government initiated investigations of 95 suspected trafficking cases, a three-fold increase from 2014, and prosecutions of 35, compared with 44 prosecutions initiated the previous year. It convicted 11 offenders under the 2008 anti-trafficking law, all of whom received prison terms, ranging from one to 22 years' imprisonment; the number of convictions represents a decrease from 32 offenders convicted in 2014 and 24 in 2013. As the 2008 anti-trafficking law criminalizes trafficking for the purpose of organ removal, law enforcement statistics likely included those cases, in addition to sex and labor trafficking cases. The government arrested 50 people nationwide for engaging in trafficking PWA for the purpose of removing their organs and other body parts and courts applied substantial prison sentences to the convicted defendants. In one such case, a court in Cabo Delgado province sentenced two individuals convicted of trafficking in persons for the purpose of organ removal to 35 years in prison for murdering a child with albinism to sell his body parts.

The government, in partnership with international organizations, sponsored trafficking-related trainings for an unknown number of immigration officers posted at heavily traversed border crossings with Swaziland and South Africa. It also sponsored, in conjunction with an international organization, anti-trafficking legislation training for 30 magistrates and published four guides to assist police officers in identifying trafficking victims. During the year, Mozambican and South African authorities cooperated on one case, originating from the previous year, involving five children subjected to trafficking in South Africa. NGO reports allege traffickers commonly bribe police and immigration officials to facilitate trafficking crimes both domestically and across international borders. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government's efforts to protect trafficking victims remained inadequate. Although the government lacked formal victim identification procedures and did not report the number of victims identified and assisted during the year, an international organization stated that it assisted four trafficking victims in 2015. Officials continued to rely on technical and financial support from NGOs and international organizations to provide the majority of protection and rehabilitation services for victims and offered limited shelter, medical, and psychological assistance, which was sporadic nationwide. During the previous reporting period, the government assumed direct budget responsibility for the country's only permanent shelter for child trafficking victims and staffed psychologists to coordinate family reunification; however, officials did not disclose details of its funding allocation for victim protection measures over the current reporting period.

Officials continued to operate facilities in more than 215 police stations and 22 "Victims of Violence" centers throughout the country offering temporary shelter, food, limited counseling, and monitoring following reintegration for victims of crime; however, it remained unclear whether trafficking victims benefited from these services in 2015. The anti-trafficking law requires police protection for victims who participate as witnesses in criminal proceedings against trafficking offenders; however, no such provisions were utilized during the year. The Ministry of Justice's 2013 draft action plan to guide victim protection efforts and outline implementation of the 2012 witness protection law—including trafficking victims who cooperate with law enforcement—remained unfinished and unimplemented for the third consecutive year. The multi-sectoral care mechanism, which coordinates referrals and protective provisions for female victims of violence, remained inadequate and inoperative in 2015. Although the law provides for temporary residency status or legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution, the government did not use this provision during the reporting period. The government did not repatriate the five Mozambican children subjected to trafficking in South Africa, during the previous year, due to an ongoing investigation of the vulnerabilities to their being re-victimized in Mozambique. During the year, the government summarily detained and deported 36 foreign nationals who arrived in Maputo with forged visas; the lack of proactive screening procedures precluded the government from ensuring these potential trafficking victims were not inadvertently penalized for unlawful acts committed as a result of potentially being subjected to trafficking.

PREVENTION

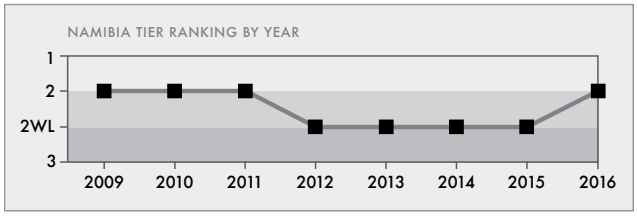
The government made uneven efforts to prevent trafficking. It did not demonstrate progress toward implementation of the national anti-trafficking action plan or finalize implementing regulations for the second consecutive year. In 2015, the attorney general's office continued to demonstrate leadership in overseeing anti-trafficking efforts by launching a national reference group for the protection of children and sustaining provincial-level "reference groups" throughout the country. Consisting of local officials, police, border guards, social workers, NGOs, and faith-based organizations, the "reference groups" served to coordinate regional efforts to address trafficking and other crimes. In 2015, the government, in conjunction with local NGOs and an international organization, proactively launched an unknown number of educational media campaigns using celebrities and former high-ranking government officials to target the trafficking of PWA for the purpose of organ removal and emphasize the importance of protection by local communities. In 2014, the government hosted seven anti-trafficking lectures and facilitated an awareness campaign for approximately 750 government and civil sector personnel. The labor ministry employed an inadequate number of labor inspectors who lacked training and resources to effectively monitor for child trafficking and other labor violations, especially on farms in rural areas. Mozambican officials remained without effective policies or laws regulating foreign recruiters and holding them civilly and criminally liable for fraudulent recruiting. The government did not demonstrate tangible efforts to reduce the demand for commercial sex acts during the year. It did not provide anti-trafficking training for its diplomatic personnel.

NAMIBIA: Tier 2

Namibia is a source and destination country for children, and to a lesser extent women, subjected to forced labor and sex trafficking. Some victims are initially offered legitimate work for adequate wages, but are then subjected to forced labor in urban centers and on commercial farms. Domestically, Namibian children are subjected to forced labor in agriculture, cattle herding, and domestic service, and to sex trafficking in Windhoek and Walvis Bay. A media report alleged that foreign sex tourists from southern Africa and Europe exploit child sex trafficking victims. Namibians commonly house and care for children of distant relatives to provide expanded educational opportunities; however, in some instances, these children are

exploited in forced labor. Among Namibia's ethnic groups, San and Zemba children are particularly vulnerable to forced labor on farms or in homes. NGOs reported persons in prostitution being taken aboard foreign vessels off the Namibian coast, some of whom may be trafficking victims. Children from Angola, Zambia, and Zimbabwe may be subjected to sex trafficking and forced labor in the fishing sector and in organized street vending in Windhoek and other cities. Angolan children may be brought to Namibia for forced labor in cattle herding. There were reports in 2013 of labor violations—potentially including forced labor—involving foreign adults and Namibian adults and children in Chinese-owned retail, construction, and fishing operations.

The Government of Namibia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated seven trafficking cases and prosecuted two suspected traffickers during the reporting period, in comparison with none in 2014, and obtained its first trafficking conviction in June 2015. The government continued its efforts to finalize and enact anti-trafficking legislation, which included frequent consultation with NGOs and experts during the year. The government identified and provided shelter to five trafficking victims, although it did not institute formal victim identification and referral processes. The government established a national committee, chaired by the deputy prime minister, in February 2016. The government also appointed the permanent secretary of the Ministry of International Relations and Cooperation (MIRCO) as the formal lead for anti-trafficking efforts and convened the first meeting of the technical committee to combat trafficking in November 2015. The government increased prevention efforts and conducted anti-trafficking trainings and awareness activities during the reporting period.



RECOMMENDATIONS FOR NAMIBIA:

Finalize and enact comprehensive anti-trafficking legislation; increase efforts under existing law to investigate, prosecute, and convict traffickers, including for forced labor violations; develop and implement formal systematic procedures to identify victims and refer them to care; train officials on relevant legislation; allocate resources for shelter services, including to develop a plan to fully operationalize renovated safe houses specifically for trafficking victims; implement the new national action plan to guide anti-trafficking efforts; strengthen coordination among government ministries, at both the ministerial and working level; institute a unified system for collecting trafficking case data for use by all stakeholders; and increase efforts to raise awareness, specifically in rural areas.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2009 Prevention of Organized Crime Act (POCA) criminalizes all forms of trafficking. Under POCA, persons who participate in trafficking offenses or aid and abet trafficking offenders may be imprisoned for up to 50 years and fined, penalties that are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. In April 2015, the government enacted the Child Care and Protection Bill, which includes a provision explicitly criminalizing child trafficking; however, the bill will not enter into force until regulations related to other parts of the law have been promulgated. The government consulted with an international organization to review the National Human Trafficking Bill during the reporting period; however, it was pending enactment at the end of the reporting period.

In 2015, the government conducted seven trafficking investigations, five for sex trafficking and two for forced labor. The government prosecuted two suspected trafficking cases, one of which led to Namibia's first trafficking conviction. The court sentenced the trafficker to 13 years in prison under section 15 of POCA. In partnership with an international organization, the police established a curriculum for new recruits and immigration officials that included training on identifying and assisting trafficking victims. The government provided anti-trafficking training to 126 police officers during the reporting period. The Ministry of Gender Equality and Child Welfare (MGECW) trained 300 police and other government officials with its curriculum on gender-based violence, including trafficking. The government received no reports of complicity during the reporting period and did not investigate or initiate prosecutions or convictions of government officials complicit in human trafficking crimes.

PROTECTION

The government made modest efforts to protect trafficking victims. It identified and provided shelter to five trafficking victims during the reporting period. In one case, the government assisted in the repatriation of a Namibian domestic worker from Dubai and provided her temporary shelter. Generally, upon identification of a woman or child victim of crime, including trafficking, police transferred the victim to the Gender-Based Violation Protection Units (GBVPU), which have responsibility for referring victims of all crimes to temporary shelter and medical assistance. GBVPU facilities offered initial psycho-social, legal, and medical support to victims of crime, in cooperation with the police, MGECW, the Ministry of Health, and NGOs; however, it was unclear if trafficking victims received such services during the reporting period. The government has at least one gender-based violence shelter, open to trafficking victims, in each of Namibia's 14 regions; however, only six were operational and there are no dedicated shelters for trafficking victims. MGECW began developing standard operating procedures for shelters. The Ministry of Home Affairs and Immigration (MHAI) provided immigration officials a printed manual to guide identification of trafficking victims; however, the government did not have formal written procedures for use by all officials on victim identification and referral to care.

The government did not have a policy to encourage victims' participation in investigations; the law provides for witness protection or other accommodations for vulnerable witnesses that in principle would be available for trafficking victims. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking. Police and immigration officials, however, reportedly detained foreign street children, including potential trafficking victims, without screening for indicators of trafficking. The police and prosecutor general began implementing a formal policy to screen deportees for trafficking. While the government did not identify any foreign

victims during the reporting period, it remained without the ability to provide them temporary or permanent residency.

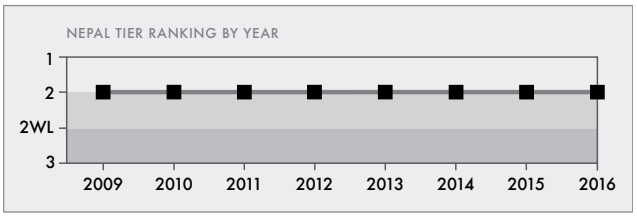
PREVENTION

The government increased efforts to prevent human trafficking. The government established a national committee to combat trafficking, chaired by the deputy prime minister, in February 2016. The government designated the MIRCO permanent secretary to chair the technical committee to combat trafficking, responsible for anti-trafficking activities and planning. The technical committee, which first convened in November 2015, included representatives from the police, Office of the Prosecutor General, Ministry of Labor, Ministry of Health and Social Services, MGECW, MIRCO, and MHAI. The technical committee drafted a national action plan to combat trafficking in persons to replace the plan that expires at the end of 2016. In partnership with an international donor, the government created a multi-sector steering committee and signed a memorandum of understanding in preparation for a project to strengthen inter-ministerial coordination to respond to trafficking cases and to launch a public awareness campaign to inform Namibians about trafficking and how to identify it; the project began shortly after the end of the reporting period. The government conducted activities to raise awareness about trafficking, including holding workshops on child trafficking, distributing awareness material in several dialects, and training on identifying trafficking victims, reaching more than 1,700 Namibians. The Ministry of Labor and Social Welfare employed 73 labor inspectors and 24 occupational health and safety inspectors during the reporting period, who were responsible for enforcing laws against child labor. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training to its diplomatic personnel.

NEPAL: Tier 2

Nepal is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Nepali women and girls are subjected to sex trafficking in Nepal, India, the Middle East, Asia, and sub-Saharan Africa. Nepali men, women, and children are subjected to forced labor in Nepal, India, the Middle East, Asia, and the United States in construction, factories, mines, domestic work, begging, and the adult entertainment industry. In many cases, the imposition of high fees facilitates forced labor, and recruitment agencies engage in fraudulent recruitment. Unregistered migrants—including the large number of Nepalis who travel through India or rely on unregistered recruiting agents—are particularly vulnerable to forced labor and sex trafficking. Some migrants from Bangladesh and possibly other countries transit Nepal en route to employment in the Middle East, using potentially falsified Nepali travel documents, and may be subjected to human trafficking. Nepali and Indian children are subjected to forced labor in the country, especially in domestic work, brick kilns, and the embroidered textile, or *zari*, industry. Bonded labor exists in agriculture, brick kilns, the stone-breaking industry, and domestic work. Many Nepalis living in areas affected by an earthquake that struck Nepal in April 2015 are vulnerable to trafficking. Traffickers utilize social media and mobile technologies to exploit their victims. Some government officials are reportedly bribed to include false information in genuine Nepali passports, including of age documents for child sex trafficking victims, or to provide fraudulent documents to prospective labor migrants, a tactic used by unscrupulous recruiters to evade recruitment regulations.

The Government of Nepal does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to prosecute suspected traffickers in 2015; however, the law did not define the prostitution of children as human trafficking absent force, fraud, or coercion. The government took steps to address the increased vulnerability of women and children in areas affected by the April 2015 earthquake, including awareness-raising programs. The government adopted labor migration guidelines in April 2015, including a policy to reduce the financial burden on Nepali migrant workers at risk of being subjected to trafficking. Nonetheless, the government's victim identification and protection efforts remained inadequate, and the government did not track the total number of victims identified. The government inconsistently implemented anti-trafficking laws, as many government officials continued to employ a narrow definition of human trafficking. The impact of the April 2015 earthquake placed a significant strain on government resources.



RECOMMENDATIONS FOR NEPAL:

Increase law enforcement efforts against all forms of trafficking, including sex trafficking of Nepali females within Nepal and against officials complicit in trafficking-related crimes; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking; revise the Human Trafficking and Transportation (Control) Act (HTTCA) to bring the definition of human trafficking in line with international law; institute formal procedures for proactive identification and referral of trafficking victims to protection services; respecting due process, prosecute suspected labor trafficking offenders and labor recruiters accused of charging excessive fees or engaging in fraudulent recruitment; eliminate all recruitment fees; lift current bans on migration for domestic work to discourage migration through undocumented channels; enforce newly adopted labor migration guidelines; ensure victim services are available to victims of trafficking of all genders; implement HTTCA victim protection provisions; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made modest anti-trafficking law enforcement efforts. The 2007 HTTCA and the 2008 regulation prohibit most, but not all, forms of trafficking in persons. The HTTCA criminalizes slavery and bonded labor but does not criminalize the recruitment, transportation, harboring, or receipt of persons by force, fraud, or coercion for the purpose of forced labor. It criminalizes forced prostitution but, in a departure from the 2000 UN TIP Protocol definition, does not consider the prostitution of children as a form of trafficking absent force, fraud, or coercion. The law also criminalizes facilitating prostitution and removal of human organs. Prescribed penalties range from 10 to 20 years' imprisonment, which are

sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The 2002 Bonded Labor (Prohibition) Act prohibits bonded labor. Forced child labor and transnational labor trafficking may be prosecuted under the Child Labor Act and the Foreign Employment Act (FEA). The National Committee for Controlling Human Trafficking (NCCHT) drafted prospective revisions to the HTTCA to bring the definition of human trafficking closer in line with international law; however, the government did not adopt the revisions by the end of the reporting period.

The Nepal Police Women's Cell conducted 181 sex and labor trafficking investigations under the HTTCA during the Nepali fiscal year, compared with 185 cases in the previous fiscal year. These investigations involved crimes in which women and girls were the primary victims; crimes involving male victims are handled by other police investigative units. In one of these investigations, police arrested members of a transnational crime network involved in trafficking Nepali women and children in the Middle East and Africa. The government prosecuted alleged traffickers in 341 cases in the fiscal year; of these, 227 remained pending. This data was not disaggregated to distinguish between sex and labor trafficking cases, or new cases versus those initiated in the previous fiscal year. At the district level, courts convicted 260 traffickers during the fiscal year, compared with 203 traffickers in the previous year, and acquitted the accused in 107 cases. Victims of transnational labor trafficking preferred to submit claims for compensation through the FEA, rather than pursue lengthy criminal prosecutions under the HTTCA, often to avoid the stigma associated with being labeled a trafficking victim and because the potential to be awarded compensation was higher.

The Nepal Police launched an initiative to combat human trafficking, resulting in the establishment of a working group with civil society and international organizations. Twenty senior police officials attended a course on trafficking investigations and victim protection. The women's cell continued conducting a course on psycho-social, victim-centered training during the reporting period. Approximately 35 police officers received extensive crime scene training on investigating trafficking and gender-based violence by an NGO, in partnership with the government. Despite this training, police officers' lack of awareness of the anti-trafficking law, challenges in evidence collection, and poor investigative techniques impeded prosecution efforts. In 2013, the anti-corruption commission indicted 46 officials from the Departments of Foreign Employment and Immigration for issuing fraudulent documents; criminal proceedings were ongoing at the close of the reporting period. The government did not report any newly initiated investigations, prosecutions, or convictions of government officials complicit in human trafficking or related offenses.

PROTECTION

The government maintained modest efforts to protect victims. Authorities remained without formal victim identification procedures and did not track the number of victims identified; however, the Ministry of Women, Children, and Social Welfare (MWCSW) began developing a mechanism to record this information. NGOs reported increased vigilance by authorities following the April 2015 earthquake, which led to improved identification of potential trafficking victims. Police identified 196 potential victims by the end of June 2015; however, it is unclear how many suffered or imminently faced exploitation. Immigration officials received anti-trafficking training, resulting in an increase in identification and referral of potential labor trafficking victims to police. Nonetheless, many law enforcement officials did not recognize that returning labor migrants who reported exploitation could be victims of trafficking, and the government did not utilize proactive screening measures among this population. Department of Foreign Employment officials frequently urged abused migrant workers returning to Nepal to register complaints under the FEA rather than notify police. Observers reported that government efforts to identify victims of sex trafficking remained inadequate. Police reduced the number of raids conducted on adult entertainment establishments in Kathmandu, resulting in a decrease in arrests of potential sex trafficking victims; this also resulted in decreased identification of victims. When properly identified, victims were not detained, fined, or jailed for crimes committed as a result of being subjected to human trafficking. Local officials reportedly facilitated the falsification of age documents for child sex trafficking victims.

The national minimum standards for victim care set forth procedures for referring identified victims to services. Referral efforts remained ad hoc and inadequate, although the government began drafting standard procedures for the identification and referral for both domestic and foreign victims of trafficking, as well as repatriation procedures. In the aftermath of the April 2015 earthquake, the government and several NGOs focused on providing services to victims in the earthquake-affected areas, increasing services and access to vulnerable populations. MWCSW maintained partial funding of eight rehabilitation homes and emergency shelters for female victims of gender-based violence, including trafficking. During the reporting period, the government opened the first long-term shelter for women referred from emergency shelters. MWCSW revised guidelines to increase funding for victim services, including legal assistance, psychological support, transportation, reunification with families, medical expenses, and other forms of support. The government allocated funds for the protection of adult male trafficking victims but did not fund shelter services. There was one NGO-run shelter for men in Kathmandu. Emergency shelters for vulnerable female workers—some of whom were likely trafficking victims—in Nepali embassies in Kuwait, Oman, Saudi Arabia, Qatar, Bahrain, and United Arab Emirates were inadequate to support the high demand for assistance. The government does not have established procedures for alternatives to the deportation of foreign victims. During the reporting period, the Nepali embassy in India assisted in repatriating two Nepali women who were promised jobs in Saudi Arabia, but were instead forcibly held and raped by a Saudi Arabian diplomat posted in India; two of their alleged traffickers were arrested by police in Nepal.

The Foreign Employment Promotion Board collected fees from departing registered migrant workers for a welfare fund to provide repatriation and one year of financial support to families of injured or deceased workers, which could include trafficking victims. During the fiscal year, the fund was used to repatriate 216 migrant workers and provide financial support to the families of 181 injured and 1,002 deceased workers. A revision to the HTTCA adopted in a gender equality bill in October 2015 ensures victim compensation when the government is unable to collect fines from traffickers. Victim-witness protection mechanisms remained insufficient legally and in practice, and were impeded by a 2015 amendment to the HTTCA that reinstated a provision allowing victims to be fined if they failed to appear in court or criminally liable for providing testimony contradicting their previous statements. The government trained prosecutors on victim

protection needs during legal proceedings. Although victim confidentiality improved, identifying information—such as phone numbers and names of relatives—periodically appeared in public documents, increasing victims' risks of reprisals.

PREVENTION

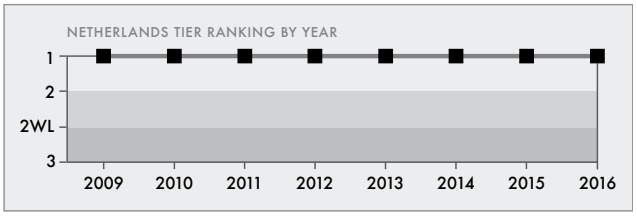
The government demonstrated increased efforts to prevent human trafficking. NCCHT met regularly and issued a third annual report on the government's anti-trafficking efforts. The government conducted coordination sessions with local officials from all 75 districts to clarify responsibilities in the implementation of the national action plan. NCCHT allocated approximately 250,400 Nepali rupees (NPR) ($2,504) to each of the 75 district committees to support awareness campaigns, meeting expenses, and emergency victim services; this was similar to the 233,000-380,000 NPR ($2,300-$3,750) allocated last fiscal year. Observers reported that while interagency coordination improved, it was still insufficient. The government conducted and participated in public awareness campaigns throughout the country; however, they did not often reach those most vulnerable to trafficking. Following the April 2015 earthquake, the Nepal Police Women's Cell ran awareness programs in eight districts on the increased risks of trafficking. Following increased reports of parents permitting children to move from earthquake affected areas to the capital for educational opportunities, MWCSW banned the transport of children younger than 16 years of age unaccompanied by a legal guardian to another district without approval from the child welfare board. To prevent sex trafficking in the adult entertainment industry, NCCHT reinstated monitoring committees in nine districts.

The government finalized labor migration guidelines in April 2015, including a policy requiring foreign employers to cover visa and transportation costs for Nepali migrant workers to reduce the financial burden that can make them more susceptible to trafficking. This policy restricts service fees recruitment agencies can charge workers to 10,000 NPR ($100), which is only allowed when employers are unwilling to bear all recruitment costs. Advocates supported the policy but assessed implementation as insufficient and employment agencies remained unwilling to adhere to the policy at the close of the reporting period. The government suspension on all exit permits for domestic work was lifted and the age limit for the ban on migration of females to the Gulf States for domestic work was decreased from 30 years to 24 years. In addition, the new guidelines require domestic worker recruitment to go through licensed recruitment agencies. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for all Nepali peacekeeping forces before deployment and for its diplomatic personnel. Nepal is not a party to the 2000 UN TIP Protocol.

NETHERLANDS: Tier 1

The Netherlands is a source, destination, and transit country for men, women, and children from the Netherlands, Eastern Europe, Africa, and South and East Asia subjected to sex trafficking and forced labor, such as inland shipping, offshore oil exploration, agriculture, horticulture, catering, food processing, domestic servitude, and forced criminal activity. Vulnerable populations include Dutch girls enticed by young male traffickers ("loverboys," who establish sham love relationships with vulnerable girls before intimidating them into sexual exploitation), unaccompanied children seeking asylum, women dependent on residency status obtained through fraudulent or forced marriages, domestic workers of foreign diplomats, Roma, and vulnerable women and men recruited in Eastern Europe, Africa, and Asia. There were reports of Dutch citizens engaging in child sex tourism abroad. In January 2016, media reported police and social workers found concrete signs of human traffickers recruiting in asylum centers, allegedly targeting women for prostitution and men for forced labor.

The Government of the Netherlands fully meets the minimum standards for the elimination of trafficking. The government investigated, prosecuted, and convicted a significant number of traffickers, and authorities identified a significant number of victims. The government has continued implementing the national referral mechanism plan created in 2014, including creating guidelines and training for identifying and referring victims to care, and setting standard operating procedures for key ministries. There is a government-wide taskforce that coordinates policy. National legislation requires law enforcement officers to refer victims to protection services. The government continued awareness campaigns aimed at educating vulnerable populations and businesses, and the independent anti-trafficking rapporteur monitored government efforts.



RECOMMENDATIONS FOR THE NETHERLANDS:

Vigorously investigate, prosecute, convict, and sentence traffickers to penalties commensurate with the seriousness of the crime; screen for trafficking among those detained for crimes that may be a direct result of being subjected to trafficking; provide adequate funding to NGOs to provide victim services; continue outreach to potential victims in the labor sectors and identify forced labor; improve mentoring of officials in Bonaire, St. Eustatius, and Saba to increase identification of victims and prosecution of traffickers; and reduce the risk of human trafficking in supply chains by following through on the 2014 commitment to develop covenants with companies in 13 sectors.

PROSECUTION

The Dutch government sustained its anti-trafficking law enforcement efforts. The Netherlands prohibits all forms of trafficking, including forced begging and forced criminality, through article 273f of the criminal code. The maximum prison sentence for a single offense of human trafficking is 12 years; it is 15 years if the victim is a minor, or perpetrators act in a group, or there are acts of violence. The sentence for aggravated human trafficking is 18 years' to life imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. According to the prosecutor's office, authorities investigated 215 individuals for trafficking in 2015, compared with 280 in 2014. In 2015, the government prosecuted 189 trafficking defendants and convicted 139, compared with 192 prosecuted and 134 convicted in 2014. Between 2014 and 2015, the conviction rate rose from 70 percent to 74 percent. The average sentence for

traffickers was not available for 2015 but will become available upon publication of the "Dutch National Rapporteur's Annual Trafficking Statistics Update" later in 2016. However, judges continued to sentence some convicted traffickers to prison: one trafficker who forced four young women into prostitution over a period of 10 years was sentenced to nine years in prison; a man who forced five Hungarian women into prostitution was sentenced to five years in prison; and a former police officer was sentenced to five years in prison for child sex trafficking. Judges with trafficking-specific training heard all trafficking cases in 2015. Prosecutorial statistics did not disaggregate labor and sex trafficking cases, but statistics on victims indicated that approximately 20 percent of all victims identified in 2015 were forced labor victims. Judges, prosecutors, and defense attorneys received specialized training in applying the anti-trafficking law and dealing with traumatized victims. In 2015, labor inspectors referred 10 cases for prosecution, down from 16 in 2014. Authorities reported no new investigations, prosecutions, or convictions of government employees complicit in trafficking in 2015. Police officers' basic training included anti-trafficking courses. Anti-trafficking police officers were required to pass examinations in a training course focused on policing the sex industry; police officers also had to sign a code of conduct before working in this sector. Dutch officials' joint investigations with Hungarian officials resulted in the 2015 sentencing of five Hungarians for sex trafficking, with prison sentences of 19 to 38 months' imprisonment, and the arrest of three men in northern Hungary for sex trafficking in The Hague; the suspects from northern Hungary were extradited, and the investigation was ongoing at the end of the reporting period.

PROTECTION

The Government of the Netherlands sustained efforts to protect victims. In the first 11 months of 2015, the government-funded national victim registration center and assistance coordinator registered 944 possible trafficking victims, compared with 1,080 in the first 11 months of 2014. Of the 944, there were 623 in sex trafficking, 172 in labor trafficking and forced crime, and 149 where the kind of trafficking was not established. The top countries of origin during the first 11 months were the Netherlands (almost one-third of the victims), Bulgaria, Romania, Hungary, and Nigeria. The government referred 146 victims to care facilities in 2015, compared with 160 in 2014; 54 percent of human trafficking victims were identified by police, 12 percent by border security, nine percent by labor inspectors, and 25 percent by other organizations. The government continued to fund an extensive network of facilities providing specialized services for child, female, and male victims. However, government funding for civil society organizations was reduced in 2015. In June 2015, the website "Road Map Human Trafficking" went live, providing victims, professionals, and citizens an overview of organizations that assist victims of human trafficking, by region and specialization.

In 2014, the most recent year data was available, 174 victims made use of the three-month reflection period, compared with 223 victims in 2013. During this time, victims received services and time to consider assisting law enforcement in prosecuting the trafficker. During a reflection period, non-EU victims were not allowed to work. If authorities decided to prosecute a suspected trafficker, victims received a B-8 permit, a temporary residence permit for trafficking victims; there is some concern among NGOs that provide shelter services that police did not always immediately advise victims of their B-8 eligibility. In 2014, the most recent year data was available, 251 victims applied for B-8 status, compared with 268 in 2013 and 406 in 2012. Victims were granted regular residency when the trafficker in their case was convicted or when they maintained B-8 status for three or more years. If a trafficker was not prosecuted or was acquitted, a potential victim could apply for human rights asylum. A 2012 pilot program to shorten authorities' decision time to launch a criminal investigation was being implemented nationally. Some experts contended this program forced victims in a vulnerable state to decide whether or not to press charges too quickly, possibly before they had met with an attorney. While the anti-trafficking law contains a non-punishment clause, defense attorneys reported instances in which the clause was not always properly understood or implemented.

PREVENTION

The government sustained efforts to prevent trafficking. The national rapporteur published three reports addressing human trafficking trends and the government's response. The government continued several awareness campaigns to educate the public about all forms of trafficking with videos, websites, handouts, and school prevention curricula. The labor inspectorate focused on sectors with an elevated risk of exploitation. Local government officials conducted brothel inspections, which included close observation for any signs of trafficking. Authorities trained immigration, hotel, aviation, customs, and labor inspection staff. A law enacted in 2015, the Tackling Fake Firms Act, enables the government to prosecute fraudulent companies used by traffickers and recruiters to circumvent labor laws, especially in the construction and transportation sectors; contractors are held accountable for any labor exploitation of their subcontractors. The government demonstrated efforts to reduce the demand for commercial sex. The Anonymous Crime Reporting Center received 182 tips on human trafficking and smuggling (joint category) in 2015, compared with 203 in 2014. The government, in cooperation with NGOs, continued its campaign against child sex tourism aimed at screening potential foreign child sex tourists at airports.

The foreign ministry continued to conduct outreach to foreign diplomats' domestic workers, without their employers present, on how to report cases of abuse. Since 2010, the Netherlands has registered 12 cases of human trafficking by foreign diplomats. The government provided human rights training, including trafficking in persons training, during orientation for its own diplomatic personnel. The government provided training on human rights and humanitarian law of war, including trafficking in persons, to troops prior to their deployment abroad as part of international peacekeeping missions.

BONAIRE, ST. EUSTATIUS, AND SABA (BES)

The BES islands are municipalities of the Netherlands and are a transit and destination area for men, women, and children subjected to sex trafficking and forced labor. Women in prostitution in regulated and illegal commercial sex sectors and unaccompanied children are highly vulnerable to trafficking. Local authorities believe men and women have been subjected to domestic servitude and forced labor in the agricultural and construction sectors. Some migrants in restaurants and local businesses may be vulnerable to debt bondage.

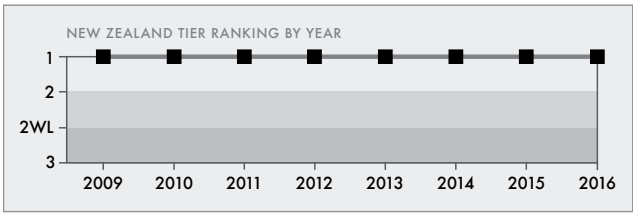
The BES criminal code prohibits both sex and labor trafficking under article 286f, prescribing penalties ranging from six to 15 years' imprisonment. Authorities did not initiate any new

trafficking investigations or prosecutions in 2015 in the BES islands. Police reported indicators of human trafficking in Bonaire and sent a multi-disciplinary team with police, tax authorities, labor inspectors, border security officials, and local government officials to search two brothels, but could not build a case. The mandate of the Netherlands' national rapporteur did not extend to the BES islands, so the office could not do local research. The prosecution of Bonaire's first trafficking case, involving Colombian women in forced prostitution, was initiated in October 2012 and remained ongoing at the close of the reporting period. Local governments on the BES islands ran multidisciplinary anti-trafficking teams, which cooperated with each other and with Dutch counterparts.

NEW ZEALAND: Tier 1

New Zealand is a destination country for foreign men and women subjected to forced labor and sex trafficking and a source country for children subjected to sex trafficking within the country. Foreign men and women from China, India, the Philippines, countries in the Pacific and Latin America, South Africa, and the United Kingdom are vulnerable to forced labor in New Zealand's agricultural, construction, and hospitality sectors, or as domestic workers. Some foreign workers are charged excessive recruitment fees, experience unjustified salary deductions, non- or underpayment of wages, excessively long working hours, restrictions on their movement, passport retention, and contract alteration. Some migrant workers are forced to work in job conditions different from those promised during recruitment but do not file complaints due to fear of losing their temporary visas. Foreign men aboard foreign-flagged fishing vessels in New Zealand waters are subjected to forced labor. Foreign women from Asia are at risk of coercive or forced prostitution. Some international students and temporary visa holders are vulnerable to forced labor or prostitution. A small number of Pacific Island and New Zealand (often of Maori descent) girls and boys are at risk of sex trafficking in street prostitution. Some children are recruited by other girls or compelled by family members into prostitution.

The Government of New Zealand fully meets the minimum standards for the elimination of trafficking. The government passed and enacted the Omnibus Crime Bill, which amended the definition of trafficking to define the offense as one of exploitation not requiring transnational movement. The government increased prosecutions of traffickers, but the punishments imposed were insufficient given the seriousness of the crimes. The government made its first certifications of trafficking victims and increased efforts to inform visa holders of worker rights and support services. The government continued to implement the Fisheries Foreign Charter Vessels Amendments, scheduled to come into full effect May 1, 2016, which led two fishing vessels considered at high risk of labor exploitation to choose not to renew their licenses to fish in New Zealand waters to avoid the additional scrutiny. The government expanded compliance checks to ensure work contracts matched those used to apply for work visas and met legal standards. The government, however, did not consistently identify trafficking victims in vulnerable sectors and continued to treat possible forced labor cases as labor violations.



RECOMMENDATIONS FOR NEW ZEALAND:

Increase efforts to identify victims through proactive screening of vulnerable populations, including women and children in prostitution, foreign workers, and illegal migrants; amend the new law to ensure that trafficking offenses are not punished by a fine alone and to define the sex trafficking of children not to require the use of force, fraud or coercion; significantly increase efforts to investigate and prosecute trafficking offenses and sentence traffickers to penalties commensurate with the seriousness of the crime; update the national action plan to address current trafficking trends in the country; assess the full extent of sex trafficking involving children and foreign women, and labor trafficking involving migrant workers; and continue anti-trafficking awareness campaign to reduce demand of forced labor and sexual commercial exploitation, especially of children and foreign women.

PROSECUTION

The government increased law enforcement efforts. Parliament passed and enacted the Omnibus Crime Bill which substantially conforms the definition of trafficking with international law by defining the crime of trafficking in persons as a crime of exploitation not requiring transnational movement of the victim. The bill amended the Crime Act of 1961, Section 98D and defined the crime to include the reception, recruitment, transport, transfer, concealment or harboring of a person for the purpose of exploitation, defined as the deception or coercion causing a person to be involved in prostitution or other sexual services, slavery and practices similar to slavery, servitude, forced labor or other forced services and the removal of organs. It does not include a provision making the sex trafficking of a child a crime regardless of deception or coercion, which is inconsistent with international law. Further, the penalty of a term not exceeding 20 years' imprisonment or a fine not exceeding $500,000 or both is generally not sufficiently stringent because of the possibility that a fine can be imposed in lieu of imprisonment. Further, with regards to sex trafficking, the penalty is insufficient because it is not a penalty commensurate with that imposed for other serious crimes, such as rape.

In 2015, the government completed its first trafficking prosecution under the crime act, involving 18 victims from India and two defendants. While this case marked the first time the government used the provision to prosecute suspected traffickers, no evidence of forced labor was found. The defendants were found guilty of immigration fraud and sentenced to 25 months' imprisonment and 10 months' home detention, respectively. The government reported convicting one sex trafficker in a case involving two victims brought into the country under false employment agreements. The court found the defendant guilty of providing false immigration information and inciting employees to breach visa conditions and sentenced her to 27 months' imprisonment. In two separate cases involving six and four Indian victims of forced labor in restaurants, three defendants were sentenced to home detention and reparation payments to victims; these penalties were not sufficient to

deter the crime and inconsistent with international standards. The government began prosecution of one trafficker in a case involving 16 migrant workers charged large recruitment fees and subjected to conditions indicative of forced labor. That case remained pending at the end of the reporting period. Government officials pointed to the enactment of the Organized Crime and Anti-corruption Legislation Bill as the means for more effective prosecution of trafficking crimes, which had previously been prosecuted under other charges with lesser penalties. The government continued to train police, labor inspectors, and immigration officials on victim identification and indicators of trafficking, but it did not report training prosecutors or judiciary officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government's victim protection efforts modestly increased. In 2015, the government made its first certifications of trafficking victims. All were labor trafficking victims, 16 from a case currently awaiting trial and 18 from a case concluded in January 2016. It provided temporary work visas to the 34 victims. The government did not report providing direct services or protection to potential victims mentioned in other investigations or prosecutions. The government reported having standardized questions to identify victims of trafficking but it only identified a small number of victims. Labor inspectors reported visiting legal brothels to ensure working conditions were in compliance with the law, but this did not result in the identification of any adult sex trafficking victims. Labor inspectors reported conducting routine audits in work places that employ migrant workers; they identified breaches of labor standards, but these did not result in investigations or prosecutions of forced or coerced labor exploitation. The government reported a policy of referring women and child victims of general crime to services; it was unclear if it had such a policy for men or it applied it to trafficking victims. The government did not operate any shelters specifically for trafficking victims; on a case-by-case basis, the government reported providing assistance, such as food and shelter, to victims of crimes and referred them to NGOs or other service providers. The law authorizes the extension of temporary residency to trafficking victims for up to 12 months and makes them eligible for a variety of government-provided or -funded services while their cases are under investigation. There were no reports of victims being detained, fined, or jailed for unlawful acts committed as trafficking victims; however, some may have been as a result of inadequate government efforts to identify victims. The government reported providing legal alternatives to the removal of foreign victims of crime to countries where they may face hardship or retribution, but no trafficking victims received this benefit in 2015. Victims could seek restitution through civil claims; some labor exploitation cases resulted in restitution for labor violations.

PREVENTION

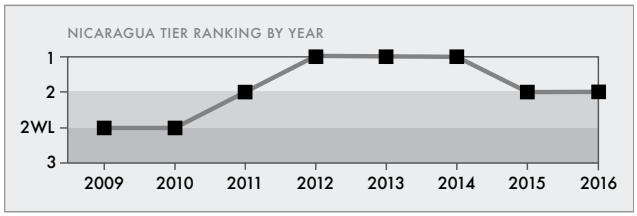
The government increased prevention efforts. The government continued to implement the Fisheries Foreign Charter Vessels Amendment, scheduled to come into full effect May 1, 2016, which requires all foreign charter vessels fishing in New Zealand waters to operate as New Zealand-flagged vessels and abide by its health and labor laws. The government reported two fishing vessels considered to be at high risk of labor exploitation chose not to renew their licenses to fish in New Zealand waters due to the increased scrutiny. In September 2015, the government signed a bilateral agreement with the Philippines to improve the transparency of recruitment of Filipino migrant workers in New Zealand and reduce their vulnerability. As part of these efforts, immigration authorities reviewed the employment contracts of some Filipino migrant workers upon arrival in the country to verify their contracts matched those previously filed and provided guidelines to employers of Filipino workers outlining their legal obligations. The government sent welcome emails to all approved residence, work, and student visa holders with information on workers' rights and employment support services in 13 languages. The Labor Inspectorate published two reports on vulnerable workers in the construction and hospitality industries on its website. The government presented new editions of guides for migrant dairy workers and their employers on workers' rights, employers' responsibilities, and support services. In an attempt to reduce the demand for forced labor, the government increased compliance tests of employment contracts used in work visa applications and issued media statements about labor compliance audit results and prosecutions of labor exploitation cases. The government did not make efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training to its diplomatic personnel. The government continued to cooperate with foreign governments to identify child sex tourists in New Zealand and to prioritize the prevention of child sex tourism abroad by its residents, although these efforts did not result in any investigations or prosecutions.

NICARAGUA: Tier 2

Nicaragua is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Nicaraguan women and children are subjected to sex trafficking within the country and in other Central American states, Mexico, and the United States. Many trafficking victims are recruited in rural areas or border regions with false promises of high-paying jobs in urban centers and tourist locales, where they are subjected to sex or labor trafficking. Victims' family members are often complicit in their exploitation. Nicaraguan women and children are subjected to sex and labor trafficking in the two Caribbean autonomous regions, where the lack of strong law enforcement institutions and a higher crime rate increase the vulnerability of the local population. Nicaraguans from northern-central departments who migrate to other Central American countries and Europe are reportedly vulnerable to sex and labor trafficking. In addition, children these migrants leave in Nicaragua reportedly become vulnerable to sex and labor trafficking as a result. Nicaraguan adults and children are subjected to forced labor in agriculture, construction, mining, the informal sector, and domestic service within the country and in Costa Rica, Panama, the United States, and other countries. Children in artisanal mining and quarrying are vulnerable to forced labor. NGOs report children and persons with disabilities are subjected to forced begging, particularly in Managua and near tourist centers. Male migrants from Central American countries transit Nicaragua en route to Panama in search of employment; some are subjected to labor trafficking in Panama. Nicaragua is a destination for child sex tourists from the United States, Canada, and Western Europe.

The Government of Nicaragua does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government enacted and began implementing a new trafficking-specific law that imposes stringent penalties for sex and labor trafficking crimes. However, its definition of human trafficking is inconsistent

with international law; it conflates human trafficking with other crimes, such as illegal adoption, and establishes the use of force, coercion, or deceit as an aggravating factor rather than an essential element of most trafficking crimes. Authorities continued to prosecute, convict, and impose stringent sentences on traffickers. However, the government identified significantly fewer victims than in 2014, and overall protection efforts were weak; the government did not provide or fund adequate services for victims, nor did it systematically refer all victims to NGOs to receive such care. The government did not have formal procedures for identifying victims among vulnerable groups, and front-line officials were not adequately trained to recognize all forms of trafficking. The government-led anti-trafficking coalition and regional working groups were largely inactive during the year, and key elements of the new trafficking law—such as a dedicated trafficking fund—were not implemented. Prosecution, protection, and prevention efforts in the two Caribbean autonomous regions of Nicaragua continued to be much weaker than in the rest of the country.



RECOMMENDATIONS FOR NICARAGUA:

Provide, in partnership with civil society organizations, specialized services for trafficking victims; increase funding for victim protection, including through financing the newly established trafficking fund; implement operating procedures to effectively refer victims to appropriate services; increase training for government officials—including social workers, labor inspectors, and law enforcement officials—to facilitate increased victim identification and assistance, particularly in the autonomous regions; institute formal procedures for proactively identifying victims among vulnerable populations; improve trafficking data collection and coordination across agencies, and increase transparency in reporting anti-trafficking efforts across government entities and with external stakeholders; strengthen law enforcement and victim protection efforts in the Caribbean autonomous regions, including through increased staff and funding; increase efforts to investigate and prosecute cases involving all forms of human trafficking, and convict and punish traffickers and child sex tourists; amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law; partner with civil society organizations to ensure that victims receive long-term care and reintegration services; reinvigorate the work of the national and local anti-trafficking coalitions, including by appointing a national executive secretariat; and invite a diverse range of civil society organizations to hold formal membership on both the national and local anti-trafficking coalitions.

PROSECUTION

The government continued to prosecute and convict traffickers, but provided only limited information about its law enforcement efforts. Nicaragua's first trafficking-specific law, law 896, came into effect in February 2015. This law prohibits all forms of trafficking and prescribes penalties ranging from 16 to 18 years' imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. However, it is inconsistent with international law; it conflates human trafficking with other crimes, such as illegal adoption, and establishes the use of force, coercion, or deceit as an aggravating factor rather than an essential element of most trafficking crimes.

Authorities reported 10 trafficking investigations and 23 prosecutions of suspected offenders in eight cases in 2015, compared with 24 suspects prosecuted in 17 cases in 2014. Authorities convicted 10 traffickers in six cases, compared with 12 convicted in eight cases in 2014. Of these convictions, the government reported three cases involved sex trafficking and one involved both sex and labor trafficking; the majority included child victims. The government convicted three offenders, for child sex trafficking catered to foreign tourists in Granada, in the first successful case under the new anti-trafficking law. At the close of the reporting period, all convicted traffickers who had been sentenced received penalties ranging from 12 to 20 years' imprisonment. Nine suspects were acquitted, and prosecutions of eight suspects were ongoing. The government did not provide complete information on the number of prosecutions ongoing from previous years. Although child domestic servitude is a form of human trafficking under Nicaraguan law, the government did not consider such cases to be human trafficking crimes and did not pursue prosecutions in such cases; children identified in domestic servitude were returned to their families, leaving them at risk of re-exploitation. There were no investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government maintained efforts to train officials on trafficking.

PROTECTION

The government decreased efforts to identify victims, and overall victim protection remained inadequate. The government identified and provided unspecified assistance to 30 Nicaraguan victims, including two adults and 28 children, a significant decline from 51 victims identified by the government in 2014. An NGO reported identifying seven additional victims. The government did not provide information on the type of trafficking these victims experienced. Authorities did not have formal procedures for identifying victims among vulnerable populations, such as individuals in prostitution or working children. Local officials were not adequately trained to recognize all forms of trafficking, and victim identification in the autonomous regions continued to lag behind national efforts.

There were few specialized services for trafficking victims in Nicaragua. The government maintained a police-operated short-term shelter for victims of domestic violence and human trafficking in Managua that served an unknown number of victims. The government referred seven child trafficking victims to NGO shelters for at-risk children or victims of domestic abuse. The government did not provide funding to NGOs that provided the majority of victim protection. Services and shelter for boys remained limited, and there were no shelters available to men. The government did not provide long-term care, and the availability of extended services from NGOs was limited. The government put some child victims at risk of re-trafficking by placing them with family members who may have been complicit in the children's exploitation. Regions outside Managua most affected by human trafficking largely lacked adequate services.

Law 896 established a dedicated fund—to be financed through budget allocation, donations, and seized assets from traffickers—for victim protection and prevention activities. However, it

was not financed and did not become operational during the reporting period. The government did not report whether it assisted any Nicaraguan victims through its diplomatic missions overseas. There were no reports of victims being penalized for unlawful acts committed as a direct result of being subjected to human trafficking; however, inadequate efforts to screen for indicators of trafficking among vulnerable groups may have led to some unidentified victims being punished. Humanitarian visas were available to foreign trafficking victims, although there were no cases or requests reported by the government in 2015.

PREVENTION

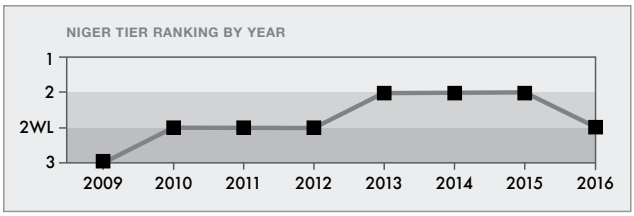
The Nicaraguan government's efforts to prevent trafficking declined. NGOs asserted the government-run anti-trafficking coalition did not meet during the current reporting period, remaining inactive for the second consecutive year. The government did not appoint an individual to fill the executive secretariat role, created by the new anti-trafficking law to chair the coalition, though the law stipulates this should have been completed within 45 days of its passage. The government reported that it continued to operate 17 regional anti-trafficking working groups, though NGOs involved in the groups reported the majority of these were inactive throughout the year. Under the new law, civil society organizations—which previously served as active members of the government's anti-trafficking coalition—will be represented by a single organization unless individually invited to join by the executive secretariat. Authorities reported conducting media and outreach events to educate the public on human trafficking; it is unclear whether the government funded these events or received funding from NGOs. The government provided anti-trafficking training for its diplomatic personnel. Authorities did not investigate, prosecute, or convict any tourists for the purchase of commercial sex acts from children in 2015. The government did not report efforts to decrease the demand for commercial sex acts or forced labor.

NIGER: Tier 2 Watch List

Niger is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Caste-based slavery practices continue primarily in the northern part of the country and affect some 44,000 people. Victims from Benin, Burkina Faso, Cameroon, Ghana, Mali, Nigeria, and Togo are exploited in sex and labor trafficking in Niger. Nigerien boys are subjected to forced labor, including forced begging, within the country and in Mali and Nigeria by corrupt *marabouts* (religious instructors). Corrupt *marabouts* or loosely organized clandestine networks may also place Nigerien girls into domestic servitude or commercial sex. Nigerien children are subjected to forced labor in gold, salt, trona, and gypsum mines; agriculture; stone quarries; and manufacturing within the country. Girls are subjected to sex trafficking along the border with Nigeria, sometimes with the complicity of their families. In the Tahoua region of Niger, girls born into slavery are forced to marry men who buy them as "fifth wives" and subject them to forced labor and sexual servitude, a practice known as *wahaya*; their children are born into slave castes. "Fifth wives" are typically sold between the age of 9 and 11 years old. Traditional chiefs play a primary role in this form of exploitation, either through enslaving children in their own families or arranging "marriages" for other powerful individuals. Some girls in forced marriages may be exploited in commercial sex after fleeing these nominal unions. Nigerien girls reportedly travel abroad to enter into "marriages" with Nigerian men or foreign citizens living in Saudi Arabia and the United Arab Emirates and are subjected to domestic servitude in these countries. In Algeria, Nigerien children were forced to beg and Nigerien women and girls were vulnerable to sex trafficking.

Nigerien women and children are recruited from Niger and transported to Nigeria, North Africa, the Middle East, and Europe where they are subjected to domestic servitude, sex trafficking, or forced labor in agriculture or animal herding. Some migrants were suspected to be traffickers, particularly Nigerien migrants to Algeria. Traffickers operated primarily small, freelance operations in loosely organized networks of individuals, including some *marabouts*. Some women have been accused of managing trafficking rings, although they may have been trafficking victims themselves. Some women are complicit in the exploitation of children, accepting payment from traffickers who run forced, street-begging operations. Niger is a transit country for men, women, and children from West and Central Africa migrating to North Africa and Western Europe, where some are subjected to forced labor or sex trafficking. Additionally, some migrants are subjected to forced labor in Niger as domestic servants, mechanics, welders, laborers in mines and on farms, or as staff in bars and restaurants. The terrorist organization Boko Haram forcibly recruited Nigerien children during the reporting period. Corrupt law enforcement and border officials have accepted bribes from traffickers to facilitate the transportation of victims into and throughout the country.

