafficking. In addition, the Ministry of Human Rights distributed brochures on the threat of child trafficking

in cooperation with UNICEF, and provided logistical support to this project. The government, however, did not take any known measures during the reporting period to reduce the demand for commercial sex acts. The government also did not undertake any public awareness efforts targeting citizens traveling to known child sex tourism destina-

tions abroad. Yemen has not ratified the 2000 UN TIP Protocol.

## ZAMBIA (Tier 2 Watch List)

Zambia is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and sexual exploitation. Child prostitution exists in Zambia’s urban centers, often encouraged or facilitated by relatives or acquaintances of the victim. Many Zambian child laborers, particularly those in the agriculture, domestic service, and fishing sectors, are also victims of human trafficking. Zambian women, lured by false employment or marriage offers, are trafficked to South Africa via Zimbabwe for sexual exploitation, and to Europe via Malawi. Zambia is a transit point for regional trafficking of women and children, particularly from Angola to Namibia for agricultural labor and from the Democratic Republic of the Congo to South Africa. Malawian and Mozambican adults and children are occasionally trafficked to Zambia for forced agricultural labor.

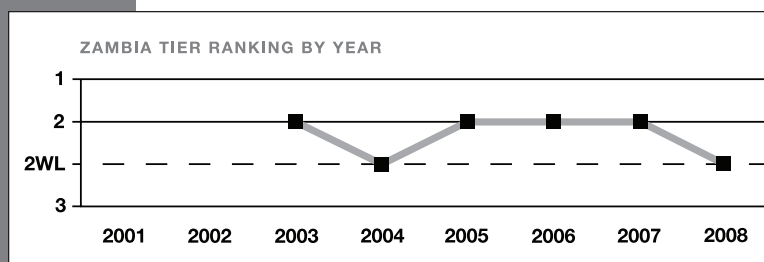
The Government of Zambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Zambia is placed on Tier 2 Watch List due to a failure to provide evidence of increasing efforts to combat severe forms of trafficking over the last year, particularly in regard to its inability to bring alleged traffickers to justice through prosecutions and convictions.

**Recommendations for Zambia:** Pass and enact the draft comprehensive anti-trafficking law; formalize and implement victim identification and referral procedures; and increase anti-human trafficking public awareness, particularly among government officials.

### Prosecution

The Government of Zambia’s anti-trafficking law enforcement efforts failed to achieve concrete results over the reporting period; prosecutions of trafficking crimes were not developed as police and immigration officials remained stymied by the lack of a functional human trafficking statute. Unlike the previous year, there were no new prosecutions or convictions of alleged traffickers in 2007. Zambia

prohibits human trafficking through a 2005 amendment to its penal code, which prescribes penalties of 20 years' to life imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. The statute does not, however, define trafficking or set out the elements of the offense, and has been interpreted thus far as applying narrowly to only the explicit sale of a person. In 2007, the government's interagency committee on trafficking finalized a draft comprehensive anti-trafficking law and national policy before transferring the documents to the Zambian Law Development Commission for review. During the reporting period, police and immigration authorities investigated at least 38 suspected cases of trafficking, the majority of which were detected at border crossings and, thus, were difficult to distinguish from smuggling. Relevant diplomatic missions, particularly the Congolese Embassy, assisted with the investigations. When violations of child labor laws were discovered, labor inspectors resolved these cases through mediation and counseling with the employers and families, rather than pursuing criminal charges against the exploiters.



In the absence of a usable law against human trafficking, the majority of the suspected victims and traffickers were summarily deported to their country of origin. None of the cases investigated during the reporting period resulted in prosecutions. The trial of two men accused of selling an eight-year-old boy in June 2006 continues; the defendants remain in prison pending the outcome. The government seconded two officers, one from the National Police Service and one from the Department of Immigration, to IOM for four months in 2007 to receive training as Master Trainers. These officers then provided anti-trafficking training to 400 police, immigration officials, prosecutors, and judges.

### Protection

The government's efforts to protect victims of trafficking remained extremely limited throughout the year. While there are no formal victim identification or referral procedures in Zambia, government officials informally referred victims of trafficking to IOM, which provided shelter and case management. During the reporting period, police and immigration authorities referred four trafficking victims—two Congolese and two Zambian—to

IOM for assistance. In 2007, the government allocated \$184,000 to the Ministry of Labor and Social Security's Child Labor Unit, a 23 percent increase over its 2006 budget. During 2007, the Ministry's Labor Inspections Unit undertook targeted inspections of child labor in Eastern, Central, and Lusaka Provinces. Some child victims of forced labor were referred to NGOs for assistance or enrolled in school feeding programs. The government encourages victims' assistance in the investigation and prosecution of traffickers. Identified victims were not detained or jailed for unlawful acts committed as a direct result of being trafficked.

### Prevention

While Zambia lacks a comprehensive public awareness campaign on human trafficking, the government sustained efforts to prevent vulnerable children from being trafficked during the reporting period. It continued operation of two youth camps that provided counseling, rehabilitation, and enrolment in schools or vocational training to street children vulnerable to trafficking, including girls removed from prostitution; 210 children graduated from the camps in 2007. Immigration and law enforcement officials at border posts distributed IOM-produced literature on trafficking to local communities and the government-owned radio station broadcast anti-trafficking messages. The government worked with NGOs on an ongoing basis to publicize the dangers of prostitution through radio announcements and the distribution of pamphlets and posters. With the support of ILO/IPEC, the Child Labor Unit formed seven District Child Labor Committees, comprised of traditional chiefs, parents, health workers, and religious leaders to increase awareness of child labor laws and the worst forms of child labor. These committees provided information on exploitative child labor to 8,600 persons during the year. Standardized training in police and military academies includes a module that addresses reducing the demand for commercial sex acts as well as the dangers of commercial sexual exploitation.

## ZIMBABWE (Tier 2 Watch List)

Zimbabwe is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Large scale migration of Zimbabweans to surrounding countries—as they flee a progressively more desperate situation at home—has increased, and NGOs, international organizations, and governments in neighboring countries are reporting an upsurge in these Zimbabweans facing conditions of exploitation, including human trafficking. Rural Zimbabwean men, women, and children are trafficked internally to farms for agricultural labor and domestic servitude and to cities for domestic labor and commercial sexual exploitation. Women

and children are trafficked for domestic labor and sexual exploitation, including in brothels, along both sides of the borders with Botswana, Mozambique, South Africa, and Zambia. Young men and boys are trafficked to South Africa for farm work, often laboring for months in South Africa without pay before “employers” have them arrested and deported as illegal immigrants. Young women and girls are lured to South Africa, the People’s Republic of China, Egypt, the United Kingdom, the United States, and Canada with false employment offers that result in involuntary domestic servitude or commercial sexual exploitation. Men, women, and children from the Democratic Republic of the Congo, Malawi, Mozambique, and Zambia are trafficked through Zimbabwe en route to South Africa. Small numbers of South African girls are trafficked to Zimbabwe for domestic servitude.

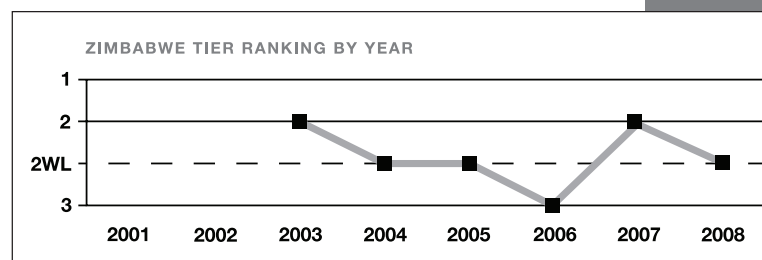
The Government of Zimbabwe does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Zimbabwe is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat severe forms of trafficking over the last year, and because the absolute number of victims of severe forms of trafficking is significantly increasing. The government’s efforts to address trafficking at home somewhat diminished during the reporting period, particularly in regard to law enforcement efforts. In addition, the trafficking situation in the country is worsening as more of the population is made vulnerable by declining socio-economic conditions.

**Recommendations for Zimbabwe:** Increase measures aimed at preventing trafficking; complete investigations of pending cases and prosecute suspected traffickers; advance comprehensive anti-trafficking legislation; and launch a broad awareness raising campaign that educates all levels of government officials, as well as the general public, on the nature of trafficking and the availability of assistance for victims.

### Prosecution

The government’s anti-trafficking law enforcement efforts diminished during the year, particularly in regard to prosecutions and convictions of traffickers. Zimbabwe does not prohibit all forms of trafficking in persons, though existing statutes outlaw forced labor and numerous forms of sexual exploitation. The government reported in 2007 that it was drafting comprehensive trafficking legislation; however, the draft has neither been made available for review nor introduced in Parliament. Unlike the previous year, the government did not prosecute any human traffickers during the reporting period; however, police launched investigations into three new cases of international trafficking involving four victims. None of the investigations or cases reported in 2006 came to completion. While it is not unusual for a detainee

to remain in custody for prolonged periods—in some cases several years—before the case is heard in court, a three-month strike by magistrates, prosecutors, and court staff worsened the backlog of cases awaiting trial. Zimbabwean police made concerted efforts to halt commercial sexual exploitation throughout the country, arresting both individuals in prostitution and their clients; apprehended minors were not detained, but instead were interviewed by the police’s Victim Friendly Unit and referred for counseling. In 2007, Zimbabwe’s Interpol Office’s Human Trafficking Desk, staffed by Zimbabwean police detectives, took part in international trafficking investigations with Interpol offices in Malawi, Mozambique, South Africa, the United Kingdom, and Zambia. The government did not provide specialized anti-trafficking training; however, government officials attended 10 IOM training workshops that focused on trafficking and the recognition of victims.



### Protection

The growing number of illegal migrants deported from South Africa and Botswana, combined with a crippling lack of resources, severely impeded the government’s ability to effectively identify victims of trafficking among returnees. The Department of Immigration required all deportees returning from South Africa via the Beitbridge border crossing to attend an IOM-led briefing on safe migration, which includes a discussion on human trafficking and IOM’s assistance services. The District Council of Beitbridge employs a child protection officer and convenes a child protection committee. During the reporting period, the government allocated land to IOM to establish a second reception center in Plumtree for Zimbabweans deported from Botswana. Although the government has an established process for referring victims to international organizations and NGOs that provide shelter and other services, in 2007 the government primarily depended on these organizations to identify trafficking victims and alert the authorities. Zimbabwe’s Interpol Office, the Department of Immigration, and the Department of Social Welfare coordinated victim assistance with South African authorities in ongoing cases during the reporting period. The government encourages victims to assist in the prosecution of traffickers and offers foreign victims relief from deportation while they receive victim services and their cases are investigated.

### Prevention

The government sustained its previous level of anti-trafficking awareness raising efforts. There is a general lack of understanding about trafficking across government agencies, especially at the local level. However, senior government officials frequently spoke about the dangers of trafficking and illegal migration, and the state-run media printed and aired warnings about false employment scams and exploitative labor conditions. During the year, all four government-controlled radio stations aired an IOM public service announcement eight times each day in five languages during peak

migration periods. In January 2008, the government signed a memorandum of understanding with the South African government for a joint project to regularize the status of illegal Zimbabwean migrant farm workers in South Africa's Limpopo Province and ensure them proper employment conditions. The inter-ministerial anti-trafficking taskforce took no concrete action during the year. Information was unavailable regarding measures adopted by the government to ensure its nationals deployed to peacekeeping missions do not facilitate or engage in human trafficking. Zimbabwe has not ratified the 2000 UN TIP Protocol.