The Government of Niger does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Niger is placed on Tier 2 Watch List. The government did not report the number of investigations, prosecutions, and convictions or the number of victims identified or referred for protective services during the reporting period. NGOs provided shelter to 58 trafficking victims and the government provided in-kind assistance to NGOs and international organizations. Although the government trained law enforcement officers, civil society activists, and judges on the national trafficking law and victim protection and adopted a national action plan, it decreased efforts to prevent human trafficking.



RECOMMENDATIONS FOR NIGER:

Vigorously investigate, prosecute, and convict traffickers, including those guilty of slavery and complicit government officials, using the anti-trafficking law; train law enforcement and judicial officials throughout the country on the anti-trafficking law in coordination with NGOs and international organizations; develop systematic procedures for the proactive identification of trafficking victims—especially among vulnerable populations, such as children exploited in prostitution, girls born into slave castes, and children at worksites—and their subsequent referral to care; train law enforcement officials on victim identification

procedures; provide financial or in-kind support to NGO partners providing victim care; increase penalties in the law for trafficking of adults and remove the ability to impose a fine in lieu of jail time for forced labor crimes; increase the quantity and quality of services available to victims; increase efforts to rescue victims of traditional slavery practices and adult victims; initiate law enforcement investigations into suspected cases of local officials colluding with traffickers or accepting bribes to obstruct criminal investigations of trafficking crimes, particularly traditional slavery; and continue to raise public awareness about the anti-trafficking law—specifically targeting vulnerable populations, religious leaders, and traditional chiefs and encouraging victims to exercise their legal rights.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts; the government did not report the number of investigations, prosecutions, or convictions during the reporting period. Order No. 2012-86 on Combating Trafficking in Persons, enacted in 2010, prohibits all forms of trafficking, including slavery and practices similar to slavery. This law prescribes sufficiently stringent punishments of five to 10 years' imprisonment for committing trafficking offenses against adults and 10 to 30 years' imprisonment when the victim is a child. Penalties for child trafficking are commensurate with those prescribed for other serious offenses, such as rape, but those prescribed for trafficking of adults are not. The law specifically prohibits exploitative begging. Other statutes prohibit certain forms of trafficking; the penal code prohibits slavery, procurement of a child for prostitution, and the encouragement of, or profiting from, child begging in articles 270 (as amended in 2003), 292-293, and 181, respectively. The labor code, enacted in September 2012, outlaws forced labor. The penal code's prescribed penalties of 10 to 30 years' imprisonment for slavery offenses are sufficiently stringent and reflect the serious nature of the crime. The penalties prescribed in the labor code for forced labor are not sufficiently stringent as the law allows for the option of a fine in lieu of jail time, which does not reflect the serious nature of this crime.

The government did not report the number of investigations, prosecutions, and convictions during the reporting period, contrasted with 144 investigations of trafficking offenses, five prosecutions of defendants, and five convictions of traffickers during the previous reporting period. The government did not make progress in 2015 in ending impunity for *marabouts* who force children to beg or traditional chiefs who facilitate the enslavement of children. There is a lack of access to justice for victims, as they were often uninformed about their legal rights and lacked the necessary capacities and resources to seek punitive action against their exploiters. There were no reported developments in pending slavery cases, some of which have reportedly been ongoing for years. NGOs reported the government was slow to prosecute trafficking crimes.

In 2015, the government trained 140 law enforcement officers, civil society activists, and judges on the national trafficking law and victim protection in Niamey. There were no investigations, prosecutions, or convictions of government officials for complicity in trafficking or trafficking-related criminal activities.

PROTECTION

The government decreased protection efforts; the government did not report the number of victims it identified or referred for protective services during the reporting period. There were no specialized services available in Niger for adult victims or victims of hereditary slavery. Officials did not receive training nor were there formal written procedures for identifying victims and referring them to protective services. NGOs provided shelter to 58 trafficking victims, and the government provided in-kind assistance to NGOs and international organizations in the form of temporary shelter, food, and primary health care to an unknown number of child victims. Authorities did not employ systematic measures to identify trafficking victims among vulnerable populations, such as women and girls born into traditional slave castes or children at worksites. The National Coordination Commission for the Fight against Trafficking in Persons (CNCLTP) did not report how many victims it identified during the reporting period. The government relied almost exclusively on NGOs and international organizations to provide services to victims, although NGOs' capacity to provide shelter or long-term services to victims was inadequate; their primary role was often to facilitate victim repatriation or family reunification.

While the government reported it would encourage adult victims to assist in the investigation and prosecution of trafficking cases, victims' lack of awareness of the legal options available to them, fears of retaliation by traffickers, and lack of adequate shelter and protective services impeded their efforts to do so. Victims of forced labor and caste-based servitude were able to file civil and criminal complaints simultaneously. The government did not have any reintegration or rehabilitation programs for children forcibly recruited by the terrorist organization Boko Haram. There were no reports of the government detaining, fining, or jailing trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. The law includes provisions to ensure foreign victims would be safe upon return to their countries of origin and provides for the possibility of granting victims legal status in Niger, including the ability to obtain employment.

PREVENTION

The government decreased efforts to prevent human trafficking. The CNCLTP continued to serve as the coordinating body for the government's anti-trafficking efforts, and the National Agency for the Fight Against Trafficking in Persons was the government's permanent implementing body to address trafficking in persons. The government adopted a national action plan, which was developed through inter-ministerial cooperation and in partnership with civil society organizations. Senior officials publicly recognized the problem of human trafficking and Niger's policies to combat it at the opening of several anti-trafficking information and education campaigns during the reporting period. The government did not punish labor recruiters or brokers who recruited workers with knowingly fraudulent offers of employment or job placement. The government took no discernible measures to address the demand for forced labor or commercial sex acts. Bylaws governing the armed forces require troops to receive anti-trafficking training prior to their deployment abroad on international peacekeeping missions, although there is no evidence the government implemented such training during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel.

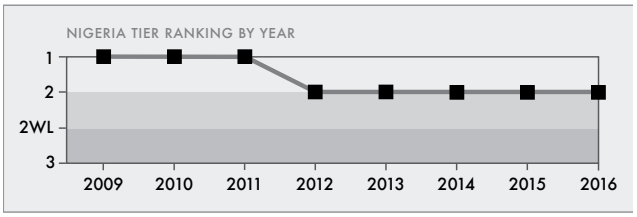
NIGERIA: Tier 2

Nigeria is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking.

Nigerian trafficking victims are recruited from rural and, to a lesser extent, urban areas: women and girls for domestic servitude and sex trafficking and boys for forced labor in street vending, domestic service, mining, stone quarrying, agriculture, textile manufacturing, and begging. Young boys in Koranic schools, commonly known as "*Almajiri* children," are subjected to forced begging. Nigerian women and children are taken from Nigeria to other West and Central African countries, as well as to South Africa, where they are exploited for the same purposes. Nigerian women and girls are subjected to sex trafficking throughout Europe. Nigerian women and children are also recruited and transported to destinations in North Africa, the Middle East, and Central Asia, where they are held captive in the commercial sex industry or forced labor. Women from other countries in West Africa transit Nigeria to destinations in Europe and the Middle East, where they are subjected to forced prostitution. Children from other West African countries are subjected to forced labor in Nigeria, including in granite and gold mines. Nigeria is a transit point for children from other countries in West Africa, who are then subjected to forced labor in Cameroon and Gabon. Various NGOs continued to report that children in internally displaced persons (IDP) camps in northeast Nigeria were victims of labor and sex trafficking.

During the reporting period, Boko Haram continued to forcibly recruit and use child soldiers as young as 12 years old and abduct women and girls in the northern region of Nigeria, some of whom it subjected to domestic servitude, forced labor, and sex slavery through forced marriages to its militants. NGOs and international observers also reported civilian vigilante groups, often identified as the Civilian Joint Taskforce (CJTF), recruited and used child soldiers, sometimes by force. Although the government prohibited the recruitment and use of child soldiers, government security forces conducted on-the-ground coordination with CJTF during the reporting period. The Borno State government continued to provide financial and in-kind resources to some members of CJTF, which was also at times aligned with the Nigerian military in operations against Boko Haram.

The Government of Nigeria does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government sustained strong anti-trafficking law enforcement efforts by investigating, prosecuting, and convicting numerous traffickers; by collaborating with 11 countries on international investigations; and by providing extensive specialized anti-trafficking training to officials from various government ministries and agencies. The National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP) received a larger operating budget, identified and provided services to a large number of victims, and continued extensive awareness campaigns throughout the country. During the reporting period, the Borno State government provided financial and in-kind resources to some members of CJTF; CJTF recruited and used child soldiers. Additionally, despite a 2015 amendment that removed judges' ability to sentence traffickers to fines in lieu of prison time, Nigerian courts penalized two traffickers with fines alone and gave another three the option to pay a fine in lieu of serving time in prison.



RECOMMENDATIONS FOR NIGERIA:

Cease provision of financial and in-kind support to groups recruiting and using children; investigate and prosecute all individuals suspected of recruiting and using child soldiers and allegedly perpetrating other trafficking abuses against women and children; continue to vigorously pursue trafficking investigations, prosecutions, and adequate sentences for convicted traffickers; take proactive measures to investigate and prosecute government officials suspected of trafficking-related corruption and complicity in trafficking offenses; ensure the activities of NAPTIP receive sufficient funding, particularly for prosecuting traffickers and providing adequate care for victims; implement programs for the disarmament, demobilization, and reintegration of former child combatants that take into account the specific needs of child ex-combatants; continue to provide regular training to police and immigration officials to identify trafficking victims among vulnerable populations, such as women in prostitution and young females traveling with non-family members; fully integrate anti-trafficking responsibilities into the work of the Nigerian police force and the Ministry of Labor; and continue to increase the capacity of Nigerian embassies to identify and provide assistance to victims abroad, including through regular and specialized training for diplomatic and consular personnel.

PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. In 2015, the government passed amendments to the 2003 Trafficking in Persons Law Enforcement and Administration Act, which increased the penalties for trafficking offenders. The law prohibits all forms of trafficking and prescribes a minimum penalty of five years' imprisonment and a minimum fine of one million naira ($5,470) for sex and labor trafficking offenses; the minimum penalty for sex trafficking increases to seven years' imprisonment if the case involves a child. These penalties are sufficiently stringent and commensurate with other serious crimes, such as rape.

NAPTIP conducted 507 trafficking investigations, completed at least 32 prosecutions, and secured 24 convictions during the reporting period, compared with 509 investigations, 56 prosecutions, and 30 convictions in the previous reporting period. The decrease in convictions is likely a result of the seconding of many judges to electoral tribunals during the reporting period. An additional 148 prosecutions remained pending at the end of the reporting period. All prosecutions occurred under the anti-trafficking law, and prison sentences upon conviction ranged from three months' to 14 years' imprisonment. Of the 24 convictions, 16 resulted in imprisonment without the option of paying a fine. However, despite a 2015 amendment that removed judges' ability to sentence traffickers to fines in lieu of prison time, Nigerian courts penalized five traffickers with only fines. The government also collaborated with law enforcement agencies from Belgium, Burkina Faso, Finland, France, Germany, Mali, Norway, Sweden, Taiwan, the United Kingdom, and the United States on 43

investigations involving Nigerian nationals during the reporting period. The government commenced prosecution of a Ministry of Foreign Affairs official who allegedly used his or her position to facilitate a trafficking crime abroad; the prosecution remained ongoing at the close of the reporting period. The government did not report any other investigations, prosecutions, or convictions of government officials complicit in trafficking offenses; however, corruption at all levels of the government remained a pervasive problem.

The government conducted extensive training throughout the reporting period. NAPTIP, in collaboration with international partners, provided specialized training to approximately 228 government employees, including judges, prosecutors, and officials from NAPTIP, the Nigerian police force, and the Nigerian Immigration Service. These programs offered specialized training on victim identification, investigation and prosecution of trafficking cases, counseling, intelligence collection, and monitoring and evaluation. NAPTIP officials assisted 18 countries with their anti-trafficking efforts through training courses, joint intelligence sharing, and mutual legal assistance.

PROTECTION

The government maintained strong efforts to protect trafficking victims. The government identified 943 trafficking victims, including 429 victims of sex trafficking and 514 of labor trafficking, compared with 914 victims identified in the previous reporting period. NAPTIP provided initial screening and assistance for all victims it identified and referred them to government-run care facilities for further medical care, vocational training, education, and shelter. The government has formal written procedures to guide law enforcement, immigration, and social services personnel in proactive identification of trafficking victims among high-risk populations. NAPTIP provided police, immigration, and social services personnel with specialized training on how to identify trafficking victims and direct them to NAPTIP. Additionally, the government's national referral mechanism provides formal guidelines for law enforcement, immigration officials, and service providers to improve protection and assistance to trafficking victims, both within Nigeria and abroad.

In 2015, the government allocated approximately 2.5 billion naira ($13 million) to NAPTIP, which spent roughly 581 million naira ($3 million) on victim protection and assistance during the reporting period. NAPTIP operated nine shelters specifically for trafficking victims, with a total capacity of 313 victims. Through these shelters, NAPTIP provided access to legal, medical, and psychological services, as well as vocational training, trade and financial empowerment, and business management skills. Victims who required additional medical and psychological treatment were provided services by hospitals and clinics through existing agreements with NAPTIP. NAPTIP shelters offered short-term care, generally limiting victims' stays to six weeks, although victims were allowed to extend their stays under special circumstances. If victims needed longer-term care, NAPTIP collaborated with two shelters operated by the Ministry of Women's Affairs and NGO-run shelters. Victims in NAPTIP shelters were not allowed to leave unless accompanied by a chaperone. NAPTIP provided funding, in-kind donations, and services to NGOs and other organizations that afforded protective services to trafficking victims.

Per provisions of the anti-trafficking law, Nigerian authorities ensured identified trafficking victims were not penalized for unlawful acts committed as a result of being subjected to trafficking. However, in some instances, NAPTIP authorities deemed adults in prostitution, who claimed to be working voluntarily, victims of trafficking and detained them in shelter facilities against their will. Officials encouraged victims to assist in the investigation and prosecution of trafficking cases, and NAPTIP reported 33 victims served as witnesses or gave evidence during trial in the reporting period. Trafficking victims were guaranteed temporary residence visas during any criminal, civil or other legal action. All victims were eligible to receive funds from the victims' trust fund, which was financed primarily through confiscated assets of convicted traffickers. During the reporting period, the government disbursed 5.4 million naira ($32,700) among 25 victims for various purposes, including vocational training and school tuition, although not necessarily in equal amounts.

PREVENTION

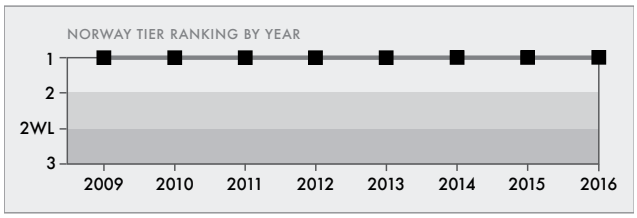
The government sustained efforts to prevent human trafficking. NAPTIP continued to conduct extensive national and local programming through radio and print media in all regions to raise awareness about trafficking, including warning about fraudulent recruitment for jobs abroad. NAPTIP also carried out advocacy visits to five primary and secondary schools in six states deemed to have a particularly high trafficking incidence, sensitizing over 10,000 students; NAPTIP also educated transportation carriers in these six states on their responsibility to prevent trafficking and smuggling. The inter-ministerial committee on trafficking met 15 times during the reporting period, continued to implement the national action plan, and released its first annual report. The Ministry of Labor and Productivity continued to implement the national policy and action plan on labor migration and manage the licensing requirement for all private labor recruitment agencies. The government did not make any discernible efforts to decrease the demand for commercial sex acts. The Borno State government also warned that the recruitment and use of child soldiers was prohibited; however, state government support for some members of the CJTF continued. The government provided anti-trafficking training for its diplomatic personnel and, with foreign donor support, to Nigerian troops prior to their deployment abroad on international peacekeeping missions.

NORWAY: Tier 1

Norway is a destination and, to a lesser extent, transit and source country for women and girls subjected to sex trafficking, and for men and women subjected to forced labor in domestic service, nursing, car washing, and construction. Children are subjected to domestic servitude, forced begging, and forced criminal activity, such as shoplifting and drug sales. Trafficking victims identified in Norway primarily originate from Eastern Europe and Africa—particularly Albania, Bulgaria, Lithuania, Nigeria, and Romania. Increasing numbers of Syrians are subjected to trafficking in Norway. Foreign au pairs, including those from the Philippines, are vulnerable to trafficking in Norway. Some children who had disappeared or had been recruited from asylum centers were subsequently subjected to trafficking by organized trafficking groups.

The Government of Norway fully meets the minimum standards for the elimination of trafficking. The government continued to offer victims a range of assistance through municipal centers and NGOs. Authorities devoted more resources to addressing labor

exploitation, although the government continued to dedicate the bulk of resources and attention to sexual exploitation. Norway's national action plan against trafficking expired in 2014 and was not replaced by the close of the reporting period. The level of law enforcement efforts remained low relative to the number of victims identified; from 2007 to 2013, approximately 2,000 potential trafficking victims received assistance in Norway, yet authorities have secured only 46 convictions since 2003.



RECOMMENDATIONS FOR NORWAY:

Train investigators on compiling evidence additional to victims' testimonies; train prosecutors on the application of Norway's trafficking law; vigorously prosecute and convict sex and labor traffickers; enhance communication between police and immigration authorities and proactively screen foreigners in detention for indicators of trafficking prior to their deportation; adequately resource police departments to investigate trafficking crimes; develop and implement a national action plan; continue collaborative efforts to combat labor trafficking offenses.

PROSECUTION

The government sustained law enforcement efforts. Norway prohibits all forms of sex and labor trafficking through criminal code section 224, which prescribes a maximum penalty of six to 10 years' imprisonment, which is sufficiently stringent and commensurate with punishments prescribed for other serious offenses, such as rape. New revisions to the criminal code, in effect January 2016, introduced two new paragraphs for trafficking offenses (257 and 258). The updated penal code states that the maximum sentence for human trafficking, including forced labor, has increased from five years' to six years' imprisonment. For aggravated trafficking offenses, the maximum sentence is 10 years' imprisonment. Authorities initiated investigations of 43 sex trafficking cases and 18 labor trafficking cases, compared with 36 sex trafficking cases and 68 labor trafficking cases in 2014. The government prosecuted six sex trafficking suspects and five labor trafficking suspects under section 224, compared with four sex trafficking suspects and one labor trafficking suspect in 2014. Authorities obtained convictions for six sex traffickers and five labor traffickers, compared with four sex traffickers and one labor trafficker in 2014. All of the convicted traffickers under the 2015 reporting period received jail sentences ranging up to the maximum five years' imprisonment.

Norway participated in the planning and implementation of training seminars conducted by the Council of the Baltic Sea States expert groups on trafficking in human beings and on children at risk. The government earmarked 15 million kroner ($1.7 million) annually for the establishment of specialized anti-trafficking units in Norway's five largest police districts, under the supervision of the police directorate. The Bergen police maintained a specialized unit dedicated to combating trafficking. In 2015, Parliament decided that all 12 police districts in Norway were to have a trafficking unit—funds have been allocated for five of these police districts as of April 2016. Remaining police districts will likely receive funding in the 2017 budget. Many municipalities did not have prosecutors with specialized training in trafficking cases; as a result, prosecutors sometimes brought pimping charges in trafficking cases when the accused trafficker used forms of force, fraud, or coercion other than physical violence. In these cases, victims were not automatically provided the benefits given under the trafficking laws, and convicted offenders could receive penalties that were not dissuasive or proportionate to the crime. If tried under the pimping charges, victims may have been eligible for a residence permit if the authorities believed the person was a victim of trafficking, even if the evidence against the potential trafficker(s) was not clear. Social benefits such as financial support and welfare services may have also been provided if the believed trafficking victim was granted a residence permit. A government report found police dropped a large number of trafficking cases due in part to their lack of capacity and training to deal with trafficking cases, as well as investigators relying solely on victims' testimony rather than gathering additional evidence. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government sustained strong protection efforts through funding for victim services. In 2015, the government reported identifying and providing services for 290 trafficking victims, including 51 men, 198 women and 41 children, compared with approximately 270 victims overall in 2014. Within the total number of trafficking victims reported in 2015, 186 were sex trafficking victims, 95 were forced labor victims, three were a combination of both, and six types of exploitation were unknown. The government provided protection to trafficking victims through municipal crisis centers and government-funded NGOs. These NGOs provided foreign and domestic victims with shelter, legal aid, stipends for food, psychological care, medical assistance, fitness facilities, and Norwegian language classes. The government allocated 6 million kroner ($680,000) to an NGO specializing in caring for trafficking victims, as well as 4.5 million kroner ($510,000) to support safe houses for individuals in need, including trafficking victims. Increased funding allowed the government's ROSA (Re-establishment, Organizing safe places to stay, Security, Assistance) project to hire extra staff to offer guidance for victims of forced labor and for an international organization to establish an emergency facility for victims of forced labor. Two apartments were available to house male victims. ROSA received 125 initial contacts from possible victims, in contrast with 132 contacts in 2014; 121 women and 4 men accepted shelter services. Another publicly supported NGO assisted sex trafficking victims who had been granted a reflection period with vocational programs and sponsored internships. Child Welfare Services provided specialized care to child victims, including accommodation in a child protection institution or a foster home. The government supplied the police with "action cards" that detailed appropriate procedures for interacting with and referring victims. GRETA reported Norwegian border officials did not adequately identify potential victims. Experts observed the police were under pressure to deport individuals without legal status and often pursued deportation without screening for indicators of trafficking, particularly among individuals in prostitution.

Authorities granted a six-month reflection period to 22 victims and temporary residence permits to 41 victims in 2015, compared with 27 grants of reflection periods and 41

temporary residence permits in 2014. Observers expressed concern over the lack of communication between the police and immigration authorities, resulting in the deportation of victims who may have merited temporary residency. Victims could receive a longer-term residence permit if they made a formal complaint to the police and the authorities decided they needed the victims' assistance for the investigation and prosecution. Victims facing retribution or hardship in their countries of origin could apply for asylum after law enforcement no longer required their assistance; 11 victims received asylum status in 2015, the same number as in 2014. There were isolated incidents of potential victims being inappropriately detained or fined for unlawful acts committed as a direct result of being subjected to human trafficking.

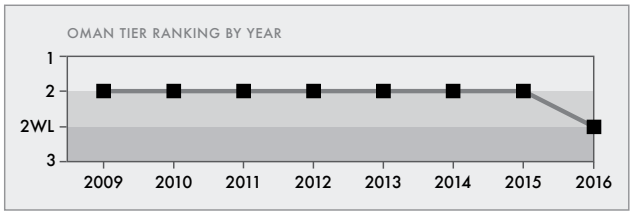
PREVENTION

The government maintained modest prevention efforts. Norway did not have an action plan at the close of the reporting period, as the most recent one expired in 2014. The government funded 11 broad-based projects aimed at raising awareness about trafficking in Norway. The government continued to monitor the issue of human trafficking, such as with a 2015 report, conducted by the research center Fafo on identification and assistance of child victims of trafficking. The government-funded report found child victims of exploitation received incomplete police investigations. The government did not report any specific measures to reduce the demand for commercial sex. The government provided anti-trafficking training for its diplomatic personnel.

OMAN: Tier 2 Watch List

Oman is a destination and transit country for men and women, primarily from South Asia and East Africa, subjected to forced labor and, to a lesser extent, sex trafficking. Migrants to Oman travel willingly and legally with the expectation of employment in domestic service or as workers in the construction, agricultural, and service sectors; some are subjected to forced labor, including excessive working hours, passport confiscation, and physical and mental abuse. The approximately 600,000 Bangladeshis working low-wage jobs in Oman are particularly vulnerable to exploitation. Unscrupulous labor recruitment agencies, their sub-agents in South Asia, and labor brokers in United Arab Emirates (UAE) and Oman deceive some workers into accepting work that constitutes forced labor. Such unscrupulous agencies provide false contracts with fictitious employers or wages and charge workers high recruitment fees with exorbitant interest rates, leaving workers vulnerable to trafficking. Some Omani employers obtain foreign domestic workers at the border crossing between Buraimi, Oman and Al Ain, UAE. Female domestic workers from countries without a diplomatic presence in Oman, such as Ethiopia and Vietnam, are especially vulnerable to forced labor. Domestic workers who flee their employers are also susceptible to forced prostitution. Male Pakistani laborers and other workers from India, Bangladesh, Sri Lanka, and East Asia transit Oman en route to UAE, where some are subjected to forced labor. Oman is a destination and transit country for some women from parts of South Asia, North Africa, and East Africa exploited in sex trafficking, often by nationals of their own countries.

The Government of Oman does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing efforts to address human trafficking during the previous reporting period; therefore, Oman is placed on Tier 2 Watch List. The government decreased investigations and prosecutions of trafficking offenses compared to the previous reporting period and did not convict any traffickers. The government treated potential labor trafficking cases as mediation disputes, handled in labor courts. Victim identification efforts remained weak, as authorities did not employ formal procedures to identify trafficking victims among vulnerable groups; authorities relied on victims to voluntarily identify themselves and report abuses. The government identified five sex trafficking victims, compared with 10 the previous reporting period. The government shelter accepts victims on referral from the public prosecutor. The government conducted awareness campaigns through the media and distributed pamphlets advising migrant workers on their rights, including contact information to report abuses. It provided training to law enforcement, private sector employers, labor unions and inspectors, and social service officials, including workshops on interviewing victims and referring them to protective services. The inter-ministerial anti-trafficking committee met twice during the reporting period.



RECOMMENDATIONS FOR OMAN:

Significantly increase efforts to investigate, prosecute, and convict traffickers, especially for forced labor offenses and including government officials; increase and enforce legal protections for domestic workers; institute formal procedures to identify trafficking victims among vulnerable populations, such as migrant workers and people in prostitution; establish a formal mechanism for cooperation between the Ministry of Manpower (MOM) and the public prosecutor to investigate and prosecute cases of labor trafficking, including unscrupulous labor recruitment agencies; expand labor protections to domestic workers; refer suspected trafficking victims to the government shelter, regardless of whether there is a corresponding prosecution of an alleged offender; amend the restrictions on victim referrals to allow broader victim access to shelter care; offer shelter and specialized services to male victims and labor trafficking victims; do not penalize trafficking victims for acts committed as a direct result of being subjected to human trafficking, such as immigration violations or prostitution; enforce strict penalties for employers who withhold their employees' passports; continue to expand training for government officials to recognize and respond appropriately to human trafficking crimes; and continue to conduct public awareness efforts to reduce the demand for forced labor and commercial sex.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Royal Decree No. 126/2008, also known as the Law Combating Trafficking in Persons, prohibits all forms of trafficking and prescribes punishments of three to 15 years' imprisonment, in addition to financial penalties, for trafficking crimes. These punishments are sufficiently stringent and

commensurate with penalties prescribed for other serious crimes, such as rape. The May 2014 Child's Law prohibits holding a child in slavery. A MOM circular (No. 2/2006) prohibits employers from withholding migrant workers' passports, but does not specify penalties for noncompliance. Despite passport withholding being illegal, there are no punitive measures or accountability for withholding passports; therefore, the practice continued during the reporting period.

The government reported investigating five sex trafficking cases and no forced labor cases, and it initiated three prosecutions involving nine suspects, in comparison with two prosecutions involving 11 suspects the previous reporting period. The government did not convict any traffickers during the reporting period, compared with two convictions the previous reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

MOM handled 432 passport retention violations, which is a common indicator of forced labor. Of these violations, 137 were referred to the lower court, 126 were settled through a mediation process, and seven were referred to labor inspection teams comprised of law enforcement to check on the employer. MOM did not refer any of these violations for criminal prosecution of potential labor trafficking offenses. The Ministry of Justice oversees a special judicial department at the appeals court in Muscat to handle trafficking-related cases. The legal mandate for labor inspectors did not include domestic workers, resulting in cases of domestic servitude being treated as non-criminal labor violations rather than criminal offenses. The Royal Oman Police (ROP) continued to train all incoming cadets on victim identification. In October 2015, the Ministry of Justice, in collaboration with the Ministry of Foreign Affairs (MFA), hosted a seminar for law enforcement officials, judges and attorneys to strengthen efforts to address and combat human trafficking and raise awareness on the issue. Additionally, the national committee for combating trafficking, in collaboration with the MFA, organized four lectures for law enforcement, social service, labor, and immigration officials on human trafficking.

PROTECTION

The government made modest efforts to identify and protect victims. The government reported identifying and referring to shelter services five trafficking victims, compared with 10 in the previous reporting period. It largely relied on victims to identify themselves and report abuses to authorities. Victims could only receive government shelter services upon referral from the public prosecutor, as there were no NGO shelters available and no options for assistance to victims identified by NGOs and social service officials. Some source-country embassies operated shelter services for their nationals. The government continued to treat potential forced labor cases as labor violations and did not identify, or provide protection services to, potential forced labor victims. The government's lack of identification and referral procedures left victims vulnerable to being incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Because the labor law does not cover domestic workers, victims of domestic servitude had limited recourse for receiving assistance. Government enforcement of foreign labor contracts effectively provided a disincentive for foreign laborers to identify as trafficking victims or cooperate with authorities. The government publicly reaffirmed its policy that foreign workers are required to adhere to the terms of employment contracts or leave the country for a minimum of two years before returning to Oman to work for a new employer. Without a legal mechanism by which potential trafficking victims can avoid repatriation or seek employment outside existing contracts, this policy may serve as a disincentive for victims to report their victimization and participate in legal actions against traffickers.

The government continued to operate and fund a permanent shelter that could accommodate up to 50 women and child victims of forced labor or sex trafficking; however, the shelter remained largely underused during the reporting period. The shelter provided lodging, psychological counseling, legal services, and medical care to victims. Victims in the shelter were not able to work and could not leave the premises unchaperoned, but could request shelter employees to accompany them offsite. The government did not provide shelter services for male victims; however, some source-country embassies operated their own shelters for men and women. Victims were permitted to stay in Oman on a case-by-case basis but were not permitted to work while awaiting court proceedings. The government provided foreign victims with legal alternatives to removal to countries in which they may face retribution or hardship; however, it did not report if any victims benefited from this policy.

PREVENTION

The government modestly increased efforts to prevent human trafficking. A working group within the inter-ministerial anti-trafficking committee met twice, but had limited visible effectiveness in coordinating anti-trafficking efforts during the reporting period. The government has maintained an action plan since 2009. In 2015, MOM prepared and distributed pamphlets advising migrant workers on their rights, including contact information to report human trafficking abuses or other violations of their rights. The Ministry of Social Services maintained a hotline in Dar al Wifaq staffed with Arabic, English, Urdu, Hindi, French, and Swahili translators. The government continued to require employers to post labor law regulations in the languages of their workers in prominent locations at worksites. Oman stopped issuing domestic worker visas from Ethiopia, Kenya, Senegal, Guinea, and Cameroon during the reporting period. The government reported having existing signed memoranda of understanding with India, Pakistan, Bangladesh, and Vietnam, some of which included articles prohibiting unlawful labor recruitment and trafficking. The government monitored employment agencies; during the reporting period 497 complaints were registered, 299 of which were settled through mediation and 115 were referred to judicial authorities. The government did not report efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training to its diplomatic personnel.

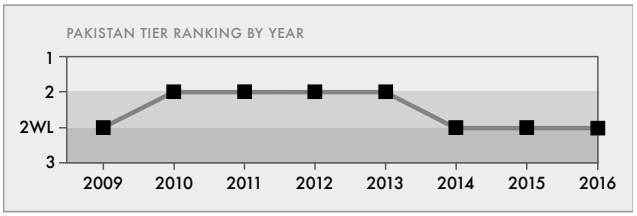
PAKISTAN: Tier 2 Watch List

Pakistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The country's largest human trafficking problem is bonded labor, in which an initial debt assumed by a worker as part of the terms of employment is exploited, ultimately entrapping other family members, sometimes for generations. Bonded labor is concentrated in Sindh and Punjab provinces, but also occurs in Balochistan and Khyber Pakhtunkhwa provinces, in agriculture and brick-making and, to a lesser extent, in fisheries, mining, and carpet-making. Some feudal landlords and brick kiln owners are affiliated with political

parties or hold government positions and use their influence to protect their involvement in bonded labor. In some cases, when bonded laborers attempt to escape or seek legal redress, police return them to their traffickers, who hold laborers and their families in private jails. Children are bought, sold, rented, or kidnapped and placed in organized begging rings, domestic servitude, small shops, brick kilns, and prostitution. Begging ringmasters sometimes maim children to earn more money. NGOs report boys are subjected to sex trafficking around hotels, truck stops, bus stations, and shrines. Illegal labor agents charge high recruitment fees to parents in return for employing their children, some of whom are subjected to forced labor and sex trafficking. Trafficking experts describe a structured system for exploiting women and girls in sex trafficking, including offering victims for sale in physical markets. Reports indicate police accept bribes to ignore prostitution in general, some of which may include sex trafficking. Women and girls are sold into forced marriages; in some cases, their new "husbands" prostitute them in Iran or Afghanistan. In other cases, including some organized by extra-judicial courts, girls are used as chattel to settle debts or disputes. Non-state militant groups kidnap children, buy them from destitute parents, or coerce parents with threats or fraudulent promises into giving their children away; these armed groups force children to spy and fight in Pakistan and Afghanistan. Pakistan's large number of internally displaced persons, due to natural disasters and domestic military operations, are vulnerable to trafficking.

Pakistani men and women migrate voluntarily to the Gulf states and Europe for low-skilled employment—such as domestic service, driving, and construction work; some become victims of labor trafficking. False job offers and high recruitment fees charged by illegal labor agents or sub-agents of licensed Pakistani overseas employment promoters entrap Pakistanis into sex trafficking and bonded labor. Some Pakistani children and adults with disabilities are forced to beg in Iran. Pakistan is a destination country for men, women, and children subjected to forced labor—particularly from Afghanistan, Bangladesh, and Sri Lanka. Women and girls from Afghanistan, China, Russia, Nepal, Iran, Bangladesh, Uzbekistan, and Azerbaijan are reportedly subjected to sex trafficking in Pakistan. Refugees from Afghanistan, Bangladesh, and Burma, as well as religious and ethnic minorities such as Christians and Hazaras, are particularly vulnerable to trafficking in Pakistan.

The Government of Pakistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government approved its national strategic framework against trafficking in persons and human smuggling and reported an increase in the number of victims provided shelter in 2015 compared with 2014. The federal government and Punjab and Khyber Pakhtunkhwa provinces passed trafficking-related legislation, and some provinces investigated, prosecuted, and convicted traffickers. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Pakistan is placed on Tier 2 Watch List for the third consecutive year. Per the Trafficking Victims Protection Act, Pakistan was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards. While the government continued to investigate, prosecute and convict traffickers, the overall number of convictions was inadequate, especially for labor trafficking, and law enforcement continued to conflate human trafficking and migrant smuggling. Despite bonded labor being the largest trafficking problem in Pakistan the government only reported seven convictions for bonded labor in 2015. The government does not prohibit and penalize all forms of human trafficking, and prescribed penalties for forced labor that allowed for fines alone were not sufficiently stringent to deter the crime. Official complicity in trafficking crimes remained a serious problem yet the government reported no investigations, prosecutions, or convictions of complicit officials. Government protection efforts were weak. While a small number of the total victims identified were given shelter, it is unclear what other rehabilitation services victims were provided, especially male victims, and observers alleged traffickers accessed women in some of the shelters and forced them into prostitution.



RECOMMENDATIONS FOR PAKISTAN:

Increase prosecutions and convictions, particularly of labor trafficking, while strictly respecting due process; pass an anti-trafficking law that prohibits and penalizes all forms of human trafficking, including internal trafficking, and prescribes sufficiently stringent penalties, in particular for forced labor; provide additional resources to increase trafficking-specific services for victims, including for men and boys, and ensure victims are not penalized for acts committed as a result of being subjected to trafficking; thoroughly investigate credible allegations of government complicity in trafficking and prosecute officials who are complicit; in partnership with civil society groups, increase efforts to identify trafficking victims among vulnerable populations, including street children, refugees, people in prostitution, and laborers in brick kilns and agriculture; issue policies and provide trainings to government officials that clearly distinguish between human trafficking and human smuggling; strengthen the capacity of provincial governments to address human trafficking, including bonded labor, through training, awareness raising, funding, and encouraging the adoption of provincial-level anti-trafficking action plans; improve efforts to collect, analyze, and accurately report anti-trafficking data, distinct from data on smuggling; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government demonstrated mixed law enforcement efforts against trafficking. The government does not prohibit and penalize all forms of trafficking. Several sections of the penal code criminalize some forms of human trafficking, such as slavery and selling or buying a person for the purposes of prostitution; maximum penalties for these offenses range from seven years' to life imprisonment. These prescribed penalties are sufficiently stringent, and the laws criminalizing sex trafficking have penalties commensurate with those prescribed for other serious crimes, such as rape. However, the penal code criminalizing unlawful compulsory labor only prescribes a maximum penalty of five years' imprisonment, a fine, or both. Prescribed penalties of fines alone are not sufficiently stringent. Transnational trafficking offenses, as well as some non-trafficking crimes—such as human smuggling and fraudulent adoption—are prohibited through the Prevention and Control of Human

Trafficking Ordinance (PACHTO), which prescribes penalties of seven to 14 years' imprisonment. Prescribed penalties for PACHTO offenses are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The anti-trafficking bill, drafted in 2013 to address the gaps in PACHTO, remained pending in ministerial committees. The Bonded Labor System (Abolition) Act (BLSA) prohibits bonded labor, with prescribed penalties ranging from two to five years' imprisonment, a fine, or both. Under a devolution process begun in 2010, some federal laws apply to provinces until corresponding provincial laws are enacted, though most of the provinces have adopted their own legislation on labor. In April 2015, Khyber Pakhtunkhwa adopted the BLSA. Punjab adopted the BLSA in a previous reporting period. In January 2016, Punjab also adopted an ordinance criminalizing child labor younger than age 14 at brick kilns and requiring written contracts between the employer and all brick kiln employees outlining the amount of the wage, wage advance, and the advance payback schedule. The contracts must be sent to a government inspector; if a contract does not exist between the employer and brick kiln worker, bonded labor is assumed and the employer is liable under the BLSA. In March 2016, Parliament approved child protection legislation, which among other crimes included specific language prohibiting trafficking in persons.

The government reported data on investigations, prosecutions, and convictions under the penal code by province; however, data from Balochistan was not reported and the total number of trafficking cases or traffickers was unclear, as the government's data reported how many cases were brought under each provision of the penal code and a case brought under several provisions would therefore be counted multiple times. Moreover, several sections of the penal code relevant to trafficking also include other crimes, and it is unknown if the crimes were disaggregated for reporting. Law enforcement officials continued to conflate human trafficking and migrant smuggling and may have reported statistics conflating the two crimes, as PACHTO criminalizes both trafficking and smuggling. Punjab reported 947 investigations, 928 prosecutions, and 22 convictions for sex trafficking. Punjab also reported 5,113 investigations, 1,956 prosecutions, and 60 convictions for abduction of women for illicit intercourse; it is unclear how many of these cases were identified as sex trafficking. Khyber Pakhtunkhwa reported 27 investigations, 27 prosecutions, and zero convictions for sex trafficking and separately reported 156 investigations, 83 prosecutions, and zero convictions for abduction of women for illicit intercourse. Sindh province and the semi-autonomous territories of Azad Jammu and Kashmir and Gilgit-Baltistan reported zero investigations, prosecutions, and convictions for sex trafficking. For labor trafficking, Punjab, Khyber Pakhtunkhwa, Azad Jammu and Kashmir, and Gilgit-Baltistan reported a total of 21 investigations, 15 prosecutions, and one conviction. Sindh reported zero investigations, prosecutions, and convictions for labor trafficking. Separately, Punjab reported 15 investigations and prosecutions and seven convictions for bonded labor under the BLSA—these were the only law enforcement actions reported by the government on bonded labor, despite reports of land owners exploiting bonded laborers with impunity. The government reported investigating 158 alleged traffickers, prosecuting 59 and convicting 13 under PACHTO in 2015, compared with 70 investigations, 50 prosecutions, and 17 convictions in 2014. The government did not report sentences for convictions in 2015, as compared with convictions resulting in fines in 2014.

The government had 27 anti-trafficking law enforcement units and circles at the federal, provincial, and local level that investigated human trafficking and smuggling cases. The Federal Investigative Agency (FIA) and an international organization conducted several trainings throughout the reporting period for police and judges who work on trafficking cases. Additionally, in November 2015, the FIA, in partnership with an international organization, hosted an anti-trafficking and migrant smuggling conference to discuss emerging trends and best practices with more than 50 different country representatives. The interagency taskforce held meetings to increase information sharing among Pakistan's various law enforcement groups in an effort to improve the tracking of migrant smugglers and human traffickers. The government specifically targeted for enforcement three districts in Pakistan from which the majority of migrants and trafficking victims originate.

Official complicity in trafficking remained a significant concern. During the reporting period, an allegation of forced labor of domestic workers was raised against a Pakistani diplomat in Portugal. The investigation into the allegation did not go forward, as the diplomat sent the domestic workers back to Pakistan before it could be completed. Some feudal landlords and brick kiln owners were affiliated with political parties or held official positions and used their influence to protect their involvement in bonded labor. In 2015, the Supreme Court requested additional information from the Sindh government in reference to a criminal case filed in 1996 against two landowners, including a former member of the provincial assembly, who reportedly used thousands of forced agricultural laborers in Sindh. The labor group responsible for the original court petition claimed landowners used their influence in the provincial assembly to intimidate bonded laborers and their supporters. The case remained pending at the close of the reporting period as the Sindh government had not yet submitted the requested information. The FIA's report on the most notorious human traffickers in the country included names of several politicians; however, the report's utility was limited due to its conflation of smuggling and trafficking. Some police reportedly acted against trafficking only when pressured by media and activists. Other reports indicate police accepted bribes to ignore prostitution in general, some of which may have included sex trafficking, and some police were accused of sexually harassing female trafficking victims who tried to register criminal complaints. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government made minimal efforts to protect and assist victims. In a previous reporting period, the FIA and police began to use standard operating procedures for the identification of trafficking victims and their subsequent referral to protective services; however, it is unclear how widely the procedures were disseminated and implemented in 2015. The FIA reported anti-trafficking circles identified 104 foreign victims in 2015; however, as the FIA's purview includes both human trafficking and smuggling, it is unclear if those identified were foreign trafficking victims or were voluntarily smuggled into the country but had not experienced exploitation. The Punjab government reported identifying 14,701 victims, including 11,324 females, 2,845 males, and 532 children. The government did not report the categorization of victims between exploitation for commercial sex or forced labor. All other provinces reported identifying a total of 452 female sex trafficking victims in 2015. It is unclear if district vigilance committees set up under the BLSA performed their function of identifying bonded laborers. Authorities

charged sex trafficking victims with moral crimes and detained and charged for immigration violations undocumented foreign nationals and Pakistanis returning from abroad who had crossed the border illegally, without screening to determine whether they had been subjected to human trafficking.

Civil society continued to provide most victim services. Under the government's devolution process, which started in 2010, social service delivery and related governmental functions were devolved from the central government to provincial jurisdictions, which often did not have the financial resources and technical capacity to carry them out. Government-run "women's shelters" were available, on a limited basis, to women in difficult circumstances, including trafficking victims; NGOs noted some of these facilities operated under prison-like conditions and reported traffickers accessed women in the shelters and forced them into prostitution. Observers advised there were only a few shelters designated for trafficking victims, which were ill-equipped to deal with victims' social, economic, and psychological needs. During the reporting period, FIA signed a memorandum of understanding with an international organization and provided land for a trafficking victim shelter to be built in Balochistan. In 2015, Punjab began construction of a center in Multan for female victims of violence to provide shelter and social services in one location and passed legislation requiring the establishment of such centers in all districts. Shelters were available to bonded laborers; however, they generally catered only to women and children, offering little support to men. The government reported 1,486 victims were provided with shelter in 2015, an increase from 876 victims in 2014; of the victims provided shelter in 2015, 1,303 were women, 131 were men, and 52 were children. It is unclear how many of these victims were served in government-run shelters. Bonded laborers who were rescued but lacked identity documents were unable to access government services, including healthcare and food stipends, and sometimes returned to brick kilns or farms and assumed more debt. The government reported it provided protection to victims to encourage their cooperation in investigations; however, it is unclear how often protection was available or adequate. Victims expressed reluctance to testify against their traffickers due to threats of violence against them and their families. The Ministry of Interior granted extensions for foreign victims to stay in the country until a decision was reached on the victims' repatriation by the Federal Review Board of the Supreme Court.

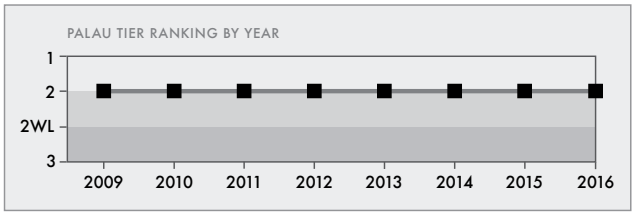
PREVENTION

The government demonstrated modest efforts to prevent trafficking. In March 2016, the Minister of Interior approved the national strategic framework against trafficking in persons and human smuggling. FIA's research and analysis center published quarterly newsletters with statistics and information on the government's efforts to combat trafficking and smuggling. FIA partnered with an international organization to raise awareness on trafficking through community forums. The government dismantled a fraudulent migrant worker recruitment center that allegedly sent Pakistani workers to labor camps in Saudi Arabia, although observers asserted the government did not take sufficient steps to inform emigrants about trafficking even though a significant number of migrant workers become trafficking victims. Many of the district vigilance committees mandated by law and charged with curbing bonded labor continued to be inactive or ineffectual. In partnership with NGOs, the Sindh and Punjab provincial governments issued identification documents to bonded laborers and their families, which allowed them to access government benefits and reduced the probability of re-victimization. The Punjab Department of Labor ran a program to provide brick kiln workers interest-free loans. In January 2016, the Prime Minister announced 1.5 million registered Afghan refugees living in Pakistan were granted an extension of residency until June 30, 2016; however, new cards with this expiration date were not issued, consequently increasing the vulnerability of Afghan refugees to police harassment and abuse and curtailing access to education and employment, which in turn increased vulnerability to human trafficking. The government reduced the demand for commercial sex acts by arresting clients and proprietors of brothels; however, police also arrested potential sex trafficking victims. The government did not demonstrate efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic and peacekeeping personnel. Pakistan is not a party to the 2000 UN TIP Protocol.

PALAU: Tier 2

Palau is a destination country for women subjected to sex trafficking and for women and men subjected to forced labor. Palau's foreign population, about one-third of the country's population of 21,000, is the most vulnerable to trafficking. Filipino, Bangladeshi, Nepalese, Chinese, and Korean men and women pay thousands of dollars in recruitment fees and willingly migrate to Palau for jobs in domestic service, agriculture, restaurants, or construction; upon arrival, some are forced to work in conditions substantially different from what had been presented in contracts or recruitment offers, and some become trafficking victims. Women from China and the Philippines are recruited to work in Palau as waitresses or clerks, but some are subsequently forced into prostitution in karaoke bars or massage parlors—many operated by Taiwanese, Filipino, or Palauan nationals. Foreign workers on fishing boats in Palau waters experience conditions indicative of human trafficking. Regulations that make it difficult for foreign workers to change employers once they arrive in Palau place foreign workers at increased risk of involuntary servitude and debt bondage. Official complicity plays a role in facilitating trafficking; government officials—including a governor, a police officer, a labor official, and an immigration official—have been investigated for complicity in trafficking crimes during previous reporting periods.

The Government of Palau does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2015, the government initiated two investigations of trafficking cases, assisted potential victims involved in court cases to find new employment, and convicted one labor trafficker. The government instituted a sex offender registry and deported some fraudulent labor recruiters. It held weekly anti-trafficking taskforce meetings. The government, however, did not apply sufficiently stringent punishments, as it regularly charged suspected traffickers with lesser crimes and sentenced convicted traffickers to probation or inadequate prison sentences. The government did not provide shelter or protection services to identified victims.



RECOMMENDATIONS FOR PALAU:

Using the 2005 anti-trafficking law, increase efforts to investigate and criminally prosecute trafficking offenses, convict sex and labor traffickers, and impose stringent penalties on convicted traffickers—including complicit officials; establish formal procedures for front-line officers to identify trafficking victims among vulnerable groups and increase availability of protective services; use funds obtained through asset seizure or fines on convicted traffickers to support victims; increase financial and human resources devoted to victim protection efforts; do not penalize trafficking victims for illegal acts committed as a result of trafficking; develop systematic procedures to provide necessary authorization for foreign victims to remain in the country and obtain alternate employment; develop a national action plan to combat trafficking; implement anti-trafficking information and education campaigns targeting vulnerable populations; enforce laws punishing employment agents for illegal practices that facilitate trafficking; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government modestly increased anti-trafficking law enforcement efforts, but did not impose sufficiently stringent penalties on convicted traffickers. Palau's Anti-Smuggling and Trafficking Act of 2005 prohibits all forms of trafficking in persons and prescribes penalties for these offenses ranging from 10 to 50 years' imprisonment and fines of up to $500,000; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government prosecuted most suspected traffickers with labor violations or prostitution-related offenses instead of trafficking crimes that carry more severe penalties; offenders convicted under these other statutes received probation or nominal prison sentences.

The attorney general's office held weekly anti-trafficking taskforce meetings with labor and immigration officers to focus on investigations and build cases. The government investigated one case of sex trafficking that involved three traffickers and six victims who were subjected to debt bondage, passport confiscation, and forced prostitution at bars. The government convicted two of the traffickers for misdemeanor labor and assault violations and sentenced them to probation, while a third is awaiting trial. Some of the traffickers are repeat offenders who faced similar charges in a separate, prior case. One defendant involved in a December 2012 sex trafficking case, previously allowed to travel to his home country, remained abroad. The government investigated and prosecuted one labor trafficking case involving two foreign labor recruiters. One perpetrator entered a plea agreement in which he pled guilty to labor trafficking and was voluntarily deported. The other is pending trial. During the reporting period, the government charged one labor official for misconduct that contributed to foreign nationals becoming trafficking victims in Palau. Given previous cases of official complicity in trafficking, the government ordered labor and immigration officials to file criminal citations rather than civil fines, which are not subject to public scrutiny, when labor violations were discovered, in an attempt to increase transparency.