*"As consumers, we need to think about what we buy, where it comes from, and under what conditions it's made. Everyone can make a difference. If we explain to our own kids how children are forced to work as slaves in cocoa plantations, for example, they will press us to buy Fair Trade chocolate."*

—Emma Thompson



She was trafficked into another country  
and sold into prostitution.

**SHE CAN'T  
ASK FOR HELP**

But you can.

Report Human Trafficking: **0800-555-999**

Poverty and a lack of economic opportunities in other countries make people vulnerable to false promises of jobs in South Africa. Many of those who accept these offers find themselves employed in situations where their documents are confiscated, where they are held against their will, where they often suffer violent abuse, where their families are threatened with harm, and where they are bonded by a debt that they have little or no chance of ever repaying. But something can be done - human trafficking can be stopped. For more information visit [www.iom.org.za](http://www.iom.org.za)

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## SPECIAL CASES

### THE BAHAMAS

Limited data suggest a possible labor trafficking problem in The Bahamas. The Bahamas remains a special case for a third consecutive year because the presence of large numbers of undocumented migrants in the country continues to raise concerns that there may be a significant number of trafficking victims in need of assistance. While the government has been pro-active by collaborating with IOM on a draft anti-trafficking bill and engaging in anti-trafficking training efforts, a more effective government response would include enactment of national anti-trafficking laws and greater efforts to protect victims, particularly development of a pre-deportation mechanism to identify possible trafficking victims among undocumented migrants and detainees. Increased anti-trafficking training for government officials also would assist the government's efforts.

**Scope and Magnitude.** The Bahamas may be a destination and transit country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. A large proportion of the country's population consists of undocumented Haitian immigrants, with estimates ranging from 30,000 to 60,000, some of whom may be subjected to conditions of involuntary servitude. Although most of these migrants arrive voluntarily in The Bahamas to work as domestic servants, gardeners, construction workers, and agricultural laborers, many are reported to be exploited by Bahamian employers who can coerce them to work long hours for no pay by withholding documents or threatening arrest and deportation. Past media reports indicate that a limited number of women and girls from Jamaica and other countries may be trafficked to The Bahamas for commercial sexual exploitation.

**Government Efforts.** Official recognition of human trafficking concerns and the need to enact anti-trafficking legislation increased in The Bahamas last year, in addition to awareness of the need to balance vigorous enforcement of immigration laws with protecting undocumented migrants from exploitation. To further advance its anti-trafficking efforts, the government should investigate the potential scope of the problem and continue to work with its legislature to pass a comprehensive law criminalizing all forms of human trafficking, including forced labor and domestic servitude. Under current Bahamian law, Title X of its Statute Law can be used to prosecute traffickers for sexual exploitation offenses. These provisions carry penalties up to eight years' imprisonment, which are sufficiently stringent and commensurate with penalties for other grave crimes, such as rape. Trafficking for forced labor is not prohibited. While The Bahamas has well-developed civil labor laws that guarantee workers a minimum wage, maximum working hours, and

other legal benefits, migrant workers usually do not have access to these protections, which makes them more vulnerable to coercive practices. Current Bahamian law also provides that a legal work permit is issued directly and exclusively to a local employer, who has the ability to cancel the permit and require a migrant to return home – an area of reported abuse and concern about labor trafficking activity. Last year, the government did not investigate or prosecute any trafficking cases.

The government has an interagency group to address trafficking concerns, and has assigned a priority to the passage of anti-trafficking legislation. Overall services for trafficking victims, however, remain extremely limited. The Bahamas operates no specialized trafficking shelters, although domestic violence services could be expanded to cover women and child trafficking victims. NGOs and faith-based organizations working with undocumented migrants have expressed a willingness to assist trafficking victims despite concerns about their security, but the government lacks an effective referral mechanism. The government also has no established mechanism for identifying trafficking victims among vulnerable populations, particularly immigration detainees. The Bahamas has not ratified the 2000 UN TIP Protocol.

### BARBADOS

Barbados remains a special case for a second consecutive year due to a sustained lack of adequate information indicating a significant number of trafficking victims within the country. However, limited reporting continues to suggest the existence of some human trafficking in Barbados. Although reliable data from either the government or international organizations remains lacking, the Government of Barbados has been proactive in prosecuting a few suspected traffickers and making efforts to prevent new incidents of trafficking. A more effective government response would include enactment of national anti-trafficking laws and greater efforts to protect victims, particularly development of a pre-deportation mechanism for identifying trafficking victims among undocumented migrants and detainees.

**Scope and Magnitude.** Anecdotal information suggests that Barbados may be a destination and transit country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Some internal trafficking of children into prostitution may be facilitated by victims' families. Reports indicate that women and girls from Guyana, the Dominican Republic, and other Caribbean islands may be trafficked to Barbados for sexual exploitation in strip clubs and brothels, as well as for domestic servitude. Some migrants, mostly men from China, India, and Guyana, may be subjected to conditions of forced

labor in construction and other sectors. Barbados also may be a sex tourism destination.

**Government Efforts.** While Barbados has no specific law prohibiting human trafficking, existing statutes against sexual offenses and forced labor have been used to prosecute some trafficking-related crimes. In past years, the government initiated prosecutions against a small number of alleged traffickers, although it often deported foreign victim witnesses for immigration violations before they could assist with the government's prosecutions. Many of these cases were later dismissed due to lack of victim testimony. In 2007, regional security forces dismantled a sex trafficking ring destined for Barbados, which involved child victims as young as 13- and 14-years-old from China, Russia, and other Caribbean countries. Regional police officers from the Royal Canadian Mounted Police, along with Barbadian security forces, indicated that the main organizers of the ring were from Barbados and Guyana. No arrests or prosecutions in connection with this case have been reported. In another case, a local court convicted an India-based construction company for trafficking 14 Indian nationals into Barbados in 2005, and fined the company \$1,000. Prosecutors had attempted to secure a heavier punishment, but their case was weakened when the company sent the workers home before they could assist with the government's investigation. Additional anti-trafficking training – especially for law enforcement, immigration, and labor personnel – could assist Barbadian officials to identify victims and to provide support. During the reporting period, the government increased collaboration with NGOs, and took steps to raise public awareness of human trafficking by organizing anti-trafficking public forums and workshops.

Although the number of trafficking victims in Barbados may be limited, victim protection services, specifically targeting trafficking victims, are not readily available; the government relies on NGOs and international organizations to provide the bulk of assistance to trafficking victims. Immigration officials screen undocumented foreigners before deporting them, but do not specifically attempt to identify potential trafficking victims. Victims may be penalized for unlawful acts committed as a direct result of being trafficked. Barbados has not ratified the 2000 UN TIP Protocol.

## BOTSWANA

The existence of a human trafficking problem in Botswana is suspected but cannot currently be corroborated by reliable reporting. Few people in the country accurately understand the concept of human trafficking and neither NGOs nor international organizations are working on the issue. Police, immigration officials, and NGOs are concerned about human trafficking and admit that

conditions exist that could possibly make Botswana a country of transit to South Africa. Botswana has long, porous borders that are difficult to monitor. It also has many residents who are potentially susceptible to trafficking, such as illegal immigrants from Zimbabwe, unemployed men and women, those living in rural poverty, agricultural workers in remote areas, and many children orphaned by HIV/AIDS. To combat trafficking effectively, the government should consider drafting and enacting laws that prohibit all forms of human trafficking, and launch a public awareness campaign to educate all Botswana – particularly women, children, and traditional leaders – on the nature and dangers of human trafficking.

**Scope and Magnitude.** Botswana may be a source, transit, and destination country for men, women, and children trafficked for forced labor and sexual exploitation. One local NGO received reports from Botswana women that they were forced to provide sexual services to tourists at some safari lodges; however, no complaints have been lodged with law enforcement officials. Parents in marginalized rural communities give their children to better-off families for employment as domestics in towns or herders at remote cattle posts, where these children are vulnerable to abuse, including sexual exploitation. Children engaged to work as domestics are typically promised schooling, but rarely receive it and often work long hours without compensation. Many Botswana households employ Zimbabwean women as domestic workers, often without proper work permits or the adequate payment of wages. The passports of these workers are often held by the employer on the pretext of obtaining legal documents or to avoid being robbed, creating the potential for coercion and abuse of the legal system that can lead to trafficking. Isolated cases of debt bondage have been reported, as well as the trafficking of Zimbabwean nurses and teachers into domestic labor and cattle herding in Botswana.

**Government Efforts.** Botswana does not have a law specifically prohibiting trafficking in persons, and some NGOs believe that local police do not pursue possible trafficking cases because there is no specific law against the crime. Existing Penal Code provisions against abduction, kidnapping, slave trading, forced labor, and procuring persons for the purpose of prostitution could be used to prosecute trafficking cases. No government agency has been given the official lead on human trafficking issues. The Department of Labor, through its local district offices, is responsible for conducting inspections, but monitoring for exploitative child labor is virtually nonexistent. There were no prosecutions, convictions, or fines for human trafficking or the use of exploitative child labor in 2007. In February 2008, the government approved a national plan for action for the elimination of child labor. The

government encourages and funds training of law enforcement and immigration personnel in anti-trafficking methods and procedures at regional institutes such as the International Law Enforcement Academy.

As no victims of trafficking have yet been officially identified, law enforcement and social services personnel have not established formal trafficking victim identification procedures, or procedures for referring victims to NGOs for the provision of protective services. However, the government regularly provides funding and other support to a wide range of NGO programs that service the needs of individuals who are most vulnerable to trafficking, especially women and children. While the government has not conducted a trafficking-specific education or awareness campaign, it held workshops, seminars, and awareness campaigns on exploitative child labor and hosted the Migration Dialogue for Southern Africa's workshop on "Human Trafficking and Legislative Responses in Southern Africa" in 2007.

## BRUNEI

Brunei remains listed as a "special case" for a third consecutive year because the lack of reliable data makes it unclear whether there is a significant number of victims in the country. The presence of large numbers of legal migrant laborers in the country presents the possibility that some may face conditions of involuntary servitude. Coupled with reported predominant use of labor mediation rather than criminal prosecution in cases of severe labor exploitation, this raises concerns that there may be a trafficking problem in Brunei.

**Scope and Magnitude.** Brunei is a destination country for men and women who migrate legally from Indonesia, Malaysia, the Philippines, Bangladesh, the People's Republic of China (P.R.C.), and Thailand for domestic or low-skilled labor. A small but unknown number may be subjected to conditions of involuntary servitude after arrival. There were isolated instances of women forced into prostitution in Brunei. In part due to its small size, Brunei has a small trafficking challenge.

**Government Efforts.** The Government of Brunei vigorously enforces immigration and labor codes. The government demonstrated some efforts to combat trafficking in persons; however, it often relied on administrative rather than criminal penalties. The Government of Brunei prohibits sex and labor trafficking in its Trafficking and Smuggling in Persons Order of 2004; however, there have never been any prosecutions under this order. Labor cases, involving allegations such as contract switching and non-payment of salaries, are usually tried under the Labor Act. The 2004 Trafficking

and Smuggling Order prescribes sentences of up to 30 years' imprisonment for acts of sex trafficking, which is sufficiently stringent. The Labor Act prescribes penalties for labor trafficking of up to three years' imprisonment, which is not sufficiently stringent. In December 2007, Brunei joined the ILO and initiated a review of its labor laws to bring them fully in compliance with ILO standards as part of its plan to ratify ILO Convention 182 on the Worst Forms of Child Labor.