PROTECTION

The government made limited efforts to identify and protect victims. In 2015, the government reported its identification of 32 potential trafficking victims from civil and criminal cases filed. While identified victims were given access to a government counselor, the government did not fund or provide any additional protective services for victims; nor did it report whether any victims received shelter or support from other entities. The lack of support services reportedly led some potential trafficking victims to leave the country rather than pursue legal recourse. Although several trafficking-related convictions in 2014 included fines or asset forfeiture, none of these funds were used to support victims. The government did not train officers to identify victims proactively among vulnerable populations, such as foreign workers or women in prostitution. It offered only short-term legal alternatives, on an ad hoc basis, to the removal of foreign victims to countries where they might face hardship or retribution; the attorney general could designate victims as "vulnerable," making them eligible for alternate employment and accommodation assistance. During the year, the government assisted some victims who filed cases against their employers to seek other employment. The government did not provide witness protection. There were reports that victims were sometimes detained, fined, or jailed for unlawful acts committed as a result of being subjected to trafficking.

PREVENTION

The government made modest efforts to prevent trafficking. It prohibited entry into the country for some foreign recruiters implicated in cases of charging migrant workers excessive fees and failing to provide employment opportunities, although it denied their entry due to visa violations rather than criminally charging them. The government instituted a sex offender registry during the reporting period that requires all visitors to Palau with a conviction for a sexual offense to register in an attempt to deter child sex tourism. The government neither developed a national action plan against trafficking nor conducted educational or anti-trafficking public awareness campaigns. The government did not make efforts to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel. Palau is not a party to the 2000 UN TIP Protocol.

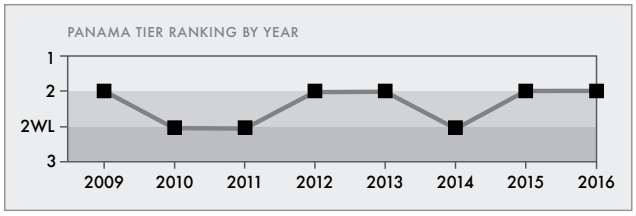
PANAMA: Tier 2

Panama is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Panamanian women are vulnerable to sex trafficking in other countries, including The Bahamas and Guyana. In Panama, most identified trafficking victims are foreign adults exploited in sex trafficking, especially women from Brazil, Colombia, Venezuela, Cuba, the Dominican Republic, Honduras, and Nicaragua. Traffickers recruit female victims with promises of good jobs and high salaries in the housekeeping and restaurant industries, as well as for modeling and prostitution, but exploit them in sex trafficking or, to a lesser extent, domestic servitude. Nicaraguan and, to a lesser extent, Colombian men are subjected to labor trafficking in construction, agriculture, mining, and other sectors; most labor trafficking victims come from Nicaragua via bus and enter Panama from Costa Rica. Colombian refugees are also vulnerable to trafficking due to their lack of knowledge of the refugee process and irregular status. In recent years, men and women from China have been subjected to debt bondage in supermarkets, laundries, and other small businesses operated by Chinese citizens; traffickers have subjected Colombian men to forced labor in restaurants; an international organization has identified cases of debt bondage among Indian men in door-to-door peddling; and authorities

have identified potential sex trafficking victims among Eastern European women working in nightclubs. Men from the United States have been investigated as child sex tourists in Panama. Panamanian and European officials report some men and women from Central America who transit Panama en route to the Caribbean or Europe are subjected to sex or labor trafficking in their destination countries. In previous years, immigration officials have been investigated for labor trafficking.

Traffickers often charge foreign workers exorbitant travel and lodging fees to keep them in debt bondage, often restricting victims' movement until they pay off such debts. Victims report traffickers threaten to harm family members in their countries of origin if they do not comply. Traffickers increasingly exploit sex trafficking victims in private residences, as opposed to brothels or bars, which makes such offenses harder to detect. Traffickers from Brazil, Colombia, Cuba, El Salvador, Venezuela, and Panama operated in Panama during the reporting period. In a change from previous years, government officials report more traffickers are creating legal businesses as facades to mask their income from trafficking. In addition, more identified traffickers had links to international organized criminal groups than in past years.

The Government of Panama does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities identified significantly more trafficking victims and initiated more trafficking investigations than the previous reporting period and continued to provide and fund anti-trafficking training for officials. However, victim protection measures remained severely inadequate; the government did not allocate funding to its trafficking victim assistance fund, and the majority of identified victims did not receive services beyond an initial medical evaluation. The government convicted fewer traffickers, and a lack of coordination between ministries and resource constraints hampered the effectiveness of the national anti-trafficking commission.



RECOMMENDATIONS FOR PANAMA:

Significantly increase funding for specialized victim services, including by allocating funds to and implementing the dedicated victim assistance fund and funding civil society organizations to provide services to victims; intensify law enforcement efforts to proactively investigate and prosecute labor and sex trafficking crimes—including cases involving Panamanian victims exploited within the country—and convict and sentence traffickers, including complicit government officials; strengthen interagency coordination mechanisms, including between regional law enforcement, and institute standardized protocols on victim identification, referral procedures, and data reporting to the national commission; train officials—including border and immigration officials—on victim identification and referral procedures, especially among populations vulnerable to trafficking; develop and institutionalize government-provided anti-trafficking training for officials; in partnership with civil society, make specialized services available to male victims; continue efforts to implement the 2012-2017 anti-trafficking national action plan and allocate specific funds to the national commission for execution of the plan; educate refugees on the processes to apply for asylum and citizenship; and amend the anti-trafficking law to adopt a definition of human trafficking consistent with the 2000 UN TIP Protocol.

PROSECUTION

The government modestly increased its anti-trafficking law enforcement efforts. Law 79 of 2011 prohibits all forms of trafficking, prescribing sentences from six to 30 years' imprisonment, depending on the nature of the offense. These punishments are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. This law also prohibits moving adults for the purposes of prostitution (without requiring the use of force, fraud, or coercion) and illegal adoption (without requiring evidence of exploitation) as forms of trafficking, offenses that are not considered human trafficking under the 2000 UN TIP Protocol. Although law 79 does not define trafficking to require movement of the victim, Panamanian officials continued to investigate and prosecute human trafficking cases that did not involve movement as other crimes, such as commercial sexual exploitation. Officials speculated some traffickers who committed child sex trafficking, which carries sentences of 20 to 30 years' imprisonment, were charged with child sexual exploitation, which carries lighter sentences of eight to 10 years' imprisonment. Article 89 of law 3 establishes financial penalties for employers who confiscate foreign workers' identity documents.

During the reporting period, authorities initiated 17 investigations—10 for sex trafficking and seven for labor trafficking—and detained 38 traffickers, a modest increase from 11 new investigations the previous reporting period. While it initiated three prosecutions compared with none the previous reporting period, the government convicted only one sex trafficker who was released pending appeal, compared with five convictions the previous reporting period with sentences between 10 years' and 12 years and six months' imprisonment. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Officials continued to detain two suspected labor traffickers in a case from the previous reporting period, pending additional evidence. The national police had between nine and 12 officers who specialized in trafficking investigations, and they worked with the organized crime office to investigate trafficking cases. Panamanian authorities cooperated with Bahamian officials on one sex trafficking investigation. The government funded and conducted several trainings and awareness sessions on human trafficking for officials, and it provided financial or in-kind support for other anti-trafficking trainings led by NGOs.

PROTECTION

The government increased victim identification efforts but continued to identify trafficking victims through movement-based crimes, and victim services remained inadequate. The government identified 56 victims—54 foreigners and two Panamanians, 49 victims of sex trafficking and seven of forced labor—more than double the 25 victims identified the previous reporting period. In one case, 11 Venezuelan and one Colombian woman paid approximately $3,800 each to be smuggled into Panama for jobs as models and waitresses. Upon arrival, the traffickers forced the women to perform commercial sex acts at a local bar to cover the cost of "rent." Officials referred all 56

victims identified to the victim and witness protection office's technical unit (UPAVIT) for psycho-social evaluation, but the government did not provide or fund trafficking-specific shelters or victim services. Three of the 56 victims chose to receive short-term shelter at a government facility for female victims of domestic and sexual abuse; many victims chose to reside with family or friends, due to the shelter's strict security policies. Victims were not permitted to leave the shelter unchaperoned, and they were only allowed to leave with an escort for official affairs, such as to assist with law enforcement investigations. In 2015, authorities identified land outside the capital for the construction of a shelter dedicated to trafficking victims. The government committed funds to construct the shelter but did not begin construction or secure funding for the shelter's operation and maintenance. There were no government shelters, NGO shelters, or specialized services available for adult male victims. Some NGOs who assisted refugees and irregular migrants have assisted male trafficking victims with placement in local hotels for short-term shelter; one male victim received legal assistance from an NGO during the reporting period. The government provided neither long-term services nor permanent residency to any trafficking victims. Due to the lack of shelters and victim services, many victims requested repatriation assistance, which limited the provision of follow-up assistance.

The Ministry of Health provided training on the identification of trafficking victims to 70 hospital workers and health care staff, including those who conducted mandatory health screenings of foreign women holding entertainment worker's visas, a population vulnerable to trafficking. The training also addressed the identification of victims in domestic servitude and forced begging. An international organization developed protocols to protect victims and reduce trauma during psychological interviews and provided training manuals on these procedures to all five UPAVIT units, which implemented the protocols. However, the government did not have systematic procedures to proactively identify victims among vulnerable populations, such as people in prostitution and undocumented migrants in detention. The government did not implement guidelines for victim identification and protection that an international organization had drafted and published during the previous reporting period. Panamanian authorities took written statements from victims and typically did not encourage them to participate further in the investigation and prosecution of their traffickers. While victims could file civil suits against traffickers, no victims did so during the reporting period. The government did not implement a 2013 law mandating that any assets seized that were derived from human trafficking activities be allocated to provide services for trafficking victims. Panamanian law provides short-term legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution, including provisional residency for between three and 12 months; it is unclear if any victims availed themselves of this service during the reporting period. The government, with assistance from foreign law enforcement, repatriated one Panamanian sex trafficking victim from The Bahamas. While there were no reports of victims penalized for unlawful acts committed as a direct result of being subjected to trafficking, insufficient efforts to identify victims and screen vulnerable populations for indicators of trafficking may have led to some victims being penalized.

PREVENTION

The government sustained prevention efforts. Government ministries continued to implement the 2012-2017 anti-trafficking national action plan. The Ministry of Public Security disbursed $105,000 from its 2016 budget to create an office for the national anti-trafficking commission. The commission met five times during the reporting period but lacked funding, which hampered its ability to coordinate anti-trafficking trainings for officials and conduct prevention efforts. Interagency coordination remained weak, due in large part to the lack of standardized protocols for conducting and reporting activities across agencies. Individual government institutions and international organizations used their own funds to conduct anti-trafficking activities. Several government ministries conducted awareness raising events, including radio and television interviews with members of the commission, and disseminated brochures and banners with the number of the anti-trafficking helpline. The labor ministry implemented a "Know your rights" campaign to inform workers—including foreign migrants in Panama and Panamanians preparing to migrate—of their rights as workers. The government made efforts to reduce the demand for forced labor and commercial sex acts; as part of its national action plan to eradicate child labor, it held several national awareness campaigns to reduce civil society's acceptance of child labor and forced labor. There were no reports of child sex tourism during the reporting period, but the Panamanian Commission against Sexual Exploitation Crimes continued its campaign against the sexual exploitation of minors—including child sex trafficking—in collaboration with tourism authorities. The government provided anti-trafficking training for its diplomatic personnel.

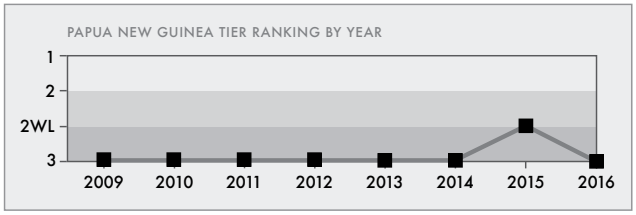
PAPUA NEW GUINEA: Tier 3

Papua New Guinea is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Foreign and local women and children are subjected to sex trafficking, domestic servitude, and forced begging or street vending. Foreign and local men are subjected to forced labor in logging and mining camps as well as on fishing vessels operating in Papua New Guinea's exclusive economic zone. An estimated 19 percent of the country's labor market is comprised of child workers—some of whom are subjected to forced labor or prostitution. "*Mosko* Girls" —young girls employed in bars to provide companionship to patrons and sell an alcoholic drink called *mosko*—are vulnerable to human trafficking, especially around major cities. NGO sources indicated that the number of children exploited in prostitution increased by 30 percent in 2013. Boys as young as 12 years old are exploited as "market taxis" in urban areas and required to carry extremely heavy loads for low pay; some may be victims of forced labor. Parents force children to beg or sell goods on the street as sources of income. Within the country, women and girls from rural areas are deceived with promises of legitimate work to travel to different provinces where they are subjected to sex trafficking. Children, including girls from tribal areas as young as 5 years old, are reportedly subjected to sex trafficking or forced labor by members of their immediate family or tribe. Tribal leaders reportedly trade with each other the exploitative labor and service of girls and women for guns and to forge political alliances. Traditional customs permit parents to sell or give away their daughters for forced marriages—often to wealthy men and politicians—to settle debts or as peace offerings, leaving the girls vulnerable to domestic servitude. Young girls sold into polygamous marriages may be forced into domestic service for their husbands' extended families. In urban areas, parents reportedly prostitute their children directly or in brothels as a means to support their families or to pay for school fees. Government officials reportedly facilitate

trafficking by accepting bribes to allow undocumented migrants to enter the country or ignore trafficking situations, and some may procure trafficking victims for other individuals in return for political favors or votes.

Malaysian and Chinese logging companies and foreign businesspeople arrange for some foreign women to enter the country voluntarily with fraudulently issued tourist or business visas. After their arrival, many of these women—from countries including Indonesia, Malaysia, Thailand, China, and the Philippines—are turned over to traffickers who transport them to logging and mining camps, fisheries, and entertainment sites, and exploit them in forced prostitution and domestic servitude. Chinese, Malaysian, and local men are subjected to forced labor at commercial mines and logging camps, where some receive little pay and are compelled to continue working for the company indefinitely through debt bondage. Employers exacerbate workers' indebtedness by paying extremely low wages, which compel employees to purchase food and other necessities from the employers at usurious interest rates.

The Government of Papua New Guinea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. During the reporting period, the government assisted an international organization in the identification of 21 victims of labor trafficking on fishing vessels and referred them to civil society organizations to receive assistance. This was a significant increase from victims identified in the previous year; however, authorities then arrested and sentenced 12 of the victims to prison for illegal entry into the country. The government did not prosecute any trafficking offenses or convict any traffickers; nor did it provide financial or in-kind support for any protective services. The national action plan, drafted during the previous reporting period, was not approved or implemented.



RECOMMENDATIONS FOR PAPUA NEW GUINEA:

Finalize and fully implement formal procedures to identify victims among vulnerable groups, guide their subsequent referral to care, and ensure victims do not face arrest, deportation, or other punishment for acts committed as a direct result of being subjected to trafficking; train law enforcement officers, prosecutors, and judges on human trafficking and the criminal code's trafficking provisions; investigate and prosecute trafficking offenses and punish traffickers, including parents and officials who facilitate or directly benefit from trafficking; approve and implement the anti-trafficking national plan of action; train law enforcement officers on victim identification and referral procedures and ensure their ability to effectively and appropriately conduct victim interviews; allocate sufficient resources to the National Human Trafficking Committee for anti-trafficking awareness campaigns and trainings; work with NGOs and international organizations to increase protective services for victims of trafficking; increase collaboration with civil society, private sector, religious, and tribal leaders to raise awareness of and reduce demand for forced labor and commercial sex acts, especially of children; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government did not prosecute or convict any traffickers during the reporting period. The Criminal Code Amendment of 2013 prohibits all forms of trafficking and prescribes penalties for adult sex and labor trafficking of up to 20 years' imprisonment and for child sex and labor trafficking of up to 25 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

The government initiated investigations into two cases of sex trafficking involving Papua New Guinean women and children. Although government officials assisted an international organization in the identification of trafficking victims on foreign fishing vessels in two separate incidents in 2015, they failed to investigate alleged trafficking offenses in these cases. The government did not prosecute any trafficking offenses or convict any traffickers. Cases from previous years appear to have been dropped due to lack of evidence. Government officials often did not prosecute trafficking-related crimes in criminal courts; rather, trafficking-related cases were often referred to village courts, which administered customary law. Cases adjudicated in these courts sometimes resulted in restitution paid by the trafficker to the victim, but village courts did not order imprisonment of offenders. Some victims of internal trafficking who received compensation from the trafficker, or their parents, were reluctant to notify police to pursue criminal charges against traffickers.

With foreign funding, the Department of Justice and Attorney General included human trafficking in its country-wide training programs, and the customs service conducted anti-trafficking training for officials in Kokopo in September 2015. Nonetheless, provincial officials' limited understanding of trafficking hindered effective law enforcement activity. The government continued to underfund law enforcement agencies and most government offices remained weak as a result of corruption, cronyism, a lack of accountability, and a promotion system based on patronage. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses, although some public officials allegedly condone, are engaged in, or benefit from sex trafficking.

PROTECTION

The government's victim protection efforts were mixed; although it assisted in the identification of more victims, it subjected some identified victims to punishment for crimes committed as a direct result of being subjected to trafficking. Through cooperation with an international organization, the government assisted in the identification of 21 victims, a medical professional identified one victim, and an international organization identified nine victims; no victims were identified in 2014. Among the identified victims, six Papua New Guinean women and two Papua New Guinean girls were subjected to sex trafficking, while two men from Papua New Guinea were subjected to forced labor in a motel and 20 men and one boy from Burma, Cambodia, and Vietnam were subjected to forced labor on fishing vessels. The government continued to lack formal procedures for victim identification and referral, although it drafted and piloted standard operating procedures for a national referral mechanism. The government referred identified victims on an ad hoc basis to NGOs and international organizations, which provided medical and shelter services without financial or in-kind support from the government. Authorities imprisoned 12 Vietnamese victims of labor trafficking on charges of illegal entry into the country and

illegal fishing activities; they were released from prison and repatriated by an international organization in March 2016. Local media outlets published photographs of the victims, characterizing them as undocumented migrants. There were no services in the country specifically tailored to the needs of trafficking victims. The law provides legal alternatives to the removal of foreign victims of trafficking to countries where they may face hardship or retribution, but no victim was afforded this protection in 2015. The government allowed "ongoing stay" for trafficking victims, but lacked provisions for victims to seek compensation through civil suits. One victim assisted in an investigation during the reporting period.

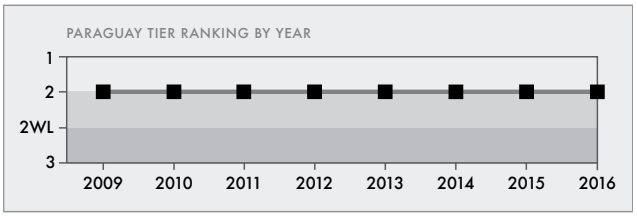
PREVENTION

The government took limited steps to prevent human trafficking. The National Human Trafficking Committee met four times in 2015, but a national plan of action, drafted during the previous reporting period, was not formally approved or implemented. Following the identification of trafficking victims aboard a foreign vessel detained in Papua New Guinea, the prime minister made public statements denouncing this crime and pledging the government's commitment to identifying victims and holding traffickers accountable. The government took no discernible actions to decrease the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel. Papua New Guinea is not a party to the 2000 UN TIP Protocol.

PARAGUAY: Tier 2

Paraguay is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Paraguayan women and girls are subjected to sex trafficking within the country, and transgender Paraguayans are vulnerable to sex trafficking. Thousands of Paraguayan children work as domestic servants in exchange for food, board, and occasionally education or a small stipend in a system called *criadazgo*; many of these children are subjected to domestic servitude and are highly vulnerable to sex trafficking. Indigenous persons are particularly at risk for forced labor and sex trafficking. Children engaged in street vending and begging and working in agriculture, mining, brick making, and ranching are vulnerable to human trafficking. In 2015, authorities reported at least 24 Paraguayan women were recruited for work in Turkey and later exploited in forced prostitution in brothels throughout Turkey, Spain, and the northern area of Cyprus administered by Turkish Cypriots. The reliance of international trafficking rings on local recruiters remains a problem. Traffickers offer victims their freedom or pardon of debts if they recruit other victims and often rely on social media outlets as recruiting tools. Foreign victims of sex and labor trafficking in Paraguay are mostly from other South American countries. Paraguayan victims of sex trafficking and forced labor are found in Argentina, Spain, Brazil, Chile, Mexico, China, Colombia, and other countries. Paraguayan women are recruited as couriers of illicit narcotics to Europe and Africa, where they are subjected to forced prostitution. Paraguayan children, as well as men and boys from Brazil, are reportedly subjected to forced labor in the cultivation and sale of illicit drugs within Brazil. Two Paraguayan women were arrested in China as "drug mules" in 2012 and 2013, and were sentenced to death. Following their identification by the Government of Paraguay as trafficking victims, the Chinese government commuted the two victims' sentences to life in prison in 2015. NGOs and authorities reported government officials—including police, border guards, judges, and public registry employees—facilitated human trafficking, including by taking bribes from brothel owners in exchange for protection, extorting suspected traffickers in order to prevent arrest, and producing fraudulent identity documents. Reports indicated isolated instances of the Paraguayan People's Army (EPP) and the Armed Peasant Association (ACA) forcibly recruiting children and adolescents from San Pedro, Concepcion, and Amambay to participate in military operations and serve in logistical and communication support roles. There were also reports of isolated instances in which female child soldiers entered into informal marriages with other older EPP and ACA members.

The Government of Paraguay does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued anti-trafficking law enforcement and training efforts and cooperated with foreign governments in several operations during the reporting period. However, efforts to prosecute, convict, and sentence traffickers under the 2012 anti-trafficking act or combat labor trafficking were inadequate to address the problem. The government continued to provide limited protective services to female and child trafficking victims. However, the government did not create and fund an anti-trafficking secretariat or victim compensation fund, as required by law, and the draft national action plan remained awaiting approval for the second consecutive year.



RECOMMENDATIONS FOR PARAGUAY:

Fully implement the 2012 trafficking law and develop implementing regulations to most effectively do so; develop formal procedures for the proactive identification of trafficking victims; increase access to comprehensive services and shelter for victims of sex and labor trafficking through increased funding and enhanced partnerships with NGOs; intensify efforts to investigate and prosecute trafficking offenses and to convict and punish traffickers with dissuasive prison sentences; mandate specialized law enforcement officers and service providers to screen potential victims engaged in crimes to ensure victims are not penalized for unlawful acts committed as a direct result of being subjected to trafficking; increase efforts to hold officials complicit in trafficking criminally accountable; increase efforts to proactively investigate forced labor cases and identify labor trafficking victims; increase training for government officials, including law enforcement officials, labor officials, judges, and social workers, and offer guidelines on how to identify and respond to trafficking cases; institute formal referral mechanisms to ensure that all identified victims can access care services; and improve data collection on human trafficking.

PROSECUTION

The government maintained modest prosecution efforts. The Comprehensive Anti-Trafficking Law 4788 of 2012 prohibits all forms of trafficking and prescribes penalties of up to eight years' imprisonment; these penalties are sufficiently stringent

and commensurate with penalties prescribed for other serious crimes, such as rape. However, law 4788/12 is inconsistent with international law in that it establishes the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime, and conflates facilitating or profiting from the prostitution of others and the illegal extraction of organs with human trafficking. In 2015, authorities failed to issue implementing regulations for law 4788/12 to ensure consistent enforcement of the law among all government agencies. Moreover, the implementing regulations are required to establish a national anti-trafficking secretariat and victim compensation fund. Prior to the enactment of law 4788/12, international trafficking was specifically outlawed under law 3440/08, but domestic trafficking cases were typically prosecuted using other statutes such as pandering and profiting from prostitution. Law 3440/08, which expands the list of predicate offenses in trafficking crimes, including pandering, is still used occasionally in international trafficking cases.

In 2015, prosecutors with the Anti-Trafficking Unit (ATU) reported 68 new investigations under the 2012 anti-trafficking act, compared with 80 in the previous reporting period, including 17 for labor trafficking, 40 for sex trafficking, and 11 for which the type of trafficking was unknown. ATU prosecutors also reported investigations, including 22 for pimping, 16 related to profiting from prostitution, and five related to other offenses; it is unclear how many of these cases involved trafficking. Authorities initiated prosecutions against 59 defendants (17 defendants for human trafficking and 42 defendants for sex pandering, profiting from prostitution, and other charges) and convicted 35 defendants under both laws 3440 and 4788 for pimping and prostitution charges, compared with 29 defendants prosecuted (10 defendants for human trafficking and 19 defendants for sex pandering or profiting from prostitution) and 19 convictions (12 under the trafficking law and seven under other statutes) in the previous reporting period. The government made inadequate efforts to investigate and prosecute labor trafficking crimes. Nine cases received sentences in 2015, some following previous years' convictions, while sentencing remained pending for some convictions reached in 2015. In one case, an Argentinian trafficker was sentenced to eight years in prison for sexual and labor exploitation within Paraguay and ordered to pay 25,000,000 guaranies ($5,000) in reparations to the victim. One Colombian citizen received a suspended sentence for labor trafficking of Colombian citizens in Paraguay. In cooperation with Argentine and Spanish anti-trafficking units, Paraguayan officials conducted 28 raids of illegal and legal brothels within Paraguay and abroad and rescued 86 trafficking victims, 66 of whom were in Paraguay and 20 of whom were abroad. Paraguayan authorities arrested and charged 20 individuals operating in Alto Parana department involved in sending at least 24 victims to Turkey; these cases remained pending at the close of the reporting period. During the reporting period, ATU secured its first conviction without victim testimony and allowed video conferences in court. ATU held five workshops to train 150 officials from the prosecutor's and attorney general's offices and 30 police officers from the interior ministry, often with support from international organizations or foreign donors. ATU also trained 503 public employees from various levels of government in anti-trafficking prevention, prosecution and protection. Authorities did not report any new investigations, prosecutions, or convictions of officials complicit in human trafficking.

PROTECTION

The government maintained uneven efforts to protect victims. The government lacked formal procedures for use by all officials for the proactive identification of victims among vulnerable populations, such as persons in prostitution, domestic workers, or street children. Paraguayan officials did not collect comprehensive data on victim protection efforts and did not collectively nor comprehensively report how many trafficking victims government agencies identified or assisted in 2015.

Most victims lacked access to comprehensive care. The Ministry of Women's Affairs (MWA) provided female victims psychological support, social assistance, legal advice, and funding for victim care, including for shelters, food, and reintegration programs. During the reporting period, the MWA assisted 41 female trafficking victims who received services for the first time, 35 women for additional follow-up, provided 71 specialized services that included legal, psychological and social services, and assisted 63 women through its hotline. As of August 2015, MWA supported 24 child trafficking victims with shelter, food, housing and counseling. The Children and Adolescent's Secretariat (SNNA) provided limited services to minors. The SNNA-run shelter assisted 50 child victims in 2015. In October 2015, the SNNA, in partnership with a local non-profit, opened Paraguay's second trafficking shelter to provide services to girls and female adolescent victims. The Ministry of Foreign Affairs reported its identification of 28 sex trafficking victims in Turkey, Brazil, Argentina, Chile, Bolivia, and Mexico who were recruited for work and later exploited in forced prostitution in brothels. Turkish and Spanish authorities identified the victims through government papers and self-identification. Spanish authorities rescued 12 of the 28 victims and repatriated them to Paraguay, while the other 16 victims allegedly remained in those countries. Services for male victims remained virtually non-existent. The government lacked effective programs for trafficking victims to reintegrate into their communities. The government did not establish a national fund for trafficking victim assistance or a trafficking victims compensation fund, both required by the 2012 law.

Paraguayan authorities encouraged victims to participate in the investigation and prosecution of traffickers, and many victims did so. Some victims avoided the court system due to social stigma, fear of reprisal, and concerns over the lengthy judicial process. The government offered social and legal assistance to trafficking victims and arranged transportation to facilitate victim testimony. Under current law, victims are entitled to file civil lawsuits, although none did in 2015. All victims sought criminal action, and one victim received monetary restitution from a trafficker as part of their sentencing in 2015. While there are statutes in place that allow the government to inspect brothels, NGOs report that municipalities have failed to combat trafficking by continuing to issue certifications allowing ongoing operation of brothels where the public ministry's ATU had previously discovered victims. Government officials arrested and detained some child soldiers in centers for youth offenders for alleged participation in guerilla activities. Labor inspectors did not have the capacity or expertise to screen for potential labor trafficking and, when discovered, did not typically refer potential labor trafficking cases to law enforcement for criminal investigation. The government could offer temporary residency status to foreign trafficking victims, but did not report doing so in 2015.

PREVENTION

The government made modest prevention efforts. The

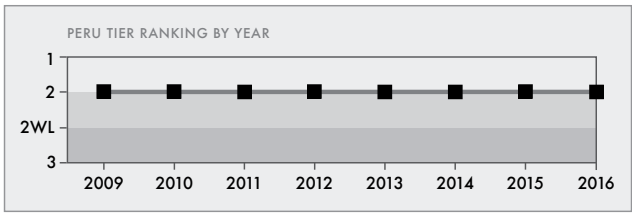
government did not establish, or provide funding for, a national anti-trafficking secretariat, a key measure of the 2012 anti-trafficking law. However, the anti-trafficking roundtable, responsible for national working-level coordination, remained active and worked closely with MWA, the SNNA and the ATU, although it had limited effectiveness given a lack of funding and limited interagency coordination. The national anti-trafficking action plan, drafted by the anti-trafficking roundtable in 2015, had not received presidential approval. MWA continued to support 11 regional and four municipal anti-trafficking roundtables that varied in effectiveness. Authorities conducted a variety of workshops and several trafficking awareness campaigns for public employees, prosecutors, and other staff explaining how to detect and report trafficking cases. MWA coordinated various anti-trafficking awareness campaigns for the general public, reaching 755 people. ATU utilized four regional centers to provide anti-trafficking training to 11,428 individuals. In October 2015, a new domestic employment law was signed that raised the minimum age for domestic workers from 14 to 18 years old. The law targets *criadazgo*, where children work as domestic servants in exchange for room, board, and basic education. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for its diplomatic personnel or peacekeepers prior to their deployment abroad on international peacekeeping missions.

PERU: Tier 2

Peru is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Indigenous Peruvians are particularly vulnerable to trafficking. Peruvian women and girls, and to a lesser extent boys, are exploited in sex trafficking within the country, often recruited through false employment offers. Women and girls exploited in sex trafficking near mining communities are often indebted due to the cost of transportation and unable to leave due to remoteness of camps and the demand for commercial sex by miners in these communities. Peruvian women and children are exploited in sex trafficking in other countries, particularly within South America, and women and girls from neighboring countries are found in sex trafficking in Peru. Child sex tourism is present in areas such as Cuzco, Lima, and the Peruvian Amazon.

Peruvian men, women, and children are exploited in forced labor in the country, principally in gold mining and related services, logging, agriculture, brick-making, unregistered factories, organized street begging, and domestic service. A public report revealed 17 percent of the cases of 3,911 known Peruvian trafficking victims involved male victims, and government officials and NGOs also acknowledged male victims of forced labor or bonded labor in illegal mining. Peruvians working in artisanal gold mines and nearby makeshift camps that provide the miners services experience forced labor, including through deceptive recruitment; debt bondage; restricted freedom of movement or inability to leave; withholding of or non-payment of wages; and threats and use of physical violence. Forced child labor occurs in begging, street vending, cocaine production and transportation, and other criminal activities. The terrorist group *Sendero Luminoso*, or Shining Path, recruits children using force and coercion to serve as combatants and children and adults into the illicit narcotics trade and domestic servitude. The ombudsman's office reported no cases of underage recruits in the Peruvian military in 2015. Peruvian men, women, and children are found in forced labor in other South American countries, the United States, and other countries. Migrants from South America, China, and Senegal transiting Peru to Brazil were reportedly vulnerable to trafficking.

The Government of Peru does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government established specialized anti-trafficking regional prosecutor offices in Callao, Cusco, Lima, Loreto, Puno, Tacna, and Tumbes; increased anti-trafficking operations and arrests; increased efforts to identify and assist victims; and investigated and convicted sex tourists. However, official complicity in trafficking and related crimes as well as overall corruption undermines government efforts to combat human trafficking. Convicted traffickers received sentences insufficient to the gravity of their crimes. Detention of trafficking victims discourages victims from coming forward and cooperating with authorities. The government made inadequate efforts to identify and assist forced labor victims and to prosecute labor traffickers. Overlapping government data on trafficking victims and prosecutions made interagency coordination difficult.



RECOMMENDATIONS FOR PERU:

Increase funding for, and access to, specialized, comprehensive services for all victims, including adults and victims outside the capital, in partnership with NGOs; follow through on investigations of trafficking-related complicity by prosecuting and convicting officials guilty of such crimes; significantly increase efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, especially for forced labor; initiate proactive labor trafficking investigations through enhanced partnerships between law enforcement officials, labor officials, and civil society organizations; create and implement victim-centered identification and referral mechanisms that focus on avoiding re-victimization and coordinating interagency efforts, including during law enforcement operations; establish systematic training efforts to improve victim identification by government officials; verify through ongoing oversight that police and prosecutors conduct intelligence-based raids and employ effective victim screening and referrals; dedicate funding in ministry and regional government budgets to carry out anti-trafficking responsibilities; and improve data collection.

PROSECUTION

The government made uneven law enforcement efforts, increasing anti-trafficking operations and arrests, but decreasing prosecutions and convictions. Article 153 of the penal code prohibits all forms of trafficking in persons, prescribing penalties of eight to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law defines exploitation more broadly than the international definition by including all forms of labor exploitation, rather than forced labor or services, and "any other similar form of exploitation". Peruvian law also criminalizes profiting from sex trafficking and prescribes

penalties of three to eight years' imprisonment or eight to 12 years' imprisonment if the victims is a child younger than 14 or the victim is the spouse or child of the individual profiting. Peru criminalizes promoting the prostitution of others and prescribes penalties of two to five years' imprisonment. The penalty is raised to four to five years' imprisonment if the victim is younger than 18, the offender uses violence, the offender is a relative of the victim, or the victim is forcibly displaced from home. Article 168 of the penal code criminalizes an employer's threats to life, health or physical health of employees and prescribes a penalty of one to four years' imprisonment or four to eight years' imprisonment in case of death or grave injuries. Some police and prosecutors classified trafficking cases as other crimes, such as pimping or enabling prostitution, which carry lower penalties. Judges often downgraded trafficking charges to lesser charges related to promoting prostitution and frequently failed to sentence traffickers for aggravated trafficking in cases involving child victims, as required by law. The government recognized the problem of downgraded charges and provided training to police and judges on the definition of trafficking.

The government recognized the need for data standardization to ensure Peru accurately reflects anti-trafficking law enforcement efforts and acknowledged that different ministries collect overlapping statistics, which they are currently unable to disaggregate. The Ministry of Interior conducted 85 trafficking operations compared with 24 in 2014, and arrested 206 potential traffickers compared with 59 in 2014. The attorney general reported opening 259 trafficking cases compared with 114 in 2014 and initiating prosecutions of 15 individuals for trafficking compared with 20 individuals in 2014. The government reported convicting four traffickers under the trafficking statute, a decrease from 19 traffickers convicted in 2014. Authorities did not report the lengths of sentences or how many sentences were suspended.

Government officials, NGOs, and victims report police used extortion for personal gain by threatening nightclub and brothel owners with sex trafficking charges; falsely charging victims trying to escape bars or brothels with crimes such as theft or trafficking; forcing victims to sign declarations absolving their traffickers, in exchange for payment from the alleged trafficker or due to personal complicity; and accepting money to cease investigations, drop charges, or exonerate traffickers. Some officials' involvement in the mining industry posed a conflict of interest that impeded law enforcement action against trafficking in mining areas. Congress expelled a member for 120 days following an investigation for allegedly operating a hotel where child sex trafficking occurred. However, the government did not report any prosecutions or convictions of government officials complicit in human trafficking, and the member returned to Congress later in the year.

In August 2015, the government established specialized anti-trafficking regional prosecutor offices in Callao, Cusco, Lima, Loreto, Puno, Tacna, and Tumbes. Poor communication and coordination between police and prosecutors compromised efforts to rescue victims and investigate cases. The government's efforts to combat trafficking were hindered by coordination problems between the national and regional levels of government on consistent implementation of the new criminal procedure code; inadequate budgets; corruption in the criminal justice system; and rapid turnover in the police force. The ombudsman's office reported judges applied lower sentences than prescribed in the anti-trafficking law for cases involving minor victims. In partnership with NGOs and an international organization, officials trained police, prosecutors, and other officials. Authorities coordinated with foreign governments on trafficking investigations. In 2015, authorities continued to detain, prosecute, and administratively discipline two police officers accused of collaborating with traffickers and raping a child victim.

PROTECTION

The government significantly increased efforts to identify and assist trafficking victims, including forced labor victims; however, most victims lacked access to specialized services. The anti-trafficking law (law 28950) required the government to assist and protect victims by providing temporary lodging, transportation, medical, psychological, and legal assistance, as well as help in re-adapting the victim to family and society. The law also has provisions for witness protection, including new identities, safe houses, police protection, and new jobs. The government opened 22 new emergency centers for women and operated 48 residential centers for children and adolescents, which provided some of these services. The government operated two shelters exclusively for trafficking victims that assisted 119 victims during the reporting period. The government maintained a registry of NGOs able to assist trafficking victims with shelter and other assistance. The government had not fulfilled its mandate to provide these social services for all crime victims, including trafficking victims.

The anti-trafficking law assigns responsibility for victim identification to several government ministries. Police identified 699 potential trafficking victims—589 adults and 110 children—in 2015 compared with 165 potential trafficking victims in 2014. Government officials identified 54 indigenous individuals—20 adults and 34 children—subjected to forced labor by the Shining Path in 2015; they were referred to NGOs for shelter, food, medical attention, and reunification with their families. The Ministry of Women and Vulnerable Populations (MIMP) assisted 505 trafficking victims in 2015, 286 females and 209 males, in 2015, compared with 177 victims—122 girls, 17 boys, 38 women, and no men—in 2014. Seventy-two trafficking victims received legal services. The attorney general's office trained other government officials to differentiate sex trafficking victims from those engaged voluntarily in prostitution based on whether the individual had access to identity documents and a required public health certificate.

Shelter and specialized psychological, employment, and other services remained unavailable in most areas and for most adults and labor trafficking victims. Several ministries had victim assistance protocols, some of which were published in 2014, though most were implemented unevenly. MIMP was required by law to coordinate and provide services to trafficking victims in partnership with regional governments, and spent 2,764,900 soles ($866,750) on victim services and prevention. According to the UN, the government treats foreign national trafficking victims as refugees, and the UN assists victims in filing a complaint with appropriate Peruvian officials and places victims in the government's care to support the victim during the judicial process. Authorities did not assist and reintegrate any Peruvian victims abroad in 2015, and there was a lack of funding for reintegration.

The prosecutorial program for victims and witnesses assisted 505 trafficking victims in 2015, compared with 144 victims assisted in 2014. The government was required to provide a public defender for trafficking victims to safeguard the victims' legal rights, support through the attorney general's victim and witness protection and assistance program, and a single-interview

process using specialized equipment where available. Despite such protections, experts reported the criminal justice system sometimes revealed victims' names and other information, which undermined victim safety and confidentiality. The government did not report any victims receiving restitution. Authorities sometimes detained victims in local police stations for unlawful acts committed as a direct result of being subjected to human trafficking. Foreign victims were eligible for temporary and permanent residency status under Peruvian refugee law but the government did not report how many victims, if any, received this status in 2015.

PREVENTION

The government sustained prevention efforts. The interagency committee, which also included NGOs and international organizations, met regularly, although participants reported that some ministries did not fully participate. The committee continued to implement the 2011–2016 national anti-trafficking action plan, and devoted 8,533,670 soles ($2,675,130) to combat trafficking in persons in 2015. The committee had not issued an annual report on anti-trafficking efforts at the close of the reporting period. The government had a separate commission and inter-ministerial protocol and plan against forced labor, which established a registry of employers and workers; reiterated worker rights to health and pension plans; provided the authority to conduct labor inspections at employment agencies; improved prevention processes and victim response mechanisms for victims of child labor, forced labor, and human trafficking; and required employment agencies to become certified for operation. The new protocol resulted in registration of employers and workers and the identification of 116 children working illegally in Lima, Loreto, and Tumbes who may have been vulnerable to forced labor. The government held workshops on how agencies should address forced labor cases, monitor forced labor risk factors, and establish strategies to identify victims and provide victim services. Twenty-three regional governments maintained anti-trafficking working groups and 18 established regional plans, which varied in effectiveness and some of which relied on NGOs for coordination. Most government entities lacked adequate funding to implement their duties as outlined in the national anti-trafficking action plan.

Various ministries conducted awareness-raising efforts, often in partnership with international organizations and NGOs and with foreign donor funding. Some of these efforts focused on preventing child sex tourism. The labor inspection unit focused on child and forced labor, established in 2013, did not identify any forced labor victims in 2015. The government worked closely with U.S. law enforcement to arrest six individuals—five Peruvians and one American—engaged in sex tourism and trafficking and identified 36 victims, including 11 minors. The Peruvian attorney general's office is handling the prosecution and, if convicted, the defendants face a minimum of 25 years in prison. In addition, authorities cooperated with U.S. law enforcement to prosecute two American citizens for acts of child sex tourism with Peruvian children in 2013, one of whom pleaded guilty and was sentenced to 30 years in prison and a $250,000 fine. The government, in partnership with civil society, took efforts to reduce the demand for commercial sex acts involving children, but did not report efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. The government provided Peruvian peacekeepers with specific training on human trafficking prior to their deployment abroad on international peacekeeping missions.

PHILIPPINES: Tier 1

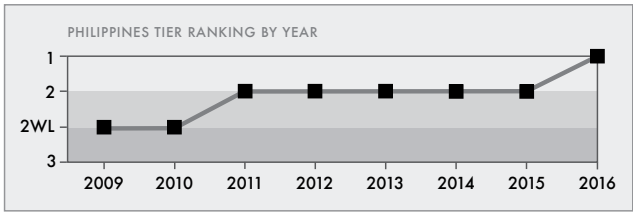
The Philippines is a source country and, to a lesser extent, a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. An estimated 10 million Filipinos work abroad, and a significant number of these migrant workers are subjected to sex trafficking and forced labor—predominantly via debt bondage—in the fishing, shipping, construction, education, nursing, and agricultural industries, as well as in domestic work, janitorial service, and other hospitality-related jobs, particularly across the Middle East, Asia, and North America. Traffickers, typically in partnership with small local networks, engage in unscrupulous recruitment practices that leave migrant workers vulnerable to trafficking, such as charging excessive fees and confiscating identity documents. Traffickers use email and social media to fraudulently recruit Filipinos for overseas work. Illicit recruiters use student, intern, and exchange program visas to circumvent the Philippine government and destination countries' regulatory frameworks for foreign workers. Many victims experience physical and sexual abuse, threats, inhumane living conditions, non-payment of salaries, and withholding of travel and identity documents.

Forced labor and sex trafficking of men, women, and children within the country remains a significant problem. Women and children from indigenous families and remote areas of the Philippines are most vulnerable to sex trafficking and some are vulnerable to domestic servitude and other forms of forced labor. Men are subjected to forced labor and debt bondage in the agricultural, fishing, and maritime industries. Many people from impoverished families and conflict-areas in Mindanao, undocumented returnees, and internally displaced persons in typhoon-stricken communities are subjected to domestic servitude, forced begging, forced labor in small factories, and sex trafficking in Metro Manila, Metro Cebu, central and northern Luzon, and urbanized areas in Mindanao. Trafficking also occurs in tourist destinations such as Boracay, Angeles City, Olongapo, Puerto Galera, and Surigao where there is a high demand for commercial sex acts. Child sex trafficking remains a pervasive problem, typically abetted by taxi drivers who have knowledge of clandestine locations. Very young Filipino children are coerced to perform sex acts for live internet broadcast to paying foreigners; this typically occurs in private residences or small internet cafés and is facilitated increasingly by victims' close family relatives. NGOs report greater numbers of child sex tourists in the Philippines, many of whom are nationals of Australia, Japan, the United States, and countries in Europe; Filipino men also purchase commercial sex acts from child trafficking victims. Organized crime syndicates allegedly transport sex trafficking victims from China through the Philippines en route to other countries. The UN reports armed militia groups operating in the Philippines, including the New People's Army, the Moro Islamic Liberation Front, the Abu Sayyaf Group, and the Bangsamoro Islamic Freedom Fighters, continue to recruit and use children, at times through force, for combat and noncombat roles.

Officials, including those in diplomatic missions, law enforcement agencies, and other government entities, allegedly have been complicit in trafficking or allowed traffickers to operate with impunity. Some corrupt officials, particularly those working in immigration, allegedly accept bribes to facilitate illegal departures for overseas workers, reduce trafficking charges, or overlook unscrupulous labor recruiters. Reports in previous years asserted police conduct indiscriminate or fake raids on

commercial sex establishments to extort money from managers, clients, and victims. Some personnel working at Philippine embassies reportedly withhold back wages procured for their domestic workers, subject them to domestic servitude, or coerce sexual acts in exchange for government protection services.

The Government of the Philippines fully meets the minimum standards for the elimination of trafficking. The government convicted 42 traffickers, including five for online child sex trafficking and two for forced labor. Although pervasive corruption undermined efforts to combat trafficking, the government convicted two immigration officers and charged five officials allegedly complicit in trafficking. In an effort to prevent trafficking of migrant workers, the government increased its funding for the Commission on Filipinos Overseas (CFO) to facilitate anti-trafficking prevention campaigns for migrant workers, and authorities expanded training and awareness events for government officials, prospective employees, and the general public, doubling the number of persons reached. Officials proactively identified trafficking victims exploited within the country and assisted roughly 1,500 during the reporting period; however, it did not identify any foreign victims. Although domestic protection for male victims remained limited, the government opened and fully funded a temporary shelter for male Filipino trafficking victims in Saudi Arabia. To reduce the demand for commercial sex acts, justice officials prosecuted eight cases against foreign child sex tourists during the reporting year.



RECOMMENDATIONS FOR THE PHILIPPINES:

Increase the availability of shelter and protection resources that address the specific needs of trafficking victims, with a particular focus on male victims and mental health provisions; develop and implement programs aimed at reducing the demand for commercial sex acts, including child sex tourism and online child sexual exploitation; increase efforts to identify labor trafficking victims, especially children subjected to forced labor, including via training for Department of Labor and Employment inspectors on proactive identification mechanisms; increase efforts to investigate, prosecute, and convict labor traffickers who exploit victims within the country; increase efforts to investigate and prosecute government officials for trafficking and trafficking-related offenses; expand efforts to ensure victim-friendly criminal justice proceedings for victim witnesses, particularly child victims, to prevent re-traumatization from multiple interviews and protracted shelter stays throughout the duration of court cases; widely implement the continuous trial mechanism pilot program to increase the speed of trafficking prosecutions; expand prevention efforts against the recruitment and use of child soldiers and vigorously investigate any such allegations and hold accountable those who are involved; and broaden trainings for front-line officers on appropriate methods to assist children apprehended from armed groups.

PROSECUTION

The government continued vigorous law enforcement efforts. The Philippines prohibits sex and labor trafficking through its 2003 and 2012 anti-trafficking acts and prescribes penalties of six years' to life imprisonment plus fines up to five million pesos ($112,000), which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Philippine law defines purchasing commercial sex acts from a child as a trafficking offense. During the reporting period, police investigated 329 alleged trafficking cases, a steady increase from the 282 and 155 suspected cases it investigated in 2014 and 2013, respectively. The National Bureau of Investigation conducted 40 operations leading to the arrest of 151 suspected traffickers, and separately investigated 67 sex trafficking cases and four for forced labor. In 2015, the government prosecuted at least 569 alleged traffickers, compared with 595 during the previous year. Authorities convicted 42 traffickers during the reporting year, compared with 53 convictions in 2014; of these convictions, five were for online child sex trafficking and two for forced labor. Sentences for those convicted ranged from eight years' to life imprisonment, with most offenders sentenced to life imprisonment. The government did not take any law enforcement action to punish the recruitment and use of child soldiers as no cases were reported; reporting was inhibited by the ongoing insurgency in volatile areas where armed militias, which recruit and use child soldiers, operate. During the year, the Supreme Court employed the continuous trial system pilot project, which continued to expedite trafficking prosecutions; however, endemic inefficiencies, and in some cases corruption, in the judicial system left some cases pending prosecution. Courts resolved the cases of 17 of the 42 convicted traffickers within two years, which is significantly faster than other types of criminal cases. Prosecutions for labor trafficking remained low; law enforcement officials reported difficulties in securing forced labor convictions, sometimes due to misconceptions that this crime requires an element of movement to be tried under the anti-trafficking law.

The government continued to make strong efforts to provide anti-trafficking training to authorities. The Interagency Council Against Trafficking (IACAT) conducted 36 trainings in 2015, reaching more than 1,000 government officials, including new investigators and prosecutors. IACAT also led and co-coordinated 280 anti-trafficking trainings, which reached 7,300 government personnel and more than 11,000 civil society attendees across the country, including students, hospitality staff, and bus and taxi drivers. In addition, Philippine regional police facilitated 24 specialized courses on cross-border trafficking issues with Malaysian royal police. Officials also hosted seminars in Cebu and Davao to enhance the capacity of respective law enforcement personnel. Philippine officials continued to cooperate with foreign governments to pursue international law enforcement action against suspected traffickers; officials initiated at least nine such investigations in 2015. During the reporting year, the government investigated 24 allegedly complicit immigration officers and convicted two; it sentenced one official to 15 years' imprisonment plus a fine of 500,000 pesos ($10,800). The government also issued administrative charges—including job dismissal—against five potentially complicit immigration officers; the remaining 17 cases are either pending, referred for additional investigation, or awaiting approval for criminal proceedings. Philippine officials dismissed for lack of merit and insufficient evidence two cases: a 2013 case of an embassy official in Kuwait who allegedly violated the Philippines' anti-trafficking law, and a 2014 case involving a Philippine diplomat and her spouse in Canada who allegedly compelled an individual into domestic servitude.