In 2007, Brunei police investigated and made arrests in 10 cases involving foreign women in prostitution. The women were from Thailand, Indonesia, the Philippines, and P.R.C. and had entered the country as tourists. Police investigations indicated that the women had been identified as possible "prostitutes" by their home country law enforcement agencies. In one case, two women asserted that they were trafficked by their handlers. The women were provided shelter by their embassy, but declined to cooperate with the police investigation and were repatriated. In October 2007, two Thai nationals were arrested for living in part on the earnings of prostitution (pimping) from three Thai nationals who were possible trafficking victims and were sheltered at a government facility as the police investigated the case. Due to insufficient evidence of trafficking, and lack of cooperation of the victims, the suspected pimps were prosecuted under other criminal statutes.

The Department of Labor (DOL) regularly investigates labor-related cases involving job switching, salary deductions for recruitment fees, salary based on false promises, and high recruitment fees paid by the prospective employee. Some of these may involve trafficking. The government can prosecute employers for contract switching even if the contractual terms were changed with the consent or knowledge of the migrant worker. In 2007, DOL recorded 26 complaints by domestics and 108 complaints by garment workers against employers who failed to pay salaries. Sixteen of the complaints by domestic workers and 60 of the complaints by garment workers were resolved, largely by employer compensation payments. Eighteen complainants withdrew their claims, while the remaining cases were still under investigation. It is unknown how many of these cases involved trafficking.

Brunei continued efforts to protect trafficking victims. It provided shelter to three potential Thai trafficking victims at a government shelter facility. The victims subsequently requested repatriation which was funded by the Immigration Department. The trafficking law created a government-financed fund which can be used to cover the cost of repatriation. While there are no foreign NGOs or international organizations in Brunei to provide victim support, the embassies of several source countries provide shelter,

mediation, and immigration support services to their nationals. Brunei has no formalized, national system for identifying victims of trafficking, although individual law enforcement and social services agencies do have officers trained at victim identification. The government encourages victims to assist in investigations as witnesses and will permit them to obtain other employment pending trial proceedings. One foreign embassy reported that the Brunei government has provided shelter and repatriation assistance to its nationals who have fled to Brunei from neighboring areas of Malaysia to escape abusive labor conditions or commercial sexual exploitation.

The Government of Brunei has not conducted public awareness campaign programs on trafficking, although it did conduct training for law enforcement officials on victim recognition. Police, prosecutors, immigration officers, and officials from the Department of Community Development participate in training to improve their skills in identifying victims, conducting interviews, and providing counseling. Law enforcement officials participate in several regional training programs on trafficking. Brunei has not ratified the 2000 UN TIP Protocol.

## HAITI

Haiti has been in political transition since widespread violence and political instability led to the resignation of former President Jean-Bertrand Aristide in 2004. Since the release of the 2007 Report, the government continued to struggle to provide basic services and security for citizens, and to control rampant crime in its capital, Port-au-Prince. In April 2008, the government's prime minister was forced to resign during violent food riots across the country. Haiti remains the least developed nation in the Western Hemisphere, and is one of the poorest countries in the world, with an average per capita income of less than \$500 per year, and an unemployment rate of nearly 60 percent. The UN Stabilization Mission in Haiti currently has more than 6,500 troops and 1,600 UN police on the ground to reduce gang violence and kidnappings. Due to the absence of effective government institutions and a well-trained and equipped national police force, Haiti has been addressing its significant human trafficking challenges. Haiti remains a special case for a third consecutive year in recognition of its transitional status. However, the U.S. Government strongly urges the Government of Haiti to take immediate action to address its serious trafficking in persons concerns. The following background and recommendations are provided to guide government officials.

**Scope and Magnitude.** Haiti is a source, transit, and destination country for men, women, and children trafficked for purposes of forced labor and commercial sexual exploitation. The majority of trafficking in Haiti stems from poor rural families giving

custody of their children to more affluent opportunities. The practice of trafficking such children, who are called *restaveks*, is widespread and often involves sexual exploitation, physical abuse, and domestic servitude, a severe form of trafficking in persons. While difficult to gauge, the Government of Haiti and UNICEF estimate the number of *restaveks* to range between 90,000 and 300,000. Haitian girls between the ages of six and 14 tend to be placed in urban households, and boys are trafficked into agricultural servitude. Some children are recruited or coerced into joining violent criminal gangs as fighters or thieves. Other Haitian children are sent to the Dominican Republic, where they live in miserable conditions. Dominican women and girls reportedly are trafficked into Haiti for commercial sexual exploitation, some to Haitian brothels serving UN peacekeepers. Haitians also commonly migrate to the Dominican Republic, the Bahamas, the United States, and other Caribbean nations, where after arrival, they reportedly may be subjected to conditions of forced labor on sugar-cane plantations, and in agriculture and construction.

**Government Efforts.** Haitian officials recognize that human trafficking is a serious problem in the country, including the exploitation of *restavek* children as domestic servants. The government should make every effort to enact comprehensive legislation to define and criminalize all forms of human trafficking, including forced labor and domestic servitude. With assistance from IOM, the Pan-American Development Foundation, and the OAS, the government drafted an anti-trafficking bill, which has been submitted to parliament in early March 2008. Under existing law, Haiti does not prohibit trafficking in persons, although other criminal statutes penalizing slavery, kidnapping, and violence against women could be used to prosecute some trafficking crimes until anti-trafficking legislation is passed. As a policy matter, the government's police child protection unit, the Brigade for the Protection of Minors (BPM), does not pursue *restavek* trafficking cases because there is no statutory penalty against the practice. Fighting trafficking in persons effectively depends, in part, on continuing Haitian and international efforts to build a functional national police force. In conjunction with passage of the draft anti-trafficking bill now before parliament, police and prosecutors will need more specialized anti-trafficking training. The government should take steps now to prepare for implementation of the new law and to assist victims. The government also should continue to work with NGOs and social-welfare agencies to improve its ability to identify, refer, and provide services to *restaveks* and other Haitian children exploited as domestic servants. During the reporting period, the government renovated a children's shelter outside of Port-au-Prince with international assistance. Shelter services for adult trafficking victims, however, do not exist. Increased anti-traf-



ficking training for judges, police, and prosecutors would assist the government's efforts, in addition to working with the Dominican Republic to improve security and aid trafficking victims in border areas. Haiti has not ratified the 2000 UN TIP Protocol.

## IRAQ

Iraq remained in political transition for a sixth consecutive year and therefore is not ranked in this Report. The U.S. Government anticipates that the Government of Iraq's efforts to combat trafficking in persons in Iraq can be assessed in next year's Report.

**Scope and Magnitude** Iraq is a source and destination country for men and women trafficked for commercial sexual exploitation and involuntary servitude. Iraqi children are trafficked within the country and abroad for commercial sexual exploitation; criminal gangs may have targeted young boys, and staff of private orphanages may have trafficked young girls for forced prostitution. Iraqi women are trafficked within Iraq, as well as to Syria, Jordan, Kuwait, Qatar, United Arab Emirates, Turkey, and Iran for the purpose of commercial sexual exploitation. Iraq is also a destination for men and women trafficked from Georgia, India, Pakistan, Indonesia, Nepal, Philippines, and Sri Lanka for involuntary servitude as construction workers, cleaners, and handymen. Women from the Philippines and Indonesia are trafficked into the Kurdish territory for involuntary servitude as domestic servants. Some of these workers are offered fraudulent jobs in Kuwait or Jordan, but are then tricked or forced into involuntary servitude in Iraq instead; others go to Iraq voluntarily, but are still subjected to conditions of involuntary servitude after arrival. Although the governments of India, Pakistan, Sri Lanka, Thailand, and the Philippines have official bans prohibiting their nationals from working in Iraq, workers from these countries are coerced into positions in Iraq with threats of abandonment in Kuwait or Jordan, starvation, or force.

Iraq did not take any meaningful action to address trafficking in persons over the reporting period. Although it has a functioning judiciary, the government neither prosecuted any trafficking cases this year nor convicted any traffickers. Furthermore, the government offers no protection services to victims of trafficking, reported no efforts to prevent trafficking in persons, and does not acknowledge trafficking to be a problem in the country.

**Recommendations for Iraq:** Significantly increase criminal investigations of internal and transnational trafficking for both commercial sexual exploitation and involuntary servitude. The government should also provide victims of trafficking with protection services, and should ensure that they are

not detained, punished, or treated as criminals for acts committed as a result of being trafficked.

**Government Efforts** The Government of Iraq does not prohibit all forms of trafficking, but criminalizes the trafficking of children for commercial sexual exploitation through Article 399 of its penal code. This statute prescribes penalties of up to 10 years' imprisonment, which are sufficiently stringent to deter, but are not commensurate with those prescribed for other grave crimes, such as rape. It is particularly important that Iraq adopt legislative reforms that criminalize all forms of trafficking, train its law enforcement and judicial officers; take measures to curb the complicity of public officials in the trafficking of Iraqi women, begin prosecuting trafficking offenses under existing statutes, and sentence those convicted to sufficiently stringent prison terms.

The Iraqi government did not provide any protection services to victims of trafficking during the reporting period. The government did not operate shelters for trafficking victims, nor offer legal, medical, nor psychological services. Iraq continued to lack formal procedures to identify victims of trafficking among vulnerable groups, such as women arrested for prostitution. As a result, trafficking victims were sometimes jailed for unlawful acts committed as a result of being trafficked. The government provided no assistance to Iraqi victims repatriated from abroad, and some were criminally punished; for example, some victims who were trafficked abroad using false documents were arrested and prosecuted upon their return to Iraq. Iraq neither encouraged victims to assist in investigations against their traffickers, nor offered foreign victims legal alternatives to removal to countries in which they may face hardship or retribution.

The Government of Iraq did not take measures to prevent trafficking in persons this reporting period, despite reports of a growing trafficking problem among women and foreign nationals in the country for labor. The government does not sponsor any anti-trafficking campaigns, and did not monitor immigration and emigration patterns for evidence of trafficking. Iraq has not ratified the 2000 UN TIP Protocol.

## KIRIBATI

Kiribati remains a special case for a second consecutive year, as information suggests there is a small-scale trafficking in persons problem in Kiribati; however, reliable statistical data from either the government or civil society remains lacking.

**Scope and Magnitude.** During the last year, international organizations and NGOs expressed concerns that internal trafficking of underage girls

for the purpose of commercial sexual exploitation by crews of foreign and local fishing vessels takes place occasionally in Kiribati. It is reported that approximately 17 girls were involved in commercial sexual exploitation in South Tarawa and Christmas Island. There is anecdotal evidence that a few third parties, sometimes including family members, facilitated commercial sexual exploitation of minors. Crews from Taiwanese and South Korean fishing vessels reportedly exploited underage girls on board for commercial sexual exploitation.

**Government Efforts.** The Government of Kiribati made limited efforts to combat human trafficking during the reporting period. Kiribati's 2005 comprehensive legislation criminalizes all forms of trafficking, and trafficking in children in particular, making these offenses for which it prescribes punishments of 14 to 20 years' imprisonment. The 2005 law also provides protection and rights for victims of trafficking. An inter-agency transnational crime task force made up of law enforcement officials from police, Attorney General's office, and the immigration, customs, and finance ministries meets monthly and includes trafficking in persons as one of its responsibilities. The Government of Kiribati did not prosecute any cases against human trafficking offenses during the reporting period.

The Government of Kiribati has a limited capacity to protect victims of trafficking and relies on civil society and international organizations to provide most victim services. The government's law enforcement and social services personnel do not have a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact; they identified no victims during the reporting period. Kiribati has not developed or implemented a referral process to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provide short or long-term care. Kiribati does not have victim care facilities that are accessible to trafficking victims. The government does not have any formal arrangements or mechanisms in place to provide trafficking victims with access to legal, medical, or psychological services. Government officials acknowledged in its Report to the Committee on the Rights of the Child that commercial exploitation of children continues to be a problem in Kiribati.

Kiribati government officials are involved in an active outreach and education program on commercial sexual exploitation of children, led and funded by UNICEF. The government did not provide any specialized training for government or law enforcement officials on how to recognize, investigate, and prosecute instances of trafficking. However, the government participated in awareness-raising activities, in conjunction with NGOs, on commercial sexual exploitation of children during the reporting

period. The Government of Kiribati took no action to reduce the demand for commercial sex acts during the reporting period.

## KOSOVO

Kosovo is a special case for the 2008 Report because it did not have an effective national government for most of the reporting period. The Kosovo Assembly declared Kosovo to be an independent state on February 17, 2008. Prior to that date and since 1999, Kosovo had been administered by the United Nations Interim Administrative Mission (UNMIK) in Kosovo.

**Scope and Magnitude:** Kosovo is a source, transit, and destination country for women and children trafficked transnationally and within the borders of Kosovo for the purpose of commercial sexual exploitation. There are reports from Kosovo of children being forced to beg, possibly by parents, raising concerns about possible trafficking. Kosovo government statistics indicate that most Kosovar victims are children, while most foreign victims are young women from Eastern Europe. Some victims transit Kosovo en route to Macedonia, Italy, and Albania. Traffickers shifted the commercial sex trade into private homes and escort services to avoid detection, a result of increased law enforcement checks on bars and restaurants.

**Recommendations for Kosovo:** Vigorously investigate and prosecute sex and labor trafficking offenders, as well as public officials complicit in trafficking; sustain efforts to ensure that convicted traffickers receive adequate punishments; provide trafficking-specific training for prosecutors; ensure adequate victim protection and that victims are not inappropriately penalized for unlawful acts committed as a result of being trafficked; and continue trafficking prevention activities, including efforts to reduce the demand for commercial sexual exploitation.

**Government Efforts:** Kosovo criminally prohibits sex and labor trafficking through its Provisional Criminal Code of Kosovo, which came into effect in 2004 and prescribes penalties for human trafficking that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In the first quarter of 2008 the Kosovo Police Service (KPS) closed 27 suspected brothels, compared to six closed in the same period in 2007, due to suspected trafficking. In 2007, there were 31 prosecutions and 24 convictions of sex traffickers in Kosovo. Twenty-two of those convicted received prison sentences ranging from one year to 20 years' in prison. One convict was fined and another was paroled. There were no reported investigations or prosecutions of labor trafficking. The government provided training on recognizing and investigating trafficking for police officers and border police,

although it acknowledges a lack of awareness of available anti-trafficking tools and legislation among some prosecutors. While there were reports of some officials' involvement in trafficking, particularly in the area of employment contract registration, there were no reported prosecutions or convictions of any such officials.

The Kosovo government, UNMIK, international organizations, and NGOs together developed standard operating procedures governing protection and assistance for trafficking victims. The government reported assisting 33 victims of trafficking in 2007, 14 of whom had been trafficked within Kosovo. The government partially funds one shelter and an assisted living project specifically for child trafficking victims. Domestic and foreign victims received protection and access to medical and psychological services through the government-run and funded shelter and IOM, as well as through NGOs offering additional shelters and services to victims. During the last year, the Ministry of Justice did not renew funding for additional NGOs it had funded in previous years. The government was able to provide 24-hour protection of limited duration to victims and allows victims to give anonymous testimony, but witness intimidation remained a serious problem in Kosovo. While regulations protect victims from being charged with unlawful acts committed as a result of being trafficked, there is anecdotal evidence that victims may have nonetheless been jailed or automatically deported for prostitution offenses. Victims of trafficking have legal alternatives to removal to countries where they face hardship or retribution through the granting of refugee status and approval of residency permits. The government reports that victims are not pressured to assist in investigation and prosecution of traffickers.

Most anti-trafficking awareness campaigns were run by international organizations and NGOs with the government's support. IOM and the Ministry of Justice sponsored anti-trafficking hotlines. In July 2007, the Prime Minister approved an initiative declaring October to be national trafficking awareness month. Officials participated in several roundtables and panel discussions on human trafficking, and the Ministry of Education, Science and Technology took part in a regional project to help parents prevent children from becoming trafficking victims. The Prime Minister's Advisory Office for Good Governance coordinates communication among counter-trafficking entities in Kosovo, including the relevant ministries, NGOs and international organizations. The national action plan expired in December 2006 with several goals unfulfilled. Kosovo's mayors are leading a campaign to address the illegal sex trade.

## LESOTHO

Limited available data suggests the existence of a significant trafficking in persons problem in Lesotho, although this remains unsubstantiated. Lesotho remains a special case for a third consecutive year, due to the lack of reliable statistical information—from either the government or international organizations—regarding trafficking incidents to date. To combat trafficking, the government should consider drafting and enacting laws to prohibit all forms of human trafficking, as well as launching a public awareness campaign to educate all Basotho, but particularly women, children, and traditional leaders, on the nature and dangers of irregular migration and trafficking in persons.

**Scope and Magnitude.** Anecdotal but uncorroborated reports indicate that Lesotho may be a source and transit country for small numbers of women and children trafficked for forced labor and commercial sexual exploitation. Trafficking within Lesotho does not appear to be organized by rings or criminal syndicates, and some anecdotal information suggests trafficking may be practiced with the sanction of a victim's family, especially in the case of children. Basotho boys may be internally trafficked for use in cattle herding and street vending, while girls may be trafficked for cattle herding, domestic servitude, or commercial sexual exploitation. There are unconfirmed reports that young men or groups of women in some towns operate as pimps, exploiting underage girls in return for food and other basic needs. After migrating to neighboring South Africa in search of work, some vulnerable Basotho women and girls may become victims of trafficking for domestic labor or commercial sexual exploitation. There is also anecdotal evidence to suggest that, to avoid South African immigration controls, Lesotho is a transit point for the smuggling of South and East Asians into South Africa; some of these individuals may be victims of human trafficking. During the reporting period, an Ethiopian domestic claiming abuse by her Ethiopian employer was discovered in Maseru; it is likely that this woman is a victim of human trafficking.

**Government Efforts.** The absence of a law criminalizing trafficking hinders the government's ability to address the problem. The government has not yet passed or enacted the Child Protection and Welfare Bill drafted in 2005, which includes a provision prohibiting trafficking of children under the age of 18. Existing statutes prohibiting abduction, kidnapping, and the procurement of women and girls for prostitution could be used to prosecute trafficking, but do not sufficiently address all forms of trafficking and were not used during the reporting period. After receiving a report of a potential Ethiopian trafficking victim in Maseru, the Lesotho Mounted Police Service opened an investigation into the case

in January 2008. In the absence of a specific law defining trafficking as a criminal offense, the police charged the employers as well as the potential victim with violation of the Aliens Control Act and the Labor Law; the facts of the case are still being established in Lesotho's courts. Police and immigration authorities screen foreign migrants for indications of potential smuggling, kidnapping, and fraudulent documentation, but have received no training that would allow for the accurate identification of trafficking victims. Monitoring of Lesotho's borders is inadequate; criminal elements often take advantage of the porous borders to carry out illegal activities.

Government officials have a limited understanding of human trafficking and are generally unaware of how to recognize victims; as such, they do not provide specific assistance to them. The Ministry of Home Affairs and the police's Child and Gender Protection Unit cooperate with the local UNICEF and UNESCO offices to address reports of children in prostitution. UNESCO and representatives of several government ministries and local NGOs established an inter-ministerial human trafficking committee in 2006 to conduct research into and create awareness of human trafficking in the country; this committee does not include all relevant stakeholders and has proven ineffective to date. The government's ongoing incremental implementation of tuition-free primary level education is expanding school enrollment and attendance, which reduces the opportunities for child trafficking. The government did not, however, take efforts to address demand for commercial sex acts during the year.

## NAMIBIA

The existence of a significant human trafficking problem in Namibia is suspected, but remains unsubstantiated by sufficient reliable reporting. The Ministry of Labor and Social Welfare's commissioning of a study on child labor demonstrates the government's increasing awareness of and interest in the issue which, until recently, was not believed to be a problem in the country. To improve the effectiveness of its fight against human trafficking, the Government of Namibia should consider two initial steps: develop a baseline understanding of the problem, which could include reviewing existing reports and engaging stakeholders; and designate a focal point within the government to coordinate dialogue and action by relevant government entities. As further information is developed, public awareness raising and training of relevant law enforcement and social services officials could facilitate the identification and assistance of victims, and help determine the extent of the problem.

**Scope and Magnitude.** Limited reporting suggests that Namibia may be a source and destination

country for trafficked children; however, the magnitude of this problem is unknown. It is suspected that the largest percentage of trafficking victims are children engaged in prostitution. There is evidence that small numbers of Namibian children are trafficked within the country for domestic servitude, as well as forced agricultural labor, cattle herding, and possibly vending. There have been a few reported cases of Zambian and Angolan children trafficked to Namibia for domestic servitude, agricultural labor, and livestock herding. Namibia's high HIV/AIDS prevalence rate has increased the number of orphans and other vulnerable children at risk of exploitation and trafficking.

**Government Efforts.** The Prevention of Organized Crime Act of 2004 specifically criminalizes trafficking in persons and prescribes up to 50 years' imprisonment or fines of up to \$140,000 for those convicted. This act, however, cannot be implemented until the government completes its ongoing process of drafting and announcing implementing regulations. Namibia's Labor Act of 2007 prohibits forced labor and provides for imprisonment of up to four years. Existing laws also prohibit child labor, child prostitution, pimping, and kidnapping, which could be used to prosecute trafficking cases. The government, however, has never prosecuted a case of human trafficking. The Police's Serious Crime Unit is tasked with monitoring and investigating possible instances of human trafficking, but did not investigate any such cases during the reporting period. In 2007, 19 Filipino workers at a local garment factory filed a complaint in the labor courts alleging their employer confiscated their passports, confined them to the premises, and forced them to accept sub-par working conditions. The labor inspectorate began investigating the allegations and a labor court ordered that the workers not be deported before finalization of the complaint. Through the Women and Child Protection Unit within the police, the government provided specialized training in providing services to victims of sexual abuse for 102 police officers and 25 Ministry of Health social workers during the reporting period.

NGOs and other civil society entities provided shelter facilities to which government authorities referred victims of crime. The Namibian Police's Women and Child Protection Unit also implemented a referral agreement with a local NGO that offered counseling to victims of trauma. The government has a policy framework to assist internally trafficked persons, but the system has never been practically tested. The Namibian legal system provides protection to victims who wish to testify against their abusers and a comprehensive asylum policy under which trafficking victims could seek relief from deportation to countries where they faced retribution or hardship.

No government agency leads Namibia's efforts to combat trafficking, though the Ministry of Labor is engaged in programming to combat the worst forms of child labor. The ministry partners with the Namibia Agricultural Union and the Namibia Farm Workers' Union to conduct awareness campaigns against child labor. Labor inspectors are trained to identify the worst forms of child labor and process cases. In January 2008, the government hosted a national conference on child labor, a significant portion of which focused on the issue of child trafficking in the country. A national child labor action plan was ratified at this conference. The Ministry of Gender Equality and Child Welfare and the Ministry of Health and Social Services operate welfare programs for orphans and vulnerable children by providing grants and scholarships to keep them in school and referrals to foster homes.