PROTECTION

The government sustained its proactive identification of victims and increased provision of protective services. Although comprehensive statistics for the total number of victims identified and assisted were unavailable, IACAT reported identifying at least 807 victims, mostly female and children. The Department of Social Welfare and Development (DSWD) reported serving 1,465 trafficking victims, of whom 1,037 were female, compared with 1,395 victims in 2014. The government followed formal procedures to identify victims and refer them to official agencies or NGO facilities for care; it also continued to assist its nationals subjected to trafficking abroad. Philippine officials identified victims through rescue operations, border screenings, reports to embassies abroad, and calls to the national anti-trafficking help line, which led to assistance for 62 potential trafficking victims.

The government, through its recovery and reintegration program and in partnership with NGOs, provided victims with shelter, psycho-social support, medical services, legal assistance, and vocational training. It sustained an allocation of approximately 23 million pesos ($490,000) to implement this program. DSWD operated 44 residential care facilities, an increase from 26 in 2015, which delivered services to victims of trafficking and other related abuses; however, available services remained inadequate to address the specific needs of victims, particularly for mental health. The DSWD reported providing temporary shelter to 1,889 victims during the reporting period, an increase from 853 in 2015. An improvement for victims in 2015 saw adult victims residing in shelters being permitted to leave unchaperoned, provided there were no threats to their personal security or psychological care issues. Domestic protective services for male victims remained limited; however, during the reporting period Philippine officials opened and funded a temporary shelter for male Filipino trafficking victims in Saudi Arabia. The government provided an unknown funding amount to NGOs, which delivered the vast majority of specialized services to trafficking victims; however, the lack of long-term care, absence of mental health services, and familial involvement in facilitating exploitation left many victims vulnerable to re-trafficking.

Under its witness protection program, justice officials protected witnesses from reprisals by providing security, immunity from criminal prosecution, housing, livelihood and travel expenses, medical benefits, education, and vocational placement; however, victims were often interviewed multiple times, which resulted in lengthy shelter stays. During the year, civil society representatives observed judicial officials utilizing victim restitution provisions and awarding damages to victims; however, these monetary penalties imposed upon offenders often went unpaid due to perpetrators' financial incapacity and protracted court proceedings. NGOs confirmed government officials did not punish victims for unlawful acts committed as a result of being subjected to trafficking. While the government did not identify foreign victims in the Philippines during the year, it had long-term alternatives to deportation of victims to countries where victims may face hardship or retribution.

PREVENTION

The government increased its robust efforts to prevent trafficking. The government continued implementation of its 2012-2016 strategic plan to combat trafficking, and IACAT and other government anti-trafficking taskforces met regularly during the year to share data and coordinate interagency policies. IACAT increased funding from 200,000 pesos ($4,500) in 2014 to over 850,000 pesos ($18,200) in 2015 for the CFO to facilitate anti-trafficking prevention campaigns. Consequently, the CFO expanded its community education programs on trafficking and safe migration tactics across 24 provinces, which reached more than 6,300 participants, including prospective migrant workers; it conducted a similar campaign in Hong Kong for approximately 150 Filipino migrants employed there. The CFO also facilitated an awareness campaign in Cebu, focusing on cybercrime and online child sexual exploitation, and disseminated related informational materials to more than 60,000 local residents. During the reporting period, police led 38 awareness-raising programs for 1,500 participants on preventing exploitation of women and children, to include trafficking; they also produced and distributed thousands of flyers, posters, and manuals at the community level nationwide and hosted 28 television and social media engagements for the general public.

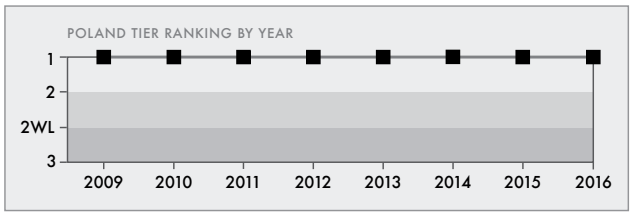
The Philippine Overseas Employment Agency (POEA) conducted public seminars and community forums across the country on warning signs of illegal recruitment tactics and trafficking. POEA officials investigated 98 cases involving 231 complainants of illegal recruitment and an unknown number of trafficking victims in 2015, which resulted in the closure of 12 non-licensed establishments; officials referred 84 cases for criminal investigation proceedings, as compared with 124 the previous year, and reported six illegal recruitment convictions compared to eight in 2014. The Bureau of Immigration continued to screen for potential victims at airports and seaports, and officials issued amended guidelines on departure formalities for international-bound persons, which set clearer rules for inspections intended to prevent trafficking and other related offenses without deterring legal travelers. Despite significant local and foreign demand in the country's vast commercial sex trade, the government's efforts to reduce the demand for commercial sex acts were negligible, and authorities reported no tangible efforts to reduce the demand for forced labor. Justice officials prosecuted 17 cases against six foreign child sex tourists during the reporting year; however, including previous years, 79 cases remain pending trial. The government conducted three monitoring, reporting, and response training events for 146 local service providers addressing child soldiering issues in Mindanao due to protracted armed conflict and high likelihood for the recruitment and use of child soldiers there; however, the government did not report assisting any demobilized child soldiers. Government military personnel disseminated information against child soldier recruitment in various provinces nationwide, but no law enforcement actions were taken to punish the recruitment and use of child soldiers as no cases were reported. The government provided anti-trafficking training to Philippine troops prior to their deployment abroad on international peacekeeping missions, and for its diplomatic personnel.

POLAND: Tier 1

Poland is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Labor trafficking is increasing in Poland; victims originate from Europe, Asia, and Africa. Children, particularly Romani children, are recruited for forced begging in Poland. Men and women from Poland are subjected to forced labor in Europe, primarily Western and Northern Europe. Women and children from Poland are subjected to sex trafficking within the country and also in other European countries. Women and

children from Eastern Europe, particularly Bulgaria, Romania, and Ukraine, are subjected to sex trafficking in Poland. A growing number of Vietnamese victims transit Poland en route to Western Europe after being subjected to labor trafficking in Russia.

The Government of Poland fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government provided training to law enforcement authorities, as well as judges and prosecutors. The police established provincial-level anti-trafficking teams, and the interior ministry installed and trained provincial-level coordination committees in all 16 regions. However, the number of final convictions decreased for the second consecutive year and most convicted traffickers received suspended sentences. Overall law enforcement action against forced labor was insufficient, despite a large number of labor trafficking victims identified. While the government continued to fund services for adult victims, there was no specialized care available for child victims of trafficking.



RECOMMENDATIONS FOR POLAND:

Ensure traffickers receive sentences commensurate with the severity of the crime, such as by continued training for prosecutors and judges; improve measures to identify child victims; provide specialized care to child victims of trafficking; vigorously investigate and prosecute trafficking crimes, particularly forced labor cases; increase training to law enforcement on how to investigate and prosecute labor trafficking cases and consider creating specialized prosecution units for trafficking crimes; educate and incentivize foreign victims to enroll in the witness protection program and assist prosecutions; improve training and efforts to identify victims proactively, particularly among unaccompanied children, irregular migrants, and children exploited in prostitution; facilitate victims' access to compensation by encouraging prosecutors to request compensation during criminal cases and systematically informing victims of their right to pursue civil suits against their traffickers; consider providing foreign victims enrolled in the witness protection program the right to work in Poland; ensure adult male victims have access to care services and emergency shelter; and improve central operational coordination and data collection for anti-trafficking activities.

PROSECUTION

The government maintained law enforcement efforts, but did not provide effective sentencing for convicted traffickers or increase the number of upheld final convictions. In collecting data, the government only considered convictions and sentences issued after appeals to be final. Poland's penal code defines a trafficking crime in article 155.22, while article 189a prohibits all forms of trafficking and prescribes punishments of three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In addition, article 203 prohibits inducing an adult into prostitution through force, fraud, or coercion, and article 204.3 prohibits inducing a child into prostitution; both articles prescribe punishments of one to 10 years' imprisonment.

The government lacked a central mechanism to cross-reference and consolidate law enforcement statistics, but authorities launched 30 investigations under article 189a in 2015, compared with 28 in 2014. Authorities reported prosecuting 23 suspected traffickers under article 189a in 2015, compared with 28 in 2014. In 2015, 17 prosecutorial investigations conducted involved forced labor, compared with eight in 2014. First-level courts convicted 36 traffickers under article 189a in 2015, compared with 17 in 2014, the highest number of first-level convictions since 2012. In 2014, the most recent year for which post-appeal judgements were available, nine convictions were upheld, compared with 13 in 2013 and 18 in 2012. Courts also upheld 12 convictions under article 203 and 16 convictions under article 204.3, compared with 13 and 15 convictions, respectively, in 2013. In total, judges issued 37 final convictions in 2014 under these three statutes, compared to 41 in 2013 and 64 in 2012. Prison terms ranged from one year, to three to five years; 78 percent of sentences were for two years or less. Authorities suspended a greater proportion of prison sentences for trafficking convictions, from 41 percent in 2013 to 62 percent in 2014. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Authorities collaborated on investigations with counterparts in several foreign countries. The government provided trafficking-specific training for the police and border guards during 2015. In November 2015, authorities held a training session for 100 prosecutors on trafficking, as well as seven trainings throughout 2015 for prosecutors and judges on international crime that included transnational trafficking. Authorities reported there were very few prosecutions for forced labor because police had difficulty identifying this type of crime, despite NGOs assisting over 290 victims of forced labor and forced begging from 2013 to 2015. Experts noted prosecutors and judges often lacked expertise in labor trafficking cases. Observers reported prosecutors were sometimes reluctant to prosecute suspected traffickers due to the complexity and difficulty of those cases. In June 2015, the police issued an internal regulation creating provincial-level anti-trafficking teams.

PROTECTION

The government demonstrated limited progress in some areas of protection, but authorities did not provide specialized care for child victims or establish a standard protocol to determine whether unaccompanied minors may be victims of trafficking. Authorities trained police, border guards, about 120 consular officers, 21 labor inspectors, 95 employees of crisis intervention centers, and 270 tourism students and hotel representatives on trafficking victim identification. Sixty-six border guard officers attended specialized training on identification of victims of forced labor provided by an international organization. In the first quarter of 2015, the national police adopted a new identification tool designed to assist police in identifying potential trafficking victims. Police and prosecutors acknowledged they still lacked the expertise to identify forced labor victims. Observers reported authorities did not treat some children exploited in prostitution as victims. Some victims avoided reporting their exploitation because participation in the protection program did not provide for the right to work. In 2015, the government allocated 1.1 million zloty ($280,800) to two NGOs that run the National Intervention-Consultation Center for Victims of Trafficking (KCIK), which covered the majority of operating expenses; this marked an increase from 1 million zloty ($255,300) in 2014. KCIK provided assistance

to 229 victims in 2015, compared with 207 in 2014. Of the 229 victims, 126 were foreign nationals and 127 were victims of forced labor and forced begging. KCIK offered victims medical and psychological care, legal counseling, shelter referrals, and welfare support. KCIK included two shelters for adult female victims. KCIK was responsible for finding safe shelter for male trafficking victims and used crisis centers, hotels, and hostels for this purpose. The national system of victim assistance did not always address the needs of unaccompanied children, as there was no standardized system of screening unaccompanied minors as potential trafficking victims. The government could place child victims in orphanages, with foster families, or in child assistance centers based on their needs. Observers reported some unaccompanied minors, who may have been trafficking victims, ran away from orphanages and were not recovered. Local governments also funded and operated crisis intervention centers; 18 were designated specifically for trafficking victims in 2015, compared with 23 in 2014.

The government's witness protection program provided foreign victims with a temporary residence permit, medical and psychological care, and shelter for those who cooperated with a prosecution. The government enrolled 38 trafficking victims into this program in 2015, compared with 62 in 2014. Foreign victims were entitled to a three-month reflection period, during which they could stay legally in Poland to decide whether to assist in the criminal process; 33 victims received this reflection period in 2015. GRETA reported authorities did not systematically inform victims about the reflection period. In 2015, 27 foreign victims who joined the witness protection program agreed to participate in the prosecution of their traffickers, compared with 52 in 2014. Although victims could file civil suits against traffickers and judges could order compensation for victims in criminal cases, observers reported very few trafficking victims have ever received compensation from their traffickers. Six trafficking victims were convicted for illegally crossing the Polish border in 2014; in 2015, the Supreme Court returned the case to the lower court for reconsideration.

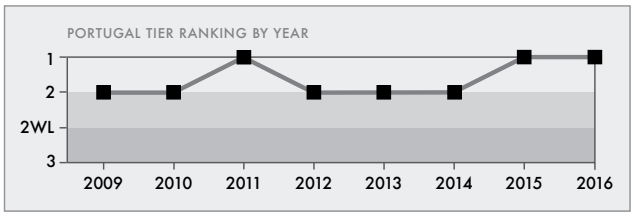
PREVENTION

The government demonstrated progress in prevention. In 2015, the government again allocated 135,000 zloty ($34,500) for the implementation of tasks related to the 2013-2015 national action plan for combating trafficking. The government drafted and began the implementation of the 2016-2018 action plan, although the government had not formally approved it by the close of the reporting period. The interior ministry continued to lead the inter-ministerial anti-trafficking team, as well as a working-level group of experts, which met regularly to coordinate efforts and develop national anti-trafficking policies. However, observers reported Poland lacked effective central operational coordination for all anti-trafficking activities. During the reporting period, the government completed the establishment of provincial interagency anti-trafficking teams in all 16 regions of the country to improve cooperation at the regional level. Between June and November 2015, the interior ministry conducted 15 trainings for members of all provincial interagency teams. The interior ministry released an assessment of the government's 2014 anti-trafficking activities in 2015. The government lacked a central mechanism to cross-reference and consolidate trafficking-related statistics, hindering officials' ability to assess the scope of trafficking in Poland and the efficacy of law enforcement efforts. The government sponsored information campaigns, several of which targeted schoolchildren, migrant workers in Poland, and Poles seeking work abroad. The labor inspectorate continued to inspect job recruitment agencies for fraud, which resulted in the removal of several agencies from its official register. The government provided anti-trafficking training for its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex and forced labor.

PORTUGAL: Tier 1

Portugal is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Trafficking victims primarily originate from Africa and Eastern Europe, and, to a lesser extent, Latin America and Asia. Most victims are subjected to forced labor. Foreign labor trafficking victims are exploited in agriculture and domestic service, while Portuguese victims are exploited in restaurants, agriculture, and domestic service, primarily in Portugal and Spain. Poor and uneducated Portuguese in the country's rural interior are especially vulnerable to forced labor networks in Spain, which may extend into Northern and Eastern Europe. Although most forced labor victims are men, authorities noted an increase in the number of female forced labor victims in 2015. Foreign women and children, mostly from Africa and Eastern Europe, and Portuguese women and children are subjected to sex trafficking within the country. Portuguese victims have also been subjected to sex trafficking in other countries, mostly in Europe. Children from Eastern Europe, including those of Roma descent, are subjected to forced begging and forced criminal activity in Portugal. Organized criminal networks operate trafficking rings in the country; some recruit victims abroad to exploit in Portugal, while others recruit domestically to exploit both within Portugal and abroad. Authorities report traffickers bring women and children, many from African countries, to Portugal to claim asylum before bringing victims to other European countries to be exploited in trafficking.

The Government of Portugal fully meets the minimum standards for the elimination of trafficking. Authorities increased the number of trafficking investigations, although the number of convictions decreased significantly. The government continued to fund three NGO-operated shelters and multidisciplinary teams to assist victims. Authorities identified more potential trafficking victims than the previous year. While authorities continued efforts to identify labor trafficking victims and hold labor traffickers accountable, the government identified few sex trafficking victims. The government sometimes prosecuted sex trafficking cases under pimping statutes, which carried less stringent penalties.



RECOMMENDATIONS FOR PORTUGAL:

Increase efforts to investigate and prosecute trafficking offenses and convict traffickers, issuing sufficiently dissuasive sentences; release guidance for law enforcement, justice officials, and service providers clarifying all prostitution of children is child sex trafficking, regardless of force, fraud, or coercion, to ensure these crimes are prosecuted under appropriate statutes;

implement required and systematic training for all police, prosecutors, and judges to increase trafficking investigations and to encourage the use of trafficking laws for convictions with dissuasive sentences; continue to increase and document use of victim services, such as shelters and residence permits; provide specialized shelter and assistance for child trafficking victims, including Portuguese child sex trafficking victims; continue to train immigration and social workers, law enforcement, labor inspectors, and NGOs on victim identification and referral; increase efforts to reduce the demand for commercial sex; and continue to conduct trafficking awareness raising campaigns on forced labor and sex trafficking.

PROSECUTION

The government decreased law enforcement efforts. Article 160 of the penal code prohibits all forms of trafficking and prescribes penalties of three to 12 years' imprisonment, which are sufficiently stringent and commensurate with those for other serious crimes, such as rape. Article 160 also encompasses illegal adoption and organ removal. Article 159 prohibits slavery and prescribes penalties of five to 15 years' imprisonment. Article 175 prohibits child sex trafficking, with penalties of one to 10 years' imprisonment, although it classifies these crimes as pimping rather than trafficking.

In 2015, the government investigated 68 potential trafficking cases, compared with 44 cases in 2014. Authorities did not report how many cases involved labor or sex trafficking. In 2015, authorities prosecuted four individuals for forced labor under articles 159 and 160 (three and one prosecutions, respectively); the government did not report the total number of trafficking prosecutions initiated in 2014, although prosecutors charged at least five defendants in three labor trafficking cases. Authorities convicted four traffickers in 2015: one labor trafficker under article 160 and three labor traffickers under article 159, a significant decrease from the 36 total convictions in 2014. The trafficker convicted under article 160 received 15 years' imprisonment, while the three convicted under article 159 received sentences of eight, 12, and 20 years' imprisonment. An unknown number of these convictions had appeals pending. In January 2016, authorities arrested the leader of a labor trafficking ring convicted in absentia in 2011; he is currently serving a 16-year prison term. The government also investigated and prosecuted human trafficking as other crimes, such as pimping (article 169), criminal association, or abetting legal aliens, for which a lesser burden of proof is required and convictions were easier to obtain, although these convictions often resulted in less stringent sentences. Authorities prosecuted two individuals for trafficking crimes under article 169, one of whom also faced prosecution for forced labor under article 160. The government reported two convictions for trafficking crimes under article 169; courts sentenced one defendant to 39 months' imprisonment, while the second defendant received a suspended sentence of two years' imprisonment. GRETA recommended increased training for law enforcement, prosecutors, and judges, who sometimes categorized trafficking as other crimes, such as domestic violence or pimping. Authorities provided anti-trafficking training to front-line responders, including police officers, labor inspectors, and social workers. The government did not report any investigations, prosecutions, or convictions of government employees for alleged complicity in trafficking-related offenses.

PROTECTION

The government sustained victim identification and protection efforts. The government's national referral system guided victim identification procedures, and its anti-trafficking agency provided a checklist to law enforcement and other front-line responders on identifying trafficking victims. First responders and social service providers could refer potential victims to services, but only police or prosecutors could confirm victims. Authorities identified 18 confirmed victims and more than 150 additional potential victims in 2015, compared with 20 confirmed and 26 potential victims in 2014. Fifteen of the 18 confirmed victims were victims of forced labor (including three forced begging victims) and three were sex trafficking victims; six of the confirmed victims were children. In November 2015, authorities conducted operations throughout the country during which they identified more than 100 potential victims and detained 18 suspects. The government reported it provided approximately 1.25 million euros ($1.36 million) in 2015 for prosecution and protection activities; in 2015 it allocated an additional 490,000 euros ($533,000) for victim services and to support its four interdisciplinary regional teams' efforts to identify and assist victims. Victims had the right to shelter, health, psycho-social, legal, and language services, as well as education and employment training. The government funded three NGO-operated shelters exclusively for trafficking victims—two for female victims and their minor children and one for adult male victims. Adult victims could leave the shelters at will unless authorities determined victims' safety was at risk. There were no specialized services for child trafficking victims; child victims were placed in institutions if they could not be placed with family members. Of the 18 confirmed victims in 2015, five accepted shelter and services, nine refused shelter, and one returned to his or her country of origin; the status of the remaining three victims was unknown. The government hosted training workshops for health, security, and social services professionals to identify victims of labor trafficking.

Authorities encouraged victims to assist with investigations and prosecutions and informed victims of their right to protection, assistance, and return to their country of origin. The government provided comprehensive witness protection to victims participating in trials; victims could testify by deposition or videoconference and had access to medical and psychological services to prevent re-traumatization. The government offered victims a reflection period of 30 to 60 days, during which they could recover before deciding whether to cooperate with law enforcement. The law also provides for a one-year residence permit for victims cooperating with law enforcement or based on a personal situation; this permit can be renewed for one year if authorities determine it is necessary to protect the victim. Authorities issued two residence permits in 2015, compared with one permit in 2014; both recipients were female sex trafficking victims. The government reported it provided one victim with transportation to return to his or her country of origin. NGOs and law enforcement reported some victims were hesitant to speak with authorities, which may have hindered victim identification. The government did not report whether any victims received compensation from their traffickers or the government. There were no reports the government penalized victims for unlawful acts committed as a result of being subjected to trafficking.

PREVENTION

The government maintained prevention efforts. The government continued to implement its national action plan for 2014-2017 and maintained a multi-stakeholder anti-trafficking network, including a national rapporteur, representatives from various government agencies, and three NGOs. The national rapporteur

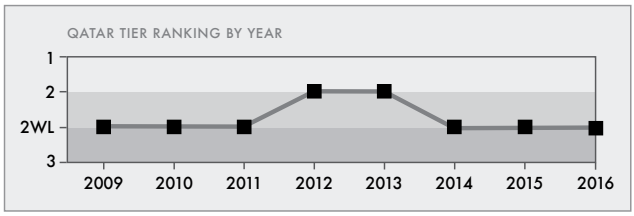
served as the national anti-trafficking coordinator and issued an annual report on the implementation of the national action plan. The national rapporteur also had the authority to propose new legislative measures to protect victims and prevent trafficking. The government's anti-trafficking agency published an annual report detailing the trafficking situation in the country. The government conducted an awareness campaign to help workers avoid becoming trafficking victims by informing them about fraudulent recruitment offers and providing a hotline workers could call for help or additional information. Labor authorities conducted inspections in an effort to prevent labor exploitation and maintained a registry of contracts for foreign migrants working in the country. The government also screened visa applicants to ensure their job offers were legitimate. The government did not make efforts to reduce the demand for commercial sex but did make efforts to reduce the demand for forced labor. The government conducted awareness campaigns to prevent child sex tourism. Laws prohibiting sexual crimes against children have extraterritorial reach, allowing the prosecution of suspected child sex tourists for offenses committed abroad; there were no reports of Portuguese citizens engaging in child sex tourism abroad during the year. The government provided anti-trafficking training to its diplomatic personnel.

QATAR: Tier 2 Watch List

Qatar is a destination country for men and women subjected to forced labor and, to a much lesser extent, forced prostitution. Qatar is also a destination country for women who migrate for employment purposes and become involved in prostitution; some of these women may be runaway domestic workers whom traffickers force into prostitution, exploiting their illegal status. Over 90 percent of the country's workforce is comprised of men and women from South and Southeast Asia, Africa, and the Middle East who voluntarily come to work as low- and semi-skilled workers, primarily in construction, oil and gas, the service industry, transportation, and domestic work, but some are subjected to forced labor. Female domestic workers are particularly vulnerable to trafficking due to their isolation in private residences and lack of protection under Qatari labor laws. Previous reports by an international organization alleged Nepali and other migrant workers in Qatar died primarily due to poor working conditions.

Qatar's low-skilled migrant workers continue to comprise the largest group at risk of trafficking. Many migrant workers arriving in Qatar pay exorbitant fees to recruiters in their home countries, and some recruitment agencies in labor-sending countries lure foreign workers with false employment contracts. Qatar's current sponsorship system places significant power in the hands of employers, who have unilateral power to cancel residence permits, deny workers the ability to change employers, and deny permission to leave the country. Debt-laden migrants who face abuse or are misled often avoid reporting their exploitation out of fear of reprisal, the lengthy recourse process, or lack of knowledge of their legal rights, making them more vulnerable to forced labor, including debt bondage. Instances of delayed or non-payment of salaries are a leading driver of forced labor, including debt bondage, in Qatar. Many migrant workers often live in cramped, unsanitary conditions, and many complain of excessive working hours and unpaid wages and also face denial of exit permits; threats of deportation and physical or financial harm; physical, mental, and sexual abuse; and hazardous working conditions. According to a 2014 study by Qatar University's Social and Economic Survey Research Institute, 76 percent of expatriate workers' passports are in their employers' possession, despite laws against passport confiscation, although this represents a decrease in passport retention since 2011, when 92 percent of expatriates reported that employers retained their passports. International rights groups and media report some migrant laborers face severe labor abuses, some of which amount to forced labor, and also allege a high number of foreign laborers have died from heart failure due to harsh work in extreme heat.

The Government of Qatar does not fully meet the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. Despite these efforts, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Qatar is placed on Tier 2 Watch List for the third consecutive year. Per the Trafficking Victims Protection Act, Qatar was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards. The government reported prosecuting 24 suspected traffickers, including two exploitative employers, although some of these cases likely involved other crimes often conflated with trafficking, including smuggling. For the first time, the government successfully used the 2011 anti-trafficking law to convict 11 traffickers. Existing labor protections remained weak and favored the employer, and the labor law does not provide protection to domestic workers, leaving them vulnerable to forced labor or abuse. The government began to amend the sponsorship system, known as *Kafala*, which could drastically reduce vulnerabilities to forced labor. The Emir signed the *Kafala* reform law in October 2015, it was transmitted into the official gazette in December 2015, and implementation is to begin in December 2016. Despite the new law's elimination of indefinite contracts, it remains unclear whether employers will pressure employees to sign new five-year contracts (the maximum allowed) before these reforms come into effect; it is possible that these actions could subject workers to unfair labor practices. The government did not report the number of trafficking victims identified or provided services during the reporting period. During the reporting period, the government did not designate a government lead for anti-trafficking efforts; the previous oversight body, the Qatar Foundation for Protection and Social Rehabilitation (QFPSR), was removed as the anti-trafficking lead and focused exclusively on caring for female and child victims of abuse. In November 2015, the government began implementation of the Wage Protection System (WPS), requiring employers to pay workers electronically, although it remained unclear whether the system flagged potential trafficking cases for criminal investigation. The number of workers who signed up for the WPS more than tripled during the reporting period from 407,051 to 1.3 million; however, implementation of the WPS was particularly challenging for small and medium-sized enterprises and start-ups.



RECOMMENDATIONS FOR QATAR:

Sufficiently implement reforms to the sponsorship system so

it does not provide excessive power to sponsors or employers in granting and sustaining the legal status of workers; ensure reforms provide migrant workers with protection from abusive practices and working conditions that may amount to forced labor; increase efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers, particularly for forced labor crimes, under the anti-trafficking law; extend labor law protection to domestic workers and ensure any changes to the sponsorship system apply to all workers; ensure employers do not exploit workers using the WPS by collecting money from them before depositing their salary electronically; implement the WPS for all companies including small and medium-sized companies, joint ventures, and foreign-owned companies; enforce the law against employers who withhold workers' wages or passports; enforce the law requiring that employees receive residence cards within one week of arrival and further enforce the law criminalizing passport retention; consistently apply formal procedures to identify victims of all forms of trafficking proactively among vulnerable groups, such as those arrested for immigration violations or prostitution or those that flee abusive employers; provide victims with adequate protection services and ensure that shelter staff speak the language of expatriate workers; appoint a formal government lead to coordinate anti-trafficking efforts; collect, disaggregate, analyze, and report anti-trafficking law enforcement data; report data pertaining to the number of victims identified and the services provided to them; provide anti-trafficking training to government officials; and continue to conduct anti-trafficking public awareness campaigns.

PROSECUTION

The government increased anti-trafficking law enforcement efforts, although prosecution of labor trafficking cases, including passport retention crimes, needs to be increased. The comprehensive anti-trafficking law, enacted in October 2011, prohibits all forms of both sex and labor trafficking and prescribes penalties of no more than seven years' imprisonment and up to 230,000 Qatari riyal ($82,000) in fines, with penalties of no more than 15 years' imprisonment for trafficking offenses committed with aggravating circumstances. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as kidnapping. The government prohibits employers' withholding workers' passports under the 2009 sponsorship law, punishable by a fine of up to 10,000 Qatari riyal ($2,750). The government sporadically and inconsistently enforced this law during the reporting period and did not report any fines imposed on sponsors for withholding passports.

During the reporting period, the government reported investigating 24 potential trafficking cases. While more than double the previous year, some of these cases may have involved other crimes often conflated with trafficking, including smuggling. The government prosecuted and convicted 11 suspected traffickers, including the staff of two private companies under the 2011 anti-trafficking law as compared to no convictions in the previous reporting period. Media reports indicated that Qatar's criminal court had sentenced an Arab couple to prison for eight years and fined each of them 450,000 Qatari riyal ($123,598) under charges of unintentional murder of a domestic worker and involvement in human trafficking crimes. According to the media, the couple had also enticed domestic workers to leave their employers with the promise of facilitating employment in a new household in return for large fees from both the domestic workers and prospective employers. The government has begun to prosecute exploitative employers under the 2011 anti-trafficking law, but other existing labor protections remain biased in favor of the employer. The government's primary solution for resolving labor violations was to transfer a worker's sponsorship to a new employer, ban the employer violating labor protections from new contracts or importing more laborers, and made minimal efforts to investigate whether the violations constituted forced labor. The government did not report investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses. In May 2014, a federal district court in Virginia issued a default judgment awarding damages to a former domestic worker, finding she was subjected to forced labor when she was employed by a Qatari diplomat; the diplomat has not paid the judgment and has since left the United States. In another case, a Qatari official and his spouse were indicted in May 2015 and pled guilty to visa fraud related to the alleged forced labor of two domestic workers. As part of their plea, the couple paid the workers restitution and left the United States. The government reported it continued to provide training for law enforcement officials, public prosecutors, judges, inspectors, civil society organizers, and public health professionals on investigating trafficking cases, the anti-trafficking law, and victim identification. The police training institute continued to train Ministry of Interior (MOI) officials on investigation techniques for trafficking cases.

PROTECTION

It is unclear whether the government decreased efforts to protect victims of trafficking due to a lack of government-provided statistics in this area, and many victims of forced labor, including debt bondage, likely remained unidentified and unprotected. The government did not report the number of victims identified or assisted during the reporting period, as it has in past years. Officials were less likely to identify domestic workers, not covered by labor law, as trafficking victims, due to limited access to private homes and social customs. During the reporting period the government did not designate a new government lead for anti-trafficking efforts after the previous oversight body, the QFPSR, was dissolved of anti-trafficking responsibilities. QFPSR had been responsible for maintaining procedures to identify and respond to the needs of female and child victims of violence and continued to operate a shelter for women and child victims of violence at the Qatar House for Lodging and Care. The government offered female and child victims of violence, including trafficking victims, access to medical care, social services, psychological treatment, legal assistance, and rehabilitation and reintegration programs. The government continued to use its national victim referral system to coordinate victim identification and referral efforts between government authorities and NGOs. The referral system included the provision of safe shelter, health care, and legal assistance. During the reporting period, victims that received shelter services had the right to leave the shelter without supervision, and victims were able to access the shelter even if their employers had filed charges against them.

The government continued to punish some unidentified victims of trafficking for unlawful acts committed as a direct result of being subjected to trafficking. Authorities regularly arrested, detained, and deported potential trafficking victims for immigration violations and running away from their employers or sponsors. Some victims occasionally languished in detention centers for up to six months due to debts allegedly owed or false charges of theft filed by their employers. The costs of legal representation under these circumstances were sometimes borne by the workers, but were often waived by the government

due to workers' inability to pay. Domestic workers who were not covered under the labor law continued to face difficulties seeking legal redress for abuses through civil court action. During the reporting period, officials did not recognize severe labor abuses, including cases of domestic servitude, could amount to human trafficking. The government encouraged victims to testify against their traffickers by providing free legal counseling and allowing them to pursue financial compensation; however, it did not report how many victims testified against their traffickers or received these benefits during the reporting period. The government lacked adequate privacy laws to protect victims against potential retribution and often did not provide adequate assistance or protection for victims during legal proceedings. MOI's Search and Follow Up and Human Rights departments coordinated with embassies to assist in repatriating migrant workers and reported providing 10,086 repatriation tickets free of cost—likely assisting some potential trafficking victims. Victims of abuse with pending cases were given the option of changing sponsors or returning to their country of origin, once their residency status was resolved. The government reported it did not deport those who faced retaliation or retribution in their country of origin.

According to a published report, migrant workers noted that inspections are not frequent, and employers are not punished for violating the law. Workers indicated that the complaints process was not easily accessible and that the courts' process was lengthy. Some workers faced retaliation by their employers after filing complaints.

PREVENTION

The government made modest efforts to prevent trafficking in persons. The government passed reforms to its sponsorship law during the reporting period, which could reduce vulnerabilities to forced labor. These reforms to the sponsorship system are expected to take effect in December 2016, and the announced changes will eliminate indefinite-term contracts and provide employees with the right to change employers at the end of their contracts and leave the country without the employer's permission through a government appeal mechanism. The mechanism will mandate an employer produce a court order within 72 hours of an employee's application to depart to sustain the employer's objection to the employee's departure, which will significantly improve expatriate's freedom of movement. Allegations of employers pressuring employees to sign new five-year contracts before these reforms come into effect remained a significant concern as these actions could subject workers to unfair labor practices. Once these reforms are officially implemented, a clear assessment and evaluation of their impact on addressing trafficking issues, including protections of all migrant workers and prosecution efforts can be made. Although the sponsorship law requires an employer to secure a residence card for laborers within seven days, reports indicated this sometimes did not happen; the lack of a residence card essentially renders workers illegal and affects their ability to access health care or lodge complaints with authorities.

The government did not provide numbers on its budget to support its anti-trafficking efforts, except to say it was consistent with the previous year, which was reported as 42 million Qatari riyal ($11.5 million). Government agencies and civil society representatives met several times during the reporting period to coordinate and assess national anti-trafficking efforts, including victim referral procedures, visa-selling issues, sponsorship transfer and entry and exit procedures, implementation of the WPS, and the reforms to the sponsorship system. The government continued to publish and distribute "worker rights" pamphlets in English, Arabic, Hindi, Bengali, Nepali, and Tagalog that contained relevant articles from the labor and sponsorship laws and information on hotline numbers to report abuses. The government increased its cooperation with the Government of Nepal including cooperation between Nepali and Qatari human rights organizations, and participation in a joint tech camp in Kathmandu to develop technological solutions to address labor rights issues in the Nepal-Qatar migration experience. Following a high-profile visit to Nepal by the Qatari minister of labor, a memorandum of understanding was implemented establishing no-fee recruitment as the only means for ethical manpower sourcing.

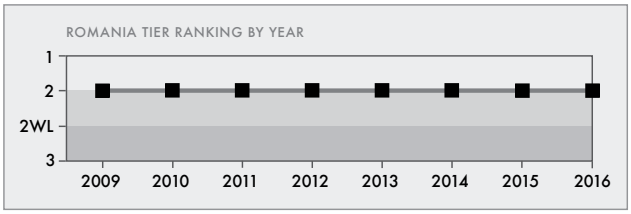
During the reporting period, the government identified more than 21,000 violations of their labor code, resulting in the blacklisting of more than 4,400 companies, a significant increase compared with 200 blacklisted the previous reporting period. During the reporting period the government increased the number of labor inspectors; nonetheless, it did not systematically investigate companies for withholding workers' passports. In November 2015, the government began implementation of the WPS, which requires employers to pay workers electronically and increases penalties for violating the labor code. While intended to address late and unpaid wages, the largest category of labor complaints received by the Ministry of Labor and often indicative of forced labor, it remained unclear whether the system effectively flagged potential trafficking cases for criminal investigation. Implementation of the WPS was particularly challenging for small and medium sized enterprises and start-ups, joint ventures, and foreign-owned companies. Additionally, allegations of employees being forced to pay employers a certain amount of money before having their wages transferred electronically raised significant concerns of employers finding a loophole to the system. The government routinely inspected and monitored recruitment companies and reportedly sought to punish companies found making fraudulent offers or imposing exorbitant fees for visas, which increased migrant workers' vulnerability to trafficking. The government did not report how many companies it referred for prosecution or whether it achieved any convictions for those suspected of illegal visa selling. The government did not report efforts to reduce the demand for commercial sex acts or forced labor, nor did it report efforts to prevent Qataris committing from child sex tourism offenses while traveling abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

ROMANIA: Tier 2

Romania is a source, transit, and destination country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Romanians represent a significant source of sex and labor trafficking victims throughout Europe. Romanian men, women, and children are subjected to labor trafficking in agriculture, construction, domestic service, hotels, and manufacturing, as well as forced begging and theft in Romania and other European countries. Romanian women and children are victims of sex trafficking in Romania and other European countries. Romani children are particularly vulnerable to forced begging and forced criminality. Romania is a destination country for a limited number of foreign trafficking victims, including sex trafficking victims from Moldova and Poland and labor trafficking victims from Bangladesh, China, the Philippines, and Serbia. Romanians living in privately run institutions for the mentally disabled were vulnerable to forced

labor. Government officials have been convicted of human trafficking crimes, and there have been reports of local officials obstructing trafficking investigations.

The Government of Romania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The organized crime directorate led the government's strong law enforcement efforts, but police and judges lacked training on working with trafficking cases and victims, which had detrimental effects on compensation for victims and sentencing for perpetrators. The government's protection efforts remained inadequate, particularly in victim assistance. The government and NGOs identified a large number of victims, but assisted only 37 percent, leaving most victims without services and vulnerable to re-trafficking. The government did not provide funding to NGOs offering victim assistance, although the national anti-trafficking commission began to develop mechanisms to provide grants to NGOs. Victims had difficulty obtaining medical services, psychological counseling, and identity protection during criminal trials. Official complicity was not adequately addressed.



RECOMMENDATIONS FOR ROMANIA:

Allocate public funding for NGOs to provide services to victims; significantly increase training of police, judges, state attorneys, and other relevant officials; increase efforts to identify potential victims proactively among vulnerable populations, such as undocumented migrants, foreign workers, Roma, and children involved in begging; improve victim access to medical assistance and increase quality of psychological counseling; investigate, prosecute, and convict traffickers, including complicit officials, and seek and obtain sentences that are sufficiently stringent and commensurate with the severity of the crime; do not prosecute victims for crimes committed as a direct result of their being subjected to human trafficking; exempt all trafficking victims who testify in trials from the online disclosure of their names to incentivize greater victim participation in prosecutions and protect participating witnesses from retaliation and stigma; and consistently inform victims of their right to apply for compensation.

PROSECUTION

The government made mixed progress in law enforcement efforts. Article 210 prohibits all forms of trafficking and prescribes penalties of three to 10 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities initiated or continued to investigate 858 trafficking cases in 2015, compared with 875 in 2014. Prosecutors initiated or continued prosecution of 480 suspected traffickers in 2015, compared with 534 in 2013. Courts convicted 331 traffickers in 2015, an increase from 269 in 2014. In an increase from the previous year, 68 percent of convicted traffickers were sentenced to time in prison—as opposed to suspended jail sentences or educational measures—compared with 67 percent in 2014. Most prison terms in 2015 ranged from one to five years' imprisonment. Courts did not levy any fines against traffickers in 2015, compared with 15 in 2014. Authorities continued to participate in joint investigative teams with several European counterparts. The government provided training on human trafficking to 30 prosecutors in the organized crime division, but officials in the judiciary often continued to demonstrate weak knowledge of trafficking and the unique needs of victims. Magistrates typically did not differentiate between prostitution and sex trafficking as distinct crimes, which had detrimental effects on compensation for victims and sentencing for perpetrators. One researcher found appellate courts often overruled lower courts' issuances of compensation to victims based on the belief that compensation for women in prostitution—whom they do not regard as victims—was unwarranted. Observers frequently criticized police for being unaware of the exploitation potential in prostitution, leading to a failure to check for indicators of force, fraud, or coercion when encountering individuals in prostitution. Despite concerns about official complicity in sex and labor trafficking, including allegations of city and county officials obstructing trafficking investigations or being directly involved in trafficking themselves, the government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government made progress in funding victim care but did not address other deficiencies in victim protection, which remained inadequate. Public officials and NGOs identified 880 victims in 2015, compared with 757 in 2014; these statistics include victims from ongoing investigations and prosecutions initiated in previous years. Of these victims, 36 percent were children, 34 percent were male, and 58 percent were subjected to sex trafficking. Police used the government's national victim identification and referral mechanism, although observers noted it was used inconsistently across the country. The government relied on NGOs to identify and assist victims, but did not provide any financial support due to a legal preclusion of direct funding for NGOs. However, during the reporting period, authorities began the process of removing this legal preclusion, initiating a grant program funded by a foreign government, and developing standards for victim assistance, which varied greatly across public and private care facilities. Approximately 37 percent (326) of the registered victims benefited from rehabilitative assistance provided by public institutions and NGOs. Officials referred victims to government-run domestic violence or homeless shelters when NGO-run trafficking shelters were full. Local governments financed and operated emergency assistance and transit centers that could assist repatriated victims. Child trafficking victims were placed in general child facilities or in facilities for children with disabilities, run by the governmental child protection service which generally did not offer specialized assistance and frequently re-traumatized children. The law entitled victims to medical and psychological care, legal aid, and reintegration support; however, observers noted the law did not necessarily provide for more than one mental health counseling session. In addition, access to medical care was impeded by the process for obtaining identity documents, which required victims to return to their home district, despite the logistical and financial hurdles this presented for typical trafficking victims. For Romanian victims abroad, Romanian embassies issued travel documents free-of-charge and the government, NGOs, or IOM paid for transport costs.

The law permitted foreign victims who cooperate with authorities to receive a renewable, six-month temporary residence permit. A 2015 law allows foreign victims to request asylum and granted asylum-seekers the right to work after three months. Authorities identified at least one foreign victim in 2015,

although an independent expert reported there were many unidentified foreign victims in Romania. Labor inspectors were not trained in detecting trafficking indicators, nor were they allowed to conduct unannounced worksite inspections. In 2015, 459 participating in criminal prosecutions accessed services available to victims assisting law enforcement; these services include accompaniment to the court or prosecutor's office, information on trial procedures, and facilitation of remote testimony. Some victims reportedly chose not to testify because the justice ministry published the names of all trial witnesses, including children, on its public website; such display also puts victim-witnesses at risk of retaliation and societal or familial ostracization. Observers reported courtrooms were hostile environments in which traffickers and their supporters in the audience take photos of those pressing charges and verbalize death threats. The law permitted victims to provide testimony from a separate room, although this was rarely done in practice due to judges' general preference for live testimony, state-provided lawyers' lack of experience with traumatized victims, and a general bias against victims exploited in prostitution. The law entitles victims to restitution from their traffickers; however, victims generally could not afford the fees necessary to initiate civil trials or, in cases in which judges order restitution, pay court officers to collect the money owed from traffickers. Prosecutors typically dropped charges and fines against victims for crimes committed as a direct result of being subjected to human trafficking, but they still charged with theft some victims forced to steal for traffickers.

PREVENTION

The government sustained prevention efforts. In June 2015, the government approved an updated 2015-2016 national action plan. The National Agency against Trafficking in Persons continued to publish monitoring reports, statistics, and research reports on trafficking. The national agency implemented and assisted a wide array of awareness campaigns targeting sex trafficking, forced labor, and forced begging. The government has never reported punishing a recruitment company for trafficking-related crimes, despite a 2006 amendment to the criminal code that prohibits Romania-based recruitment companies from facilitating the exploitation of citizens abroad. The government continued to operate a hotline during regular business hours that primarily focused on informing Romanians about working abroad safely. The government took steps to reduce demand for commercial sex or forced labor. The government provided anti-trafficking training for its diplomatic personnel and its troops prior to their deployment abroad as part of international peacekeeping missions.

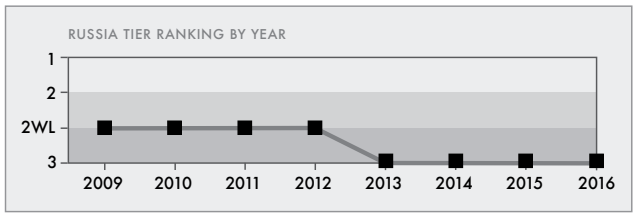
RUSSIA: Tier 3

Russia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Labor trafficking remains the predominant human trafficking problem within Russia. Workers from Russia and other countries in Europe, Central Asia, and Southeast Asia—including Vietnam and Democratic People's Republic of Korea (DPRK)—are subjected to forced labor in Russia. Instances of labor trafficking have been reported in the construction, manufacturing, agricultural, textile, grocery store, maritime, and domestic service industries, as well as in forced begging, waste sorting, and street sweeping. Official and unofficial statistics estimate there are between five and 12 million foreign workers in Russia, of which the Federal Migration Service (FMS) estimates 1.5 million are irregular migrants. Foreign laborers work primarily in construction, housing, and utilities, and as public transport drivers, seasonal agricultural workers, tailors and garment workers in underground garment factories, and vendors at marketplaces and shops. Many of these migrant workers experience exploitative labor conditions characteristic of trafficking cases, such as withholding of identity documents, non-payment for services rendered, physical abuse, or extremely poor living conditions. Subcontracting practices in Russia's construction industry result in cases of non-payment or slow payment of wages, which leave workers at risk of labor trafficking. Organized crime syndicates from Russia sometimes play a role in exploiting labor migrants, and corruption among some government officials and within some state agencies creates an environment enabling some trafficking crimes. There are reports of Russian citizens facing forced labor abroad.

Women and children from Europe (predominantly Ukraine and Moldova), Southeast Asia (primarily Vietnam), Africa, and Central Asia are reportedly victims of sex trafficking in Russia. Forced prostitution occurs in brothels, hotels, and saunas, among other locations; certain traffickers advertised the sexual services of children over the internet. Russian women and children are reportedly victims of sex trafficking in Russia and abroad, including in Northeast Asia, Europe, Central Asia, Africa, the United States, and the Middle East.

In recent years, there were criminal cases involving Russian officials suspected of allegedly facilitating trafficking in Russia, for instance by facilitating victims' entry into Russia, providing protection to traffickers, and returning victims to their exploiters. Employers sometimes bribe Russian officials to avoid enforcement of penalties for engaging illegal workers. According to FMS, under a state-to-state agreement, the DPRK sends approximately 20,000 North Korean citizens to Russia annually for work in a variety of sectors, including logging in Russia's Far East; reportedly many of these North Korean citizens are subjected to conditions of forced labor. A February 2016 agreement between Russia and DPRK may exacerbate these conditions by enabling FMS to repatriate North Koreans residing "illegally" in Russia, potentially even for those with refugee status.

The Government of Russia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. During the reporting period, as in previous years, the government did not draft a national strategy or assign roles and responsibilities to government agencies. The government offered no funding or programs for trafficking victims' rehabilitation, while several privately run shelters ceased operations during the reporting period due to lack of funding and the government's crackdown on civil society. Authorities lacked a process for the identification of victims and their referral to care, though some investigatory bodies reportedly referred an unknown number of victims on an ad hoc basis. Authorities routinely detained and deported potential forced labor victims without screening for signs of exploitation, and Russian courts prosecuted victims forced into prostitution for prostitution offenses. To reduce some migrant laborers' vulnerability, the government made it easier for citizens of some countries to obtain work permits, though it charged fees upfront that effectively excluded many of the most vulnerable from obtaining the permits. The government did not provide comprehensive information on law enforcement efforts, but the limited available data and media reports indicate prosecutions remained low compared with the scope of Russia's trafficking problem.



RECOMMENDATIONS FOR RUSSIA:

Allocate funding to state bodies and anti-trafficking NGOs to provide specialized assistance and rehabilitative care to trafficking victims; develop formal national procedures to guide law enforcement, labor inspectors, health workers, and other government officials in identifying and referring victims to service providers, particularly among labor migrants and individuals in prostitution; increase efforts to investigate and prosecute trafficking offenses and convict traffickers, respecting due process, including complicit government officials; create a national anti-trafficking action plan and establish a central coordinator for government efforts; take steps to investigate allegations and prevent the use of forced labor in construction projects and North Korean-operated labor camps; implement a formal policy to ensure identified trafficking victims are not punished or detained in deportation centers for acts committed as a direct result of being subjected to trafficking; provide victims access to legal alternatives to deportation to countries where they face hardship or retribution; create a central repository for publicly available information on investigation, prosecution, conviction, and sentencing data for trafficking cases; and increase efforts to raise public awareness of both sex and labor trafficking.

PROSECUTION

The Russian government did not collect and share information on trafficking cases or maintain comprehensive statistics about criminal cases, making it difficult to assess the adequacy or effectiveness of law enforcement efforts. Media reports and publicly available data reveal some details on trafficking cases investigated and prosecuted during the reporting period, although this limited number of cases reported did not appear to constitute an adequate law enforcement response compared to the estimated prevalence of trafficking in Russia. From the limited available information, authorities pursued trafficking suspects through articles 127.1 and 127.2 of the criminal code, which prohibit sex trafficking and forced labor, although they also cover non-trafficking offenses. These articles prescribe punishments of up to 10 years' imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape.

In 2015, Russia's federal-level investigative committee reported 14 investigations under article 127.1 and four investigations under 127.2. The government did not provide any information about initiated prosecutions. The Supreme Court released statistics showing authorities obtained 48 convictions under article 127.1 and 10 convictions under article 127.2. Forty-seven of these convictions resulted in a prison sentence, although one sentence was suspended. Russian authorities may have charged some sex trafficking cases under articles 240 and 241, which criminalize the inducement to and organization of prostitution, but the government provided no public information on whether any of these cases involved force, fraud, or coercion.