## PALAU

Limited data suggests the existence of a trafficking problem in Palau involving foreign women trafficked for commercial sexual exploitation and male and female migrant workers who may face involuntary servitude upon arrival in Palau. Palau is included as a Special Case due to the lack of reliable statistical information – from either the government or international organizations – regarding trafficking incidents to date. In part due to its small population, Palau's trafficking problem may be of small scale. However, there are indications that there is a trafficking problem.

**Scope and Magnitude.** Foreign women from the Philippines and the People's Republic of China (P.R.C.) reportedly were trafficked to Palau for the purpose of commercial sexual exploitation in karaoke bars. Several Filipinas were recruited to work as waitresses in Palau, but were trafficked into commercial sexual exploitation. Men and women from the Philippines, P.R.C., and Bangladesh migrate willingly to Palau to work as domestics, in agriculture, or in construction, but after arrival many face conditions of involuntary servitude. Some foreign workers, particularly domestics and unskilled laborers, were forced to accept jobs different from those for which they were recruited. Employers sometimes verbally threatened or withheld passports and return tickets of foreign workers desiring to change jobs. Non-citizens are officially excluded from the minimum wage law, making them vulnerable to involuntary servitude.

**Government Efforts.** The Government of Palau prohibits trafficking in persons, with penalties ranging from ten to 50 years' imprisonment and fines of up to \$500,000. Palau also has laws against slavery, fraud, and prostitution. In May 2007, a Chinese couple, two Filipinas and a Palauan businesswoman were convicted of trafficking for the purpose of

commercial sexual exploitation. This was Palau's first use of the 2005 anti-trafficking legislation. The group operated a restaurant/karaoke bar and employed 15 Filipinas and nine Chinese waitresses who were forced into commercial sexual exploitation and subjected to food deprivation, confinement, and illegal salary deductions. The Chinese couple was sentenced to 20 years' imprisonment, fined \$50,000, and ordered to pay \$18,000 in restitution and airfare to repatriate the victims. One Filipina was sentenced to three years in prison and fined \$5,000; the other was sentenced to one year in prison and fined \$5,000. All are subject to deportation after serving a third of their terms and paying all fines. The Palauan businesswoman, in a plea agreement, had her 15-year prison term dismissed, had her \$100,000 fine reduced to \$20,000, and was ordered to pay \$15,000 in restitution.

The Immigration and Labor Ministries and the Office of the Attorney General are responsible for combating trafficking; however, the government lacked resources to address the problem. Moreover, the government does not have a formal procedure to identify victims of trafficking among vulnerable groups such as women arrested for prostitution. The government encourages victims to assist in the investigation and prosecution of trafficking. Ten of the 24 female victims in the aforementioned case cooperated closely with the Office of the Attorney General. There was no formal assistance available for victims, and some victims were penalized for unlawful acts committed as a direct result of their being trafficked, such as prostitution violations. However, in the case of the Filipina waitresses, the victims were offered the option of remaining in Palau and seeking different employment or returning home.

## SOLOMON ISLANDS

The Solomon Islands remains a special case for a second consecutive year because available information is not of sufficient quantity or reliability to determine that there is a significant number of trafficking victims in the country. There are indications, however, that the Solomon Islands may have a trafficking problem.

**Scope and Magnitude.** There is anecdotal evidence that young women from Southeast Asian countries such as Indonesia, the People's Republic of China, the Philippines, and Malaysia are trafficked to the Solomon Islands for the purpose of commercial sexual exploitation. Reports also indicate that girls and women are trafficked within the Solomon Islands for the purpose of commercial sexual exploitation to logging camps. Child sex tourism appears to be a small problem with some visiting nationals of the United Kingdom, Australia, and France sexually exploiting local children. There are reports that boys and girls are taken out to foreign and local fishing vessels by their parents for commercial

sexual exploitation with fishermen in exchange for fish. Children are occasionally sold into commercial sexual exploitation to pay bills or to earn school fees.

**Government Efforts.** In the last four years, the Solomon Islands have benefited from a large-scale intervention led by Australia to enhance stability after civil unrest. The Solomon Islands criminally prohibits sex and labor trafficking in Chapter 26 of its updated 1978 Penal Code, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for rape. The government may have prosecuted some cases of trafficking, but was unable to provide statistics.

The Government of the Solomon Islands has a limited capacity to protect victims of trafficking and would need to rely on civil society or religious organizations to provide services. The Government of the Solomon Islands has not conducted public awareness or prevention programs on trafficking or child sex tourism, though in August 2007 the Prime Minister called for action against loggers sexually exploiting children at logging camps. The government does not participate in public awareness programs supported by international organizations or NGOs. The Solomon Islands has not ratified the 2000 UN TIP Protocol.

## SOMALIA

Somalia remains a special case for a sixth consecutive year due to the lack of a viable central government since 1991. Its geographic area is divided among the self-declared independent Republic of Somaliland, the semi-autonomous region of Puntland, and the remainder of the country, which is nominally under the control of the Transitional Federal Government (TFG). During the reporting period, the TFG remained preoccupied with the task of securing government representatives and installations from threats posed by extremist elements; human trafficking was not viewed as an issue of immediate priority. In addition, the TFG currently lacks the necessary means to identify, investigate, or address systemic issues in Somalia, including those related to trafficking in persons; its capacity to address human trafficking will not increase without tangible progress in reestablishing governance and stability in Somalia.

**Scope and Magnitude.** Information regarding trafficking in Somalia remains extremely difficult to obtain or verify; however, the Somali territory is believed to be a source, transit, and destination country for trafficked men, women, and children. In Somali society, certain groups are traditionally viewed as inferior and are marginalized; Somali Bantus and Midgaan are sometimes kept in servitude to other more powerful Somali clan members as domestics, farm laborers, and herders. During the

year, the TFG and extremist groups opposed to them reportedly conscripted children for use in armed conflict. Armed militias purportedly internally traffic Somali women and children for sexual exploitation and forced labor. Because of an inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share family relations and clan linkages; some of these children may become victims of forced labor or commercial sexual exploitation. There are anecdotal reports of children engaged in prostitution, but the practice is culturally proscribed and not publicly acknowledged. Human smuggling is widespread in Somalia and there is evidence to suggest that traffickers utilize the same networks and methods as those used by smugglers. Dubious employment agencies are involved with or serve as fronts for traffickers, especially to target individuals destined for the Gulf States. Somali women are trafficked to destinations in the Middle East, including Iraq, Lebanon, and Syria, as well as to South Africa, for domestic labor and commercial sexual exploitation. Somali men are trafficked into labor exploitation as herdsmen and menial workers in the Gulf States. Somali children are reportedly trafficked to Djibouti, Malawi, and Tanzania for commercial sexual exploitation and exploitative child labor. Ethiopian women are trafficked through Somalia to the Middle East for forced labor and sexual exploitation. Small numbers of Cambodian men are trafficked to work on long range fishing boats operating off the coast of Somalia.

**Government Efforts.** The respective authorities operating in Somalia's three regions did not make significant progress in addressing human trafficking during the reporting period. There are laws in the Republic of Somaliland explicitly prohibiting forced labor, involuntary servitude, and slavery, but no specific laws exist against these practices in other parts of Somalia. Trafficking for sexual exploitation may be prohibited under the most widespread interpretations of Shari'a and customary law, but there is neither a unified police force in the territory to enforce these laws, nor any authoritative legal system through which traffickers could be prosecuted. In south central Somalia, the TFG's Ministry of National Security and Internal Affairs is, in theory, responsible for anti-trafficking efforts, but lacks operational capacity and awareness of human trafficking; it made no concrete efforts to combat the crime during 2007. In Puntland, the Ministry of the Interior and the Refugees Affairs Commission take the lead on trafficking issues. Puntland authorities operated a temporary transit and processing center where Ethiopian migrants receive counseling and assistance from local and international humanitarian organizations. After a government restructuring in Somaliland, both the Ministry of the Interior and the Ministry of Security claim to take the lead on human trafficking issues. In 2007, the Somaliland

Human Rights Commission began a study of human trafficking in Somaliland.

Government officials are not trained to identify or assist trafficking victims and took no known action against the practice. In the absence of effective systems of revenue generation, as well as any legal means to collect resources and then distribute them for some common good, no resources are devoted to preventing trafficking or to victim protection across the majority of the Somali territory. There are limited private initiatives to provide victim protection in all of the regions. There are reports that government officials may be involved in trafficking; business people involved in smuggling in Puntland, for instance, purportedly enjoy protection and work with the knowledge of influential officials within the administration. Somalia has not ratified the 2000 UN TIP Protocol.

## SWAZILAND

The existence of a significant human trafficking problem in Swaziland is suspected but unsubstantiated by adequate, reliable reporting. Government officials lack understanding of what constitutes trafficking in persons, but have publicly acknowledged that it occurs within the country, though the extent of the problem is unknown. To combat trafficking, the government should consider launching a public awareness campaign to educate the Swazi population on the nature and dangers of human trafficking, investigating well-known “hot spots” of child prostitution for situations of trafficking, and enacting appropriate laws to prohibit all forms of human trafficking.

**Scope and Magnitude.** Swaziland is a source, transit, and likely a destination country for women and children trafficked for the purposes of forced labor and sexual exploitation, but the existence of a significant number of trafficking victims is unconfirmed. Anecdotal evidence indicates that Swazi girls, particularly orphans, are trafficked within the country for commercial sexual exploitation and domestic servitude in the cities of Mbabane and Manzini, as well as to South Africa and Mozambique for the same purposes. Swazi boys may be trafficked for forced labor in commercial agriculture and market vending. Some Swazi women are forced into prostitution in South Africa and possibly Mozambique after migrating to these countries in search of work. Small numbers of Mozambican women may be trafficked to Swaziland for sexual exploitation, and perhaps transit through the country en route to South Africa. Mozambican boys migrate to Swaziland to obtain jobs requiring low-skilled manual labor, such as car washing, livestock herding, and portering; some of these boys may be victims of human trafficking.

**Government Efforts.** While Swaziland has no law specifically prohibiting trafficking, existing statutes against crimes such as kidnapping, forced and compulsory labor, aiding and abetting “prohibited immigrants” to enter the country, brothel keeping, and procurement for prostitution could be used to prosecute traffickers. However, a draft bill — the Sexual Offenses and Domestic Violence Bill — which specifically criminalizes sex trafficking and mandates psychological services for victims, remains under review for the third year. Penalties under this draft bill would be severe and include death if the trafficking victim is under 16 years of age or the trafficker belongs to an organized trafficking ring. No case of child labor or trafficking has ever been presented to the Office of the Director of Public Prosecution for action, nor has any official report of trafficking been made to the Royal Swaziland Police Service’s Domestic Violence, Child Protection, and Sexual Offenses Unit.

The relationship between the government and elements of civil society on the issue of human trafficking is strong; however, the government has not made the issue a priority and depends on the NGO sector to provide victim care. While the police’s Child Protection Unit lacks training in regard to identifying and combating trafficking, its staff has shown interest in the issue and works with NGOs to provide assistance to crime victims. The Social Welfare Department of the Ministry of Health and Social Welfare operates a half-way house for abused women that could provide shelter to trafficking victims.

There were no government-run anti-trafficking campaigns during the reporting period. However, in late 2007, the Ministry of Home Affairs’ Gender Unit participated in the organization of an event that was part of the 16 Days of Activism Against Gender Violence campaign organized by local NGOs to fight abuse of women and children; a portion of the event addressed human trafficking. In 2007, the government provided approximately \$9.4 million for orphaned and vulnerable children to attend school, which reduced the opportunities for child trafficking. The government did not undertake activities to reduce demand for commercial sex acts during the year. Swaziland has not ratified the 2000 UN TIP Protocol.

## TONGA

Tonga is not ranked in the Report this year because available information is not of sufficient quantity or reliability to determine that there is a significant number of trafficking victims in the country. In part due to its small population, Tonga’s trafficking problem may be of small scale. However, unconfirmed and anecdotal reports suggest that trafficking does take place in Tonga.

**Scope and Magnitude.** There were no confirmed reports that persons were trafficked to, from, or within the country. However, a public health facility identified 14 minors engaged in commercial sexual exploitation during the year and there were other isolated reports of women and underage girls in commercial sexual exploitation. There were reports that members of foreign fishing vessel crews solicited Tongan underage girls for commercial sex. There were unsubstantiated reports of employers holding travel documents or salaries as a means to compel labor and restrain Philippine nationals working in Tonga. There were also unconfirmed reports that some nationals from the People's Republic of China working legally and illegally in Tonga may have been coerced into prostitution or forced labor.

**Government Efforts.** While Tongan law does not specifically address trafficking in persons, an anti-slavery statute could be used to prosecute some trafficking offenders. Section Two of the Constitution prohibits slavery and forced labor. Sections 126 and 127 of the Criminal Offences Act prohibit procurement for commercial sex. Nevertheless, the Tongan government did not investigate reports of trafficking during the year.

Tonga does not have victim care facilities which are accessible to potential trafficking victims. Tonga's law enforcement and immigration personnel have no formal system to proactively identify potential victims of trafficking among high-risk persons and no victims were identified during the reporting period.

There were no government-run anti-trafficking information or education campaigns conducted during the reporting period. The Government of Tonga provided no specialized police training for recognizing and investigating incidents of trafficking during the reporting period. Immigration officials participated in training offered by the New Zealand government that included trafficking in persons issues. Tonga contributed troops to international peacekeeping efforts but reported no allegations or investigations of Tonga Defence Service personnel for allegations of facilitating trafficking in persons or exploiting trafficking victims.

## TUNISIA

Tunisia is not listed in the Report this year because available information is insufficient to substantiate a significant number of trafficking victims in the country. It is possible, however, that victims of trafficking remain undetected due to lack of efforts in Tunisia to proactively identify victims among vulnerable groups, such as undocumented migrants.

**Scope and Magnitude.** Tunisia is a transit country for North and sub-Saharan African men

and women migrating to Europe, some of whom may be trafficked for the purpose of involuntary servitude or sexual exploitation. The Government of Tunisia does not systematically differentiate trafficking victims from illegal migrants traveling through the country. Tunisia may also be a source country for internal trafficking of children for commercial sexual exploitation and labor, such as for domestic servitude.

**Government Efforts.** Tunisia does not prohibit all severe forms of trafficking in persons, but does prohibit forced prostitution through Article 233 of its penal code; which prescribes punishment of three to five years' imprisonment. In 1995, the Government of Tunisia passed the Child Protection Code, which protects children under 18 years old from participation in wars or armed conflicts, prostitution, and hazardous labor conditions; prescribed penalties for violations range from imprisonment for 16 days to one year. The government also prohibits forced labor, bonded labor, and slavery under the labor code; Article 236 prescribes fines as punishment. These prescribed penalties are neither sufficiently stringent nor commensurate with those prescribed for other grave crimes, such as rape. Tunisia could use other statutes to punish trafficking; for example, Article 250 of the penal code sentences those who illegally confine persons for any reason to ten years' imprisonment. In addition, the government could punish mistreatment of a child under section 224 of its Penal Code; prescribed penalties under this statute are up to five years' imprisonment. The government pursued no trafficking prosecutions under these laws this year. Training of Tunisian law enforcement officers and prosecutors is needed for more effective efforts against trafficking crimes. The Tunisian government might also consider enacting a comprehensive anti-trafficking law that criminalizes all forms of trafficking in persons, including both internal and transnational trafficking, and that assigns penalties that are sufficiently stringent to deter the crime and that adequately reflect the heinous nature of the crime.

The government monitors its borders closely to interdict smuggling and trafficking rings. However, Tunisia does not employ a formal mechanism to systematically identify trafficking victims among illegal migrants and those arrested for prostitution. Victims of trafficking, if identified, have access to social services available for the abused and vulnerable, but Tunisia does not have protection services specifically for victims of trafficking. The government assigns a child protection delegate to each district to ensure that child sexual abuse victims receive adequate medical care and counseling. Tunisia also employs government workers, including social workers, to assist in three shelters for abused women and children operated by the



Tunisian National Women's Union. Nonetheless, some child victims of commercial sexual exploitation may be incarcerated for prostitution offenses. A formal victim identification mechanism to ensure that victims of trafficking – particularly minor victims – are not automatically deported, jailed, or punished for criminal acts committed as a result of being trafficked would be greatly beneficial. Similarly, the government's offering of legal alternatives to foreign trafficking victims' removal to countries where they may face hardship or retribution is recommended.

Clients of persons in prostitution face jail sentences of six months' to two years' imprisonment. Nonetheless, the government should also consider instituting a public awareness campaign to reduce the demand for commercial sex acts.

## TURKMENISTAN

Turkmenistan is not listed on the report this year because available information is insufficient to substantiate a significant number of victims in the country.

**Scope and Magnitude:** Turkmenistan appears to be a source country for Turkmen women trafficked to Turkey, Algeria, Sudan, Tunisia, the United Kingdom, Thailand, the U.A.E., Cyprus, Kazakhstan, Kyrgyzstan, Pakistan, Iran, and Israel for the purpose of sexual exploitation; Turkey is also a destination for women trafficked for domestic servitude. It is also a source for men trafficked to Turkey for the purpose of forced labor, specifically in textile sweatshops. Women may be trafficked internally from rural provinces to larger cities for the purpose of sexual exploitation and involuntary servitude. According to IOM, there were 20 identified Turkmen victims trafficked to Turkey in 2007.

**Government Efforts:** Although the Government of Turkmenistan does not publicly acknowledge trafficking as a problem and does not actively investigate cases of trafficking, it did make significant efforts by adopting the "Law on the Battle against Trafficking in Persons" in December 2007. The law identifies responsible ministries within the government to combat trafficking and requires authorities to develop measures to prevent trafficking, prosecute traffickers, and assist victims. While adoption of the new anti-trafficking law is a positive step forward, additional legislation is needed to provide necessary implementation of the law. Amending the criminal code to provide penalties for trafficking in persons would also be a significant effort.

Although there are no laws prohibiting trafficking in persons, traffickers may be prosecuted under various articles of the penal code. The government

did not prosecute any trafficking cases or convict or sentence any traffickers over the reporting period. There was no dedicated funding for law enforcement agencies to address trafficking in 2007. Although the government did not provide specialized training for government officials on how to recognize, investigate, and prosecute instances of trafficking, 30 government officials from various ministries attended a seminar on trafficking conducted by IOM in November 2007. Corruption remained a serious problem throughout society and within the government and corruption among migration and travel authorities is believed to contribute to the trafficking of women abroad. Although there was anecdotal evidence of bribery of government officials, there were no reports of direct involvement of government officials in human trafficking.

The Government of Turkmenistan did not provide medical assistance, counseling, shelter, or rehabilitative services to victims of trafficking nor did it supply funding to foreign or domestic anti-trafficking NGOs to provide services to victims; however, the government did allow IOM to remain in the country and to continue to provide services. The new law passed in December 2007 has provisions for victim care facilities and guarantees protection and assistance for victims of trafficking. Government personnel employ no formal victim identification procedures, though some law enforcement officers reportedly referred victims to NGOs for assistance on an ad-hoc basis. The government does not encourage victims to assist in the investigation and prosecution of trafficking cases. At the same time, there is evidence suggesting that in some cases, law enforcement officers detained and interrogated victims in order to obtain information, though there were no reports of victim imprisonment. Burdensome administrative procedures often impede victims from obtaining civil legal redress against their traffickers.

Turkmenistan did not sponsor any anti-trafficking awareness campaigns in 2007. The vast majority of the public is unaware of human trafficking and is not sufficiently informed about the possible dangers of working abroad. The government does not monitor the trafficking situation within its borders, although the new law provides a strategy to do so. Adequate implementation of the new law would address current deficiencies and would advance the government's ability to combat trafficking in persons by initiating trafficking prosecutions, and raising general public awareness.

## RELEVANT INTERNATIONAL CONVENTIONS

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labour	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification Accession (a)	Ratification	Ratification
Afghanistan					X(a)		X(a)		X
Albania	X	X	X					X	X
Algeria	X	X	X		X(a)			X	X
Angola			X		X(a)		X(a)	X	X
Argentina	X	X	X	X	X	X	X	X	X
Armenia	X	X	X	X	X	X	X	X	X
Australia	X	X	X	X	X	X	X	X	X
Austria	X	X	X	X	X	X	X	X	X
Azerbaijan	X	X	X	X	X	X	X	X	X
Bahamas	X		X					X	X
Bahrain		X(a)	X		X(a)		X(a)	X	X
Bangladesh			X	X	X	X	X	X	X
Barbados	X		X					X	X
Belarus	X	X	X		X(a)		X(a)	X	X
Belgium	X	X	X	X	X	X	X	X	X
Belize		X(a)	X	X	X	X	X	X	X
Benin	X	X	X	X	X	X	X	X	X
Bolivia	X	X	X	X	X		X(a)	X	X
Bosnia & Herzegovina	X	X	X	X	X	X	X	X	X
Brazil	X	X	X	X	X	X	X	X	X
Brunei					X(a)				
Bulgaria	X	X	X	X	X	X	X	X	X
Burkina Faso	X	X	X	X	X	X		X	X
Burma		X(a)							
Burundi	X		X		X	X		X	X
Cambodia	X	X	X	X	X	X	X	X	X
Cameroon	X	X	X	X		X		X	X
Canada	X	X	X	X	X	X	X		X
Central African Rep.	X	X(a)	X					X	X
Chad			X	X	X	X	X	X	X
Chile	X	X	X	X	X	X	X	X	X
China, People Rep.			X	X	X	X			
Colombia	X	X	X	X	X	X	X	X	X
Congo, Dem Rep of		X(a)	X		X(a)	X	X	X	X
Costa Rica	X	X	X	X	X	X	X	X	X
Cote D'Ivoire			X					X	X
Croatia	X	X	X	X	X	X	X	X	X
Cuba				X	X	X	X	X	X
Cyprus	X	X	X	X	X			X	X
Czech Republic	X		X	X		X	X	X	X
Denmark	X	X	X	X	X	X	X	X	X

## RELEVANT INTERNATIONAL CONVENTIONS

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labour	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)		Signature	Ratification, Accession (a)	Signature	Ratification Accession (a)		
Djibouti		X(a)	X	X				X	X
Dominican Republic	X	X	X		X(a)	X		X	X
East Timor					X(a)		X(a)		
Ecuador	X	X	X	X	X	X	X	X	X
Egypt	X	X	X		X(a)		X	X	X
El Salvador	X	X	X	X	X	X	X	X	X
Equatorial Guinea	X	X	X		X(a)			X	X
Estonia	X	X	X	X	X	X		X	X
Ethiopia			X					X	X
Fiji			X	X		X		X	X
Finland	X	X(A)	X	X		X	X	X	X
France	X	X	X	X	X	X	X	X	X
Gabon	X	X	X	X	X	X		X	X
Gambia, The	X	X	X	X		X		X	X
Georgia	X	X	X		X(a)			X	X
Germany	X	X	X	X		X	X	X	X
Ghana			X	X		X		X	X
Greece	X		X	X		X	X	X	X
Guatemala		X(a)	X	X	X	X	X	X	X
Guinea		X(a)	X					X	X
Guinea Bissau	X	X(a)	X	X		X		X	X
Guyana		X(a)	X					X	X
Haiti	X			X		X		X	X
Honduras		X(a)	X		X(a)		X(a)	X	X
Hungary	X	X	X	X		X		X	X
India	X			X	X	X	X	X	X
Indonesia	X		X	X		X		X	X
Iran			X		X			X	X
Iraq			X					X	X
Ireland	X		X	X		X	X	X	X
Israel	X		X	X		X	X	X	X
Italy	X	X	X	X	X	X	X	X	X
Jamaica	X	X	X	X		X	X	X	X
Japan	X		X	X	X	X	X	X	
Jordan			X	X	X	X	X	X	X
Kazakhstan			X	X	X	X	X	X	X
Kenya		X(a)	X	X		X	X	X	X
Kiribati		X(a)						X	X
Korea, Rep. Of	X		X	X	X	X	X		
Kuwait		X(a)	X		X(a)		X(a)	X	X