As in the previous reporting period, the government sought an amendment to article 151 (Involvement of a Minor in the Commission of Antisocial Actions) to close a legislative loophole that allowed adults to avoid criminal liability for exploiting children for begging—a common practice throughout Russia. Law enforcement training centers provided lectures and courses on trafficking for investigators and prosecutors. Russian authorities cooperated in some international investigations involving foreign nationals trafficked in Russia. The DPRK government continued to send workers to Russia under bilateral contracts with Russia and other foreign governments. Despite credible reports of slave-like conditions of North Koreans working in Russia, the Russian government did not report any investigations into such situations. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government generally did not undertake efforts to protect human trafficking victims. The government did not provide funding or programs for protective services dedicated to trafficking victims. Without specific legislation differentiating trafficking victims from victims of other crimes, government agencies claimed they had neither the means nor authority to provide assistance programs specifically for trafficking victims. In Moscow, a shelter run by the Russian Orthodox Church and an international organization ceased operations due to lack of funding; the shelter cared for 19 victims during the reporting period before closing. An international NGO referred 46 victims in 2015 to a Moscow City homeless shelter, based on a memorandum of understanding; however, this program ceased operations in January 2016 when foreign funding for the NGO ended. Additionally, an eight-bed shelter for trafficking victims, run by the Russian Red Cross with foreign funding in a space granted by the St. Petersburg municipal government, suspended many of its operations; it did not serve any victims in 2015, though it continued to run a hotline. A similar shelter established by an international organization in cooperation with Vladivostok authorities went unfunded and was not operating at the close of the reporting period. In addition, during the reporting period the government took steps to limit or ban the activities of other civil society groups, including some dedicated to anti-trafficking activities. Further, the government's efforts to exert pressure on NGOs through the implementation of restrictive laws aimed at suppressing their activities also targeted those providing protective services for trafficking victims and at least one locally registered NGO was designated as a "foreign agent."

The government did not make available official statistics on the number of victims identified or assisted by its authorities. Experts estimated more than 5,000 cases of trafficking in 2015. An international organization identified 144 sex trafficking victims and 94 victims of forced labor or begging. A second NGO assisted 40 victims, who were primarily subjected to sex trafficking. According to media reports, authorities provided assistance in at least one case after a Russian embassy assisted in repatriating a trafficking victim. The government did not develop or employ a formal system to guide officials in proactive identification of victims or their referral to available services. An NGO reported Russian authorities occasionally prosecuted sex trafficking victims for prostitution offenses. Authorities routinely detained and deported possible victims with no effort to identify them as victims or refer them to care. Observers reported FMS did not differentiate between victims and individuals illegally residing in Russia, and thus continued its practice of frequently deporting victims rather than extending protective services. The government did not report

any formal policy for deportation relief for foreign victims. A February 2016 agreement between Russia and DPRK enables FMS to repatriate North Koreans residing "illegally" in Russia, potentially even for those with refugee status. By potentially removing the protections associated with refugee status, the new agreement may increase the risk of labor trafficking for North Koreans working under the state-to-state agreement. Civil society observers reported some working-level officials within Russia's investigative agencies referred victims to protective services on an ad hoc basis. Police regularly avoided registering victims in criminal cases that were unlikely to be solved in order not to risk lower conviction rates. Authorities did not screen vulnerable populations, such as foreign women entering Russia on student visas despite evidence of their intention to work or other vulnerabilities to trafficking.

PREVENTION

The Russian government demonstrated limited efforts to prevent trafficking during the reporting year. In 2015, the government created regional offices to issue work permits for citizens of select countries who can travel to Russia without a visa. Through legalizing migrant laborers' work, the system may reduce the vulnerability of some migrant workers; however, the permits were unaffordable to some due to the upfront fees charged by the government and the time required to make multiple trips to a center. New legislation effective January 2016 limited the amount of time an employer can send employees to work for other firms and required these outsourced employees to earn the same amount as permanent employees. These regulations may reduce the vulnerability of temporary workers loaned to other companies, a practice known as "outstaffing" in Russia. Authorities conducted scheduled and unannounced audits of firms employing foreign laborers to check for violations of immigration and labor laws. Despite these efforts, the national government demonstrated unwillingness to design and implement a comprehensive response to human trafficking. The government made no efforts to develop public awareness of forced labor or sex trafficking. Russia did not have a national action plan, nor have authorities designated a lead agency to coordinate anti-trafficking measures; legislation that would implement such a framework has been stalled at the highest political levels within the presidential administration. The government did not have a body to monitor its anti-trafficking activities or make periodic assessments measuring its performance. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government reportedly provided anti-trafficking training to its diplomatic personnel.

RWANDA: Tier 2 Watch List

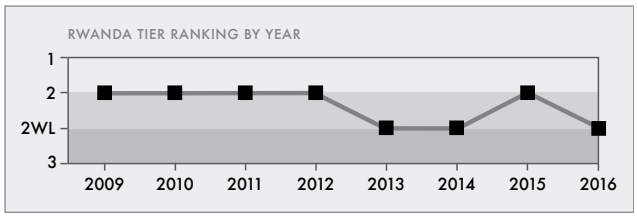
Rwanda is a source, and to a lesser degree, a transit and destination country for a limited number of women and children subjected to forced labor and sex trafficking. Rwandan girls and boys are exploited in domestic service through extended family networks; some of these children experience physical or sexual abuse and non-payment of wages. In 2012, there were reports of older females exploiting younger girls in sex trafficking to pay for their expenses after offering them room and board. In 2012, brothel owners reportedly supplied child sex trafficking victims to clients at hotels, but there were no reports of such crimes in recent years. Rwandan men, women, and children are subjected to sex trafficking and forced labor in domestic work and agricultural and industrial sectors in destinations around the world; the primary destination for Rwandan victims is Uganda, but they are also exploited in East Africa, South Africa, United Arab Emirates (UAE), Malaysia, China, the United States, and Europe. Some foreign nationals transit Rwanda before experiencing exploitation in third countries. Kampala- and Nairobi-based labor recruiters and brokers recruit workers through fraudulent offers of employment; they coach potential victims on evading law enforcement authorities at Rwanda's land border crossings or hire smugglers to assist in illegal, unregulated crossings.

Some refugees fleeing instability and political violence in Burundi were exploited in commercial sex, child sex trafficking, and unpaid domestic labor—some of which may be labor trafficking—in Rwanda. Between April and December 2015, approximately 70,000 Burundian refugees fled to Rwanda, which resulted in an increase in child sex trafficking, which is defined as any individual younger than 18 years old who is exploited in commercial sex. Additionally, in 2015, Burundian refugee girls transited through Rwanda and were exploited in sex trafficking in Uganda; some of these girls may also be subjected to domestic servitude in Uganda. Separately, at a Congolese refugee camp, one civilian and three Rwandan Defense Forces soldiers assigned to the camp were accused of facilitating the transport of Congolese child refugees to nearby towns for sex trafficking.

During the reporting period, Burundian men and some children in Rwanda were recruited and used in armed groups; though some recruitment was reportedly voluntary, some were reportedly coerced through physical and verbal threats. Between May and September 2015, Burundian refugees residing in Mahama refugee camp in Rwanda were recruited into non-state armed groups supporting the Burundian opposition; Rwandan security forces charged to protect the camp population reportedly facilitated or tolerated the recruitment activity. Many refugees alleged that recruiters—including both Rwandan officials and other refugees—threatened, intimidated, harassed, and physically assaulted those who refused recruitment attempts. Most recruits were adult males, but in three verified cases, Burundian refugee children were also identified as recruits from Mahama refugee camp. Refugees reported that Burundian recruits, including women and children, were trained in weaponry by Rwandan military personnel at a training camp in southwestern Rwanda.

The Government of Rwanda does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Rwanda is placed on Tier 2 Watch List. Some government officials, including military and security personnel, were reportedly complicit in trafficking crimes, including child soldiering and sex trafficking. Though complicity in trafficking crimes reportedly ceased by the end of 2015, the government conducted limited investigations of complicit officials and only administratively disciplined some perpetrators. The government continued programs to combat and prevent trafficking, including through awareness-raising campaigns, social service programs to identify and assist women and children at risk of trafficking, increased law enforcement training, and programs intended to reduce the demand for commercial sex acts. Nevertheless, the government did not adequately screen for trafficking victims among individuals held in transit and vocational training centers, which operated without judicial oversight and functioned as de facto detention facilities. The government

acknowledged that resource and personnel constraints continued to hinder the full implementation of its anti-trafficking policies and programs, but government expenditure on anti-trafficking programs and implementation of the national anti-trafficking action plan increased. The government also sought assistance for anti-trafficking policy reforms and programs from international donors.



RECOMMENDATIONS FOR RWANDA:

Investigate, prosecute, and convict perpetrators of forced labor and sex trafficking, including officials and individuals involved in recruitment and use of refugee adults and children into armed groups and sex trafficking; work with UNHCR to strengthen protection for Rwanda's refugee population, and train Ministry of Disaster Management and Refugee Affairs (MIDIMAR) and security officials to identify and screen for trafficking among refugees; systematically identify trafficking victims among vulnerable populations, and ensure they are not arrested, detained, or punished for unlawful acts committed as a direct result of being subjected to human trafficking; allocate resources for the provision of appropriate long-term protection services, including shelter, for all trafficking victims; continue cooperation with NGOs and international organizations to proactively identify and refer victims to adequate protection services; continue to train law enforcement, judicial officials, labor inspectors, and social workers on the implementation of trafficking laws and victim identification procedures; continue to implement the national anti-trafficking action plan; improve efforts and institute a system to collect trafficking law enforcement and victim identification data; and continue to hold anti-trafficking awareness campaigns.

PROSECUTION

The government's law enforcement efforts to combat trafficking continued, though some officials were complicit in sex trafficking and the recruitment of Burundian refugees into armed groups. Rwanda's penal code, promulgated in June 2012, criminalizes human trafficking under a variety of articles, mostly in chapter 8. This chapter, in combination with forced labor articles and other provisions of law, covers almost all forms of trafficking, but also includes crimes that are not defined as trafficking under the UN Palermo Protocol. Chapter 8 prescribes penalties of seven to 10 years' imprisonment and financial penalties for internal trafficking, and up to 15 years' imprisonment for transnational trafficking. Child trafficking convictions are subject to a minimum five-year prison term, while slavery convictions carry three- to 12-year prison terms. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Law Relating to the Rights and Protection of the Child outlaws child sex and labor trafficking and slavery under article 51. In 2015, the government initiated a review of the penal code's trafficking provisions, requesting international assistance in this effort, to ensure they reflect international best practices; the review was not complete at the end of the reporting period.

The government reported 19 potential cases of human trafficking involving 26 alleged perpetrators in 2015, but did not report the details of these cases; these efforts compare to 24 investigations, six prosecutions, and four convictions in the previous reporting period. The Ministry of Justice reported three individuals were convicted under anti-trafficking provisions, but it did not provide additional details of these cases. Authorities reported that numerous identified perpetrators operated from outside of Rwanda, complicating their apprehension and arrest. The government acknowledged that, due to resource constraints, law enforcement officers did not always have adequate resources or investigative skills to follow through with all investigations, leading to the acquittal of some suspected offenders. The government conducted only limited investigations into credible reports of complicity and took limited administrative action against some of these officials; however, it did not prosecute or convict government officials allegedly complicit in trafficking offenses. In particular, the government did not investigate credible allegations that security and military officials were complicit in facilitating the recruitment of Burundian refugees, including adults and children, from Mahama refugee camp into armed groups intended to overthrow the Burundian government. In addition, the government investigated and court martialed RDF soldiers, who allegedly facilitated the transport of refugee girls to nearby towns for sex trafficking; the government did not publically release the result of the judicial proceedings.

The Rwandan National Police (RNP) continued to operate a 15-officer anti-trafficking unit within its INTERPOL directorate. The RNP directorate for anti-gender-based violence (GBV) continued to designate three officers in each of the country's 78 police stations to serve as points of contact for domestic trafficking victims; six judicial police officers specialized in victim identification were also placed in each of Rwanda's police stations. During the reporting period, the RNP trained law enforcement and judicial officials on domestic and transnational trafficking issues, including investigative techniques. The government also trained 500 members of the local guard patrol that works with the RNP on indicators of child sex trafficking. Additionally, the government provided anti-trafficking training as a part of standard training and professional development for immigration officers, police, labor inspectors, judicial officials, and social workers.

PROTECTION

The government continued to identify sex and labor trafficking victims and provide them comprehensive social services. However, the government failed to adequately protect and prevent adult and child refugees from recruitment and use by armed groups, as well as sexual exploitation, which occurred during the reporting period. While the government increased security and improved registration procedures at Mahama refugee camp in November 2015, the MIDIMAR and staff discouraged Burundian refugees from reporting concerns of coerced recruitment and intimidated an individual working for an international organization in the camp. Additionally, authorities not only failed to protect refugee girls from sexual exploitation, but some officials also facilitated their sex trafficking. The government continued to operate transit and vocational training centers intended to rehabilitate street children, women in prostitution, and individuals detained for crimes committed as a direct result of trafficking. However, advocacy groups reported that the centers operated without judicial oversight and functioned as de facto detention facilities in which individuals held were not adequately screened for trafficking, were held for arbitrary periods of time, and were at times subjected to physical or sexual abuse. Officials reportedly screened some child detainees for trafficking, but

the government did not report the number of child trafficking victims identified among detainees in 2015.

The government reported identifying 25 trafficking victims, some of whom were Rwandans exploited abroad, and repatriated 13 victims through cooperation with international law enforcement entities during the reporting period. The government provided repatriated victims with psycho-social counseling, medical care, vocational training, and support in reintegrating into their communities. In 2015, the government took into protective custody two foreign trafficking victims transiting Rwanda from a third country, and provided the victims with shelter, medical care, and legal services. The government continued to provide victim identification guidelines to law enforcement and immigration officials, while social workers in victim centers also used guidelines to identify and assist trafficking victims. The government reported it continued to provide short-term protection services for trafficking victims, including counseling, medical care, reintegration support with family and community, and re-enrollment in school or vocational training, as age appropriate. The government did not provide long-term protection, including shelters, for trafficking victims requiring assistance for more than one month. In 2015, the government expanded its network of "one-stop" centers from 15 to 21; these centers were located in hospitals and district capitals and provided short-term assistance, including free medical exams, counseling, legal assistance, and short-term shelter, to GBV victims and an unknown number of trafficking victims. NGOs and the government's gender monitoring office, however, acknowledged the extent and quality of services at these centers varied in quality among locations. The national public prosecution authority continued to operate four safe houses for witnesses in criminal cases, which could include trafficking victims during prosecution of their trafficker; however, in 2015 as in the previous reporting period, the government did not place trafficking victims in the safe houses. Through a social assistance program to support child welfare and counter human trafficking and child labor, the government continued to train non-governmental community volunteers to identify and refer to police families and children at risk of trafficking; the government did not report if any child trafficking victims were identified and referred for protection services through this program. The government continued to support a rehabilitation center for former child combatants associated with armed groups in Democratic Republic of the Congo, which provided psycho-social support, education, and reintegration services; child dependents of former combatants were assisted during the reporting period. Rwandan law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution; however, in practice, NGOs reported the government made efforts not to deport those who faced retribution in their home country. The government encouraged victims to testify against perpetrators, and some chose to testify against alleged traffickers during the reporting period.

PREVENTION

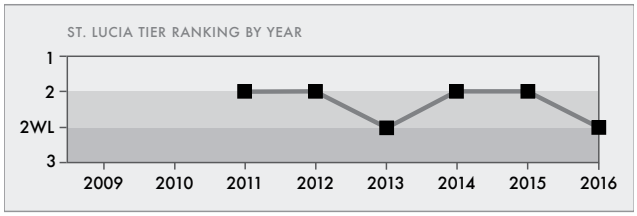
The government continued to implement domestic policies and programs to prevent trafficking, including the 2014-2017 national anti-trafficking action plan, but some officials perpetrated trafficking crimes against adult and child refugees seeking safe shelter in the country. In December 2015, during Rwanda's televised national dialogue, the minister of justice publicly acknowledged the government's anti-trafficking policies, while President Kagame directed the ministry to review Rwanda's anti-trafficking legal provisions to increase penalties for trafficking offenses. The government's interagency anti-trafficking working group met four times during the reporting period. The government acknowledged that resource and personnel constraints continued to hinder the government from fully implementing its anti-trafficking policies and programs, and continued to seek international partnerships and assistance. The government also conducted multiple national and local awareness campaigns, primarily focused on child trafficking and GBV issues. RNP continued to operate a national GBV hotline, which was staffed by social workers trained to identify and refer trafficking cases, but it did not collect data on the number of victims assisted by the hotline. The government continued to require immigration officials to question and verify necessary documents of all adults crossing the border with children to prevent the exploitation of Rwandan children abroad; authorities did not report if they identified or investigated any potential trafficking cases through these procedures in 2015. In July 2015, the government released the results of a national survey on domestic workers, which was intended to identify and document instances of child labor and forced child labor. The government made efforts to reduce the demand for commercial sex acts and child sex tourism. The government continued an awareness campaign to discourage men from paying for commercial sex, and requiring men who were arrested to perform community service and receive education on women's rights. The government reportedly closed an unspecified number of labor recruitment agencies suspected of potential trafficking crimes in 2015, and reportedly prosecuted two labor recruiters for trafficking crimes during the reporting period. The government trained all Rwandan troops on gender sensitivity, human rights, and trafficking prior to their deployment to UN peacekeeping missions abroad. The government provided anti-trafficking training for all its diplomatic personnel; diplomats were also required to identify and assist the repatriation of Rwandan trafficking victims abroad.

ST. LUCIA: Tier 2 Watch List

St. Lucia is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Documented and undocumented immigrants from the Caribbean and South Asia, including domestic workers, are the groups most vulnerable to human trafficking. Local and foreign children are subjected to sex trafficking, including by parents and caregivers. Foreign women in prostitution are also vulnerable to sex trafficking. NGOs report disadvantaged young women from rural areas are vulnerable to sex trafficking. According to the government, business owners from St. Lucia, India, China, Cuba, and Russia are the most likely trafficking perpetrators in the country.

The Government of St. Lucia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore St. Lucia is placed on Tier 2 Watch List. The government initiated one labor trafficking investigation in the reporting period, and reported four prosecutions and no convictions. The government has never convicted a trafficker. The government identified one new trafficking victim, and verified nine victims out of the 69 individuals who were initially identified as potential victims in the previous reporting period. The 10 identified victims received housing, medical care, and legal counsel. The government offered long-term housing to some

of the 60 individuals who were initially identified as potential victims in the previous reporting period, but these individuals complained about the quality of care received. The government trained four officials on criminal justice and assistance to trafficking victims; 19 taskforce members, including NGOs, on formulation of a national action plan; and 10 police officers on victim-centered law enforcement efforts. The government drafted a national action plan and planned a prevention campaign, in coordination with an international NGO, but did not implement either.



RECOMMENDATIONS FOR ST. LUCIA:

Vigorously prosecute, convict, and punish perpetrators of forced labor and sex trafficking, including officials complicit in human trafficking; take measures, respective of due process, to enhance the speed with which trafficking cases are prosecuted; increase efforts to identify and provide assistance to victims; adopt standard operating procedures on a victim-centered approach to guide police, immigration, labor, child protection, and social welfare officials; train government officials to implement procedures to proactively identify labor and sex trafficking victims among vulnerable populations, such as migrant workers in domestic service and children exploited in prostitution, and refer them to appropriate services; implement a national public awareness campaign about forced labor and sex trafficking and publicize the hotline for victims of violence, including trafficking victims; finalize and adopt a national action plan to combat trafficking; address shortcomings in the law so penalties for trafficking are commensurate with penalties for other serious crimes, such as rape; and provide anti-trafficking training to diplomats.

PROSECUTION

The government maintained minimal efforts to investigate and prosecute traffickers. The 2010 Counter-Trafficking Act prohibits all forms of trafficking, punishable by up to five years' imprisonment or fines of up to 100,000 Eastern Caribbean dollars ($37,000), or both. These penalties are not commensurate with penalties for other serious crimes, such as rape, and those which allow for imposition of fines are not sufficiently stringent. The anti-trafficking act also prohibits the unlawful holding of identity documents and allows for asset forfeiture of persons convicted of trafficking. The government initiated one labor trafficking investigation in the reporting period, compared with one investigation in 2014 and two in 2013. The government reported four prosecutions in the reporting period, compared to none in 2014. The government has never convicted a trafficker. The government initiated the prosecution of three men from India and one from Bangladesh charged in the previous reporting period with subjecting nine individuals to forced labor in the hospitality industry. The government did not indict any perpetrators in the case involving four potential sex trafficking victims who were identified in 2013 and repatriated to Ukraine and Russia in 2014 with the help of an international organization. The government's office of public prosecutions has been without senior leadership, contributing to the delay of trafficking prosecutions. The government has never reported prosecuting or convicting a public official complicit in trafficking. The police reported that they cooperated with the United States, Bangladesh, Singapore, and the United Kingdom in the course of investigating the case currently being prosecuted. The government, in collaboration with an international NGO, hosted training on criminal justice and assistance to trafficking victims for four government officials and training on formulation of a national action plan for 19 anti-trafficking taskforce members, including NGOs. The police force separately trained 10 of its own officials on victim assistance.

PROTECTION

The government's efforts to identify and protect trafficking victims remained inadequate. Authorities identified one adult male foreign victim of labor trafficking during the reporting period, and verified nine adult male foreign labor trafficking victims out of the 69 individuals initially identified as potential victims in the previous reporting period. The government offered 10 victims food, shelter, medical care, and legal counsel during the reporting period. The government reported it spent 439,562 Eastern Caribbean dollars ($162,800) on victim care during the reporting period, including the provision of long-term housing to some of the remaining 60 individuals who were allegedly fraudulently recruited—by the men charged in the ongoing prosecution—to be students at an academy in preparation for jobs in the hospitality and tourism industry. An international NGO and media reports indicated some of the nine victims and the 60 individuals previously identified as potential victims paid for their own accommodations and meals. Some of the nine identified victims and 60 individuals previously identified as potential victims were cooperating with the ongoing investigation, but some publicly claimed that the government would not grant them permission to return to their home countries before the case went to trial. An international organization assisted the government in 2014 with drafting formal procedures to guide law enforcement, health, and other officials on victim identification and referral to available protection and assistance services; however the government did not finalize the procedures by the close of the reporting period. Authorities referred victims on an ad hoc basis to legal, advocacy, and crisis services regardless of their legal status. The 2010 anti-trafficking act contains victim protection provisions, such as privacy and witness protection, to encourage victims to participate in the investigation and prosecution of traffickers; some potential victims and witnesses from the case undergoing prosecution gave statements to the former director of public prosecutions, but none testified in court during the reporting period. The anti-trafficking act protects trafficking victims from prosecution for unlawful acts committed as a direct result of being subjected to trafficking and protects foreign victims from deportation. The police reported that no trafficking victims were detained or fined as a result of their being subjected to trafficking. The act also provides for restitution to all victims and immigration relief to foreign national victims. The government did not report extending any of these protections to victims during the reporting period.

PREVENTION

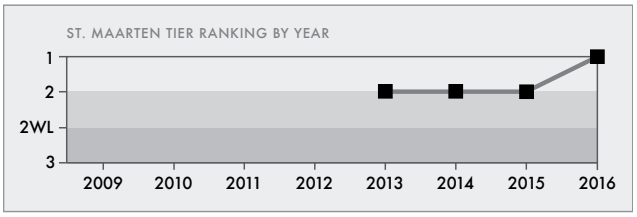
The government made minimal efforts to prevent trafficking. The home affairs and national security ministry leads government efforts to combat trafficking. The government, in partnership with an international organization, developed a public awareness campaign, but did not implement it during the

reporting period. The interagency taskforce met twice during the reporting period, and a national action plan remained in draft form for the second consecutive year at the close of the reporting period. The government conducted outreach events in rural communities aimed at preventing vulnerable women and girls from being subjected to trafficking. The government funded a hotline for victims of violence, including trafficking victims, but it received no human trafficking calls during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

ST. MAARTEN: Tier 1†

St. Maarten is a source, transit, and destination country for women, children, and men subjected to sex trafficking and forced labor. Women and girls from Latin America, the Caribbean, Eastern Europe, and Russia are the most vulnerable to sex trafficking, including women working in regulated brothels and dance clubs under temporary residence permits for three to six months. There are indications some foreign women in St. Maarten's commercial sex industry are subjected to debt bondage. Government officials' reports indicate a significant number of migrant workers are vulnerable to forced domestic service or forced labor in construction, Chinese-owned markets, retail shops, landscaping, and housekeeping. Government officials report workers from Asia and the Caribbean are subjected to exploitative conditions indicative of forced labor. After St. Maarten implemented a visa waiver for Colombian tourists, media reports indicated Colombian women may travel to the islands under false pretenses and be vulnerable to human trafficking.

The Government of St. Maarten fully meets the minimum standards for the elimination of trafficking. In 2015, the government conducted one of the largest human trafficking investigations in St. Maarten's history, which led to the arrest of six suspects on charges of human trafficking in both St. Maarten and St. Eustatius, the suspension of the operating license of the country's largest legal brothel, the rescue of 14 sex trafficking victims, and, following close cooperation with authorities in the Dominican Republic, identification of 35 additional victims previously employed by the brothel. Officials charged six defendants in this case—three of the six remained in custody—an unprecedented step in the St. Maarten judicial system. The appeals court upheld the conviction of a sex trafficker and a conspirator—a former government official. The government continued to implement a victim-centered approach for providing services to identified trafficking victims and made robust efforts to screen for trafficking victimization among those in the adult entertainment industry. It assisted 15 victims in 2015 and issued its first residence permit for a potential victim and his family. In December 2015, the national coordinator for human trafficking, the prosecutor's office, and the Department of Judicial Affairs drafted an ordinance and policy guidelines for the adult entertainment industry aimed at preventing the exploitation of women in the regulated prostitution industry.



RECOMMENDATIONS FOR ST. MAARTEN:

Amend the anti-trafficking penal code provision to ensure penalties are sufficiently stringent; implement formal standard operating procedures to guide officials, including health workers, on how to identify and assist victims among vulnerable populations and refer them to care; continue vigorous efforts to prosecute and convict trafficking offenders; continue to conduct outreach to all incoming migrants, including domestic workers and foreign women on temporary entertainment visas, to ensure they are informed of their rights, the anti-trafficking hotline, and ways to seek assistance; raise awareness among the general public and vulnerable groups about trafficking in St. Maarten; and continue implementing the national anti-trafficking plan.

PROSECUTION

The government increased its law enforcement efforts, spearheaded the largest trafficking investigation in its history, and closed down one of the largest brothels in St. Maarten, which led to the prosecution of six suspected traffickers. A new penal code, which went into effect in June 2015, prohibits forced labor and forced prostitution, prescribing penalties ranging from 12 to 24 years' imprisonment, which are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. However, penalties are not sufficiently stringent where the provisions allow for a fine in lieu of a prison sentence. The code defines as trafficking fraudulent labor recruitment for the purpose of subjecting workers to forced labor or prostitution. The code also criminalizes unregulated prostitution in order to prevent potential exploitation and human trafficking.

In November 2015, the government's special human trafficking investigation team, comprised of military police, local police, and immigration and border control officers, arrested six suspects on charges of human trafficking in both St. Maarten and St. Eustatius and suspended the operating license of its largest legal brothel. This inquiry was one of the largest human trafficking investigations in St. Maarten's history. As a result of the investigation and cooperation with authorities from the Dominican Republic, the Netherlands, and St. Eustatius, six defendants were charged with sex trafficking and three defendants were placed in custody in November 2015, where they remained at the end of the reporting period—an unprecedented step in St. Maarten, which has no "bail" system. The government also initiated the investigation of one labor trafficking case. While the courts did not convict any traffickers in 2015, a decrease from three convictions in 2014, it increased the number of prosecutions initiated from two during the previous reporting period to six. The government did not report any new investigations or prosecutions of officials for complicity in trafficking. However, an appeals court affirmed the conviction and 18-month prison sentence (with six months suspended) for a former member of Parliament who accepted

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

bribes from traffickers at a large brothel and banned him from holding office for five years. The appeals court also affirmed the conviction and subsequent 42-month term of imprisonment of a trafficker in the same case. The National Reporting Bureau on Human Trafficking (NRB), the lead agency for coordinating the government's efforts to combat human trafficking and emergency response to cases, conducted semiannual training on human trafficking indicators for immigration officers, ambulance personnel, community police, family doctors, and hospital staff.

PROTECTION

The government identified and assisted 15 victims of both labor and sex trafficking, and identified 35 other potential victims of sex trafficking in two separate investigations. Such efforts represent an increase from 2014, when the government identified three victims but did not assist or refer any to care. In November 2015, a multidisciplinary government team rescued 14 trafficking victims from St. Maarten's largest brothel and referred them to NRB for a full range of services. With government funding, five victims were provided lodging by an NGO and another nine were temporarily housed at a hotel during the investigation. NRB provided financial support for the repatriation of three victims, as requested by those victims. Authorities in St. Maarten worked closely with counterparts in the Dominican Republic to identify potential victims who were previously employed by the brothel, which led to the subsequent identification of 35 additional victims who provided statements to support the investigation, which remained ongoing at the end of the reporting period. The government also identified and assisted a potential victim of labor trafficking. Immigration officials and other stakeholders used an NGO-developed checklist of trafficking indicators and officials routinely screened for trafficking victimization among adult entertainment workers during immigration procedures, labor inspections, and required medical screenings. NRB periodically conducted outreach with immigrant communities, businesses, health officials, and the tourism sector on how to report potential victims and trafficking crimes. Authorities referred potential victims to care through verbal agreements with an anti-trafficking NGO and government agencies. The government provided a wide range of services and support, through a crime victims' compensation fund, to NGOs to provide victim services, including food, clothing, shelter, medical and psychological services, assistance in repatriation, and obtaining residence and work permits. It continued to inspect government-licensed brothels, including by screening for trafficking indicators. In December 2015, the government issued its first temporary residence permit for a labor trafficking victim and his family. The temporary residence program is designed to encourage victim assistance in the investigation and prosecution of traffickers. The government has a formal policy to protect identified victims from being punished for unlawful acts committed as a direct result of being subjected to human trafficking. The anti-trafficking law allows trafficking victims to request restitution or file a civil suit against traffickers.

PREVENTION

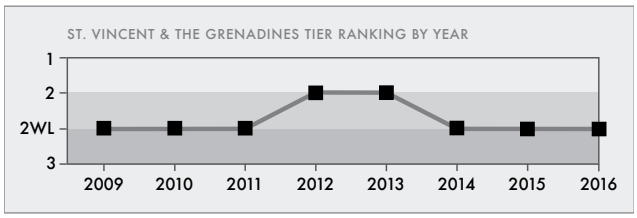
The government increased its trafficking prevention efforts. The government sustained its ongoing campaign of publishing anti-trafficking brochures, posters, and fliers, making public service announcements, generating social media and news releases, and by participating in radio and television shows. NRB continued its prevention campaign, reaching brothels, dance clubs, work permit applicants, front-line responders, community-based organizations, and immigrant communities. Authorities implemented the 2013-2018 national action plan on trafficking, in coordination with local NGOs. The government implemented a new policy that requires foreign women to apply for adult entertainment work permits on their own, ending the practice of brothel owners applying for permits, often with misleading and fraudulent work agreements. By requiring women to apply in person, authorities can verify the terms of their work contracts and share information on human trafficking laws, workers' rights, and information on how to contact authorities. In June 2015, St. Maarten signed a renewed memorandum of understanding to strengthen cooperation within the Kingdom of the Netherlands in preventing and combating trafficking in persons and human smuggling. The government also informed employers of migrant workers about applicable laws and the national hotline, accessible by phone and email. There were no known reports of child sex tourism in St. Maarten. The government did not have diplomatic personnel posted abroad, and thus did not provide anti-trafficking training for such personnel.

ST. VINCENT AND THE GRENADINES: Tier 2 Watch List

St. Vincent and the Grenadines is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. NGOs and government officials report some adults pressure local minors into sex trafficking. One NGO reported that local minors are subjected to sex trafficking by tourists in the Grenadines; local authorities have not identified any cases. Foreign women engaged in prostitution are subjected to trafficking for sex and foreign workers from South America and the Caribbean are subjected to trafficking for forced labor both in the country or while transiting through; however, the government and NGOs reported the number of women from other Caribbean islands subjected to sex trafficking decreased during the last few years. Foreign workers employed by small, foreign-owned companies are particularly vulnerable to labor trafficking. Men, women, and children are vulnerable to forced labor, primarily in agriculture; government officials and civil society suspect drug traffickers subject workers to forced labor in the production of marijuana. NGOs and government officials report attempts to subject Vincentians to trafficking for both forced labor and commercial sexual exploitation in foreign countries.

The Government of St. Vincent and the Grenadines does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, St. Vincent and the Grenadines is placed on Tier 2 Watch List for the third consecutive year. Per the Trafficking Victims Protection Act, St. Vincent and the Grenadines was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards. For the first time, the government charged a suspected trafficker under the 2011 anti-trafficking act, in a case initially thought to involve forced labor of three Jamaican nationals; however, unable to substantiate these allegations, the government dropped all charges in the case by the end of the reporting period. Nonetheless, officials' efforts to investigate these allegations and provide assistance

to three Jamaican nationals, initially believed to be potential victims, demonstrated progress from previous years' lack of attention to potential cases and victim needs. The government provided shelter, services, and immigration relief to three potential victims. The government approved and implemented a national action plan, continued an anti-trafficking public awareness campaign, and conducted anti-trafficking training for law enforcement, immigration and labor officials, and civil society. It also formed a national working group to focus on active cases, and hired a social worker to liaise with entities involved in anti-trafficking efforts. The government has yet to obtain a trafficking conviction, and guidelines for the referral of victims continued to lack the necessary details to make them operational. The government does not offer any specialized services for victims of human trafficking.



RECOMMENDATIONS FOR ST. VINCENT AND THE GRENADINES:

Vigorously prosecute and convict traffickers and impose sufficiently stringent sentences; increase trainings for officials on the definition of trafficking in persons under the 2011 anti-trafficking act and proper case investigation and management techniques; proactively identify suspected trafficking victims, particularly among vulnerable groups such as migrant workers, and refer them to appropriate care and services; promote a victim-centered approach to victim identification, protection, and prosecution by involving NGOs or other victim advocates and widely disseminate guidelines for identifying victims to government officials and NGOs; develop and disseminate a more robust government-wide referral process for different types of suspected trafficking victims; conduct victim identification interviews in safe locations, as victims often first appear as immigration or prostitution-related violators and are reluctant to disclose details of their exploitation in law enforcement settings; raise awareness about forced labor and sex trafficking using the national campaign; and provide anti-trafficking training to immigration officials and diplomatic personnel.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The Prevention of Trafficking in Persons Act of 2011 prohibits sex trafficking and forced labor, including bonded labor, and prescribes punishments of up to 20 years' imprisonment and fines. These penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. The government has never convicted a trafficker. The special police unit focusing on trafficking investigated three alleged trafficking cases in 2015, compared with three in 2014; one investigation uncovered an attempt to subject an adult female citizen to trafficking in Europe. Following investigation, officials brought one case, initially suspected to involve labor trafficking of three Jamaican nationals, to trial as the first prosecution under the anti-trafficking act, but later dropped all charges, as the alleged crime could not be substantiated as trafficking. The government closed a human trafficking case, allegedly involving drug trafficking, from the previous reporting period due to insufficient evidence. The government did not report any investigations or prosecutions of government employees complicit in human trafficking offenses; overall corruption is a problem, but does not appear to be an obstacle to anti-trafficking efforts. The anti-trafficking police unit conducted trafficking training for new police recruits, as well as 60 law enforcement officers; immigration, health, and labor department officials; and civil society.

PROTECTION

The government maintained modest efforts in victim protection. Similar to 2013 and 2014, the government did not identify any trafficking victims during the year. However, officials assisted three Jamaicans, initially considered potential victims tied to the government's first prosecution under the anti-trafficking act, and it referred them for government-funded services. The special anti-trafficking police unit, with assistance from an international organization, reportedly developed victim identification guidelines in 2014; however, government ministries, immigration officials, and local NGOs had no knowledge of the guidelines in 2015. The national anti-trafficking action plan provides guidelines for the referral of victims to appropriate shelter and services, but those guidelines continued to lack details required for effective implementation. Both government and NGO sources said that improved screening at immigration checkpoints and routine police action substantially curtailed the number of women from other Caribbean islands subjected to sex trafficking. The government did not fund any trafficking-specific assistance programs, though it continued to provide approximately 200,000 Eastern Caribbean dollars ($74,000) in funding to a domestic violence shelter, which has been equipped to accommodate adult women and child trafficking victims. However, that shelter and other domestic violence shelters for women and girls did not assist trafficking victims in 2015. The government reported that it spent several thousand Eastern Caribbean dollars on the care of the three Jamaican nationals initially thought to be victims, who reportedly chose not to stay in the shelter. Two different government-funded NGOs shelter boys; one shelters boys under 14 years of age and another shelters boys aged 14 to 18. The NGOs did not shelter any minor male trafficking victims during the reporting period. Some shelters had policies prohibiting adult and minor victims from leaving at will. The government's anti-trafficking law contains incentives to encourage victims' assistance in the investigation and prosecution of traffickers, including temporary and permanent residence permits. The three Jamaican nationals assisted an investigation and prosecution in 2015 and received temporary residency status, and one received a work permit. The government reported that benefits were not linked to whether a victim assisted law enforcement or participated in a trial. The anti-trafficking law provides alternatives to the removal of foreign victims to countries where they would face hardship or retribution, and the three victims received this immigration relief. There were no reports the government penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

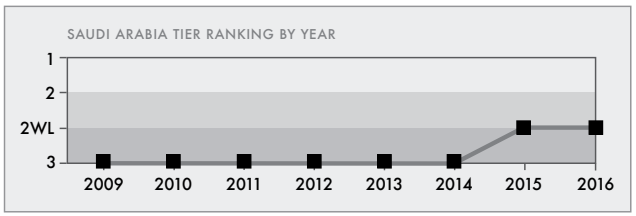
The government made some progress in preventing trafficking. The government launched an anti-trafficking public awareness campaign, primarily at primary schools and faith-based institutions. The police operated an information phone line, which is advertised in their anti-trafficking outreach materials; in 2015, it received 24 trafficking-related calls. The prime minister chaired a ministerial-level national anti-trafficking

taskforce, which developed a national anti-trafficking action plan covering 2016-2018; the cabinet approved the action plan. The taskforce provided quarterly and annual reports to the cabinet. The government formed a national working group to focus on active cases that complements the high-level policy-making national taskforce, and hired a social worker to liaise with entities involved in anti-trafficking efforts. The government developed anti-trafficking training for its diplomatic personnel, but did not disseminate it. One NGO reported that local minors are subjected to sex trafficking by tourists in the Grenadines. The government investigated and found no evidence to substantiate the claim. The government did not make efforts to reduce the demand for commercial sex acts or forced labor during the year.

SAUDI ARABIA: Tier 2 Watch List

Saudi Arabia is a destination country for men and women subjected to forced labor and, to a lesser extent, forced prostitution. Men and women primarily from South and Southeast Asia, the Middle East, and Africa voluntarily migrate to Saudi Arabia as domestic workers, including men who work in private residences as gardeners, handymen, and cleaners, or low-skilled laborers; some of these workers face involuntary servitude. Some migrants are fraudulently recruited to work in Saudi Arabia or in other countries in the region and forced into domestic servitude. Non-payment of wages is the most common complaint from foreign workers in the Kingdom, while employers withholding workers' passports remains a widespread problem. The foreign worker population is the most vulnerable to trafficking in Saudi Arabia, particularly female domestic workers due to their isolation inside private residences. An international organization estimated in 2013 that Saudi Arabia is one of the largest employers of domestic workers in the world, a sector with the highest average working hours. Some domestic workers experience severe mental, physical, and sexual abuse by their employers. Some foreign citizens who have experienced indicators of trafficking have been placed on death row. Due to Saudi Arabia's requirement under its sponsorship or *kafala* system that foreign workers obtain an exit visa from their employers to leave the country legally, some are forced to work for months or years beyond their contract term because their employers will not grant them an exit permit. Although many migrant workers sign contracts with their employers, some report work conditions substantially different from those described in the contract; other workers never see a work contract at all. Some migrant workers voluntarily enter into illegal arrangements and pay a Saudi citizen to sponsor their residence permit while they seek freelance work, thus becoming vulnerable to possible extortion by their sponsors. Some women are believed to be forced into prostitution in Saudi Arabia. After running away from abusive employers, some female domestic workers are kidnapped and forced into prostitution. Criminal gangs subject children from Yemen to forced labor as beggars and street vendors. Migrants from Yemen and the Horn of Africa enter Saudi Arabia illegally—sometimes with the help of smugglers—via the Yemeni border; some of them may be trafficking victims. Some Saudi citizens engaged in sex tourism abroad, and there were media reports that some Saudi men traveled abroad to find brides—some of whom were legal minors—including through the use of legally contracted "temporary marriages."

The Government of Saudi Arabia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Saudi Arabia is placed on Tier 2 Watch List for the second consecutive year. The government reported increased efforts convicting trafficking offenders, but the number of offenders prosecuted declined compared with the previous reporting period. Moreover, the government did not proactively investigate and prosecute employers for potential labor trafficking crimes involving their withholding of workers' wages and passports, which remained a widespread practice throughout the Kingdom. Nonetheless, in December 2015, the Ministry of Labor (MOL) opened a specialized anti-trafficking unit to liaise with relevant authorities to protect migrant workers and train labor inspectors on victim identification. Although the government identified an increased number of trafficking victims and continued to provide protection services to some, its efforts to identify proactively and protect victims among vulnerable populations, including illegal foreign migrants, female and male domestic workers, and women in prostitution, remained uneven. The government continued to arrest, detain, and deport potential trafficking victims—particularly illegal foreign workers and domestic workers who fled their employers—a problem exacerbated by authorities' lack of systematic identification and referral efforts. The government continued efforts to prevent trafficking.



RECOMMENDATIONS FOR SAUDI ARABIA:

Continue efforts to prosecute, convict, punish, and stringently sentence trafficking offenders, including abusive employers, under the anti-trafficking law; vigorously investigate for potential trafficking crimes employers who withhold workers' passports and wages and restrict workers' movement, and adequately punish these employers under the anti-trafficking law; reform the sponsorship system and ensure trafficking victims are able to pursue criminal cases against their employers in practice; significantly improve efforts to ensure victims among vulnerable populations, including domestic workers, illegal foreign migrants, male victims, and persons in prostitution, are not punished for acts committed as a direct result of being subjected to human trafficking; implement a formal victim identification mechanism to identify trafficking victims among vulnerable populations; ensure all victims of trafficking can seek assistance and protection services; continue to train government officials on identifying cases of forced labor and sex trafficking; and conduct country-wide public awareness campaigns on all forms of trafficking.

PROSECUTION

The government demonstrated some improvement in its law enforcement efforts against trafficking. The 2009 Suppression of the Trafficking in Persons Act defines and prohibits all forms of human trafficking. The act prescribes punishments of up to 15 years' imprisonment and financial penalties, which may be increased under certain circumstances, including trafficking committed by an organized criminal group or against a woman,

child, or person with disabilities. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Council of Ministers' Decision 166 prohibits withholding workers' passports as a separate, lesser offense; however, the government did not report efforts to enforce this decision. In 2015, the government amended the labor law to impose financial penalties for employers who withhold workers' passports, do not provide workers with contracts, or force workers to perform jobs not otherwise stipulated in the work contract; however, these reforms excluded domestic workers, and the government did not report implementing these amendments by penalizing employers for these violations during the reporting period.

The government reported its investigation of 283 trafficking suspects from October 2014 to October 2015, some of which occurred outside of the current reporting period, as the Saudi system keeps records according to the *hijri* calendar. These investigations involved forced labor, sexual exploitation, and slavery crimes. In that same timeframe, it prosecuted and convicted 243 offenders under the anti-trafficking law; this demonstrated a decrease in prosecutions but an increase in convictions, in comparison to the previous reporting period. Nevertheless, the government did not report the punishment and sentences for the convicted perpetrators. The government did not report investigating potential trafficking crimes involving employers or recruiters withholding foreign workers' passports or wages or other labor law violations. During the reporting period, authorities did not report prosecuting an employer who allegedly amputated the hand of an Indian domestic worker after the worker reportedly complained of poor working conditions in October 2015. In October 2015, Saudi police reportedly cooperated with Indonesian authorities to investigate and inspect an illegal facility housing 39 Indonesian women fraudulently recruited and forced into domestic servitude in Riyadh; Indonesian authorities reported at least one individual was arrested during the inspection, but the Saudi government did not report additional details of this case. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government invoked the diplomatic immunity and recalled one of its diplomats accused of forcibly holding and raping two Nepali domestic workers while posted to India, but it did not report investigating the allegations or prosecuting the diplomat for trafficking crimes. In December 2015, the MOL opened a specialized anti-trafficking unit mandated to investigate and prevent the illegal trading of workers' visas, train labor inspectors, and brief migrant workers on their labor rights. The government conducted numerous anti-trafficking trainings for officials during the reporting period, including on child sexual exploitation and the link between trafficking and cybersecurity.

PROTECTION

The government demonstrated some progress to identify trafficking victims, but authorities continued to punish some victims for unlawful acts committed as a direct result of being subjected to human trafficking. From October 2014 to October 2015—part of which is outside of the current reporting period as the Saudi system keeps records according to the *hijri* calendar—the government reported identifying 658 male and female trafficking victims, a significant increase from the 57 identified in the previous reporting period. The government continued to distribute victim identification criteria to officials and provided training on their implementation to police and officials from the Ministry of Social Affairs. Nevertheless, the government's implementation of procedures to identify victims continued to be uneven throughout the Kingdom, and government officials continued to arrest, detain, and deport potential trafficking victims, particularly illegal foreign workers and domestic workers who fled their employers. Women arrested for prostitution offenses—some of whom may have been unidentified victims of trafficking—faced prosecution and, if convicted, imprisonment or corporal punishment; in practice, authorities deported foreigners, sometimes after holding them in detention.

Although the government did not provide specialized shelters for victims of sex trafficking, it continued to operate shelters for child beggars, some of whom may have been trafficking victims, as well as 10 welfare centers for female domestic workers, some of whom were trafficking victims. In 2015, the government also opened a welfare center for male domestic workers. Although these centers varied in quality across the Kingdom, they provided shelter and psycho-social, health, and educational services to trafficking victims. The welfare center in Riyadh operated as a one-stop shop, providing residents with legal assistance, immigration and passport services, translation, and rehabilitative care by seven female social workers, as well as trained psychologists and other medical professionals. Labor source-country diplomatic officials had regular access to their nationals residing in the center. Due to a lack of available and adequate protection services for all trafficking victims, authorities kept some victims in smaller cities in jails until their cases were resolved. Many victims continued to seek refuge at their embassies; source-country diplomatic missions continued to report complaints by their citizens of unpaid wages, physical or sexual abuse, and poor working conditions. In May 2015, the government granted a six-month residence visa that included the right to work to 446,000 out-of-status Yemeni citizens who were illegally residing in Saudi Arabia and highly vulnerable to trafficking; however, the government did not report screening these individuals for trafficking.

The government reportedly encouraged victims to assist in the investigation and prosecution of trafficking offenders, yet there were few known cases of victims successfully pursuing criminal cases against abusive employers due to lengthy delays in the immigration and justice system. During judicial proceedings, authorities reportedly gave trafficking victims the option to remain in the country—in protective custody or working for a new employer—or they could request an immediate exit visa; however, it was unclear if any victims received these benefits during the reporting period. The law entitles identified trafficking victims to legal assistance, translation services, and immediate repatriation upon the victim's request. The government reportedly provided protection to witnesses involved in trafficking cases.

PREVENTION

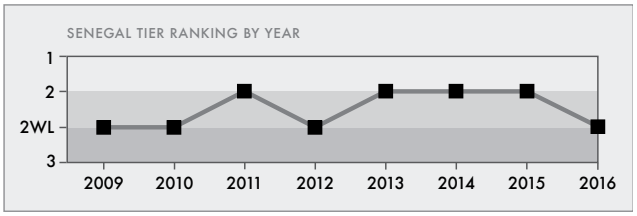
The government maintained efforts to prevent trafficking. The government continued to update its national anti-trafficking action plan and allocated substantial resources for its interagency anti-trafficking working group. The government continued to implement the wage protection system, which required employers to pay foreign workers through bank transfers, thereby allowing the MOL to ensure workers were paid appropriately. It remained unclear, however, whether the system effectively flagged potential trafficking cases for criminal investigation. MOL continued to employ 1,000 labor inspectors, and it conducted more than 260,000 labor inspections, withdrew the licenses of eight recruitment firms, and froze the operations

of 21 recruitment offices. MOL imposed penalties in nearly 2,500 cases of companies violating the government's mid-day work ban during the summer months. MOL continued to operate a hotline to receive labor dispute complaints with operators that spoke a variety of migrant worker languages. It was unclear, however, if any trafficking victims were identified through this hotline. MOL continued to distribute a guidebook to all migrant workers entering the country, which contained MOL's hotline number. The police also operated an emergency number, which could refer potential trafficking victims to protection services, but it did not report identifying any victims during the reporting period. The government continued to operate an online portal providing domestic workers and employers with information about their legal rights. During the reporting period, the government finalized domestic worker agreements with Niger, Uganda, and Nepal, which aimed to protect workers' contracts with their employers. The government did not conduct anti-trafficking public awareness campaigns, but government-controlled media continued to report trafficking issues in an effort to inform the public about the crime. The government provided anti-trafficking training for its diplomatic personnel. The government took actions to reduce the demand for commercial sex acts and forced labor. The government did not have extraterritorial authority to prosecute citizens engaged in sex tourism abroad.

SENEGAL: Tier 2 Watch List

Senegal is a source, transit, and destination country for children and women who are subjected to forced labor and sex trafficking. Children, most of whom are *talibes*—students attending *daaras* (Koranic schools) run by teachers known as *marabouts*—are forced to beg throughout Senegal. In the region of Dakar alone, approximately 30,000 *talibes* are forced to beg in the streets, and the problem is prevalent throughout the country. Senegalese boys and girls are also subjected to domestic servitude, forced labor in gold mines, and sex trafficking. Internal trafficking is more prevalent than transnational trafficking, although boys from The Gambia, Mali, Guinea-Bissau, and Guinea have been subjected to forced begging and forced labor in artisanal gold mines in Senegal. Senegalese women and girls are transported to neighboring countries, Europe, and the Middle East for domestic servitude. NGO observers believe most Senegalese sex trafficking victims endure exploitation within Senegal, particularly in prostitution in the southeastern gold-mining region of Kedougou. Women and girls from other West African countries are subjected to domestic servitude and sex trafficking in Senegal, including for sex tourism.