## RELEVANT INTERNATIONAL CONVENTIONS

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labour Ratification	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour Ratification	ILO Convention 105, Abolition of Forced Labour Ratification
	Signature	Ratification, Accession (a), or Acceptance (A)		Signature	Ratification, Accession (a)	Signature	Ratification Accession (a)		
Kyrgyz Republic	X	X	X		X(a)		X(a)	X	X
Laos		X(a)	X		X(a)		X(a)	X	
Latvia	X	X	X	X	X	X	X	X	X
Lebanon	X	X	X	X	X	X		X	X
Lesotho	X	X	X	X	X	X	X	X	X
Liberia		X(a)	X	X		X		X	X
Libya	X	X	X		X(a)		X(a)	X	X
Lithuania	X	X	X		X(a)	X	X	X	X
Luxembourg	X		X	X		X	X	X	X
Macedonia, Rep.of	X	X	X	X	X	X	X	X	X
Madagascar	X	X	X	X	X	X	X	X	
Malawi		X(a)	X	X		X		X	X
Malaysia			X					X	
Mali	X	X	X		X(a)	X	X	X	X
Malta	X	X	X	X		X	X	X	X
Mauritania		X(a)	X		X			X	X
Mauritius		X(a)	X	X		X		X	X
Mexico	X	X	X	X	X	X	X	X	X
Moldova, Rep. Of	X	X	X	X	X	X	X	X	X
Mongolia			X	X	X	X	X	X	X
Montenegro		X(a)		X	X(a)		X	X	X
Morocco			X	X	X	X	X	X	X
Mozambique	X	X	X		X(a)		X(a)	X	X
Nepal			X	X	X	X		X	
Netherlands, The	X	X(A)	X	X	X	X		X	X
New Zealand	X	X	X	X		X	X	X	X
Nicaragua		X(a)	X		X(a)		X(a)	X	X
Niger	X	X	X	X	X			X	X
Nigeria	X	X	X	X		X		X	X
North Korea									
Norway	X	X	X	X	X	X	X	X	X
Oman		X(a)	X		X(a)		X(a)	X	X
Pakistan			X	X		X		X	X
Panama	X	X	X	X	X	X	X	X	X
Paraguay	X	X	X	X	X	X	X	X	X
Papua New Guinea			X					X	X
Peru	X	X	X	X	X	X	X	X	X
Philippines	X	X	X	X	X	X	X	X	X
Poland	X	X	X	X	X	X	X	X	X
Portugal	X	X	X	X	X	X	X	X	X
Qatar			X		X(a)		X(a)	X	X
Romania	X	X	X	X	X	X	X	X	X

## RELEVANT INTERNATIONAL CONVENTIONS

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labour	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)		Signature	Ratification, Accession (a)	Signature	Ratification Accession (a)		
Russia	X	X	X			X		X	X
Rwanda	X	X	X		X(a)		X(a)	X	X
Saudi Arabia	X	X	X					X	X
Senegal	X	X	X	X	X	X	X	X	X
Serbia	X	X	X	X	X	X	X	X	X
Sierra Leone	X			X	X	X	X	X	X
Singapore			X			X		X	
Slovak Republic	X	X	X	X	X	X	X	X	X
Slovenia	X	X	X	X	X	X	X	X	X
Solomon Islands								X	
Somalia						X		X	X
South Africa	X	X	X		X(a)	X		X	X
Spain	X	X	X	X	X	X	X	X	X
Sri Lanka	X		X	X	X	X	X	X	X
Sudan			X		X(a)	X	X	X	X
Suriname		X(a)	X	X		X		X	X
Swaziland	X		X					X	X
Sweden	X	X	X	X	X	X	X	X	X
Switzerland	X	X	X	X	X	X	X	X	X
Syria	X		X		X(a)		X(a)	X	X
Tajikistan		X(a)	X		X(a)		X(a)	X	X
Tanzania	X	X	X		X(a)		X(a)	X	X
Thailand	X		X		X(a)		X(a)	X	X
Togo	X		X	X	X	X	X	X	X
Tunisia	X	X	X	X	X	X	X	X	X
Turkey	X	X	X	X	X	X	X	X	X
Turkmenistan		X(a)			X(a)		X(a)	X	X
Uganda	X		X		X(a)		X(a)	X	X
Ukraine	X	X	X	X	X	X	X	X	X
United Arab Emirates			X					X	X
United Kingdom	X	X	X	X		X	X	X	X
United States	X	X	X	X	X	X	X		X
Uruguay	X	X	X	X	X	X	X	X	X
Uzbekistan	X							X	X
Venezuela	X	X	X	X	X	X	X	X	X
Vietnam			X	X	X	X	X	X	
Yemen			X		X(a)		X(a)	X	X
Zambia		X(a)	X					X	X
Zimbabwe			X					X	X

## TRAFFICKING VICTIMS PROTECTION ACT – MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING IN PERSONS

*Trafficking Victims Protection Act of 2000, Div. A of Pub. L. No. 106-386, § 108, as amended.*

### (A) Minimum standards

For purposes of this chapter, the minimum standards for the elimination of trafficking applicable to the government of a country of origin, transit, or destination for a significant number of victims of severe forms of trafficking are the following:

- (1) The government of the country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.
- (2) For the knowing commission of any act of sex trafficking involving force, fraud, coercion, or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault.
- (3) For the knowing commission of any act of a severe form of trafficking in persons, the government of the country should prescribe punishment that is sufficiently stringent to deter and that adequately reflects the heinous nature of the offense.
- (4) The government of the country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.

### (B) Criteria

In determinations under subsection (a)(4) of this section, the following factors should be considered as indicia of serious and sustained efforts to eliminate severe forms of trafficking in persons:

- (1) Whether the government of the country vigorously investigates and prosecutes acts of severe forms of trafficking in persons, and convicts and sentences persons responsible for such acts, that take place wholly or partly within the territory of the country. After reasonable requests from the Department


of State for data regarding investigations, prosecutions, convictions, and sentences, a government, which does not provide such data, consistent with the capacity of such government to obtain such data, shall be presumed not to have vigorously investigated, prosecuted, convicted or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.

- (2) Whether the government of the country protects victims of severe forms of trafficking in persons and encourages their assistance in the investigation and prosecution of such trafficking, including provisions for legal alternatives to their removal to countries in which they would face retribution or hardship, and ensures that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts as a direct result of being trafficked.
- (3) Whether the government of the country has adopted measures to prevent severe forms of trafficking in persons, such as measures to inform and educate the public, including potential victims, about the causes and consequences of severe forms of trafficking in persons, measures to reduce the demand for commercial sex acts and for participation in international sex tourism by nationals of the country, measures to ensure that its nationals who are deployed abroad as part of a peacekeeping or other similar mission do not engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, and measures to prevent the use of forced labor or child labor in violation of international standards.

- (4) Whether the government of the country cooperates with other governments in the investigation and prosecution of severe forms of trafficking in persons.
- (5) Whether the government of the country extradites persons charged with acts of severe forms of trafficking in persons on substantially the same terms and to substantially the same extent as persons charged with other serious crimes (or, to the extent such extradition would be inconsistent with the laws of such country or with international agreements to which the country is a party, whether the government is taking all appropriate measures to modify or replace such laws and treaties so as to permit such extradition).
- (6) Whether the government of the country monitors immigration and emigration patterns for evidence of severe forms of trafficking in persons and whether law enforcement agencies of the country respond to any such evidence in a manner that is consistent with the vigorous investigation

and prosecution of acts of such trafficking, as well as with the protection of human rights of victims and the internationally recognized human right to leave any country, including one's own, and to return to one's own country.



- (7) Whether the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate severe forms of trafficking in persons, including nationals of the country who are deployed abroad as part of a peacekeeping or other similar mission who engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, and takes all appropriate measures against officials who condone such trafficking. After reasonable requests from the Department of State for data regarding such investigations, prosecutions, convictions, and sentences, a government which does not provide such data consistent with its resources shall be presumed not to have vigorously investigated, prosecuted, convicted, or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.
- (8) Whether the percentage of victims of severe forms of trafficking in the country that are non-citizens of such countries is insignificant.
- (9) Whether the government of the country, consistent with the capacity of such government, systematically monitors its efforts to satisfy the criteria described in paragraphs (1) through (8) and makes available publicly a periodic assessment of such efforts.
- (10) Whether the government of the country achieves appreciable progress in eliminating severe forms of trafficking when compared to the assessment in the previous year.



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## STOPPING HUMAN TRAFFICKING, SEXUAL EXPLOITATION, AND ABUSE BY INTERNATIONAL PEACEKEEPERS

In response to Congressional mandate, this section summarizes actions taken by the United Nations (UN), North Atlantic Treaty Organization (NATO), and the Organization for Security and Cooperation in Europe (OSCE) to prevent trafficking in persons. Beginning this year, individual country narratives in this Report will, when applicable, describe efforts by governments to ensure that nationals deployed abroad as part of a peacekeeping or similar mission do not engage in, or facilitate, severe forms of trafficking in persons or exploit victims of such trafficking, as well as efforts to hold accountable nationals who engage in such conduct. This analysis is included if the government has 100 or more military personnel deployed in peacekeeping missions. Governments are ultimately responsible for holding civilian and military personnel accountable for acts of misconduct while on peacekeeping or humanitarian missions.

### UNITED NATIONS (UN)

The United Nations is implementing a series of reforms, and in May 2007, adopted additional measures to prevent military and civilian personnel assigned to UN peacekeeping and humanitarian missions from engaging in sexual exploitation and abuse. Below are highlights of key UN reforms and the status of allegations registered in 2007. The measures apply to the approximately 90,000 UN uniformed personnel (troops, military observers, and police) and 10,000 UN international and locally-hired civilian staff members engaged in peacekeeping worldwide.

#### Prevention

- UN Staff Regulations classify sexual exploitation and abuse as a form of serious misconduct subject to disciplinary action, including summary dismissal.
- Consultants, individual contractors, volunteers, military observers, and civilian police are legally bound by the standards of the Secretary General's 2003 bulletin. All contracts and "letters of undertaking" include these standards.
- The UN has a new revised model memorandum of understanding (MOU) that includes provisions for addressing sexual exploitation and abuse. This MOU, adopted by the UN General Assembly on July 24, 2007 (GA 61/267 B), is being used as a template for negotiations with potential troop contributing countries (TCCs). The UN continues to discuss standards of conduct with current TCCs.
- UN peacekeeping missions have instituted "off-limits premises and areas," curfews, telephone hotlines, and required mission personnel to wear their uniforms at all times.
- With donor funding, United Nations Department of Peacekeeping Operations (DPKO) initiated mission-customized infor-

mation campaigns and strategies to combat commercial sexual exploitation. In January 2008, this initiative was launched in Cote D'Ivoire, Democratic Republic of Congo, Haiti, Liberia, Sudan and East Timor.