The Government of Senegal does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government identified an increased number of trafficking victims and provided funding to the only trafficking-specific shelter in the country. The government updated Senegal's two-year national action plan to combat trafficking, and made limited progress on its implementation during the reporting year. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Senegal is placed on Tier 2 Watch List. The government reported no prosecutions of suspected trafficking offenders in 2015, compared with four in 2014; it investigated and prosecuted three *marabouts* for exploiting *talibes* during the reporting period. The one *marabout* it convicted received an insufficiently stringent sentence of three months' imprisonment and a second *marabout* was acquitted. Overall, it continued minimal and inadequate law enforcement efforts against unscrupulous *marabouts* exploiting children in forced begging, which remains Senegal's predominant trafficking problem, and enactment of the *daara* modernization law was delayed. Officials did not adequately regulate or inspect the informal sectors of the economy, such as mining, to prevent forced labor or use the national database for tracking law enforcement statistics.



RECOMMENDATIONS FOR SENEGAL:

Vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including those who exploit children in forced begging; provide anti-trafficking training to law enforcement, labor, and social welfare officials on how to adequately identify victims, investigate cases, and refer victims to appropriate services; ensure consistent application of standardized procedures for referring trafficking victims to NGO care services and sensitize government officials and the NGO community to these mechanisms; improve efforts to collect law enforcement data on trafficking offenses, including cases prosecuted for trafficking-related offenses under provisions other than the 2005 law; provide adequate funding to expand government-funded shelters or partner with international organizations or NGOs to provide additional care options for victims; expand regulations to include labor inspections and labor trafficking investigations in the informal sectors of the economy including mining, agriculture, and fishing; fully implement the national action plan on forced child labor and the 2015-2017 national action plan to combat trafficking; expand the *daara* mapping project to provide baseline information for the national database and increase coordination of efforts to prevent forced begging; and broaden efforts to raise public awareness about trafficking, including of adults, and forced child begging.

PROSECUTION

The government did not demonstrate evidence of sustained anti-trafficking law enforcement efforts. Senegal's 2005 Law to Combat Trafficking in Persons and Related Practices and to Protect Victims prohibits all forms of trafficking and prescribes penalties of five to 10 years' imprisonment for violations, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. For the fourth consecutive year, the government did not maintain or publish comprehensive anti-trafficking law enforcement statistics. Compared to four prosecutions and convictions during the previous reporting period, Senegalese officials did not report any prosecutions of suspected trafficking offenders in 2015. Despite widespread, and often visible, forced begging by unscrupulous *marabouts*, for the second consecutive year the government reported only one conviction for this form of trafficking in December 2015; moreover, the offender was sentenced to three months in prison—an insufficiently stringent punishment compared to the severity of the crime, which serves as an inadequate deterrent. In addition, the lack of government action

to regulate the *daaras* and prosecute those who engage in or abet forced child begging allowed the problem to continue. Officials also did not report any prosecutions of perpetrators of child or adult sex trafficking during the reporting period, in part due to previous closures of artisanal mines.

The government, in collaboration with key stakeholders, developed and organized several training programs for law enforcement officials in 2015; it conducted two training programs the year prior. Many law enforcement and judicial personnel remained unaware of the 2005 anti-trafficking law, which, coupled with limited institutional capacity, continued to inhibit efforts to prosecute and convict traffickers under the law and to collect data on such efforts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained modest efforts to identify and protect trafficking victims. Government law enforcement, immigration, and social services personnel have formal written procedures to proactively identify trafficking victims among high-risk populations. In 2015, the government identified 142 child trafficking victims, an increase from 61 child trafficking victims identified and assisted by the government in the previous reporting period. The Ginddi Center, the only government-run shelter in Senegal, provided temporary shelter and basic provisions for all 142 victims; the government provided FCFA 85.7 million ($145,000) to the center for legal counseling, medical and psychological care, familial mediation and reconciliation services, and basic education and vocational training, up from 50 million FCFA ($85,000) the previous year. However, the center lacked the resources to pay its staff adequately or provide specialized training for the social workers and volunteers who counsel and rescue street children, many of whom were potential trafficking victims. During the year, the Ginddi Center's child protection hotline was operational, but the total number of calls it received, including trafficking-related ones, was unknown.

The government made limited efforts to proactively identify victims among vulnerable groups, such as those residing in gold-mining communities or engaged in begging schemes, and referred an unknown number of child trafficking victims to NGO-run shelters. The victim referral system in Senegal is inconsistently applied and not available in all regions of the country. Victims identified along Senegal's borders were sent to an international organization and government center for questioning before being referred to NGOs for protective services. The anti-trafficking law provides alternatives to the removal of foreign victims who may face retribution or hardship upon returning to their home countries, including the option to apply for temporary or permanent residency and seek restitution; however, the government did not report offering this relief to any victims during the reporting period. The 2005 anti-trafficking law absolves victims from responsibility for unlawful acts committed as a result of being subjected to trafficking and there were no reports officials penalized victims for such acts during the year.

PREVENTION

The government made uneven efforts to prevent human trafficking. It finalized the 2015-2017 national action plan to combat trafficking and made limited progress on implementation during the reporting year. The government maintained its funding of FCFA 30,000,000 ($50,000) for the national taskforce's anti-trafficking activities in 2015. In February 2016, in collaboration with a local NGO, the anti-trafficking taskforce facilitated a discussion of forced child begging at the municipality level and sponsored a movie screening and conducted two workshops on the same topic targeting local officials, religious leaders, Koranic school representatives, and community members. During the reporting period, the taskforce raised awareness on the *daara* mapping findings in Guediawaye and Rufisque, to inform vulnerable populations of the magnitude of forced child begging and expand baseline information from which to track progress in addressing this crime. Although the taskforce completed design of a national trafficking database during the previous reporting year and trained law enforcement officials on its effective usage, the government did not fully implement it in 2015. The taskforce, in conjunction with international partners commenced implementation of the national action plan on forced child begging during the reporting period. Approval of a draft law to regulate and modernize *daaras* was delayed. The government assisted with the development of child protection committees in porous border areas, including the Kedougou mining region, to refer vulnerable children to social services; however, exploitation of children in this region continued to be a pervasive problem.

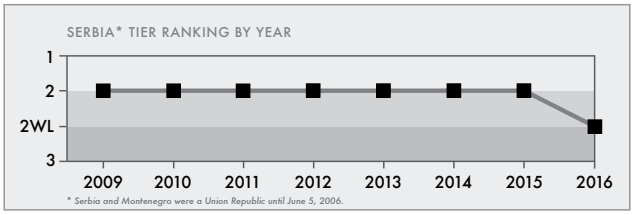
Approximately 70 percent of Senegal's economy operated in the informal sector, where most forced child labor occurred, yet labor officials did not demonstrate tangible progress to regulate this sector during the reporting year. The government made limited progress towards decreasing demand for forced labor or commercial sex acts, including the temporary closure and regulation of artisanal mines. In 2015, the taskforce reported the establishment of a tourism police force in Saly and Cap Skirring to patrol for indicators of child sex tourism and other abuses. The government, in cooperation with international partners, provided anti-trafficking training to Senegalese troops before their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

SERBIA: Tier 2 Watch List

Serbia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor, including domestic servitude and forced begging. Serbian women are subjected to sex trafficking by Serbian criminal groups in neighboring countries and throughout Europe, particularly Austria and Germany. Serbian nationals, primarily men, are subjected to forced labor in labor-intensive sectors, such as the construction industry, in European countries (including Azerbaijan, Slovenia, and Russia) and United Arab Emirates. Serbian children, particularly ethnic Roma, are subjected within the country to sex trafficking, forced labor, forced begging, and petty crime. Migrants and refugees from Afghanistan, Iraq, and Syria and from neighboring countries are vulnerable to being subjected to trafficking within Serbia. Alleged traffickers reportedly influenced some trafficking cases through bribery of the victim or judge.

The Government of Serbia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period;

therefore, Serbia is placed on Tier 2 Watch List. While the government created a new office within the national police to coordinate and organize its anti-trafficking efforts, it did not provide the staff or resources for this new entity and current coordination structures were under-resourced, operating part-time, and/or not functional. Victim identification significantly decreased; observers stated this was due in part to anti-trafficking efforts becoming a lower priority overall as the government managed the increase in irregular migration through the country in 2015, a continued lack of collaboration between the government and NGOs on identification, and a reduction in referrals from the border police that were simultaneously charged with addressing smuggling and the influx of migrants and refugees. Care for victims of trafficking also suffered from a lack of government coordination with NGO service providers, and government social welfare centers were deficient in specialized programs, sensitivity, and trained staff necessary for working with trafficking victims. Investigations, prosecutions, and convictions decreased, and the government did not afford victims sufficient protection in criminal proceedings, which exposed them to intimidation and secondary traumatization.



RECOMMENDATIONS FOR SERBIA:

Create and disseminate to first responders standard operating procedures for proactive victim identification and referral to protection services; increase efforts to identify victims, including among migrants, refugees, asylum-seekers, and unaccompanied children engaged in street begging; increase investigations and prosecutions of trafficking crimes and obtain convictions of traffickers with dissuasive sentences; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases; provide victims testifying in court with a full range of protections to diminish intimidation and re-traumatization; enshrine in law non-penalization of victims for acts committed as a direct result of their being subjected to human trafficking; improve cooperation with NGOs to ensure victims have access to and receive all necessary reintegration services; improve training for government personnel on victim assistance and referral; allocate adequate staff and resources for new Office for Coordination against Trafficking in Persons and existing coordination structures to ensure effectiveness; adopt the national anti-trafficking strategy and action plan and involve NGOs in implementation; and elevate the national coordinator for combating trafficking in persons to a full-time position with independent authority.

PROSECUTION

The government demonstrated decreased law enforcement efforts to counter trafficking. Article 388 of the Serbian criminal code prohibits all forms of trafficking, prescribing penalties ranging from three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 10 cases of commercial sexual exploitation and one case of forced labor in 2015, a decrease from 20 cases of commercial sexual exploitation and 35 cases of forced labor in 2014. In 2015, the government initiated prosecutions of 18 defendants under article 388, a decrease from 25 defendants in 2014. Courts convicted 20 traffickers in 2015, a decrease from 26 convicted in 2014. Sentences ranged between 1.5 and 5.5 years' imprisonment. The government did not disaggregate data on convictions for sex and labor trafficking crimes. Observers reported the government did not adequately implement anti-trafficking laws, and prosecutors often chose to prosecute trafficking crimes under other statutes with lesser penalties that were easier to prosecute. Each police directorate in Serbia had an anti-trafficking unit in addition to the specialized anti-trafficking units within the organized crime police and border police forces; however, during the reporting period these units largely focused on countering smuggling and responding to the influx of migrants and refugees. Seventeen directorates also had multidisciplinary anti-trafficking teams that included prosecutors, social workers, and health officials; according to NGOs only four of these teams were active during 2015. The government provided training to consular officials and, in coordination with NGOs and international organizations, to police and border officials on recognizing and investigating trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government demonstrated decreased efforts in the identification of victims and maintained inadequate protection services. Authorities identified 36 trafficking victims in 2015, a significant decrease from 119 victims identified in 2014 and 76 identified in 2013. The majority of victims were minors exploited in Serbia. Twenty-one victims were subjected to sex trafficking, three to forced labor, 10 to forced begging, and two to forced criminality. A government center for protection of trafficking victims remained responsible for victim identification and assistance. During the reporting period, the center and an international organization trained 445 first responders, including police, social welfare center staff, and educators, on indicators for identifying human trafficking victims; however, observers maintained there were no written victim identification procedures. Officials who interviewed migrants and refugees upon arrival in Serbia did not provide screening to determine if the person was a potential trafficking victim. In 2015, police, NGOs, and social service personnel referred 106 suspected trafficking victims to the government's center, compared with 351 referrals in 2014; referrals from the police and border police decreased from 289 in 2014 to 38 in 2015. In a previous reporting period, the center stated referral guidelines needed updating.

In 2015, the government budgeted 19,718,146 Serbian dinars ($177,000) for the operation of the center. The center has two units, the protection agency and the urgent reception center; however, the urgent reception center, designed to provide safe shelter and services, was not functional for the third consecutive year. Government social welfare centers provided social services, but they often lacked the specialized programs, sensitivity, and trained staff necessary for working with trafficking victims, including the center's protection unit, which did not have specific procedures on how to care for child trafficking victims. The government provided free medical assistance to victims at public clinics. The government did not have procedures outlining cooperation between the center and NGOs on victim services and it did not report how many victims it referred to NGOs for care. Observers asserted victims should have been referred to NGOs in much larger numbers, as social welfare

centers lacked specialized programs and trained staff to work with trafficking victims. An NGO operated the only shelter exclusively for female and child trafficking victims and NGOs provided medical, legal, psychological, educational, and other reintegration assistance to victims. NGOs relied on foreign sources of funding to assist victims. Male victims did not have access to a dedicated trafficking shelter but an NGO rented accommodation as needed and male victims could access all other rehabilitation services offered to female victims. Specialized shelters for child trafficking victims did not exist; child victims were returned to their families, sent to foster care, or accommodated in one of two centers for orphans. Government social welfare centers lacked the ability to remove children from their families, even if there was evidence the family had exploited the child.

Victims were required to cooperate with law enforcement investigations and testify during prosecution; NGOs reported some victims were threatened with prosecution for non-cooperation. Experts reported victims' rights were not adequately protected during lengthy court proceedings and victims had to frequently appear in front of their traffickers; traffickers often threatened or intimidated victims. The government center developed recommendations for prosecutors to use in working with victims; it is unclear how widely the recommendations were disseminated and utilized during the reporting period. Judges demonstrated limited understanding of the complexities of human trafficking cases. Serbian law entitles victims to file criminal and civil suits against their traffickers for compensation, but judges encouraged victims to seek compensation solely by filing civil suits, which were lengthy, expensive, and required the victim to face the abuser numerous times. To date, only one victim of trafficking has been compensated. Foreign victims were eligible for temporary residence permits renewable up to one year. Serbian law does not have a non-punishment or non-prosecution clause for trafficking victims who committed crimes as a result of being subjected to human trafficking; however during the year, in partnership with OSCE, a working group comprised of judges, prosecutors, police officers, and representatives from the center and civil society developed a manual for prosecutors and judges on non-punishment of trafficking victims. A sex trafficking victim forced to sign a murder confession by her trafficker began serving her 18-year prison sentence in 2014; during the reporting period, the constitutional court rejected her appeal and an NGO submitted a petition requesting amnesty to the president.

PREVENTION

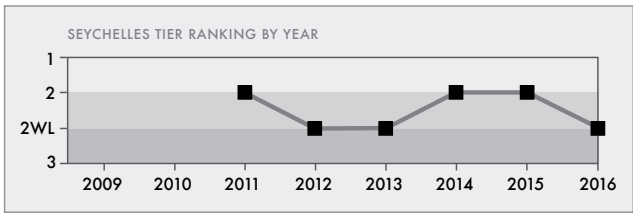
The government maintained limited prevention efforts. The government has not adopted the anti-trafficking strategy and action plan for 2014-2020 despite holding the final public debate on the strategy and plan in 2013. During the reporting period, the government created the Office for Coordination against Trafficking in Persons, under the national police, but had yet to provide it with staff, resources, or a mandate. The national coordinator for combating trafficking in persons continued to lead anti-trafficking efforts despite lacking sufficient resources and support from the government—the coordinator is also the head of migration for the border police and did not have independent authority. The government created an anti-trafficking council in 2005 as a consultative body, which observers noted exists only on paper and did not meet in 2015. The government operated a hotline to collect human trafficking-related tips, published anti-trafficking efforts on its website, and provided information on trafficking via social media. Police enforced laws against purchasing commercial sex and fined clients identified during raids on commercial sex establishments. The government licensed and regulated private employment agencies; however, in practice tourist agencies also performed labor recruitment and were largely unregulated. The government did not investigate fraudulent or exploitative job offers brought to its attention by NGOs. The government did not make efforts to reduce demand for forced labor. Serbian troops participated in anti-trafficking training prior to their deployment on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

SEYCHELLES: Tier 2 Watch List

Seychelles is a source country for children subjected to sex trafficking and a destination country for foreign men and women subjected to labor and sex trafficking, respectively. Seychellois girls and, according to some sources, boys are subjected to child sex trafficking—particularly on the main island of Mahe—by peers, family members, and pimps for exploitation in nightclubs, bars, guest houses, hotels, brothels, private homes, and on the street. Young drug addicts are also vulnerable to being forced into prostitution. Eastern European women have been subjected to forced prostitution in hotels. Migrant workers—including those from China, Kenya, Madagascar, and various countries in South Asia—make up 20 percent of the working population in Seychelles and are primarily employed in fishing and construction. Some migrant workers are subjected to forced labor in the construction sector. NGOs report migrant workers face exploitative conditions in fish processing plants, and fishermen aboard foreign-flagged fishing vessels in Seychelles' territorial waters and ports are subjected to abuses indicative of forced labor, including non-payment of wages and physical abuse.

The Government of Seychelles does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Seychelles is placed on Tier 2 Watch List. During the reporting period, the government finalized a victim assistance tool, which includes standard operating procedures for victim protection outlining the roles of government actors in the identification and protection of trafficking victims, including a formal referral mechanism and trained law enforcement officers and immigration and customs officials on these mechanisms. The government did not report any prosecutions or convictions of traffickers and did not formally identify any trafficking victims. The national anti-trafficking committee met four times during the reporting period; however, despite its strong leadership, implementation of the 2014-2015 national anti-trafficking plan was slow and many activities remained in early planning stages for the second consecutive year. The government does not acknowledge the existence of internal trafficking, which impeded the investigation of such crimes and assistance available for Seychellois victims. Lack of oversight and inspection of potential labor trafficking victims within the Seychelles International Trade Zone (SITZ) created vulnerability amongst the large migrant labor population in Seychelles. The government deports migrant workers working for state-owned or private companies for participating in strikes to protest poor employment conditions without conducting comprehensive

investigations and screenings to identify if the individuals are victims of forced labor. Despite complaints by migrant workers, primarily in the construction sector, about poor working conditions, non-payment of salaries, and retention of passports, the government has never formally identified a case of forced labor in the country.



RECOMMENDATIONS FOR SEYCHELLES:

Use the anti-trafficking law to investigate and prosecute trafficking offenses and convict and punish traffickers; amend the penal code to harmonize its contradictory sections addressing sexual offenses to ensure the prohibition and penalization of the forced prostitution of adults is commensurate with rape; provide specialized training to government officials—including members of the national committee on human trafficking, law enforcement officials, social workers, immigration officials, and labor inspectors—on how to identify victims of trafficking and refer them to appropriate services; implement the national action plan to combat human trafficking and dedicate appropriate resources for its implementation; criminalize the confiscation and retention of passports by employers of migrant workers; remove the required fee for a migrant worker to lodge a complaint with the labor tribunal; prosecute traffickers under the anti-trafficking law rather than arbitrating labor disputes that may involve trafficking offenses; provide adequate resources to labor inspectors to conduct regular, comprehensive inspections of migrant workers' work sites and inform the workers of their employment rights; create a standardized contract governing the employment of domestic workers within private homes; implement labor laws equally in all of Seychelles, including the international trade zone; and conduct anti-trafficking awareness campaigns to increase the understanding of the crime among the local population and the large number of foreign tourists and migrant workers entering the country.

PROSECUTION

The government demonstrated limited law enforcement efforts. The Prohibition of Trafficking in Persons Act of 2014 prohibits all forms of trafficking in adults and children. The law prescribes penalties of a maximum of 14 years' imprisonment, and in cases involving children or aggravating circumstances, a maximum of 25 years' imprisonment; these penalties are sufficiently stringent. The penalties for child trafficking are commensurate with those for other serious crimes, such as rape, but the penalties for adult sex trafficking are not. Elements of human trafficking are also prohibited under a variety of penal code statutes, including section 259 prohibiting slavery and section 251 prohibiting forced labor; the government prosecutes some human trafficking cases under these provisions. Although all forms of child sex trafficking are prohibited under the anti-trafficking law, enforcement of this prohibition may be hampered by unclear and conflicting statutes in the penal code that do not clearly define the ages of consent and legal majority, creating confusion between the traditionally understood age of consent (15 years of age) and the legal age of majority (18 years of age).

As in the previous reporting period, the government did not prosecute or convict any traffickers during the reporting period. Law enforcement officials identified two potential trafficking cases; however, it did not launch any investigations into these cases or formally identify any victims. One case involved two Indian migrant workers who gave official statements detailing abuse by their employer. The company bought them tickets to return to India, they left Seychelles, and authorities did not inquire further. In another case in October 2015, two Indian migrant workers claimed their employer took their passports because they owed her money; they chose not to press charges and one of the workers returned to India and the other remained in Seychelles working with a different employer. The Ministry of Labor Resources and Development (MOL) viewed cases of labor trafficking as a breach of contract between the employer and employee and preferred arbitration through the labor tribunal rather than prosecution, which impeded prosecution. Law enforcement officials lacked sufficient training to investigate trafficking cases effectively, and the government did not provide or support efforts to train officials on such methods. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government demonstrated minimal efforts to identify and protect victims, although it began to institute mechanisms to improve such efforts. It did not identify or provide protective services to any trafficking victims. There are no shelters specifically for trafficking victims in the country; however, the government began to develop comprehensive protective services for certified trafficking victims and standard operating procedures for their provision. The government also established a fund to finance provision of these services. In May 2015, the national anti-trafficking committee launched a victim assistance tool, which includes standard operating procedures on victim identification, protection, and a referral mechanism. The government, in collaboration with international donors, trained law enforcement, immigration, and customs officials on these mechanisms; however, front-line officers remained inadequately trained to identify and refer potential human trafficking cases. There were no reports of victims being penalized for unlawful acts committed as a result of being subjected to trafficking; however, migrant workers who strike are considered to be in breach of their work contracts and can be deported at the will of their employers. Several migrant workers who gathered to protest a variety of abuses relating to their employment were deported during the reporting period; these deportations took place without conducting comprehensive investigations or screenings to identify if the individuals were victims of forced labor.

PREVENTION

The government maintained inadequate prevention efforts. The national anti-trafficking committee served as a coordinating body for collaboration and communication on trafficking matters; the committee met four times during the reporting period but did not receive a dedicated budget and relied on ad hoc funding from various government agencies. The implementation of the 2014-2015 national action plan was slow and many activities remained in early planning stages for the second consecutive year. The government did not conduct any anti-trafficking awareness campaigns during the reporting period. However, MOL provided leaflets in Chinese and Hindi to migrant workers arriving in the Seychelles detailing their

rights and worked with local embassies to provide translation services as needed.

Numerous trafficking vulnerabilities in labor recruitment and monitoring persisted throughout the country during the reporting period. Migrant workers signed their employment contracts upon arrival in Seychelles, which increased their vulnerability to fraudulent recruitment tactics. There were reports of employers routinely retaining migrant workers' passports to prevent them from changing jobs prior to the expiration of their two-year contract. Seizure and retention of passports is not illegal under Seychellois law; however, the anti-trafficking committee has proposed amending the anti-trafficking law to criminalize this. MOL employed 12 labor inspectors, an increase of one from the previous reporting period, responsible for conducting inspections of all workplaces in the country and one labor officer assigned to inform all migrant workers of their employment rights; government officials acknowledged this number was inadequate and inspectors lacked basic resources to perform their duties adequately. MOL is unable to conduct inspections in the SITZ, where many migrant laborers work, as it is considered ex-territorial and is managed by the Financial Services Authority (FSA); however, FSA did not provide adequate oversight of laborers working in the SITZ. Furthermore, as the Ministry of Health has authority over migrant worker dwellings, MOL could not inspect them or the residences where domestic workers reside. Despite complaints by migrant workers about poor working conditions, non-payment of salaries, and retention of passports, primarily in the construction sector, the government has never identified a case of forced labor in the country. The government made no discernible efforts to decrease the demand for commercial sex or forced labor during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel.

SIERRA LEONE: Tier 2

Sierra Leone is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Victims originate largely from rural provinces and are recruited to urban and mining centers for the purposes of exploitation in prostitution, domestic servitude, and forced labor in artisanal diamond and granite mining, petty trading, portering, rock breaking, street crime, and begging. Trafficking victims may also be found in the fishing and agricultural sectors or subjected to sex trafficking or forced labor through customary practices, such as forced marriages. During the reporting period, transnational trafficking to and from Sierra Leone increased. Nationals from other countries, such as Kenya, endured domestic servitude in the country. Sierra Leonean girls were subjected to trafficking in Guinea and traffickers attempted to exploit boys and girls from Sierra Leone as "cultural dancers" in The Gambia. Sierra Leonean adults voluntarily migrate to other West African countries, including Mauritania and Guinea, as well as to the Middle East and Europe, where some experience forced labor and forced prostitution. Sierra Leonean women continued to be subjected to trafficking in Kuwait and Lebanon as in previous years. Children from neighboring West African countries have been exploited in forced begging, forced labor, and prostitution. Indian, Sri Lankan, and Chinese men have been subjected to forced labor within Sierra Leone.

The Government of Sierra Leone does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, an outbreak of Ebola and its aftermath continued to severely affect the country and overwhelmed the government's resources and capacity to effectively address a variety of issues, including trafficking in persons. Trafficking in persons data collection and victim identification remained weak. The 2005 Anti-Trafficking in Persons Act (ATPA) includes sentences of only fines, which is not sufficiently stringent and not commensurate with penalties for other serious crimes, such as rape. However, the government's national anti-trafficking taskforce, which resumed activities in May 2015, approved a national action plan on trafficking in persons and began implementing a monitoring and reporting framework and national referral mechanisms for protecting and assisting trafficking victims. The government also finalized a trafficking in persons database and began reviewing the ATPA, with a view to raising penalties for trafficking offenses. During the reporting period, the government prosecuted six trafficking cases. The government also met with representatives of an international organization and the Government of Kuwait to discuss procedures for repatriating 40 Sierra Leonean women who had been subjected to trafficking in previous years to Kuwait and Lebanon, and repatriated nine women subjected to forced labor in Kuwait during the last reporting period.

RECOMMENDATIONS FOR SIERRA LEONE:

Increase efforts to prosecute trafficking offenses and convict and punish trafficking offenders using the ATPA; continue efforts to review and strengthen the ATPA, to include amending the law to restrict the ability of judges to make a person convicted of trafficking liable to a fine in lieu of prison time; in collaboration with civil society organizations, train police and prosecutors to identify, investigate, and prosecute trafficking cases; sufficiently fund anti-trafficking activities in the national budget and begin allocating funds to relevant entities, such as the national anti-trafficking taskforce, to assist in implementing the national action plan on combating trafficking in persons; train law enforcement officers and social workers to identify trafficking victims proactively among vulnerable populations, such as women in prostitution, unaccompanied minors, or undocumented migrants, and provide victims with protective services; improve coordination among government agencies responsible for combating trafficking in persons; increase partnerships with NGOs providing assistance to trafficking victims and support their efforts either financially or through in-kind support; continue to improve efforts to collect data on anti-trafficking law enforcement and victim assistance efforts; in collaboration with civil society organizations, increase efforts to raise public awareness about the dangers of trafficking, including adult trafficking; and take steps to address procedural delays in trafficking cases, which place undue burden on victims and often result in prosecutors dropping criminal charges against alleged offenders.

PROSECUTION

The government modestly increased its anti-trafficking law enforcement efforts. The ATPA prohibits all forms of human

trafficking and prescribes a maximum penalty of 10 years' imprisonment or a fine of 50 million leones ($6,000) for both sex and labor trafficking offenses. The ATPA's provision allowing convicted traffickers to be sentenced to just a fine provides for a penalty that is insufficiently stringent and not commensurate with the penalties for other serious crimes, such as rape. The government's national anti-trafficking taskforce reviewed the ATPA with an aim to revise the law, including by strengthening penalties for the trafficking of adults. The Sexual Offenses Act of 2012 prohibits child sex trafficking, prescribing penalties of a maximum of 15 years' imprisonment without the option of a fine, and requires the police to assist victims after receipt of a trafficking complaint and protect vulnerable witnesses.

During the reporting period, the government reported 54 investigations, six prosecutions, and no convictions of traffickers, compared with 21 investigations, one prosecution, and no convictions reported during the previous reporting period. Judicial inefficiency and procedural delays required victims to travel frequently to the capital for court appearances, which was difficult and costly; as a result, the vast majority of trafficking cases were not prosecuted. In addition, some victims were unwilling to testify. Rather than pursue cases in court, the government allowed some trafficking cases to be settled through mediation. Data collection remained weak, particularly within the judiciary; therefore, the Ministry of Justice was unable to provide comprehensive law enforcement statistics. The government did not report whether it provided training for police, prosecutors, or other law enforcement officials on trafficking in persons during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period; however, corruption, particularly within the judiciary, remained a problem.

PROTECTION

The government sustained modest efforts to protect trafficking victims. Although the government did not gather comprehensive victim identification data, it reported the identification of 65 new trafficking victims during the reporting period; the majority of victims were women. NGOs assisted 85 trafficking victims (including nine whom they continued to assist from the previous reporting period), 65 new victims referred by the government, and 11 victims referred by other entities during the reporting period. In October 2015, the government requested from the Government of Lebanon the repatriation of two Sierra Leonean female domestic workers it believed were subjected to trafficking in Lebanon. The women remained in Lebanon at the conclusion of the reporting period. The government also worked to repatriate 40 Sierra Leonean women who had been subjected to trafficking in previous years in Kuwait and Lebanon and worked with an international organization and the Government of Kuwait to repatriate nine women subjected to forced labor in Kuwait during the last reporting period. There are no state-run shelters for trafficking victims and the government did not provide funding to any NGO shelters for their assistance to trafficking victims. However, government social workers and prosecutors continued to provide psycho-social services and legal representation to victims residing in NGO-run shelters. During the reporting period, the government and NGO partners began to use a national referral mechanism for trafficking victims adopted during the last reporting period. The law provides alternatives to removal to countries in which victims would face retribution or hardship, including temporary residency; however, no cases were identified during the reporting period whereby victims could benefit from this provision. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government sustained modest efforts to prevent trafficking. During the reporting period, government personnel who would otherwise focus on trafficking issues were seconded to assist in Ebola response and recovery efforts. Nonetheless, the government included awareness-raising about trafficking in persons in its nationwide programs to sensitize local communities about Ebola. The national anti-trafficking taskforce approved and implemented, as of August 2015, the national action plan on combating trafficking in persons. In an effort to expand protections for migrant laborers, including foreign workers employed in Sierra Leone and Sierra Leoneans going abroad, the Ministry of Labor and Employment continued to conduct investigations of all recruitment agencies and implemented strict licensing procedures; during the last reporting period, the government banned the use of recruitment fees and prohibited foreign nationals from operating recruitment agencies within the country.

As a result of a government investigation in June 2014, the government publicly declared a recruitment agency to be disreputable for engaging in fraudulent transactions with persons seeking to obtain jobs in other countries, and shut down the company. The government continued investigating the company during the current reporting period. The government did not provide anti-trafficking training for its diplomatic personnel. The government took no discernible efforts to reduce the demand for commercial sex or forced labor during the reporting period.

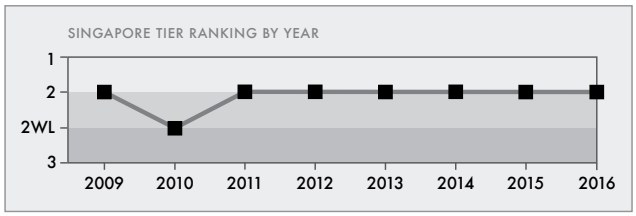
SINGAPORE: Tier 2

Singapore is a destination country for men, women, and girls from other Asian countries subjected to sex trafficking and forced labor, and a transit country for Cambodian and Filipino men subjected to forced labor on fishing vessels that transit through Singapore or its territorial waters. Some of the 1.37 million foreign workers that comprise approximately one-third of Singapore's total labor force are vulnerable to trafficking; most victims migrate willingly for work in construction, domestic service, performing arts, manufacturing, the service industry, or in the commercial sex industry. NGOs report an increase in domestic workers from Cambodia and Burma, many of whom experience language barriers and lack access to mobile phones, increasing their isolation and vulnerability to trafficking. NGO-released research found that some domestic workers in Singapore experience conditions indicative of forced labor including restriction on their movement and communications; verbal, physical, or sexual threats and abuse; and lack of a weekly day off of work (though the latter is legally required). In September 2014, the Burmese government imposed a ban on legal emigration to Singapore for domestic work, citing concerns of abuse and non-payment of wages. Although Singapore law limits agency fees, many foreign workers assume large debts to recruitment agencies in both Singapore and their home countries, making them vulnerable to forced labor, including debt bondage. Victims are also compelled into sex or labor exploitation through illegal withholding of their pay, threats of forced repatriation without pay, restrictions on movement,

and physical and sexual abuse. Passport confiscation, although illegal, remains a widespread and largely accepted practice; research conducted by the government in 2014 found six out of 10 foreign work permit holders did not possess their passports and work permits. Foreign workers have credible fears of losing their work visas and being deported, since employers have the ability to repatriate workers legally at any time during their contracts with minimal notice. Unscrupulous employers exploit the non-transferability of low-skilled work visas to control or manipulate workers. Some employers in Singapore rely on repatriation companies to seize, confine, and escort foreign workers to the airport for departure from Singapore, including through the use of assaults, threats, and coercion, to prevent them from complaining about abuses to authorities.

Foreign women sometimes enter Singapore with the intention of engaging in prostitution but are subjected to forced prostitution under the threat of serious harm, including financial harm, or other forms of coercion. Child sex trafficking involving both foreign and Singaporean boys and girls occurs in Singapore, and there have been cases of Singaporean men engaging in child sex tourism in other countries. Men are subjected to forced labor on long-haul fishing vessels that depart from Singapore or dock in Singaporean ports; some agencies in Singapore use deceptive tactics to recruit Filipino and Cambodian men for this work. Some foreign seamen reportedly suffer severe abuse by fishing boat captains, the inability to disembark from their vessels—sometimes for years—the inability to terminate their contracts, and non-payment of wages. Some of these men transit Singapore before embarking onto vessels from ports in other countries.

The Government of Singapore does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased training for front-line law enforcement officers and obtained its first conviction under the 2015 anti-trafficking law. In that case, the convicted sex trafficker received a stringent sentence of six years and three months' imprisonment and a fine of 30,000 Singaporean dollars ($22,400). Authorities initiated one additional child sex trafficking prosecution, and 11 other suspects remained under investigation—including one for labor trafficking offenses. Singapore has never convicted a labor trafficker. The government expanded some assistance to victims through government programs for vulnerable groups, but did not ensure all victims systematically received protection. The government launched a new national approach against trafficking in persons to follow on the work completed under its national action plan, which was completed in 2015. Singapore acceded to the 2000 UN TIP Protocol in September 2015.



RECOMMENDATIONS FOR SINGAPORE:

Using the 2015 anti-trafficking law, increase investigations and prosecutions of trafficking offenses, including debt bondage, and convictions and punishments of both sex and labor traffickers; increase specialized training for officials on use of the new law to identify victims and investigate cases, with a focus on identifying non-physical forms of coercion; increase resources for investigative and prosecutorial training on human trafficking for Ministry of Manpower officials who handle labor violations; dedicate a budget for specialized trafficking victim protection, develop formal policies to ensure all victims receive robust protections, and provide increased funding to non-governmental shelters assisting potential victims; improve victim identification procedures, with a focus on psychological coercion, to ensure victims are not punished for acts committed as a result of being subjected to trafficking; provide all victims incentives to participate in investigations and prosecutions, including through legal assistance to seek compensation and temporary employment passes, transparent communication with service providers during the duration of court cases, and a victim-centered approach to law enforcement efforts; expand cooperation with and funding to NGOs, particularly in victim protection and support; and increase awareness campaigns to encourage public support of anti-trafficking efforts.

PROSECUTION

The government achieved the first conviction under its trafficking law, but overall trafficking prosecutions and convictions remained limited. The Prevention of Human Trafficking Act prohibits all forms of human trafficking and prescribes penalties of up to 10 years' imprisonment and fines up to 100,000 Singapore dollars ($75,700), which are sufficiently stringent and commensurate with those prescribed for other serious crimes. In addition, article 140 of the Women's Charter prohibits forced prostitution involving detention or physical force and article 141 prohibits the movement of women and girls for "trafficking" but does not define the term. Penalties prescribed for sex trafficking offenses in the Women's Charter include a maximum of five years' imprisonment, which are sufficiently stringent but not commensurate with other serious crimes.

In 2015, authorities investigated 50 potential sex trafficking cases, four of which, involving 12 suspects, were substantiated as trafficking cases; 26 cases were dismissed without further action; and 20 cases involving 15 suspects were investigated for other offenses. Among the cases positively identified as sex trafficking, the courts prosecuted and convicted one suspect for child sex trafficking under the new trafficking law; the suspect was sentenced to six years and three months' imprisonment and a fine of 30,000 Singaporean dollars ($22,400). One additional suspect was charged under the trafficking law for child sex trafficking and is pending court proceedings, and 10 other suspects remain under investigation for violation of the trafficking law. Authorities investigated 55 potential labor trafficking cases; one case remains under investigation for violation of the anti-trafficking law, and the others were addressed as employment-related complaints or dismissed. The government initiated prosecution of a Singaporean couple who allegedly starved a domestic worker, forced her to work excessive hours, and restricted her access to communication under the Employment of Foreign Manpower Act (EFMA) for a lesser offense which carries a maximum punishment of a one-year prison term or the option of a fine; the couple pled guilty and had not been sentenced by the close of the reporting period. Labor trafficking charges were dismissed in four cases initiated in the previous year; officials pursued lesser offenses under the EFMA. In comparison, the government prosecuted 11 suspects and did not convict any traffickers in 2014. The government incorporated anti-trafficking materials into its routine training for front-line police and Ministry of Manpower enforcement officers. However, authorities continued to face

challenges in identifying and building evidence in trafficking cases, particularly labor trafficking. Singapore has never obtained a labor trafficking conviction. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking.

PROTECTION

The government continued limited efforts to protect victims, but victim identification was sometimes ineffective and services were provided only on a case-by-case basis. Police and labor officials had standard operating procedures for identifying victims, and the government had a victim referral process among government officials, civil society organizations, and foreign embassies. The total number of victims identified or provided services in 2015 is unknown; there were 34 potential victims in sex trafficking cases investigated by authorities and 94 in potential labor trafficking cases investigated. Of these, the government officially recognized seven as sex trafficking victims (six girls and one boy) and seven as labor trafficking victims (seven adults). The government and NGOs often disagreed as to whether specific cases amounted to trafficking. Local NGOs reported officials failed to recognize key indicators of trafficking when interviewing potential victims, particularly in cases where individuals were compelled into sex or labor exploitation through psychological coercion or debt bondage—rather than physical confinement—or among individuals who initially consented to migrate for work in a specific sector and were subsequently subjected to trafficking in that sector (including the commercial sex industry). Officials reportedly faced difficulty in legally substantiating cases of domestic servitude—even when physical abuse, restriction of movement, withholding of wages, or document confiscation were present.

Authorities had the discretion to provide services on a case-by-case basis; there were no formal policies ensuring victims' access to services, and not all victims received the same level of protection. The 2014 trafficking law mandates some protections for child victims, including access to shelter and a requirement that their testimony be held via videoconference. Government-provided benefits could include shelter, medical services, counseling, interpretation, and temporary work permits. NGOs report that counseling, medical, and interpretation services provided by the government were not always sufficient. The government provides funding and oversight to 22 shelters serving vulnerable children, and six shelters for adults. Some victims—including those the government did not formally acknowledge as victims—received shelter and services from NGOs that did not receive support from the government or shelters maintained by foreign embassies. The government granted an increasing number of victims special passes or work permits that allowed them to temporarily live or work legally in Singapore. Although access to this benefit is not guaranteed, NGOs report the majority of victims recognized by the government could obtain work permits under Singapore's Temporary Job Scheme. The Seafarers' Welfare Centre, run by NGOs with cooperation from the government, provided basic humanitarian assistance to distressed fishermen, including potential trafficking victims, or referred them to their respective embassies. The government reported such victims would be eligible to receive special passes to temporarily remain in Singapore legally and receive government services, though no such victims were identified or assisted during the reporting period.

The government reported a policy not to punish victims for crimes committed as a direct result of being subjected to trafficking, although it was not clear there was a legal basis in Singaporean law on which victims could rely. According to NGOs and foreign embassies, inadequate victim identification resulted in the possibility that trafficking victims were among the individuals arrested and penalized for prostitution violations. The government offered limited assistance for some victims participating in investigations and prosecutions of trafficking offenses, but many victims declined participation. Some victims reportedly did not wish to file official complaints with authorities for fear of losing work permits or being forced to remain in the country and participate in a prosecution. The lack of overall incentives for victims to remain in Singapore and participate in court cases interfered with the success of law enforcement efforts to address trafficking. NGOs and foreign embassies reported coordination between public and private stakeholders has improved, but the government's lack of detailed feedback regarding ongoing cases remained a problem and interfered with service providers' ability to assist victims. The government did not provide long-term alternatives to removal to countries where victims may face hardship or retribution.

PREVENTION

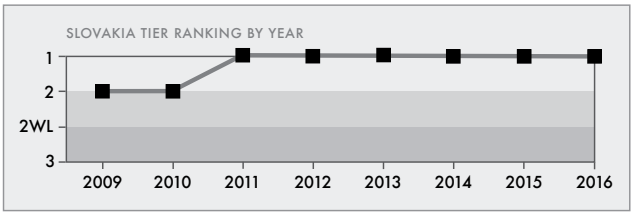
The government continued efforts to prevent trafficking. The government's interagency taskforce completed implementation of Singapore's national action plan and developed a new national approach against trafficking in persons—a strategy to guide its efforts following completion of the national action plan—which it launched in March 2016. The taskforce increased collaboration with U.S. government enforcement agencies and sought out and funded specialized training, including a high-level visit to the United States to study victim-centered approaches, which they subsequently incorporated into their local training. The taskforce conducted campaigns through social media, newspapers, television, posters, and other outreach materials to educate workers on their rights, raise public awareness of trafficking, and publicize efforts to punish employers for trafficking-related violations. The government took law enforcement action against employers for workplace violations and investigated and imposed fines on some unlicensed employment agencies or for committed other illegal practices that could facilitate trafficking. NGOs report that some agencies still commited such acts, such as contract switching and charging workers fees over the legal limit. The government provided anti-trafficking training for its diplomatic personnel. The government made efforts to reduce the demand for commercial sex acts and forced labor. Singapore acceded to the 2000 UN TIP Protocol in September 2015.

SLOVAKIA: Tier 1

The Slovak Republic, or Slovakia, is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Slovak men and women are subjected to forced labor in agriculture and construction in Western Europe, primarily in the United Kingdom (UK). Most victims are Slovak women, who are subjected to sex trafficking in Germany, Austria, the UK, Ireland, Switzerland, Poland, and other European countries. Ukrainian, Moldovan, Bulgarian, Romanian, Thai, and Vietnamese men and women are subjected to forced labor in Slovakia. Eastern European women are also reportedly transported to and through Slovakia and forced into prostitution within the country and throughout Europe. Roma from marginalized communities are disproportionately vulnerable to trafficking. Slovak children of Romani descent are

subjected to sex trafficking within marginalized communities in the Slovak Republic and forced criminal behavior in the UK. Slovak men, women, and children of Romani descent are subjected to forced begging throughout Western Europe. Children without family or relevant support structures who leave institutional care facilities are subjected to sex and labor trafficking.

The Government of the Slovak Republic fully meets the minimum standards for the elimination of trafficking. The government increased investigations, prosecutions, and convictions of traffickers; however, courts issued low and suspended sentences for most convicted traffickers, which were incommensurate with the seriousness of the crime and failed to deter trafficking offenses or protect victims. The government increased funding for victim services, but identified fewer victims than in the previous reporting period. The government continued to struggle to identify foreign trafficking victims, with NGOs reporting that the government did not identify potential victims among migrants because they did not adequately screen them and encouraged them to take advantage of assisted voluntary return. Legal support to victims was inadequate, and victims who cooperated with prosecution were at risk of re-traumatization. The government supported some innovative prevention activities, but NGOs continued to report challenges with effective participation in the expert working group.



RECOMMENDATIONS FOR SLOVAKIA:

Vigorously investigate, prosecute, and convict traffickers, and sentence those convicted to jail terms; strengthen training and capacity building for investigators, prosecutors, and judges on a victim-centered approach to law enforcement efforts; establish sentencing guidelines that sensitize judges to the severity of trafficking crimes and instruct them on the need for sentences to have a deterrent effect for future crimes; establish formal written procedures for victim referral; improve legal assistance to victims; train government officials, particularly border police, on proactive victim identification among vulnerable groups; facilitate better consultation with NGOs in the expert working group; amend the law to formally prohibit the prosecution of trafficking victims for offenses committed as a result of being subjected to trafficking; improve data gathering on Slovak victims of trafficking abroad; and support an effective and independent national anti-trafficking rapporteur to produce assessments of government anti-trafficking efforts.

PROSECUTION

The government maintained efforts to prosecute and convict traffickers, but short and suspended sentences remained a serious weakness in its anti-trafficking efforts. There is no comprehensive anti-trafficking law; section 179 of the criminal code prohibits all forms of trafficking and prescribes penalties between four and 25 years' imprisonment for trafficking offenses. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, officials initiated 18 new investigations and prosecutions of 22 defendants, compared with 15 investigations and 18 defendants in 2014. These included eight cases of trafficking for sexual exploitation, eight for sexual exploitation combined with forced marriage; 18 for forced begging; and 12 for forced labor; victims were in some cases subjected to multiple forms of exploitation. Authorities prosecuted 17 defendants under article 179 of the criminal code in 2015, including nine plea bargains, compared with 18 in 2014. Courts convicted 21 traffickers during the reporting period, compared with 19 in 2014, 14 of whom were convicted under paragraph 179 of the criminal code. Of these 14 convictions, one sentence resulted in a prison sentence of 16 months. The 13 remaining convictions resulted in suspended prison sentences; eight traffickers received suspended sentences of three years' imprisonment and five received suspended sentences of two years' imprisonment. Seven traffickers were convicted under paragraph 246 of the former criminal code for sex trafficking offenses committed before 2005; of these, five traffickers received sentences of three years' imprisonment and two traffickers received suspended sentences of two years' imprisonment.

The Irregular Migration Unit within the Bureau of Border and Alien Police (BBAP) coordinated law enforcement efforts. NGOs commended the head of the trafficking unit within BBAP for promptly and proactively investigating suspected trafficking and for facilitating improved referral of cases to specialized police officers. Experts believed law enforcement in some cases placed too much emphasis on victim testimony and made insufficient attempts to secure other types of evidence. The Irregular Migration Unit continued to be involved in a joint investigation team with UK police that resulted in the conviction of six traffickers in UK courts, with sentences ranging from 11 months to four years. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. The interior ministry provided the first trafficking training for judges and prosecutors at the Judicial Academy, but no NGOs received details on the training content.

PROTECTION

The government demonstrated mixed efforts to protect trafficking victims. In 2015, the government identified 25 victims and NGOs identified three additional trafficking victims, a decrease from the 41 victims identified by the government and civil society in 2014. Of these 28, 21 victims of trafficking and four victims of trafficking and forced marriage entered the government-funded victim care program in 2015, compared with 34 in 2014. In 2015, the government allocated 307,927 euros ($350,700) for the protection of trafficking victims, an increase from 225,100 euros ($256,400) in 2014. Of this amount, the government provided 212,927 euros ($242,500) to three NGOs to provide victim services, including repatriation assistance, in comparison with 145,661 euros ($165,900) allocated in 2014. The government did not have a unified system to refer identified victims to protection services, but some government institutions had procedures to refer victims to the National Coordinator or care facilities. NGOs have criticized the government's victim care program for placing too high a burden of proof on the victim and allowing too much discretion by law enforcement, which decides whether a potential victim can enroll in the program. A trial court ruled that the government's decision not to enroll a suspected victim into the victim care program required justification, indicating the government's process to recognize victims and enroll them in its victim care program included unnecessary barriers. The case remains pending on appeal. NGOs provided victims shelter and care services,

including financial support, repatriation to Slovakia, healthcare, and psycho-social support. Shelters for domestic violence victims accommodated trafficking victims, but housed them separately. Child trafficking victims could be accommodated in government-run children's homes or an NGO-run crisis home for children; no children entered into the care program in 2015. NGOs noted that Slovak police may lack the capacity to effectively supervise victims during investigations, particularly Romani victims in marginalized communities, who often return to the same environments in which they were subject to trafficking. NGOs deemed the legal advice available to victims insufficient; at least two victims received legal assistance from an NGO during the reporting period.

The Slovak Embassy in London did not report potential Slovak victims in 2015, compared with 151 in 2014. An international organization reported a potential Slovak minor victim of trafficking and forced marriage had been identified in Ireland, and three other Slovak minor victims of sex trafficking destined for Austria, Czech Republic, and Switzerland were identified. These victims either declined to enter the government's victim care program or ceased cooperation with the international organization that provides repatriation assistance, so these numbers were not reflected in the government's official statistics, suggesting a need for the government to improve its tracking of Slovak victims abroad. One foreign victim, who was not subjected to trafficking in Slovakia, was entered into the government's victim care program. The government continued to struggle to identify foreign trafficking victims, with NGOs reporting that it did not properly identify potential victims among migrants or refer them to services because it encouraged them to take advantage of assisted voluntary return. Border police did not always proactively screen migrants for indicators of trafficking, despite having received numerous victim identification trainings. Foreign victims were eligible for up to 180 days of tolerated residency and care support. Slovak law allows foreign victims to seek employment, but other obstacles, such as the length of stay, could prevent them from actually securing employment while participating in an investigation. The tolerated limited-term residency status issued to foreign victims entered into the victim care program may place some victims with existing residency status at a disadvantage. In some circumstances, tolerated residency may be a more limiting form of residency, thus causing some victims to decline enrollment in the program. Limited funding for legal representation impaired foreign victims' ability to justify their cases for temporary residency. The law authorizes the extension of permanent residency to foreign trafficking victims who faced hardship or retribution if returned to their country of origin; however, authorities have issued no such residence permits. Court proceedings were not always sufficiently adapted nor law enforcement professionals sufficiently trained to avoid re-victimization, thus discouraging victims from participating in trafficking investigations. Victims provided testimony multiple times and in close proximity to suspected traffickers during the pre-trial and trial process. The government did not report penalizing victims for unlawful acts committed as a direct result of being subjected to trafficking, although Slovak law does not formally prohibit the prosecution of trafficking victims. Judges did not award damages in the majority of criminal and civil cases, and victims lacked legal support to pursue damage claims. The government did not report cases of victims being awarded compensation.

PREVENTION

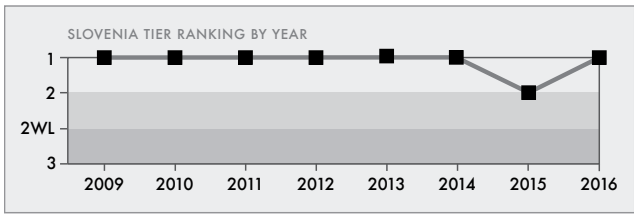
The government maintained efforts to prevent human trafficking. A national program to fight trafficking, covering 2015-2018, continued to guide all government anti-trafficking efforts. The interior ministry's crime prevention office coordinated the government's anti-trafficking activities, including overseeing victim care services, training officials on victim identification, conducting awareness campaigns, and convening the expert working group, consisting of government and NGO representatives. Some NGOs continued to report challenges with collaboration and transparency in the expert working group. The crime prevention office housed an information center to collect statistics on the government's anti-trafficking efforts, but it had difficulty reconciling data across institutions and did not conduct critical assessments. The government supported training activities for social field workers who work with marginalized communities. In March 2015, the government launched a public awareness campaign that utilized a fake job webpage to advertise lucrative employment offers, reaching 750,000 Slovak-language Facebook users with a prevention message, and during the reporting period launched a website that allows the family of Slovaks traveling abroad for employment to receive alerts should the user cease usual online activity. The government also sponsored a theatre performance that reached 1,300 high school students and an interactive conference for high school students that involved role play with various trafficking situations; financially supported a trafficking-themed film festival organized by NGOs; and funded a second information center in Eastern Slovakia that provides information on the dangers of trafficking for Slovaks traveling abroad for employment purposes. The government continued to support an anti-trafficking hotline operated by an NGO, which received over 200 substantive calls and helped identify and refer one victim to services. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Approximately 500 military personnel eligible to serve in peacekeeping missions abroad received anti-trafficking training. One Slovak soldier was accused of sexual abuse or exploitation while serving as a UN peacekeeper; investigations by UN and Slovak military police, as well as local police, led to no charges being filed. In coordination with an international organization, the government provided anti-trafficking training for its diplomatic personnel.

SLOVENIA: Tier 1

Slovenia is a destination, transit, and, to a lesser extent, a source country for women and children subjected to sex trafficking and for men, women, and children subjected to forced labor and forced begging. Men from Bosnia and Herzegovina, Romania, Serbia, Slovakia, Slovenia, and Ukraine are forced to beg and labor in the construction sector. Sometimes these persons transit through Slovenia to Italy, Austria, and Germany, where they are subsequently subjected to forced labor. Women and children from Slovenia, as well as other European countries and the Dominican Republic, are subjected to sex trafficking within the country. Migrant workers and ethnic Roma are particularly vulnerable to trafficking in Slovenia.

The Government of Slovenia fully meets the minimum standards for the elimination of trafficking. During the reporting period, authorities vigorously prosecuted and obtained convictions of five traffickers, an increase from none the previous year. The government provided training for law enforcement officials, who identified more victims in 2015. The government sustained funding for NGOs that provided assistance to victims and ran awareness campaigns. The inter-ministerial working group and

national coordinator continued to lead the implementation of a new national action plan, which included training of law enforcement, consular officers, and other personnel during the year. Authorities, however, did not address bureaucratic obstacles that inhibited victims from obtaining restitution from their traffickers.



RECOMMENDATIONS FOR SLOVENIA:

Vigorously investigate and prosecute sex and labor trafficking offenses, and convict traffickers under the trafficking in persons law with sentences that reflect the severity of their crime; increase efforts to identify victims of both sex and labor trafficking among vulnerable populations, including individuals in prostitution, dancers in nightclubs, foreign migrant workers, unaccompanied children, and children in begging; provide adequate funding to the national coordinator's office; increase efforts to facilitate victims' access to compensation, such as through court-ordered restitution from convicted traffickers; continue to strengthen specialized training for investigators, prosecutors, and judges in applying the human trafficking statute; provide proper and safe facilities to assist child victims of trafficking; continue prevention outreach to vulnerable populations, such as Roma; and continue to raise awareness of forced labor and sex trafficking among the general public.

PROSECUTION

The government demonstrated improved law enforcement efforts. Article 113 of the criminal code prohibits all forms of trafficking and prescribes penalties ranging from one to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government conducted six trafficking investigations in 2015, compared with 11 in 2014. Authorities initiated or continued prosecutions of 23 defendants under article 113, compared with six initiated prosecutions in 2014. The government convicted three traffickers under article 113 in 2015, compared with zero in 2014. The convicted traffickers received prison sentences of 13 months to 37 months. Following appeals, authorities also issued final convictions for two additional traffickers under a former statute of the criminal code covering trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Slovenian law enforcement cooperated with Serbia in at least one trafficking case. In February 2016, the government trained 43 police investigators, as well as prosecutors, judges, labor inspectors, and tax inspectors, on trafficking.

PROTECTION

The government demonstrated progress in victim protection efforts. The government allocated 85,000 euros ($92,500) for victim protection, the same amount as in 2014. The government identified 47 sex trafficking victims in 2015, compared with 36 trafficking victims in 2014, and referred all 47 to care services; and seven of these victims received shelter in a government-funded, NGO-operated safe house or crisis accommodation. NGOs identified an additional 28 potential trafficking victims in 2015. GRETA previously reported Slovenian authorities' efforts to identify victims focused on women subjected to sex trafficking and noted authorities should increase attention to labor trafficking generally, as well as trafficking among unaccompanied children. Experts noted more training was needed for health care providers and social workers. The government funded two NGOs that provided services for adult trafficking victims and assisted 75 potential victims in 2015, compared with 43 in 2014. The government did not have specific facilities for unaccompanied child trafficking victims. All foreign victims are allowed a 90-day reflection period to reside legally in Slovenia while recovering and considering whether to participate in an investigation. During this time, they are eligible to stay in crisis accommodation for up to 30 days, after which victims from non-EU countries can elect to stay in safe accommodation for an additional three-month period, regardless of whether they cooperate with law enforcement. In cases of participation in pre-trial and criminal proceedings, foreign victims could receive a temporary residence permit for the duration of the legal proceedings and could receive additional services, including long-term accommodation. In 2015, two victims, including one Slovenian, cooperated with law enforcement on trafficking cases, compared with four in 2014. The foreign victim received a temporary residence permit. No victims sought restitution in 2015; GRETA previously reported no victims have ever received compensation from their traffickers. Victims of trafficking were not explicitly listed as eligible for compensation from the state fund for crime victims; the government did not take action to improve victims' access to restitution. There were no reports of victims inappropriately penalized for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government strengthened prevention efforts. The Ministry of Interior's Interdepartmental Working Group (IWG), led by the national coordinator, continued to organize national efforts and produce an annual monitoring report. The working group continued to implement the 2015-2016 action plan, including promoting trafficking-specific training for law enforcement, consular officers, and other personnel most likely to encounter and be able to identify victims. The IWG allocated approximately 20,000 euros ($21,800) for awareness campaigns targeting potential trafficking victims, particularly schoolchildren and migrant workers. In 2015, the government allocated an additional part-time staff member to support the office. The government provided anti-trafficking training for its diplomatic personnel. The government made efforts to reduce the demand for commercial sex and forced labor.

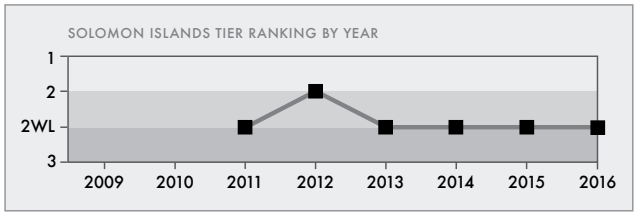
SOLOMON ISLANDS: Tier 2 Watch List

The Solomon Islands is a source, transit, and destination country for local and Southeast Asian men and women subjected to forced labor and forced prostitution, and local children subjected to sex and labor trafficking. Women from China, Indonesia, Malaysia, and the Philippines are recruited for legitimate work, some paying large sums of money in recruitment fees, and upon arrival, are forced into prostitution. Men from Indonesia and Malaysia are recruited to work in

logging and mining industries and some are subsequently subjected to forced labor in industrial camps. Fishing crew members from Indonesia, the Philippines, Vietnam, Sri Lanka, the Democratic People's Republic of Korea, and Fiji have reported situations indicative of human trafficking, including non-payment of wages, severe living conditions, violence, and limited food supply on Taiwan-flagged fishing vessels in the Solomon Islands' territorial waters and ports.

Local children are subjected to sex trafficking and forced labor within the country, sometimes in exchange for money or fish, particularly near foreign logging camps, on foreign and local commercial fishing vessels, and at hotels and entertainment establishments. Some parents receive payments for sending young women and girls into forced marriages with foreign workers at logging and mining companies; some of them are exploited in domestic servitude and prostitution. Local boys and girls are put up for "informal adoption" by their families in order to pay off debts; some are subjected to sexual servitude by the adopted family or guardians, or forced labor as domestic servants. Boys are forced to work as domestic servants and cooks in logging camps.

The Government of the Solomon Islands does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government finalized and published guidelines on the identification, referral, and treatment of transnational trafficking victims, and it allocated funding for implementation of activities outlined in the 2015-2020 national action plan on human trafficking and people smuggling. Authorities identified 15 foreign labor trafficking victims and referred them to organizations to receive temporary shelter. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Solomon Islands is placed on Tier 2 Watch List for a fourth consecutive year. Per the Trafficking Victims Protection Act, Solomon Islands was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards. The government did not provide additional services for trafficking victims or prosecute or convict any traffickers. Authorities did not make efforts to identify victims or investigate cases involving internal trafficking offenses or the forced prostitution of foreign women.



RECOMMENDATIONS FOR THE SOLOMON ISLANDS:

Investigate and prosecute both sex and labor trafficking offenses, and convict and punish traffickers; amend relevant laws to criminally prohibit all forms of human trafficking and to give prosecutors more authority and restrict judges' ability to offer fines in lieu of prison time; continue and increase efforts to identify trafficking victims among foreign workers, including those in the fishing, logging, and mining industries, and adopt and implement proactive procedures to identify victims of sex trafficking and internal trafficking; increase government support for victim services, including through the allocation of funding; institute a campaign to raise public awareness of human trafficking; provide training for immigration officials, law enforcement officers, and social service providers, including at the provincial level; implement the draft national action plan for combating trafficking in persons; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government demonstrated limited progress in anti-trafficking law enforcement efforts, but did not prosecute or convict any traffickers. The immigration act prohibits and punishes transnational forms of trafficking in persons and prescribes a penalty of up to five years' imprisonment or a fine of up to 45,000 penalty units ($5,700), or both for the trafficking of adults; it prescribes a penalty of up to 10 years' imprisonment or a fine of up to 90,000 penalty units ($111,500), or both for the trafficking of children. These penalties are not sufficiently stringent, due to the option of paying a fine, and are not commensurate with penalties for other serious offenses, such as rape. The law also prohibits and punishes the withholding of travel or identity documents for the purpose of facilitating human trafficking; the penalty is imprisonment not exceeding two years, a fine of up to 20,000 penalty units ($2,500), or both. During the reporting period, the Ministry of Justice and Legal Affairs Commission updated a draft amendment to the penal code (Sexual Offenses Bill) that, if approved, would define and prohibit some forms of internal trafficking and prescribe sufficiently stringent penalties.

There were no prosecutions or convictions of trafficking offenses. The immigration division led multiagency monitoring and investigation operations at logging companies and, through these efforts, identified two suspected cases of forced labor. Authorities referred one of these cases to the director of public prosecutions; however, prosecutors did not determine by the end of the reporting period whether there is sufficient evidence to move the case to trial. The government hosted trainings on human trafficking, funded and delivered by a foreign donor. Lack of adequate human resources and sufficient expertise in evidence collection continued to hinder effective law enforcement efforts to combat trafficking. The government did not conduct any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government made modest efforts to protect trafficking victims. In December 2015, the government finalized and published guidelines on the identification, referral, and treatment of transnational trafficking victims, although no such procedures existed for internal victims. Through its monitoring and investigation activities of logging companies, the immigration division identified 15 adult male victims from Indonesia and Malaysia exploited in transnational labor trafficking and referred them to international and local organizations to receive temporary accommodation; such effort represents an increase from no victims identified in 2014. A government agency provided temporary accommodation to an unknown number of victims, but the government continued to rely primarily on civil society organizations to provide limited services to victims of human trafficking on an ad hoc basis. NGOs reported providing services to two individuals who may have been victims of internal trafficking. No trafficking-specific services existed in the country.

The government has the authority to provide temporary residence permits—valid for up to three months—to allow foreign victims to assist the police in investigations. Due to lengthy legal processes and a lack of incentives to remain and participate in cases, most identified victims opted to return to their home countries, which hindered prosecutions. The government coordinated the repatriation of 10 victims, and an international organization facilitated the repatriation of four victims. One victim remained in the country; it is unclear whether the government assisted him in obtaining the necessary legal documents to do so. The government reported victims were able to seek compensation from their traffickers through civil suits, although no trafficking victims have ever filed such suits. The law protects trafficking victims from prosecution for crimes committed as a result of being subjected to trafficking, such as illegal entry into the country, illegal residency or procurement, or possession of a false identity document; however, this protection does not extend to victims of trafficking crimes that are not defined in Solomon Islands law. Thus, women in prostitution may have been repeatedly arrested and prosecuted during the year without efforts by officials to determine whether they were trafficking victims.

PREVENTION

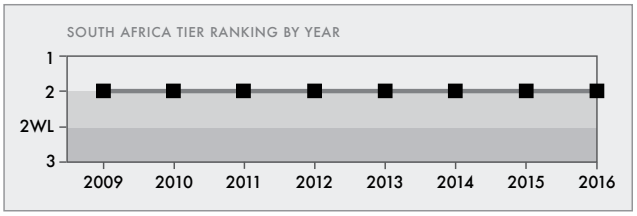
The government increased efforts to prevent trafficking. The Trafficking in Persons Advisory Committee met on a quarterly basis to coordinate anti-trafficking activities, and the government allocated funding for implementation of activities outlined in the 2015-2020 national action plan on human trafficking and people smuggling. In December 2015, authorities conducted a public lecture to raise awareness of human trafficking, with support from an international organization; this marked the first government-organized public awareness event. The government took no action to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. The Solomon Islands is not a party to the 2000 UN TIP Protocol.

SOUTH AFRICA: Tier 2

South Africa is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. South Africans constitute the largest number of victims within the country. South African children are recruited from poor rural areas to urban centers, such as Johannesburg, Cape Town, Durban, and Bloemfontein, where girls are subjected to sex trafficking and domestic servitude and boys are forced to work in street vending, food service, begging, criminal activities, and agriculture. Many children, including those with disabilities, are exploited in forced begging. Non-consensual and illegal *ukuthwala*, the forced marriage of girls as young as 12 to adult men, is practiced in some remote villages in Eastern Cape province, exposing some of these girls to forced labor and sex slavery. Local criminal rings organize child sex trafficking, Russian and Bulgarian crime syndicates operate in the Cape Town sex trade, and Chinese nationals organize the sex trafficking of Asian men and women. Nigerian syndicates dominate the commercial sex trade in several provinces. To a lesser extent, syndicates recruit South African women to Europe and Asia, where some are forced into prostitution, domestic service, or drug smuggling. Law enforcement reported traffickers employ forced drug use to coerce sex trafficking victims.

Thai women remained the largest identified foreign victim group, but officials reported an increased number of Chinese victims. Women and girls from Brazil, Eastern Europe, Asia, and neighboring African countries are recruited for legitimate work in South Africa, where some are subjected to sex trafficking, domestic servitude, or forced labor in the service sector, or taken to Europe for similar purposes. NGOs in Western Cape have reported an increased number of Nigerian sex trafficking victims, many coerced through voodoo rituals, and more Nigerians in domestic servitude. NGOs reported a new trend of Central African women in forced labor in hair salons. Foreign and South African LGBTI persons are subjected to sex trafficking. Foreign male forced labor victims were discovered aboard fishing vessels in South Africa's territorial waters; NGOs estimated 10 to 15 victims of labor trafficking each month disembarked in Cape Town. Young men and boys from neighboring countries migrate to South Africa for farm work; some are subjected to forced labor and subsequently arrested and deported as illegal immigrants. Forced labor is reportedly used in fruit and vegetable farms across South Africa and vineyards in Western Cape province. Government and NGOs report an increase in Pakistanis and Bangladeshis subjected to bonded labor in businesses owned by their co-nationals. Official complicity—including among police—in trafficking crimes remained a serious concern. Some well-known brothels previously identified as locations of sex trafficking continued to operate with officials' tacit acknowledgment.

The Government of South Africa does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In August 2015, the government promulgated the Prevention and Combating of Trafficking in Persons Act (PACOTIP), which criminalizes all forms of human trafficking, mandates a coordinated government program to prevent and combat trafficking, requires consolidated reporting of trafficking statistics, and outlines victim assistance measures. The government developed implementing regulations for PACOTIP, including on victim identification and referral, and began training officials on the law. The government increased law enforcement efforts—convicting 11 traffickers and initiating prosecution of five sex traffickers in 2015 in comparison to three convictions and 19 prosecutions in 2014. The Department of Social Development (DSD) continued its oversight of victim shelters, which assisted 103 victims—a significant increase compared to 41 during the previous reporting year. Officials did not implement procedures to identify trafficking victims among vulnerable groups, including illegal migrants and women in prostitution. The government did not address labor trafficking offenses systematically. A serious lack of capacity and widespread corruption among the police force hindered anti-trafficking law enforcement efforts. The government did not systematically prosecute or convict individuals involved in major international syndicates responsible for much of the sex trafficking in the country.



RECOMMENDATIONS FOR SOUTH AFRICA:

Amend the anti-trafficking law to ensure penalties are sufficiently stringent and restrict the ability of judges to impose fines in

lieu of prison time when sentencing convicted traffickers; increase efforts to investigate, prosecute, and convict traffickers, especially labor traffickers, under PACOTIP; continue to train law enforcement and social service officials to implement PACOTIP and related regulations and hold officials accountable for implementing the training they receive; investigate and prosecute officials suspected of trafficking complicity; verify law enforcement and social service providers use a victim-centered approach when interacting with potential victims and recognize initial consent is irrelevant; prosecute employers who use forced labor; screen vulnerable groups, including potential deportees and women in prostitution, for trafficking indicators; replicate the coordinated anti-trafficking law enforcement and victim referral mechanisms of KwaZulu-Natal (KZN) and Western Cape in all provinces; provide interpreters to assist victims in obtaining care, cooperating with law enforcement, and testifying in court; extend the availability of drug rehabilitation services for trafficking victims; certify or establish additional shelters for male victims; provide anti-trafficking training for diplomatic personnel and troops deployed abroad; and institute formal procedures to compile national statistics on traffickers prosecuted and victims assisted.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. In August 2015, the government promulgated the PACOTIP. PACOTIP prohibits all forms of human trafficking and prescribes punishments ranging from fines to a maximum of five years' to life imprisonment. Articles 4-11 provide a range of penalties for the offence of trafficking in persons depending on the severity of the offence. Article 4(1) establishes the criminal offence of trafficking in persons and sets forth the "acts," "means," and "purpose" according to the general framework for the criminal offense. The most severe penalty prescribed for trafficking is life imprisonment and/or a fine not exceeding R100 million. The penalties for the trafficking offenses are commensurate with those prescribed for other serious crimes, but not sufficiently stringent as the law provides a fine may be imposed in lieu of a prison sentence. The implementing regulations for PACOTIP's immigration provisions covered in Sections 15, 16, and 31(2)(b)(ii) have not been promulgated. The Sexual Offenses Act (SOA) prohibits the sex trafficking of children and adults and prescribes penalties of up to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The Basic Conditions of Employment Act of 1997 (BCEA), amended in 2014, prohibits forced labor and prescribes maximum penalties for forced labor for both children and adults from three to six years imprisonment. The Children's Amendment Act prescribes penalties of five years to life imprisonment or fines for the use, procurement, or offer of a child for slavery, commercial sexual exploitation, or to commit crimes. Authorities sometimes used the Prevention of Organized Crime Act of 1998 in combination with SOA to add additional charges—including money laundering, racketeering, and criminal gang activity—and stiffer penalties against offenders.

The government convicted 11 sex traffickers and initiated prosecutions of five suspected sex traffickers—compared with three convictions and 19 prosecutions in 2014. In 2015, the government sentenced two sex traffickers convicted under section 71 of the SOA to 25 years in prison and a 10,000 rand ($660) fine for one and 16 years for the second. Prosecution of 19 alleged sex traffickers remained ongoing from previous reporting periods. Officials investigated cases involving Nigerian, Thai, and Chinese traffickers, but the government has rarely convicted traffickers connected to international syndicates involving these or Russian or Bulgarian traffickers, who dominate the sex trade in several South African cities. The government did not prosecute or convict any officials allegedly complicit in trafficking offenses.

While the majority of trafficking victims in South Africa are labor trafficking victims, the government did not prosecute or convict any labor traffickers in 2015. The government did not comprehensively monitor or investigate forced child labor or the labor trafficking of adults in the agricultural, mining, construction, and fishing sectors. Department of Labor (DOL) inspectors continued to use BCEA as their core enforcement mechanism and rarely referred cases for criminal investigation. Stakeholders reported the failure of police to proactively identify sex trafficking victims or pursue investigations and noted prosecutors were often unwilling to take difficult cases. NGOs reported some police officers solicited commercial sex acts from victims.

In collaboration with an international organization, the government hosted 15 workshops on human trafficking and PACOTIP and trained 376 law enforcement and social services officials, including from the South African National Defense Force, South African Police Service (SAPS), South African Revenue Services, Department of Health, Department of Agriculture and Fisheries, and Airport Company South Africa. Department of Home Affairs (DHA) and DOL continued to include trainings developed by an international organization within their academy trainings for new staff.

PROTECTION

The government increased efforts to protect victims. DSD continued oversight of and funding to 13 accredited multipurpose shelters, which hosted 103 victims—a significant increase compared with 41 in 2014. DSD continued to oversee 17 NGO-run safe houses designed to temporarily shelter victims before transfer to an accredited shelter, providing a stipend on a per person, per night bases to the safe houses. There was only one shelter, in Gauteng Province, available for male trafficking victims. Some shelters declined to accept trafficking victims because of concerns about the government's ability to provide security. DSD ran a nine-week rehabilitation program to address the psycho-social well-being of victims and paid for victims to receive residential treatment at rehabilitation centers for overcoming drug addiction; however, not all provinces had such centers. The government operated a network of Thuthuzela Care Centers (TCCs)—full service crisis centers to assist victims of rape and sexual violence, including potential trafficking victims; it reported the 53 TCCs assisted five victims of trafficking. Staff prevented both adults and children from leaving shelters unaccompanied, reportedly for security reasons. Rapid-response teams comprised of government agencies and NGOs in Gauteng, Mpumalanga, Western Cape, and KZN Provinces continued to coordinate protective services, including shelter, for victims. DSD, which is responsible for designating and certifying trafficking victim status, continued to accept victims from law enforcement and coordinate their placement in a registered shelter.

SAPS, DSD, National Prosecuting Authority (NPA), DHA, and Department of Justice (DOJ) developed uniform formal procedures to identify and refer trafficking victims to care, in accordance with PACOTIP. Implementation of these procedures varied by department and province; not all officials were

aware of referral procedures. The KZN and Western Cape provincial task teams used an interagency protocol to guide law enforcement interactions with women in prostitution. Law enforcement generally did not screen women and LGBTI persons in prostitution for trafficking indicators, and instead sometimes charged them with prostitution and other violations. Male labor trafficking victims remained largely unidentified and were frequently detained, deported, jailed or fined.

Systemic hurdles inhibited progress in providing justice and protection for victims. A lack of language interpretation impeded the investigation of trafficking cases, prosecution of suspected offenders, and screening of victims. Officials encouraged victims to participate in the investigation and prosecution of traffickers and, at times, provided security and long-term care to foreign victims who did so. PACOTIP provides trafficking victims relief from deportation; however, regulations to implement this provision had not been promulgated. Law enforcement may petition DHA on behalf of foreign victims to prevent their deportation. Law enforcement reported difficulty placing suspected victims in shelters if they failed to provide evidence of force, fraud, or coercion immediately after their rescue; leaving DSD unable to immediately classify persons as victims of trafficking and delaying victims' placement in facilities. Suspected criminals could only be held for 48 hours without evidence, and many traumatized victims were unable or unwilling to provide statements within that time frame, leading to the release of suspected offenders.

PREVENTION

The government sustained efforts to prevent trafficking. The DOJ/victim support directorate supported awareness-raising efforts, including an information kiosk at Johannesburg's international airport for passengers and airport staff on identifying trafficking victims. The government allocated 2.7 million rand ($180,000) to anti-trafficking training and awareness raising during the 2014-2015 fiscal years. NPA and DOJ oversaw six provincial task teams coordinated through the national task team. Various task teams undertook awareness raising; for example, the provincial task teams, led by its Department of Education members, conducted 17 awareness raising sessions in 51 schools, reaching approximately 34,410 primary school students, 1,100 teachers, and 1,200 parents during child protection week. In October, DHA set up roadblocks near border crossing points during human trafficking week where it conducted vehicle spot inspections and distributed anti-trafficking brochures.

Amendments to the 2012 Employment Services Bill, passed in 2013, were enacted on August 9, 2015. Though the bill does not ban labor brokers, it requires DOL to license and regulate private employment agencies and prohibits those agencies from charging fees for their services unless explicitly authorized by the labor minister. The government made efforts to reduce the demand for commercial sex but did not make any efforts to reduce the demand for forced labor. The government did not provide anti-trafficking training to its peacekeepers prior to their deployment abroad on international peacekeeping missions or for its diplomatic personnel.

SOUTH SUDAN: Tier 3

South Sudan is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. South Sudanese women and girls, particularly those from rural areas or who are internally displaced, are vulnerable to domestic servitude in Yei, Bor, Wau, Torit, Nimule, Juba, and elsewhere in the country. Some of these women and girls are sexually abused by male occupants of the household or forced to engage in commercial sex acts. South Sudanese girls, some as young as 10 years old, are subjected to sex trafficking in restaurants, hotels, and brothels in urban centers—at times with the involvement of corrupt law enforcement officials. Child sex trafficking remains a problem. Children working in construction, market vending, shoe shining, car washing, rock breaking, brick making, delivery cart pulling, and begging may be victims of forced labor. Girls as young as 9 years old in Eastern Equatoria are forced into marriages, at times as compensation for inter-clan killings; some may have been subsequently subjected to sexual slavery or domestic servitude.

Women and girls from Uganda, Kenya, Ethiopia, Eritrea, and Democratic Republic of the Congo migrate willingly to South Sudan with the promise of legitimate work and are subjected to sex trafficking. South Sudanese and foreign business owners entice men and women from these countries, as well as South Sudanese women and children, with offers of employment in hotels, restaurants, and construction; many are forced to work for little or no pay or are subjected to sex trafficking. Kenyan and Ugandan children are subjected to domestic servitude and forced labor in construction and street vending in South Sudan. Local civil society organizations reported instances of trafficking continued to increase during the reporting period, which predominantly affected South Sudanese victims as general insecurity and the fast deterioration of the economy led more foreigners to flee the country. Some traffickers may operate in organized networks within the country and across borders. Authorities occasionally assisted traffickers in crossing international borders, and some officials subjected women and girls to domestic servitude; others purchased sex from child trafficking victims, facilitated child sex trafficking, or protected establishments that exploited victims in the sex trade.

Violent conflict continued throughout the year, increasing the number of internally displaced people to nearly 1.7 million and the number of refugees to nearly 830,000. These groups, including orphaned children, were at increased risk of trafficking. The UN Mission in South Sudan (UNMISS) estimated 20,000 unaccompanied minors in refugee camps or moving between camps, particularly while crossing the Kenya-South Sudan and Democratic Republic of the Congo-South Sudan border, were vulnerable to recruitment as child soldiers or abduction for sex or labor trafficking. Inter-ethnic abductions, as well as abductions by external criminal elements, continued between some communities in South Sudan, especially in Jonglei, Unity, and Upper Nile states. In Warrap, Northern Bahr el-Ghazal, and Lakes states abduction was also widespread. Some abductees were subsequently subjected to domestic servitude, forced labor in animal herding, or sex trafficking. South Sudanese girls were reportedly abducted from Northern Bahr el-Ghazal State and taken into Sudan, where they may have been forced into domestic servitude or other forms of slavery, as in previous years. During the North-South civil war, members of the Missiriya and Rizeigat ethnic groups abducted and enslaved thousands of Dinka women and children and a smaller number of Nuban children. Some of those enslaved remained in Sudan with their captors.

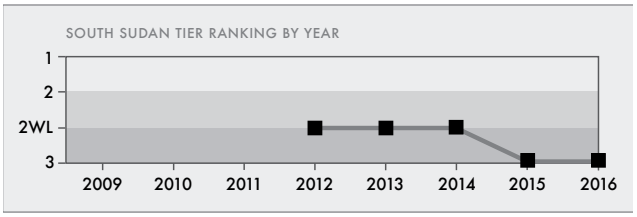
According to the Agreement on the Resolution of the Conflict in South Sudan, signed by the warring parties in August 2015, the Sudan People's Liberation Army (SPLA) and the SPLA in Opposition (SPLA-IO) committed to the immediate and

unconditional release of child soldiers under their command or influence, to be carried out by UNICEF and International Committee of the Red Cross (ICRC). Also in December 2015, both SPLA and SPLA-IO signed or recommitted to action plans with the UN for demobilization of child soldiers and reintegration. However, throughout the reporting period both groups continued to retain and recruit child soldiers, at times by force. SPLA, as well as armed opposition groups in South Sudan, recruited an unknown number of child soldiers, often by force, during the reporting period. Since the start of the conflict in December 2013, the UN estimates warring parties have recruited between 15,000-16,000 child soldiers, most between 15 and 16 years old, but some as young as 9 years old. Multiple sources reported widespread use of children by SPLA and government-allied groups, including on the front-line. An NGO research report released in December 2015, which included interviews with 101 child soldiers, reported one-third of the boys were forcibly and violently recruited: SPLA and opposition groups recruited boys at gunpoint, arrested and detained them until they agreed to fight, or abducted them and gave them a gun, forcing them to fight on the front lines. Boys were seen in military uniforms manning checkpoints and acting as bodyguards for military commanders. In July in Western Bahr el-Ghazal State, observers reported a deployment to an undetermined location of approximately 400 children associated with SPLA; the children were observed being airlifted from Wau airport. In Unity State, SPLA abducted and forcibly recruited large numbers of children who were used as combatants and porters from the start of its offensive in April continuing for several months after. SPLA continued to force girls to marry soldiers; these girls experienced systematic rape tantamount to sexual slavery.

During the reporting period, the UN, in partnership with the National Disarmament, Demobilization, and Reintegration (DDR) Commission, continued the demobilization and reintegration of 1,755 child soldiers released by David Yau Yau, the former militia commander of the South Sudan Democratic Movement/Army's Cobra Faction (SSDM/A-CF), who had approximately 3,000 children under his command when SPLA began to integrate his forces in 2014; integration was ongoing during the reporting period. SPLA agreed on the full integration of Yau Yau and his soldiers on the condition that all child soldiers under his command be demobilized prior to integration; however, approximately 1,200 children remained within the forces previously associated to Yau Yau, now under SPLA during the reporting period. Furthermore, SPLA continued to recruit child soldiers despite the DDR program to release all children associated with the SSDM/A-CF as it integrated with SPLA. In Jonglei State, observers reported 14 boys in military uniform associated with Yau Yau and reported the re-recruitment of seven other boys, separated earlier in 2015, by these integrated forces within SPLA. SPLA-North (SPLM/A-N), a Sudan-based group formerly aligned with SPLA and reportedly continuing to receive support from the South Sudanese government, conducted periodic campaigns in which it forcibly recruited adults and children in refugee sites in South Sudanese territory, including in Yida, Unity State and Maban, Upper Nile State. SPLM/A-N reportedly used child soldiers in Southern Kordofan and Blue Nile states in Sudan to fight against the Sudan Armed Forces and aligned militias. The Lord's Resistance Army (LRA) continued to harbor enslaved South Sudanese children in neighboring countries and exploited them as cooks, porters, combatants, and for sexual slavery.

Child soldiers were also present in large numbers within the SPLA-IO, primarily in the White Army and within groups affiliated with the opposition. In Upper Nile state, recruitment campaigns by elements allied to SPLA-IO continued to take place; observers reported 152 boys were recruited between April and June 2015. During the reporting period, reports also indicated boys were abducted from their houses and schools to fight with the insurgent Arrow Boys—self-defense groups in Western Equatoria originally established to defend communities against the LRA but newly mobilized following mostly ethnic skirmishes between local agriculturalists and Dinka pastoralists supported by fellow Dinkas in SPLA; observers reported local children stopped attending school for fear of abduction. UNMISS received reports that Arrow Boys also recruited child soldiers in refugee camps across the border in the Democratic Republic of the Congo.

The Government of the Republic of South Sudan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Although the government committed to an action plan for the immediate and unconditional release of child soldiers under its command or influence, the government failed to uphold the agreement and implement this plan during the reporting period, as it continued to recruit, often by force, child soldiers. It failed to hold SPLA officers criminally accountable for these unlawful actions and did not investigate or prosecute other trafficking crimes or train law enforcement officials, who possessed little or no awareness of existing laws prohibiting human trafficking. The government did not provide adequate protective services for trafficking victims and continued to indiscriminately arrest and imprison individuals for prostitution, including child sex trafficking victims.



RECOMMENDATIONS FOR SOUTH SUDAN:

Cease all recruitment and use of children younger than 18 years of age by the SPLA and its associated militias; end armament or assistance to armed groups, including local defense groups that conscript and/or use children younger than age of 18 years; pursuant to article 1.10 of the Agreement on the Resolution of the Conflict in South Sudan, undertake the immediate release of child soldiers under command or influence of the SPLA, SPLA-IO and affiliated militias in conjunction with the ICRC and UNICEF for transfer to appropriate civilian rehabilitation and reintegration programs that include educational and vocational training as well as counseling; punish military officials found to be in violation of laws related to recruitment, use, and exploitation of children; investigate and prosecute suspected trafficking offenses, and convict and punish trafficking offenders, including complicit government officials, under existing laws; expedite the establishment of a hybrid court pursuant to the peace agreement or request the International Criminal Court to investigate potential war crimes and crimes against humanity committed during the conflict, including the recruitment and use of child soldiers; provide financial and political support to the SPLA's Child Protection Directorate and the army's Military Justice section, so that they can identify perpetrators and refer cases to civilian courts; appoint new leadership to the Child Protection Directorate to enable thorough investigation of child soldering issues; train law enforcement and judicial officials to recognize trafficking victims among vulnerable groups,

particularly individuals in prostitution and children in street vending, construction, and domestic service; establish and implement procedures to prevent prosecution of trafficking victims for crimes committed as a direct result of being subjected to trafficking; conduct a public awareness campaign to educate government officials and the general public on all forms of human trafficking; develop robust partnership with NGOs so they may provide adequate care to victims; work with NGOs to develop an inventory of service providers, and train government officials on procedures to refer victims to these organizations to receive care; allow unimpeded access to all military barracks, including unannounced inspections by the UN to identify and remove any children; enact the draft labor act to ensure adequate prohibitions of forced labor; form an interagency committee to develop and implement a national anti-trafficking policy; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made no anti-trafficking law enforcement efforts and did not investigate or prosecute government officials complicit in trafficking. South Sudanese law does not prohibit all forms of trafficking, but the penal code of 2008 prohibits some forms of the crime. Article 282 prohibits and prescribes a sufficiently stringent punishment of up to seven years' imprisonment for the sale of a person across international borders. Articles 278 and 279 prohibit and prescribe punishments of up to seven years' imprisonment for the abduction and transfer of control over a person for the purpose of unlawful compulsory labor; the prescribed punishment of up to two years' imprisonment for compulsory labor without aggravating circumstances is not sufficiently stringent. Article 276 criminalizes buying or selling a child for the purpose of prostitution and prescribes a punishment of up to 14 years' imprisonment, which is sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Punishments prescribed in article 254 for procuring a child (up to 10 years' imprisonment) or an adult (up to two years' imprisonment) for the purposes of prostitution are not commensurate with those for rape. Article 258 prescribes punishments of up to 10 years' imprisonment for parents or guardians who cause or allow their child to be involved in the sex trade. South Sudan's Child Act of 2008 prohibits the recruitment and use of children for military or paramilitary activities, and prescribes punishments of up to 10 years' imprisonment for such crimes.

The government reported no investigations, prosecutions, or convictions for trafficking crimes, including offenses allegedly committed by officials, including members of the SPLA and the allied militias. The government has never formally punished an offender for the recruitment and use of child soldiers. In addition to ongoing recruitment of child soldiers by the SPLA and its allied militia, soldiers frequently engaged child sex trafficking victims. SPLA's Directorate for Child Protection, responsible for investigating allegations of child soldiering and headed by a brigadier general, did not investigate any of the numerous instances of child soldiering throughout the country.

Capacity of law enforcement officers in most regions of the country remained limited, and courts often lacked adequate human and physical resources to investigate and prosecute crimes, including human trafficking. Pervasive corruption in the judicial sector, including the use of intimidation and bribery, hindered prosecutions of traffickers. Law enforcement and judicial officials continued to have little or no awareness of South Sudan's laws prohibiting human trafficking and the government did not provide specialized anti-trafficking training to such personnel to rectify this concern during the year. The national legislature did not pass the omnibus labor act, drafted by the Ministry of Labor in 2009 to provide further protections against forced labor.

PROTECTION

The government made minimal efforts to protect trafficking victims and, at times, law enforcement efforts were harmful to victims. The government did not formally identify any trafficking victims and law enforcement continued to indiscriminately arrest individuals in prostitution, including trafficking victims, as there was no process to distinguish or identify potential victims among these or other vulnerable populations. During the reporting period, law enforcement officers arrested 15 girls for prostitution and detained them; an NGO successfully advocated for their release, but the girls did not receive protective services. Multiple sources reported law enforcement made sweeping arrests of women and girls in prostitution in Yei and Juba and often beat and extorted money from the incarcerated women and girls before releasing them. A local NGO, supported by the Ministry of Social Development, the UN, and other international donors, provided protective services for orphaned and adolescent girls, some of whom were trafficking victims. UNICEF, in partnership with the government, continued to demobilize children within the SSDM/A-CF, during the reporting period. UN agencies and NGOs provided temporary shelter to 1,758 child soldiers demobilized by the government, but the government did not provide financial or other support to these organizations.

There were no specialized services available for trafficking victims or for any victims outside Juba. Front-line officers failed to remove trafficking victims from exploitative situations. The government did not provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution or encourage victims to assist in the investigation and prosecution of trafficking crimes. Social stigma and justified fears of punitive law enforcement actions discouraged victims, particularly sex trafficking victims, from communicating with law enforcement authorities. NGO staff observed law enforcement officers stationed at the entries and exits to Juba brothels acting as security. There were no laws or policies to protect victims from prosecution for crimes committed as a direct result of being subjected to trafficking. In previous years, the government arrested foreign victims for lack of proper documentation, though it is unknown if this continued during the reporting period.

PREVENTION

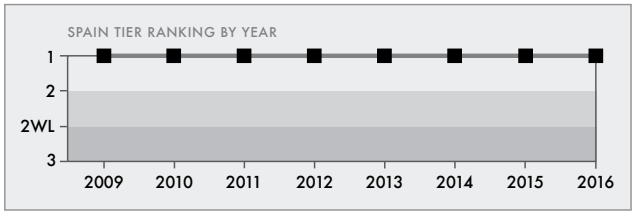
The government made minimal efforts to prevent trafficking. In December 2015, the government agreed to utilize the existing National Aliens Committee to serve as the National Coordination Mechanism on Migration, which will address trafficking issues in the country. The Police Services Act of 2009 designates the South Sudan Police Service as the lead on investigation of potential trafficking crimes and enforcement of the law. The SPLA continued to deny the presence of child soldiers in its ranks, continued to actively recruit child soldiers, at times by force, and failed to implement the action plan to demobilize child soldiers. The government did not have a national action plan against trafficking and trafficking awareness remained low among government officials and the public. The government did not conduct any anti-trafficking awareness campaigns or partner with civil society to do so. Authorities

took no known steps during the reporting period to address the labor exploitation of South Sudanese nationals working abroad or foreign nationals within South Sudan. The government had memoranda of understanding with Kenya, Rwanda, Ethiopia, and Uganda to facilitate information exchanges, including on human trafficking. The government made no discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel. South Sudan is not a party to the 2000 UN TIP Protocol.

SPAIN: Tier 1

Spain is a destination, source, and transit country for men, women, and children subjected to forced labor and sex trafficking. Women from Eastern Europe (particularly Romania, Bulgaria, Ukraine, and Russia), South America (particularly Paraguay, Brazil, Colombia, and Ecuador), China, and Nigeria are subjected to sex trafficking in Spain. Men and women from China, India, and Pakistan are subjected to forced labor in the domestic service, textile, agricultural, construction, industrial, and service sectors. Victims are recruited by false promises of employment in the service industry or agriculture and forced into prostitution and debt bondage upon their arrival to Spain. Traffickers also lure some victims from within Spain and other regions of the EU. A large percentage of individuals in prostitution in Spain are believed to be victims of human trafficking. Many women in prostitution in Spain are held under the control of Nigerian, Romanian, and Spanish trafficking networks that operate out of major cities in Spain, though victims are increasingly subjected to trafficking by individuals and smaller groups of traffickers. Unaccompanied migrant children in Spain continue to be vulnerable to sex trafficking and forced begging. Police and other officials have been investigated, charged, and convicted for complicity in human trafficking crimes.

The Government of Spain fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government prosecuted and convicted fewer traffickers than in 2014, while the number of ongoing investigations increased. Law enforcement efforts continued to focus on sex trafficking, but increased attention to labor trafficking resulted in more victims identified. The number and proportion of trafficking prosecutions involving forced labor was higher in 2015 than in previous years (15 of 45 defendants prosecuted in 2015 were for labor trafficking, compared with six defendants in both 2013 and 2014). The government identified more trafficking victims, maintained funding for victim assistance and law enforcement efforts, and cooperated closely with NGOs on victim identification and referral to services. The government updated its national anti-trafficking action plan and increased public awareness campaigns aimed at preventing trafficking.



RECOMMENDATIONS FOR SPAIN:

Increase prosecutions and convictions of trafficking offenses, particularly for forced labor; establish specialized services for men and labor trafficking victims; increase training on proactive victim identification, in particular among women in prostitution, irregular migrants, unaccompanied minors, and workers in industries and agricultural regions with high incidences of labor exploitation; ensure victims who do not testify against perpetrators are not detained or deported; train all prosecutors and judges on a victim-centered approach to law enforcement, not just those specializing in trafficking cases; establish national procedures for proactive identification of child victims and ensure coordination between prosecutors and child protective services to avoid re-victimization; continue to prosecute and punish government officials complicit in trafficking; and conduct awareness campaigns on forced labor.

PROSECUTION

The government maintained strong law enforcement efforts in 2015. Article 177 of the criminal code prohibits all forms of both sex and labor trafficking and prescribes penalties from five to eight years' imprisonment, which are sufficiently stringent and commensurate with the prescribed penalties for other serious crimes, such as rape. The government updated its criminal code in March 2015 to include trafficking for the purpose of the commission of crimes as a punishable form of trafficking in persons. The impact of this change was evident in the May 2015 arrest of 48 members of a Serbian trafficking ring that kidnapped and bought women as young as 13 and forced them to commit crimes. As of December 2015, the Office of the Prosecutor was investigating 344 cases for sexual or labor exploitation, an increase from 293 cases under investigation as of December 2014. The government initiated prosecutions of 30 defendants for sex trafficking and 15 for labor trafficking in 2015, compared with 98 and six, respectively, in 2014. Courts convicted 58 traffickers in 2015, a slight decrease from 62 in 2014, with 56 for sex trafficking and two for labor trafficking (compared with 60 for sex trafficking and two for labor trafficking in 2014). While the government did not provide comprehensive sentencing data, it sentenced the leader of a sex trafficking ring to 44 years in prison and gave 13 other members of the network prison sentences ranging from one to 31 years' imprisonment. Two individuals convicted of child sex trafficking received sentences of 11 years' imprisonment. In a separate case, a trafficker was sentenced to 11 years in prison for the sex trafficking of a woman. The government did not report any new investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government provided specialized training on trafficking to law enforcement officials developed with input from NGOs. In 2015, the government trained 110 police and civil servants in rural areas.

PROTECTION

The government sustained strong protection efforts. Authorities reported identifying 169 trafficking victims in 2015, an increase from 153 in 2014; of the 169, 65 were reported victims of sex trafficking and 104 of labor trafficking. The government maintained funding levels equal to those of the prior year, allocating 4.9 million euros ($5.6 million) for trafficking victims across ministries, including 2 million euros ($2.3 million) for NGOs providing services and shelter to victims. Since 2013, the government has used a victim identification protocol developed with NGO input. NGOs reported good cooperation with law enforcement in the identification and referral of victims, including NGO participation in raids on brothels and locations where victims may have been present.

The government provided free health care, legal assistance, social welfare benefits, and funds for repatriation to trafficking victims, but also referred some victims to NGOs for care. A network of anti-trafficking NGOs ran most facilities with funding from both the government and private sources. NGOs provided victims temporary shelter and access to legal, medical, and psychological services. One NGO assisted 113 victims in 2015, some of whom were referred to the organization by government institutions and security forces. Another NGO in Catalonia assisted 189 victims, nearly half of whom were referred by law enforcement agencies in accordance with a cooperative agreement. Specialized centers for child victims of crime and seven trafficking shelters—all NGO-run—were available to assist child trafficking victims. Two multipurpose, NGO-run shelters were available specifically for adult male victims.

In April 2015, the government approved laws providing additional protections to sex trafficking victims, including more time to appeal the dismissal of cases against alleged traffickers, the ability to appeal penitentiary authority decisions regarding the terms of their traffickers' incarceration and release, and the proactive provision of information about the status of criminal cases. The government has not yet reported on how these provisions have been implemented. Under the law, foreign victims could request a renewable residence permit for up to five years based on their cooperation with law enforcement or, in some cases, on the basis of their personal situation without regard to whether they assisted law enforcement. Victims could also receive assistance to return to their country of origin, unless participating in a criminal prosecution. The government granted reflection periods—time during which victims from outside the European Union could recover while deciding whether to assist law enforcement—to 44 victims in 2015, compared with 35 victims in 2014. In 2015, the 30-day reflection period was lengthened to a minimum of 90 days. Citizens of EU member states, however, are not subject to the 90-day reflection period and face no deadline for claiming social services or cooperating with authorities. Under the 2012 penal code reform, approved in March 2015, victims are protected from prosecution for any unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government sustained strong prevention efforts during the reporting period. The Ministry of Health managed the national anti-trafficking working group, which included the Ministries of Interior, Justice, and Labor, and advised on all aspects of the government's anti-trafficking efforts. Throughout the reporting period, the national rapporteur, who fills a deputy minister-level position in the Ministry of the Interior, held bi-monthly meetings with representatives of all ministries, NGOs, the judiciary, and security forces, with the goal of creating a unified anti-trafficking plan. The government updated its national action plan to combat trafficking in September 2015, with input from a range of government and non-government stakeholders. The new three-year action plan focuses on protection of women and girls, identification of and provision of services to victims, and multi-sector coordination. The government committed 104 million euros ($119 million) to the plan over four years. The government expanded prevention efforts through several public awareness campaigns, including a television series, traditional media, and digital media, which received extensive press coverage. It operated three hotlines for the reporting of suspected sex trafficking cases, fielding approximately 83,000 calls, some of which led to victim identification and opening of new cases. In 2015, the government began monitoring efforts to assist trafficking victims, and shared its assessments with domestic and international organizations. The government also continued to publish detailed information on the numbers of prosecutions, victims, and accused traffickers.

The government conducted 1,248 inspections related to sex trafficking in 2015, a decrease from 1,406 in the previous year, and 710 inspections related to labor trafficking, a decrease from 889 in 2014. While the government discouraged newspapers from publishing classified ads for sexual services offered by individuals engaged in prostitution, many of whom were likely trafficking victims, it did not make efforts to reduce demand for commercial sex acts. NGOs argue that regional and municipal government efforts to bar solicitation for prostitution on highways and in other public places penalize victims of trafficking. The government maintained strict prohibitions on international sex tourism, warning Spanish citizens they may be prosecuted and convicted under Spanish law for such acts committed overseas. While the government dramatically increased the number of investigations, inspections, operations, and arrests for labor exploitation and trafficking, it did not make efforts to reduce demand for forced labor. Spanish troops received anti-trafficking training prior to their deployment abroad as part of international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel. The government maintained several bilateral accords with countries that are sources of trafficking victims in Spain, cooperated regularly with foreign governments on the investigation and prosecution of trafficking cases, and organized anti-trafficking programs, seminars and training in countries of origin.

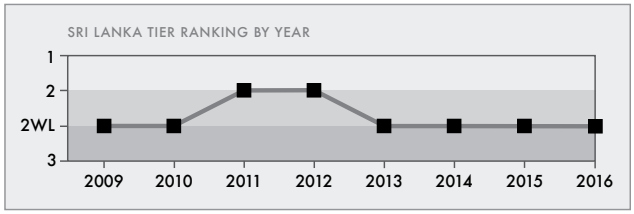
SRI LANKA: Tier 2 Watch List

Sri Lanka is primarily a source and, to a lesser extent, a destination country, for men, women, and children subjected to forced labor and sex trafficking. Some of the Sri Lankan men, women, and children who migrate to the Middle East, Southeast Asia, and Afghanistan to work in the construction, garment, and domestic service sectors are subjected to forced labor. Before leaving Sri Lanka, many migrant workers go into debt to pay high recruitment fees imposed by unscrupulous labor recruitment agencies—most of them members of Sri Lanka's Association of Licensed Foreign Employment Agencies—and their unlicensed sub-agents. Migrant laborers receive a monetary advance as an incentive to move abroad, only to be trapped in debt bondage upon arrival at their destination. Some recruitment agencies commit fraud by changing the agreed upon job, employer, conditions, or salary after the migrant's arrival. Some Sri Lankan women are subjected to forced prostitution in Jordan, Maldives, Malaysia, Singapore, and elsewhere.