- DPKO established a secure Web-based software program to track sexual exploitation and abuse cases that will ensure that those personnel who have been dismissed or repatriated for sexual exploitation violations are barred from serving in future UN missions. This tracking system is being pilot tested for launch in the second quarter of 2008.
- DPKO developed three training modules for different levels of personnel. These training modules are given to the TCCs for pre-deployment training; however, DPKO is not able to verify if the training has been completed. All personnel arriving at UN missions are made aware of the UN's standards of conduct and "zero tolerance" policy, and receive sexual exploitation and abuse prevention training. Reports from US Embassies in UN Mission countries indicate that training is occurring regularly and that conduct and discipline teams (CDTs) are active.
- Civilian managers and military commanders are responsible for ensuring implementation of the UN's programs and policies to eliminate sexual exploitation and abuse. Civilian managers are formally evaluated by the Heads of UN Missions on their efforts to implement the UN's zero-tolerance policy.

#### Victim Assistance

- The UN has a new victim assistance strategy, United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations



Staff and Related Personnel, adopted by the UN General Assembly December 19, 2007 (resolution GA 62/214). It enables the UN to address the needs of victims who may have suffered at the hands of UN personnel. The strategy enables the UN to help children born as a result of sexual exploitation and abuse. Assistance for victims and their children may include medical treatment, counseling, social support, legal services or material care. The UN is in the process of issuing implementation guidelines to all missions.

### Investigations

- The DPKO has CDTs in place at UN headquarters and most UN peacekeeping missions. These teams are charged with informing local communities of the UN's zero-tolerance policy and procedures for reporting abuse, receiving complaints, carrying out initial assessments of allegations, and determining whether specific allegations should be reported to the Office of Internal Oversight Services (OIOS) as Category I offenses (serious) warranting full investigation. Category II (less serious) allegations are handled by the peacekeeping mission itself.
- OIOS has investigative personnel currently stationed in five peacekeeping missions; however, OIOS management is taking steps to move its personnel to regional UN offices for cost efficiency, which may adversely affect the deterrent benefit of being embedded in peacekeeping missions.
- In 2007 there were 127 new allegations against UN peacekeeping personnel, a decrease from 357 allegations in 2006. The largest number of allegations came to light in the summer of 2007 affecting a roughly 700-member Moroccan contingent at the UN Mission in Cote D'Ivoire. While charges against most members of this contingent were not substantiated, the Moroccan government confined its troops to barracks. The contingent was due for rotation home and was replaced by another Moroccan contingent, which was stationed in a different area of Cote D'Ivoire. OIOS has completed its investigation, but its findings have not yet been made public. In 2007, allegations were also made against UN peacekeeping personnel in the UN missions in Haiti and the Democratic Republic of Congo.
- According to DPKO, as of December 31, 2007, the UN completed 123 investigations of allega-

tions of sexual exploitation and abuse. There were 114 repatriations and no suspensions.

Further information on the UN's sexual exploitation and abuse prevention measures is available at: <http://www.un.org/Depts/dpko/CDT/index.html>.

## NORTH ATLANTIC TREATY ORGANIZATION (NATO)

NATO has measures in place to prevent military or civilian personnel assigned to NATO-led missions from engaging in human trafficking. Since May 2007, there have been no reports of any NATO personnel or units engaging in, or facilitating, human trafficking. NATO currently has seven on-going missions with tens of thousands of soldiers, and undertakes numerous other activities throughout the year. In June 2004, NATO allies and partners adopted a policy on combating trafficking in human beings. Among its provisions, NATO initiated an anti-human trafficking training for personnel taking part in NATO-led missions, committed to supporting host-country law enforcement in anti-trafficking investigations, and incorporated contractual provisions prohibiting contractors from engaging in trafficking. Anti-human trafficking directives are incorporated in all NATO operational plans. NATO employs three anti-human trafficking awareness training modules for troops, commanders, and military police, which are available online to personnel and are also offered at NATO's two training facilities. NATO provides anti-trafficking training for personnel and international staff prior to deployment. Officials and staff are subject to disciplinary action including dismissal for violations of NATO's zero-tolerance policy. NATO allies and partners are responsible for taking any legal action against nationals participating in NATO missions. Personnel taking part in NATO missions are instructed to refer victims to local NGOs in order to receive legal or social services, and to work cooperatively with local law enforcement officials if they encounter a human trafficking situation. NATO has appointed its Assistant Secretary General for Defense Policy and Planning as Senior Coordinator on Counter-Trafficking in Human Beings to oversee its anti-human trafficking implementation efforts.

In the reporting period, over 1,000 individuals completed counter-trafficking training at NATO Schools in 2007 (in addition to pre-deployment

training conducted by troop-contributing nations). Progress has been made in the ongoing development of a specialized anti-trafficking course at the NATO Partnership for Peace Training Centre in Turkey with a pilot course completed in October 2007. The first annual report on Military Aspects of NATO Policy on Trafficking in Human Beings was submitted in February 2008.

Further information on NATO's anti-human trafficking prevention measures can be found at: <http://www.nato.int/issues/trafficking/>.

## ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE (OSCE)

The Organization for Security and Cooperation in Europe is implementing measures to prevent personnel from engaging in human trafficking, sexual exploitation, and abuse. No new measures have been adopted since May 2007. There have been no reports of any OSCE personnel engaging in, or facilitating, the trafficking of human beings. The OSCE has 19 field missions and approximately 3,450 personnel, including contractors, seconded staff, and international and locally-based employees. The OSCE Secretary General is responsible for overseeing OSCE's efforts to prevent misconduct by personnel. The OSCE's Code of Conduct for Staff and Mission Members (Appendix 1 to Permanent Council 550/Corr.1, 27 June 2003) addresses general conduct of officials and staff while on mission, and "Staff Instruction 11" specifically focuses on preventing trafficking in persons. The OSCE Ministerial Council Decision 16/05, Ensuring the Highest Standards of Conduct and Accountability of Persons Serving International Forces and Missions calls on participating states to take the necessary steps to prevent human trafficking, sexual exploitation and abuse, and, as necessary, discipline its personnel. The OSCE Ministerial Council Decision 15/06, Combating Sexual Exploitation of

Children, directs the OSCE executive structures to ensure that the issue of child sexual exploitation is incorporated in the code of conduct trainings and awareness-raising materials targeted at OSCE officials. These documents are incorporated into OSCE training modules provided during orientation training for all OSCE personnel, including for locally-hired staff at missions. Officials and staff are subject to disciplinary action including dismissal. However, OSCE member states and partners are ultimately responsible for taking any legal action against nationals participating in OSCE missions who violate the policy. Personnel at field missions are instructed to refer alleged victims to local NGOs for legal or social services and to work cooperatively with local law enforcement officials if they encounter a human trafficking situation.

Further information on the OSCE's anti-trafficking prevention measures is available at: <http://www.osce.org/activities/13029.html>.

*"Instead of books, I was given beatings. I assume you come from a place where there is an idea that humans have rights. Why does no one care about slavery here?"*

—Muong, a Sudanese (Dinka) slave;  
*A Crime So Monstrous* (2008) by E. Benjamin Skinner



A poster from Bulgarian NGO *Diva*, plays on fact that some sex trafficking victims are lured by promises of modeling jobs or glamorous lives.

# La force de l'ONUCI, c'est le respect de l'autre



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UN Peacekeeping Mission in Cote d'Ivoire poster denouncing sexual exploitation and abuse.

**GLOSSARY OF ACRONYMS**

<b>ECOWAS</b>	Economic Community of West African States
<b>ECPAT</b>	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
<b>EU</b>	European Union
<b>ILO</b>	International Labour Organization
<b>ILO-IPEC</b>	International Labour Organization, International Program for the Elimination of Child Labour
<b>IOM</b>	International Organization for Migration
<b>NGO</b>	Non-Governmental Organization
<b>OAS</b>	Organization of American States
<b>OSCE</b>	Organization for Security and Cooperation in Europe
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Program
<b>UNHRC</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children’s Fund
<b>UNIFEM</b>	United Nations Development Fund for Women
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>2000 UN TIP Protocol</b>	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime

**HUMAN TRAFFICKING DEFINED**

The chart below, developed by the Solidarity Center, extrapolated and simplified from the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children definition, is a useful tool for analyzing individual cases to determine whether or not they constitute trafficking. In order for a situation to be trafficking, it must have at least one of the elements within each of the three criteria of Process, Means, and Goal.

Human Trafficking is:

PROCESS	+	WAY/MEANS	+	GOAL
Recruitment or Transportation or Transferring or Harboring or Receiving	<b>AND</b>	Threat or Coercion or Abduction or Fraud or Deceit or Deception or Abuse of Power	<b>AND</b>	Prostitution or Pornography or Violence/Sexual Exploitation or Forced Labor or Involuntary Servitude or Debt Bondage (with unfair wages) or Slavery/Similar practices

If one condition from each category is met, the result is trafficking. For adults, victim consent is irrelevant if one of the Means is employed. For children consent is irrelevant with or without the Means category.

## A CLOSING NOTE FROM THE DRAFTERS OF THE REPORT

As the staff of the office that produces this report, we are regularly exposed to the myriad forms of trafficking that capture the aspirations and extinguish the dignity of so many, and we see the plight of the victims who experience the worst of human greed. Amidst this collage of misery a particularly heinous crime stands out: the sexual slavery of society's most precious members, its children. Earlier this year, we learned of a particularly compelling personal story.

In an African city, Ama, a young girl in her early adolescent years was found running from a brothel where she and other children had been subjected to repeated rapes—as many as five per hour—for the profit of the brothel manager. A line of “customers” waited nightly, paying the equivalent of \$3 to rob her of her childhood, one rape at a time. When given the chance to escape, thanks to a police raid, she emerged crying and afraid of her future. An NGO worker looked into her childish eyes and tried to comfort her by saying: “You don’t ever have to do this again; you will be taken to a safe place and be cared for.” Ama remained mute out of uncertainty and fear. When told she could go to school, Ama’s eyes brightened with hope: “Do you mean it? Can I really go to school?” She clutched the NGO worker, who assured Ama that she would. Yet later, as the result of inadequate care and security, she likely disappeared from a shelter and back into the clutches of traffickers. Her whereabouts and welfare today are unknown.

Ama’s brief flicker of hope haunts us, for it defies all that we strive to accomplish. It humbles us, as it should humble all governments committed to human trafficking’s abolition. Ama’s plight highlights the deeply entrenched greed of some, while underscor-

ing the enormity of the challenge ahead. In her brief respite from hell, Ama sought a childhood she had been denied, and then her new hope was taken from her.

This Report is dedicated to Ama, a beautiful child who fell victim to slavery despite the attempts of many to prevent it. Only with the tireless efforts of those committed to seeing an end to child trafficking—in civil society, in media, in governments—will Ama be freed and others spared similar horrors. The lack of resources and political will brought to bear on this problem must be addressed; activists seeking the emancipation of child slaves must be empowered and assisted. Without Ama free, we cannot rest.



**Ama and other children waiting in a police station after their rescue from a brothel.**

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Thank you for your support. Thank you for joining us.

Adoma Adae  
Elyse Bauer Anderson  
Jennifer Schrock Donnelly  
Christine Chan-Downer  
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Burmese children laboring in Thailand's seafood industry.

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