Within the country, women and children are subjected to sex trafficking in brothels. Boys are more likely than girls to be forced into prostitution in coastal areas for child sex tourism. Children, individuals with physical deformities, and those from socially vulnerable groups are forced to beg or engage in criminal activity in Sri Lanka's largest cities. Some child domestic workers in Colombo, generally from the Tamil tea estate sector, are subjected to physical, sexual, and mental abuse, non-payment of wages, and restrictions of movement—indicators of labor trafficking. A small number of women from Asia, Central Asia, Europe, and the Middle East have been subjected to forced prostitution in Sri Lanka in recent years. Police accept bribes to permit brothels to operate, some of which

exploit trafficking victims. Sub-agents collude with officials to procure fake or falsified travel documents to facilitate travel of Sri Lankans abroad.

The Government of Sri Lanka does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government ratified the 2000 UN TIP Protocol and the Cabinet approved the government's national action plan to combat human trafficking. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore Sri Lanka is placed on Tier 2 Watch List for the fourth consecutive year. Per the Trafficking Victims Protection Act, Sri Lanka was granted a waiver from an otherwise required downgrade to Tier 3 because its government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards. Authorities slightly increased investigations and prosecutions of trafficking cases; however, convictions stagnated at one trafficker convicted—the same number as in 2014—and the sentence of two years' imprisonment was not sufficiently stringent to deter future trafficking crimes. Provisions for victim protection were inadequate, as the government arrested sex trafficking victims and charged them with crimes committed as a direct result of being subjected to trafficking, provided no specialized services to male victims, and mixed child victims with criminals in state institutions.



RECOMMENDATIONS FOR SRI LANKA:

While respecting due process, improve efforts to investigate and prosecute suspected traffickers under article 360(c) and convict and punish offenders, including allegedly complicit officials; continue to train officials on victim identification and referral procedures, especially to ensure victims are not detained or otherwise penalized for unlawful acts committed as a direct result of having been subjected to human trafficking, such as migration violations or prostitution; improve protection services to ensure identified victims, including men and children, receive specialized care services; take steps to eliminate all recruitment fees charged to workers by licensed labor recruiters and instead ensure they are paid by employers; expand the Bureau of Foreign Employment's mandate to include the regulation of sub-agents; and promote safe and legal migration rather than imposing discriminatory policies.

PROSECUTION

The government demonstrated limited progress in law enforcement efforts to address human trafficking. Article 360(c) of the penal code prohibits all forms of trafficking, although the law also covers non-trafficking offenses, such as selling children. The law prescribes punishments of up to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The government initiated investigations of six trafficking cases in 2015, compared with 20 cases investigated in 2014. The government reported 12 prosecutions in 2015, five under article 360(c) and seven under the procurement statute, compared with a total of 10 prosecutions in 2014. The procurement statute criminalizes obtaining a person to become a prostitute and carries lesser penalties than article 360(c); procurement cases, unlike trafficking cases, are not considered grave offenses and are brought before a magistrate judge generally without a prosecutor from the attorney general's office. As in 2014, courts did not convict any traffickers under article 360(c). Authorities convicted one trafficker under the procurement statute, the same number as in 2014, and sentenced the offender to two years' imprisonment and a fine of 5,000 Sri Lankan rupees ($35). The government's reliance on procurement charges, and the absence of prosecutions under the trafficking statute, resulted from police not thoroughly investigating potential human trafficking cases for elements of force, fraud, or coercion. Most complaints migrant workers filed with police officers in the Bureau of Foreign Employment (SLBFE) were automatically categorized as an "employment or contract dispute" and were not screened for labor trafficking; instead, if a crime was alleged the case was prosecuted under the Foreign Employment Act before a magistrate judge who could only issue penalties up to two years' imprisonment.

Official complicity in trafficking offenses remained a serious problem. Allegations continued that police and other officials accepted bribes to permit brothels to operate; some of the brothels exploited trafficking victims. Some sub-agents reportedly worked with officials to procure forged or modified documents, or genuine documents with falsified data, to facilitate travel abroad. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offences; however, during the reporting period the government charged a supreme court judge with sexual abuse and assault—potential indicators of trafficking—following his alleged mistreatment of a domestic worker employed in his home.

PROTECTION

The government maintained inadequate protection services for female trafficking victims and provided no specialized care for male trafficking victims. The police and the National Child Protection Authority reported identifying 30 trafficking victims, compared with 29 victims in 2014. The Ministry of Women and Child Affairs continued to operate a shelter for female trafficking victims; during the reporting period the shelter accommodated one victim, although all other identified female victims were offered shelter. The government allocated 1.5 million Sri Lankan rupees ($10,400) for the operation of the shelter. SLBFE continued to operate short-term shelters in Sri Lankan embassies overseas and a transit shelter near the international airport for returning female migrant workers who encountered abuse abroad. The transit shelter provided medical, counseling, and protection services to 645 women returning from abroad, some of whom may have been trafficking victims. The government did not have other specialized care available to female trafficking victims and did not have any care services for male victims. Until they could be placed in a state-run or state-approved home, authorities held child victims in facilities housing juvenile criminals.

The government had standard operating procedures (SOPs) for the identification of victims and their subsequent referral to protection services. An international organization held several trainings on the SOPs for government officials, including 44 SLBFE officers; the government provided the venues and materials for the trainings. However, officials' ability to

implement these procedures and ensure victims were not jailed or penalized for crimes committed as a direct result of being subjected to human trafficking remained impaired. Observers continued to report Sri Lankan authorities jailed and charged some sex trafficking victims for prostitution or immigration offenses. The Victims and Witnesses Protection Act and the SOPs call for the consideration of protection mechanisms when victims testify in court; however, it is unclear if these provisions were used during the year. The SOPs provide foreign victims who cooperate in prosecutions a visa extension until the end of the trial; however, the government did not provide foreign victims with legal alternatives to deportation to countries where they might face hardship or retribution after trial completion or for victims who did not cooperate with prosecution.

PREVENTION

The government demonstrated increased efforts to prevent trafficking. In June 2015, the government ratified the 2000 UN TIP Protocol, and in February 2016 the Cabinet approved the government's national action plan to combat human trafficking. The inter-ministerial anti-trafficking taskforce and some government agencies continued to conduct awareness campaigns and disseminate information on the consequences of human trafficking. However, SLBFE maintained its ban on migration of domestic workers younger than age 23 to the Middle East and, as of August 2015, required all female migrant workers to submit a "family background report" to ensure the woman did not have children younger than age 5; observers reported these policies increased the likelihood such women would migrate illegally and therefore heightened risks of human trafficking. During the reporting period, SLBFE's legal division filed a total of 189 cases against illegal recruiters and recruitment agencies for fraudulent practices, compared with 172 cases in 2014. The government did not have the ability to regulate sub-agents under SLBFE, which officials recognized as a problem contributing to trafficking. The government did not report any efforts to reduce the demand for commercial sex acts or forced labor during the reporting period. The government provided anti-trafficking training to military personnel prior to their deployments abroad on international peacekeeping missions and for its diplomatic personnel.

SUDAN: Tier 3

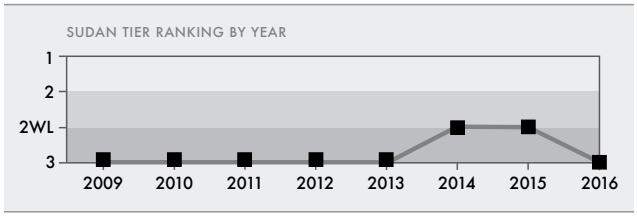
Sudan is a source, transit, and destination country for men, women, and children subjected to forced labor and, to a lesser extent, sex trafficking. Street children in Khartoum—including Sudanese and migrant children primarily from West Africa—who beg in the streets and work in public transportation and large markets are particularly susceptible to forced labor; some experience sexual abuse and extortion. Human rights groups observe children working in brick-making factories, gold mining, and agriculture; these children are vulnerable to trafficking. Children observed in gold mining are exposed to threats, physical and sexual abuse, and harsh and unsafe working conditions, with limited access to schooling or health services. Unverified reports indicate South Sudanese children are seasonally contracted out or sold to families for agricultural work, particularly in agricultural states like West Kordofan; these children are vulnerable to exploitation. Sudanese law prohibits the recruitment of children as combatants and provides criminal penalties for perpetrators; however, children remained vulnerable to recruitment and use as combatants and in support roles by Sudanese military and security forces and non-governmental armed groups and militias. In 2015, an international organization reported that the Sudanese Armed Forces (SAF) recruited and used some children aged 16-17 years, while unverified reports indicate the Sudanese Rapid Response Forces recruited 12 boys. In addition, South Sudanese rebels reportedly abducted children from West Kordofan to fight in South Sudan. Sudanese women and girls, particularly internally displaced persons or those from rural areas, and refugee women are vulnerable to domestic servitude; Sudanese girls are also vulnerable to sex trafficking in restaurants and brothels. Some Sudanese officials are reportedly involved in child sex trafficking rings and profit from such crimes.

Migrants, unaccompanied minors, refugees, and asylum-seekers, primarily from East and West Africa, are highly vulnerable to sex trafficking and forced labor in Sudan. Ethiopian women are particularly vulnerable to domestic servitude in private homes in Khartoum and other urban centers; some Ethiopian women are forced into prostitution in Khartoum and experience debt bondage. A substantive number of Filipina women subjected to trafficking in Sudan work as domestic employees in Sudanese homes. Anecdotal reports indicate Syrian refugees, including children, are increasingly observed begging on the streets in Khartoum and are vulnerable to exploitation. Anecdotal evidence also suggests that Chinese women working for Chinese companies, especially restaurants, may be subjected to forced labor or prostitution. Bangladeshi adults migrate to Sudan for work and have been reported to be victims of trafficking. South Sudanese citizens, who lack formal immigration papers due to unimplemented agreements between Sudan and South Sudan on the legal status of South Sudanese in Sudan, are vulnerable to exploitation in Sudan. Many migrants from East Africa and the Middle East, including Yemenis and Syrians fleeing conflict, who transit Sudan en route to Europe are highly vulnerable to trafficking along this route. Some refugee and asylum-seekers from Eritrea and Ethiopia are abducted from Sudan-based refugee camps, eastern border regions, and Khartoum and transported to other countries, including Libya, for exploitative purposes. Eritrean nationals are abducted from refugee camps or at border crossings, extorted for ransom, and brutalized by smugglers primarily linked to the Rashaida tribe; some of those abducted are forced to perform domestic or manual labor and experience severe physical and sexual abuse, indicative of trafficking. Sudanese police and border guards allegedly facilitate abductions of Eritrean nationals, some of whom are trafficking victims, and allow potential victims to be transported across security checkpoints or international borders without intervention.

Sudanese citizens are subjected to forced labor, domestic servitude, and sex trafficking abroad. Some Sudanese men who voluntarily migrate to the Middle East as low-skilled laborers are subjected to forced labor. The Sudanese government reported the use of Sudanese children in Saudi Arabia for forced begging and street vending, especially during the Hajj season. Sudanese criminal gangs falsely promise Sudanese nationals jobs in Libya, but sell them to Libyans who force them to work in agriculture. In March 2016, the media reported a Sudanese youth was allegedly sold by his uncle for forced labor in a mine in Libya. Some Sudanese citizens who migrate to Europe via Egypt are reportedly detained in the Sinai Peninsula; these individuals are highly vulnerable to exploitation and severe physical and sexual abuse.

The Government of Sudan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Although the government reported

law enforcement efforts against trafficking offenders, officials frequently conflated trafficking with other crimes, such as smuggling and kidnapping, and convicted offenders received severely weak sentences that were insufficient to deter the crime. Moreover, the government continued to deny the existence of sex trafficking of adults and children, and it did not report on forced labor or the recruitment and use of child soldiers by government security forces. The government identified a significant number of victims of abuse, including some trafficking victims, during security operations; however, the government failed to identify victims of sex trafficking or forced labor. Authorities continued to punish trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration violations. The government lacked capacity and resources to provide adequate protective services to victims of all forms of trafficking. In March 2016, the government finalized an action plan—negotiated with an international organization—to end the recruitment and use of child solders. Despite this positive effort, authorities were unable to fully prevent or end the use of children in the armed forces and failed to provide protective services or reintegration support to demobilized child soldiers.



RECOMMENDATIONS FOR SUDAN:

Prevent the recruitment of child soldiers by all armed groups and demobilize all child soldiers from the ranks of government forces, aligned militias, and rebel groups and provide them access to protective services; criminalize child prostitution in the absence of coercion, and amend the anti-trafficking law to include a definition of exploitation and exclude the requirement to prove gain or advantage to the trafficker; implement the anti-trafficking law to increase prosecutions and convictions of traffickers as distinct from smuggling perpetrators, and significantly increase penalties imposed for trafficking offenders to deter the crime; establish clear legal distinctions between human trafficking and smuggling crimes, including enacting federal anti-smuggling legislation and harmonizing national and state-level anti-trafficking legislation; train law enforcement authorities on how to distinguish trafficking cases from other crimes, and establish procedures for authorities to identify and provide protective services to trafficking victims among vulnerable populations, such as domestic workers, women and children in prostitution, refugees and asylum-seekers, foreign migrants, and Sudanese nationals abroad; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking, and do not detain victims and witnesses of trafficking crimes and allow them full freedom of movement; amend the Law of 1955 Regarding Domestic Servants to provide additional rights and protections for domestic workers; implement and dedicate adequate resources to the national anti-trafficking action plan; allow victims of all forms of trafficking protective services, including open shelter, security, legal aid, psycho-social and rehabilitative care, and translation services, regardless of their participation in the investigation of their trafficker, and ensure protective services to those willingly participating in trafficking investigations; institute regular anti-trafficking training for relevant government officials and Sudanese diplomats overseas; and implement awareness campaigns that address all forms of trafficking, including forced labor and sex trafficking.

PROSECUTION

The government demonstrated insufficient and questionable anti-trafficking law enforcement efforts, especially as officials continued to conflate trafficking and smuggling, impairing effective implementation of anti-trafficking legislation. The 2014 anti-trafficking law does not criminalize all forms of human trafficking. Contrary to international law, it does not prohibit child prostitution in the absence of coercion and fails to adequately define "exploitation." The law prescribes between three and 10 years' imprisonment for acts of trafficking, between five and 20 years' imprisonment for aggravated trafficking, and capital punishment in cases where the trafficking victim dies; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape, but were rarely imposed to the full extent. The Sudan Armed Forces Act of 2007 prohibits members of the armed forces from recruiting children younger than 18 years old, enslaving civilians, or coercing civilians into prostitution.

Law enforcement and judicial officials failed to appropriately apply the national anti-trafficking law and often utilized other legal frameworks, some carrying lesser penalties, to punish trafficking offenders. In some instances, the government prosecuted victims under immigration laws and charged perpetrators of other crimes, such as smuggling, under the national anti-trafficking law. The national anti-trafficking committee reported the government initiated 127 investigations in 2015, of which 42 were ongoing at the end of 2015. Security forces reported police initiated an investigation of 13 criminal syndicates operating child begging rings in Khartoum at an unspecified time during the reporting period. It was unclear, however, if any perpetrators were arrested or prosecuted for trafficking crimes. The government prosecuted and closed 85 cases, but it was unclear how many of them resulted in convictions or what sentences were imposed. Further, as the government did not provide details of the charges, it could not be determined if they involved human trafficking or other crimes, such as smuggling, kidnapping, organ trafficking, or immigration violations. In fact, as some perpetrators were charged under the passport and immigration act, it is unclear whether the government charged trafficking victims—rather than traffickers—for crimes during the reporting period. The government reportedly convicted at least nine traffickers in 2015, who received minimal financial penalties in lieu of prison sentences or prison terms of only two to three months; some convicted offenders were set free on bail. Weak sentences for convicted traffickers were far below the minimum penalty established under the 2014 anti-trafficking act and provided no deterrent to perpetrating trafficking crimes in the future. Despite reports that security and law enforcement officials were complicit in human trafficking crimes, the government did not report any investigations, prosecutions, or convictions of such officials. Furthermore, the government did not disclose investigations or prosecutions of officials in the SAF or other security and military elements allegedly complicit in the use and recruitment of children. The government did not directly provide anti-trafficking trainings to officials or diplomats stationed abroad and continued to rely on international organizations to do so.

PROTECTION

The government demonstrated limited efforts to identify trafficking victims, while authorities continued to punish victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government did not report identifying any victims of internal sex trafficking, domestic servitude, forced begging, or forced child labor—including those exploited in child soldiering—or Sudanese nationals exploited abroad. The government did not have systematic procedures to identify trafficking victims among vulnerable populations, nor did it consistently utilize a standard referral mechanism to refer victims to protection services. The Commission for Refugees, however, reportedly screened new refugees for vulnerabilities to trafficking and referred an unknown number of victims to an international organization for care. Throughout 2015, the government allowed a local NGO access to detention facilities in eastern Sudan to screen for and identify trafficking victims among detainees, but it was unclear how many—if any—victims it identified. Security officials reported rescuing 1,296 foreign migrants during security operations, some of whom may have been trafficking victims and most of whom were likely smuggled or extorted for ransom. It was unclear if authorities referred any of these migrants to appropriate protective services. The government continued to arrest, detain, prosecute, or deport trafficking victims among vulnerable populations for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration violations. During the reporting period, the government regularly rounded up children who were forced to beg in the streets of Khartoum and placed them in holding facilities, including 20 unaccompanied minors placed in a detention center in Khartoum in November 2015; authorities failed to screen these children for trafficking. Authorities—particularly in eastern Sudan—continued to charge some trafficking victims for immigration violations in order to prevent their movement and use them as witnesses in trafficking investigations. Moreover, some investigative authorities pressured trafficking victims to cooperate in trafficking investigations, making their stay in protection facilities contingent on their cooperation. Some victims participating in investigations risked retaliation by their perpetrators, but authorities did not provide effective mechanisms to protect victims from such harm. During the reporting period, authorities regularly deported unidentified trafficking victims among vulnerable populations, failing to screen them for trafficking or refer them to NGOs for care.

The government did not fund shelters or other care facilities that provided appropriate services to trafficking victims. It relied heavily on international organizations and civil society to provide assistance to victims, but it did not independently fund such entities assisting vulnerable groups, including trafficking victims. A safe house for vulnerable refugees in Kassala state, which was formally supported by the government but funded by an international organization, provided secure shelter, medical treatment, and psycho-social support to 35 trafficking victims from April to September 2015. The safe house, however, was frequently overcrowded, and government authorities did not allow all victims to leave freely. Moreover, government-appointed social workers in the safe house were unable to provide continuous psycho-social support to victims. During the reporting period, the Ministry of Health reportedly hired a psychiatrist in Kassala State Hospital to provide mental health assistance to trafficking victims that sought assistance at the hospital. It was unclear, however, if the hospital assisted any trafficking victims during the reporting period. The Law of 1955 Regarding Domestic Servants outlined a process for employing and registering domestic workers and provided limited labor rights and protections for them. The government, however, did not report if any domestic workers were registered and protected under the law during the reporting period. The government reportedly provided legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution.

PREVENTION

The government made insufficient efforts to prevent trafficking, and some government policies may have caused the exploitation of some vulnerable populations. In March 2016, President Bashir announced that South Sudanese immigrants would be considered illegal unless they formally registered within one week of arriving in Sudan. This policy restricts South Sudanese' access to legal work and potentially exposes them to exploitative work situations. Authorities continued to deny that forced labor and sex trafficking of adults and children occurred in the country. Because the government continued to deny commercial sex and forced labor existed in Sudan, it did not make efforts to reduce the demand for commercial sex acts and forced labor, nor did it raise awareness of child sex tourism. The government continued to deny that it recruited and used child soldiers. The government expressed a commitment to ending the recruitment and use of children in the armed forces. It was not clear, however, that any officials who carried out these practices were held accountable for their actions. The SAF's Child Protection Unit continued to partner with international organizations to address the recruitment and use of child soldiers, and in October 2015 the government formed a taskforce composed of multiple ministries to address this issue. In March 2016, the government endorsed and finalized an action plan to end the recruitment and use of children in armed conflict, which it drafted and negotiated with international organizations. Nevertheless, Sudan's Disarmament, Demobilization, and Reintegration Commission remained a weak entity that lacked capacity and financial resources to carry out its mandate.

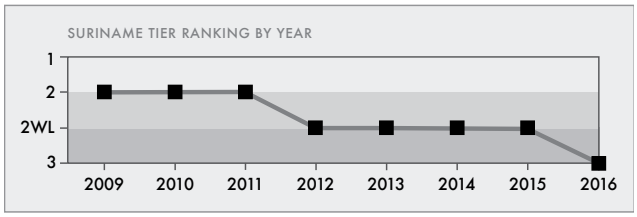
The government's national anti-trafficking committee continued to meet on a regular basis, yet it struggled to coordinate across relevant ministries and had limited collaboration with civil society. Furthermore, the committee lacked a dedicated budget to carry out its mission, limiting its effectiveness. In March 2016, the government approved a national anti-trafficking action plan, valid from 2016 to 2017. The government, however, did not allocate a budget for implementation of the activities and programs listed in the plan. The government did not implement anti-trafficking awareness campaigns and continued to rely on international organizations to undertake such efforts. The government continued to participate in regional processes and committees addressing trafficking and smuggling in the Horn of Africa and irregular migration from Africa to Europe. The government did not provide anti-trafficking training for its diplomatic personnel.

SURINAME: Tier 3

Suriname is a source, transit, and destination country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Reported cases of trafficking in Suriname's remote jungle interior—which constitutes approximately 80 percent of the country—have increased in recent years; limited government presence in the interior renders the full scope of the problem unknown. Women and girls from Suriname, Brazil, Dominican Republic, Guyana, and

Venezuela are subjected to sex trafficking in Suriname, including in remote and illegal gold mining camps in Suriname's interior. During the reporting period, authorities discovered parents who subjected their daughters to sex trafficking, citing increasing poverty as the cause. Venezuela's deteriorating economy may render Venezuelan women more vulnerable to sex trafficking in Suriname. Officials note a shift towards in-home brothels makes such establishments—and cases of possible sex trafficking—harder to detect. Migrant workers in agriculture and on fishing boats off Suriname's coast are highly vulnerable to forced labor, as are children working in gold mines and informal urban sectors. Chinese associations—and allegedly some Hong Kong traffickers—recruit and subject Chinese immigrants to sex and labor trafficking in the mining, service, and construction sectors. Surinamese women in neighboring countries and territories engage in prostitution and may be vulnerable to sex trafficking. Traffickers from Suriname exploit victims in the Netherlands. Traffickers may transport victims through Suriname's remote interior to bypass official checkpoints. There are reports of corruption and local official complicity in trafficking crimes that may impede anti-trafficking efforts. During the reporting period, the government began an investigation of Alien Affairs Department staff for selling residence permits to Hong Kong criminal networks that allegedly facilitated the networks' fraudulent recruitment of Chinese workers to Suriname for forced labor.

The Government of Suriname does not fully meet the minimum standards for the elimination of trafficking and did not demonstrate overall increasing efforts compared to the previous reporting period. Having been placed on Tier 2 Watch List in the preceding four years, Suriname is not making significant efforts to meet the minimum standards and is therefore placed on Tier 3. The government reconvened its anti-trafficking working group and continued efforts to raise awareness. It devoted more office space to the police anti-trafficking unit, which continued to investigate and prosecute trafficking offenses. However, the government did not provide adequate staff or resources to the anti-trafficking police unit or convict any traffickers—a large decrease from 10 convictions the previous reporting period. For the third year, it failed to open a proposed government shelter for female and child trafficking victims, and it did not provide funding or support to the NGOs and police that it relied upon to provide the majority of victim care. The lack of long-term protection measures, including witness support and psychological counseling, caused some foreign victims to leave the country after providing statements to the authorities, which led to the dismissal of trafficking investigations and acquittals of alleged traffickers.



RECOMMENDATIONS FOR SURINAME:

Provide adequate long-term shelter to male and female trafficking victims of all ages, and open the proposed government shelter for female and child victims; vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including officials complicit in human trafficking; continue to increase resources, especially additional staff, to the police anti-trafficking unit; increase efforts to identify trafficking victims, including forced labor victims in the interior; provide additional training to law enforcement, immigration, health care, labor, and judicial officials to better identify and protect victims; develop programs to support and facilitate victims' participation in investigations against their traffickers; continue to develop and implement formal standard operating procedures for the referral of identified victims to care, and train officials to use such procedures; broaden labor inspectors' mandates to include monitoring of informal sectors, including gold mining; provide reintegration support for trafficking victims, including long-term psychological counseling; increase training for social workers and victim shelter staff on proper victim care protocols; strengthen and sustain partnerships with NGOs to identify victims and provide protective services; provide sufficient funding and resources to the anti-trafficking working group for implementation of the national anti-trafficking strategy; and increase efforts to raise awareness of trafficking.

PROSECUTION

The government made inadequate law enforcement efforts. Suriname prohibits all forms of human trafficking through a 2006 criminal code amendment that prescribes penalties of five to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Police reported seven investigations—six for sex trafficking and one for forced labor—involving 16 suspects, a decrease from 15 investigations—11 for sex trafficking and four for forced labor—in 2014. The prosecutor's office initiated nine prosecutions—eight for sex trafficking and one for forced labor—and continued one forced labor prosecution from the previous year; all prosecutions remained ongoing at the end of the reporting period. This is consistent with 10 prosecutions reported in 2014; however, the government did not convict any traffickers during the year, which is a significant decrease from 10 convictions in 2014. Prosecutions of five alleged sex traffickers initiated in 2015 were discontinued, in some cases because foreign victims had returned home before the defense could conduct interviews or for lack of sufficient evidence.

Police operated a specialized 13-person anti-trafficking unit charged with investigating cases; however, officials acknowledged the unit's staff required additional training, and the staff was inadequate in number. While the government provided additional office space to the unit during the reporting period, it did not improve the capacity of its staff. Nonetheless, the unit provided training to other specialized police units on the links between trafficking and other crimes and began to develop a standard anti-trafficking training. Due to a lack of anti-trafficking training, some law enforcement and judicial officials conflated trafficking with human smuggling and may have prosecuted some smuggling offenses under human trafficking laws. Despite the government's recognition that its officials needed specific anti-trafficking training, it did not provide such training for law enforcement or judicial officials. The government conducted an awareness session for law enforcement and police in March 2016. The government allocated insufficient resources for trafficking investigations in the country's interior.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, it did launch an investigation into government corruption allegedly related to trafficking. During the reporting period, authorities discovered employees in the Alien Affairs Department sold residence permits to Hong Kong criminal networks that allegedly used the documents to fraudulently bring Chinese workers into Suriname for forced labor. While the employees involved were relieved of their

duties in the Alien Affairs Department, some maintained employment in different departments or were relocated to other government ministries. The investigation was ongoing at the end of the reporting period, and authorities had yet to file formal charges. General government corruption and possible complicity continued to impede anti-trafficking efforts. Brothels are illegal in Suriname but many officials tolerate their operation, which hinders law enforcement's ability to identify and investigate possible cases of trafficking. Surinamese police cooperated with the Governments of Guyana and Venezuela on anti-trafficking law enforcement efforts during the reporting period.

PROTECTION

The government decreased its efforts to identify trafficking victims and continued to provide inadequate victim assistance. Police reported identifying 11 sex trafficking victims and one victim of forced labor—three Surinamese and nine foreigners—a decrease from 59 potential victims identified in 2014, including 42 forced labor victims. Suriname lacked specialized, long-term shelter for trafficking victims, and protective services for adults and children were inadequate. Police frequently took responsibility for providing basic, immediate services to victims—including food, clothing, and emergency medical care—and provided such services to victims identified during the reporting period. Police could refer adult victims to short-term, government-run shelters for victims of domestic abuse, and they referred approximately eight victims to such shelters during the reporting period. NGOs provided shelter and additional services to child trafficking victims; however, the shelter and services were not trafficking-specific. Due to the lack of victim shelters, police continued to place some child victims in juvenile detention facilities. In 2013, the Ministry of Social Affairs launched a process to open a government-run shelter for female and child trafficking victims; in 2015, authorities identified a potential building for the shelter but did not fund, staff, or open the shelter. The government did not report what funding—if any—it provided to NGO shelters or for victim assistance. Authorities employed some formal procedures to identify victims, though health care workers did not screen for trafficking indicators among persons in prostitution, and victim identification in the interior was limited. The government did not have a formal process to refer victims to care, but a sub-group of the anti-trafficking committee began drafting such procedures during the reporting period.

The government did not sponsor any programs to facilitate victims' reintegration, such as a witness-protection program or long-term psychological counseling. Victims had the option of pursuing civil suits against their traffickers, but no such cases were reported. The government did not have a formal policy in place to encourage victims to participate in the investigations against their traffickers. As a result, some foreign victims left the country after providing statements to the authorities, which led to the dismissal of trafficking prosecutions and acquittals of alleged traffickers. The attorney general implemented a new procedure in January 2016 that allows for the judiciary to commence judicial investigations immediately after it receives a trafficking allegation so the defense may question victims earlier in the investigation; it is unclear if the government employed this procedure in any trafficking cases during the reporting period. The government had no specialized mechanism to provide foreign victims with alternatives to their removal to countries where they faced hardship or retribution. After a trafficking court case concluded, foreign victims could apply for the same work or residence permits available to other foreign citizens; however, no victims did so during the year. There were no reports of victims penalized for crimes committed as a direct result of being subjected to trafficking.

PREVENTION

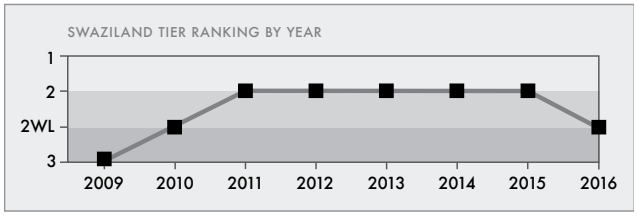
The government maintained modest prevention efforts. The anti-trafficking working group reconvened in January 2016 after having been inactive since December 2014; the reconstituted group included representatives from six government agencies and focused on awareness-raising programs, interagency coordination on anti-trafficking efforts, and developing protocols for victim care. The working group made minimal progress towards implementing the 2014 national anti-trafficking strategy; it did create an anti-trafficking awareness campaign and informational materials for press, radio, television, and social media. The police anti-trafficking unit continued to raise awareness of trafficking through radio programs to sensitize the general public and newspaper ads that warned workers of fraudulent recruitment and youth about the risk of traffickers using social media. The police anti-trafficking unit and the youth police continued to work with an NGO to run a child and youth hotline. While the hotline did not receive any reports of trafficking during the reporting period, the police units provided anti-trafficking training to hotline staff and operators. Labor inspectors trained to identify trafficking victims were limited by law to inspecting formal workplaces, which rendered much of Suriname's workforce—employed in informal sectors—invisible to such inspections. Police reports indicate labor inspectors did not inspect formal workplaces where workers were at an increased risk of trafficking, such as fisheries, even when authorities noted specific cases of potential trafficking in those sectors. Although many Surinamese businesses hire foreign laborers, the government did not have formal procedures to oversee or regulate foreign recruitment agencies. The government made no efforts to reduce the demand for commercial sex acts or forced labor. The police anti-trafficking unit provided anti-trafficking training for diplomatic personnel and other staff within the Ministry of Foreign Affairs.

SWAZILAND: Tier 2 Watch List

Swaziland is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Swazi girls, particularly orphans, are subjected to sex trafficking and domestic servitude, primarily in Swaziland and South Africa. The HIV/AIDS pandemic has contributed immensely to the increasing number of orphans and other vulnerable children at risk of exploitation through trafficking. Swazi chiefs coerce children and adults—through threats and intimidation—to work for the king. Swazi boys and foreign children are forced to labor in commercial agriculture, including cattle herding, and market vending within the country. Mozambican boys migrate to Swaziland for work washing cars, herding livestock, and portering; some of these boys become victims of forced labor. Traffickers use Swaziland as a transit country to transport foreign victims to South Africa for forced labor. Traffickers reportedly force Mozambican women into prostitution in Swaziland, or transit Swaziland en route to South Africa. Some Swazi women are forced into prostitution in South Africa and Mozambique after voluntarily migrating in search of work. Reports suggest labor brokers fraudulently recruit and charge excessive fees to Swazi nationals for work in South African mines—means often used to facilitate trafficking

crimes. Swazi men in border communities are recruited for forced labor in South Africa's timber industry. Reports indicate a recent downturn in the textile industry has led textile workers to follow promises of employment in neighboring countries, potentially increasing their vulnerability to trafficking.

The Government of Swaziland does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In collaboration with the Southern African Development Community and an international organization, the government launched victim identification guidelines, completed in the previous reporting period, and a national referral mechanism, finalized in 2015. The government piloted a data collection and reporting system developed by an international organization to guide victim assistance and investigations. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Swaziland is placed on Tier 2 Watch List. During the year, the government investigated two suspected trafficking cases, in comparison to nine the previous year, and did not prosecute or convict any suspected traffickers during the reporting period. The government has not yet convicted a trafficker under its anti-trafficking act, in effect since 2010. The government continued to assist victims with basic necessities such as food, clothing, shelter, toiletries, counseling, and medical care in collaboration with NGOs. Nonetheless, the limited availability of space in NGO-run shelters remained a significant concern, and the government neglected victims of internal trafficking as it predominantly focused on cross-border trafficking. The anti-trafficking taskforce and its secretariat continued to guide national anti-trafficking efforts and maintained awareness-raising efforts; however, inadequate financial and in-kind support for their work stymied the effectiveness of national anti-trafficking efforts.



RECOMMENDATIONS FOR SWAZILAND:

Enact and implement the draft Trafficking in Persons and Migrant Smuggling Bill; implement the anti-trafficking law through vigorous investigations and prosecutions of trafficking crimes, including internal trafficking cases, and convict and punish trafficking offenders; ensure the activities of the taskforce, secretariat, and implementing departments are sufficiently funded, particularly to enable adequate accommodation and care to victims; train officials on procedures for victim identification and referral guidelines; train law enforcement officials and social workers to identify trafficking victims proactively among vulnerable populations; begin regulating labor brokers and investigate allegations of fraudulent recruitment; implement a unified system for collecting trafficking case data for use by all stakeholders; develop and implement an updated multi-year national anti-trafficking strategy and action plan; and conduct anti-trafficking public awareness campaigns, particularly in rural areas.

PROSECUTION

The government made decreased anti-trafficking law enforcement efforts. Section 12 of the People Trafficking and People Smuggling (Prohibition) Act, 2009, which became effective in 2010, prescribes penalties of up to 20 years' imprisonment for the trafficking of adults. Section 13 of the act prescribes penalties of up to 25 years' imprisonment for trafficking of children, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government has not drafted or enacted implementing regulations for the law or used it to successfully convict a trafficker. A 2011 trafficking case revealed inconsistencies between the anti-trafficking act and the Immigration Act of 1992, leading to the deportation of six victims. In response, the attorney general's office and the secretariat, in partnership with an international organization, drafted the Trafficking in Persons and Migrant Smuggling Bill intended to repeal the existing People Trafficking and People Smuggling (Prohibition) Act; however, this legislation still awaited passage and enactment at the end of the reporting period.

The government investigated two suspected trafficking cases—one case each of forced labor and sex trafficking—in comparison to nine the previous year. The government did not prosecute or convict any suspected traffickers during the reporting period. Officials continued to confuse crimes involving transnational movement with trafficking offenses. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government uploaded 20 total victim profiles from previous years to the data collection and reporting system developed by an international organization to gather case data to guide victim assistance and investigations. In February 2015, the government participated in a regional workshop hosted by an international organization to orient key stakeholders on the regional data collection system.

During the reporting period, the secretariat continued hosting training for the police and labor inspectorate, including victim identification and protection procedures, as well as training to improve communication and cooperation between officials. Two part-time instructors continued to provide anti-trafficking training at the police college for all in-service and pre-service police officers during the reporting period. The government continued its collaboration with Mozambican and South African authorities on cross-border issues, including human trafficking, now guided by the work of a formal coordinating committee.

PROTECTION

The government made minimal efforts to protect trafficking victims. The government identified and sheltered two victims—one forced labor victim from Lesotho and one sex trafficking victim from Mozambique—during the reporting period in a secure, government-owned witness protection facility. The government provided victims with basic necessities such as food, clothing, shelter, toiletries, counseling, and medical care in collaboration with NGOs. There are no government-run shelters specifically for trafficking victims and NGO-run shelters had limited ability to house trafficking victims among their general populations. The government maintained its allocation of 10,000 Swazi Lilangeni ($645) to a victim assistance fund for these services.

In November 2015, the government launched its victim identification guidelines and national referral mechanism developed in partnership with an international organization; however, it did not yet train officials on or begin implementation of these mechanisms by the end of the reporting period. A day

after the launch authorities rescued a trafficking victim. The government referred the victim to care and provided support. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking. The government continued reviewing amendments to the immigration act to provide immunity from prosecution to victims and witnesses of trafficking, to conform to the provisions of the People Trafficking and People Smuggling (Prohibition) Act, and to create a renewable permit specific to trafficking victims, allowing them to remain in Swaziland for up to two years. While under review, the government developed an *ad hoc* process among relevant ministries to permit victims to remain in Swaziland even if discovered to be present illegally.

PREVENTION

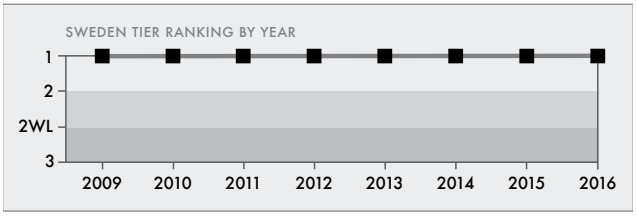
The government demonstrated modest efforts to prevent trafficking through awareness campaigns; however, limited public awareness in rural areas remained a concern. The government began development of an updated national action plan. The TaskForce for the Prevention of People Trafficking and People Smuggling and its secretariat, which coordinates the work of the taskforce, held regular meetings and continued to be instrumental in guiding the government's anti-trafficking response. In 2015, for the first time, the government commemorated the World Day Against Trafficking in Persons. The secretariat conducted public awareness activities at the Swaziland international trade fair, targeting traditional leaders, students, young women, and parents with information on preventing child trafficking and how to report suspected cases. The secretariat also conducted sessions on human trafficking at schools with the assistance of teachers and police officers. The secretariat continued its border campaign, placing posters at various land borders and the airport to raise awareness on trafficking. Swazi officials also presented messages targeting young women on television and radio. The government's anti-trafficking hotline continued to receive tips on potential cases; it received only one potential trafficking tip, in comparison to seven the previous reporting period.

The Ministry of Labor had three investigators dedicated to its child labor unit; however, there were no labor inspections conducted solely to address child labor violations in 2015. Two alleged violations of child labor prohibitions that were previously identified, one in domestic service and the other in retail, remained unresolved at the end of the reporting period. Officials from the Ministry of Labor educated employers and employees on forced labor and trafficking legislation. Labor brokers are wholly unregulated in Swaziland and some are thought to operate in an unethical manner. In 2015 the secretariat and Ministry of Labor established a committee to analyze vulnerabilities within the recruitment of Swazis seeking employment abroad. The government did not make efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

SWEDEN: Tier 1

Sweden is a destination and, to a lesser extent, source and transit country for women and children subjected to sex trafficking, and a destination country for men, women, and children subjected to forced labor, including forced begging and stealing. Identified and suspected victims of sex trafficking largely originate from Eastern Europe, West Africa, Asia, and—to a lesser extent—Western Europe. Forced prostitution remains the most common form of trafficking in Sweden, although reported cases of labor trafficking are increasing. Identified and suspected victims of labor trafficking, who largely originate from Eastern Europe, Africa, the Middle East, and Asia, face exploitation in domestic service, hospitality, construction, agriculture, forestry, and as seasonal berry pickers. Roma are vulnerable to forced begging and criminality and originate primarily from Romania and Bulgaria. The more than 162,000 migrants who applied for asylum in 2015, primarily from Syria, Afghanistan, Iraq, and East Africa, are vulnerable to human trafficking. Unaccompanied children are especially vulnerable; more than 35,000 unaccompanied foreign children applied for asylum in Sweden in 2015, primarily teenage boys from Afghanistan, Syria, Somalia, and Eritrea. A study published in December found more than half of suspected child trafficking victims identified since 2012 arrived in Sweden as unaccompanied minors, primarily from Africa and Eastern Europe. Police note street children, especially boys from Morocco, are vulnerable to child sex trafficking and forced criminality. A study found between 4,000 and 5,000 Swedes commit child sex tourism offenses abroad annually. Swedish women and girls are also vulnerable to sex trafficking within the country.

The Government of Sweden fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government instituted a national mechanism to identify and refer victims to care and identified more victims. However, the European migration crisis overwhelmed government institutions, hindering authorities' ability to conduct sufficient screenings of migrants to identify potential instances of trafficking. The migration agency created regional anti-trafficking coordinators and a national advisory group of experts. The government increased efforts to prevent labor trafficking and forced begging through employer inspections and worker outreach. Authorities nearly doubled the number of investigations for both sex and labor trafficking; however, very few investigations resulted in prosecutions for trafficking offenses.



RECOMMENDATIONS FOR SWEDEN:

Vigorously prosecute and convict labor and sex traffickers using the anti-trafficking statute; adopt an updated national action plan that incorporates labor exploitation; expand authority to grant 30-day reflection and recovery periods to non-law enforcement authorities such as social workers to ensure all victims, including those not already in contact with law enforcement, are able to receive these benefits in practice; vigorously prosecute Swedish child sex tourism offenders; establish a permanent national anti-trafficking coordinator; strengthen efforts to identify and provide trafficking-specific assistance to child trafficking victims; provide specialized housing to trafficking victims, including adult male victims; train judges on the anti-trafficking law; and raise awareness of labor trafficking.

PROSECUTION

The government demonstrated limited progress in law

enforcement efforts. Sweden's 2002 anti-trafficking law prohibits sex trafficking and forced labor and prescribes penalties of two to 10 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In June, the government initiated a legal review of its anti-trafficking law to strengthen prohibitions against, and punishments for, sex trafficking. Police investigated 58 sex trafficking cases in 2015 (including 11 child sex trafficking cases), compared with 31 in 2014. Authorities prosecuted and convicted two sex traffickers, compared with one prosecution and conviction in 2014. They were sentenced to 26 and 30 months' imprisonment, fined 82,200 kronor ($9,736) each in damages, and will be deported following their prison terms. The government increased efforts to identify and investigate cases of forced begging. Police investigated 122 cases of forced labor in 2015 (including 30 child forced labor cases), 55 of which were cases of forced begging, compared with 62 forced labor cases in 2014. There were no prosecutions or convictions for labor trafficking in 2015. The national anti-trafficking coordinator and national rapporteur noted the ongoing reorganization of the police hindered law enforcement efforts. Observers reported many judges continued to lack sufficient understanding of human trafficking, which may result in fewer convictions and less stringent sentences. The national rapporteur conducted training for police and judges, and the prosecutor's office and national rapporteur offered online training for prosecutors and national police, respectively. Swedish authorities collaborated with foreign governments on transnational investigations. The government reported one ongoing investigation of a government official suspected of involvement in a trafficking-related corruption case; however, it did not report any prosecutions or conviction of government officials complicit in human trafficking. There were no reports of wider complicity in trafficking offenses among government officials.

PROTECTION

The government increased victim protection efforts. During the reporting period, the government instituted a national referral mechanism to identify victims and refer them to care. Authorities identified approximately 58 victims of sex trafficking and 122 victims of forced labor and forced begging in 2015, compared with 31 sex trafficking and 63 forced labor victims in 2014; 41 of these new victims were children. Despite these measures, implementation of the new referral mechanism was limited. Although authorities identified significantly more victims during the reporting period, the ongoing European migration crisis overwhelmed government institutions, hindering authorities' ability to conduct sufficient migrant screening to identify potential trafficking victims. Additionally, the migration agency's anti-trafficking coordinator identified 195 suspected trafficking cases among asylum-seekers (66 of which involved children), a 76 percent increase in suspected cases from 2014. During GRETA's most recent visit to Sweden in 2013, it found identification largely depended on victims' willingness and ability to meet with police and provide evidence to start a criminal investigation. Municipalities were responsible for providing services to victims, including medical and psychological care, shelter, and social assistance. NGOs operated most shelters with public and private funding. The government provided 300,000 kronor ($35,500) to a civil society platform representing 23 NGOs for a pilot program to strengthen civil society's role in providing care to victims. Although there were no shelters dedicated exclusively to trafficking victims, the national coordinator led a network of approximately 40 NGO-run safe houses, and adult female victims of trafficking could receive services at general women's shelters. These shelters offered victims assistance with immigration issues, medical care, and educational and employment needs, including Swedish language training; adults could leave the shelters unchaperoned and at will. Authorities referred child victims to social services officials, who placed child victims in foster care or group housing. The government provided training to safe houses and victim support centers. The national anti-trafficking coordinator provided 15 training sessions for professionals who come into contact with victims. Police received training in victim identification and the migration agency trained 600 staff members; beginning in April 2015, all new migration agency staff received anti-trafficking instruction as part of their introductory training.

The Aliens Act entitles victims to a 30-day reflection period to recover and contemplate cooperation with law enforcement; however, authorities stated that because only an investigating police officer or prosecutor could file this application, such temporary residency was in practice primarily available to victims already in contact with law enforcement. Victims and witnesses in trafficking cases who cooperated with authorities were granted temporary residence permits; 12 trafficking victims and 29 witnesses received these permits in 2015. Although only victims who assisted in investigations were eligible for residence permits, the government continued to provide medical care and repatriation assistance for victims not assisting law enforcement. In 2015, the government repatriated 22 victims through a safe return program in conjunction with an international organization. State prosecutors had the power to file applications for permanent residence permits on behalf of victims during or after trials based upon need of protection, such as in cases in which victims would face retribution in their countries of origin; the migration agency did not issue any permanent residence permits in 2015 or 2014. There were no reports the government penalized victims for acts committed as a direct result of being subjected to human trafficking, although in past years GRETA referenced reports of Swedish authorities deporting irregular migrants who had been subjected to trafficking without identifying them as potential victims, despite the presence of trafficking indicators. GRETA also previously expressed concern that foreign victims who were not ready to provide evidence to law enforcement were quickly removed from Sweden, which did not permit adequate risk assessments of repatriating victims.

PREVENTION

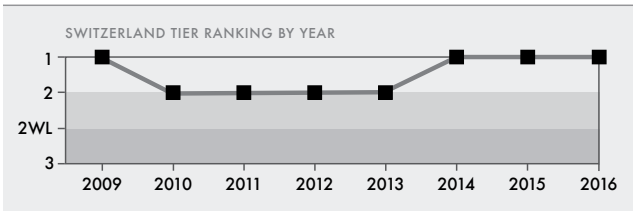
The government increased prevention efforts. The migration agency created six regional anti-trafficking coordinators and a national advisory group of experts. The government extended the national anti-trafficking coordinator's mandate through 2016 and allocated 6.5 million kronor ($770,000) for the office in 2015; however, the government did not establish a permanent office, which limited the coordinator's ability to develop and implement long-term anti-trafficking programs and projects. The national police rapporteur on trafficking continued to provide an annual report of the trafficking situation and the government's progress. However, the government did not have a current national action plan to address trafficking. Authorities put increased focus on preventing foreign labor exploitation through a national study, outreach to vulnerable groups, and increased monitoring efforts. In January 2016, authorities began conducting mandatory interviews with foreign workers employed in at-risk sectors who were seeking to extend their work permits. During the reporting period, there were no reports of labor trafficking among berry pickers, who were notably vulnerable to exploitation in recent years, which authorities attributed to increased police efforts, labor reforms, unannounced inspections, efforts to inform workers of their rights, and bilateral cooperation. The

government continued to fund a national helpline to assist victims and public authorities seeking guidance. Authorities conducted awareness training for taxi, hotel, and restaurant staff to detect trafficking at their places of work. The government continued to conduct activities to reduce the demand for commercial sex and forced labor. Sweden's law prohibiting child sexual offenses has extraterritorial reach, allowing the prosecution of suspected child sex tourists for crimes committed abroad. In May, the government signed a bilateral agreement with Cambodia, a destination country for Swedish child sex traffickers, to improve efforts to identify Cambodian victims and Swedish perpetrators of sex trafficking. The government has not prosecuted a Swedish citizen for committing child sexual offenses abroad since 2012. The government provided anti-trafficking training to its diplomatic personnel and training on sexual exploitation and abuse, including on human trafficking, to troops prior to their deployment abroad as part of international peacekeeping missions.

SWITZERLAND: Tier 1

Switzerland is primarily a destination and, to a lesser extent, a transit country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor, including forced begging and criminal activities. Trafficking victims originate primarily from Central and Eastern Europe—particularly Romania, Hungary, and Bulgaria—although victims also come from Brazil, Cameroon, China, the Dominican Republic, Nigeria, and Thailand. Forced labor exists in the domestic service sector and in agriculture, catering, construction, and tourism. During the reporting period, Thai transgender individuals were subjected to sex trafficking within the country.

The Government of Switzerland fully meets the minimum standards for the elimination of trafficking. During the reporting period, the government co-hosted several awareness campaigns, provided training to law enforcement officials, allocated 400,000 Swiss francs ($417,000) in funding to NGOs, and a government-supported NGO assisted the most trafficking cases in its history. Authorities also continued to prosecute and convict sex traffickers, although law enforcement action did not focus as heavily on labor trafficking and many convicted traffickers did not receive prison sentences commensurate with the crime committed. Officials did not consistently identify and protect victims among vulnerable populations, particularly asylum applicants and victims of labor trafficking. NGOs said that some victims were occasionally penalized for actions committed as a direct result of being subjected to human trafficking. This, however, occurred prior to their identification as victims. The government did not finalize a new national action plan during the reporting period.



RECOMMENDATIONS FOR SWITZERLAND:

Increase the number of convicted traffickers who receive sentences commensurate with the severity of the crime; amplify training on and enforcement of labor trafficking laws, including laws covering forced begging and forced criminal activities; finalize and implement a current national action plan; enhance efforts to provide specialized care for trafficking victims seeking asylum; increase trafficking-specific services for children and male victims; continue efforts to identify and assist victims of forced labor; improve the collection and compilation of law enforcement and victim assistance data; and continue to raise public awareness about trafficking in persons.

PROSECUTION

The government sustained law enforcement efforts. Switzerland prohibits all forms of trafficking through articles 182 and 195 of the Swiss penal code, with penalties of up to 20 years' imprisonment, which are commensurate with those prescribed for other serious crimes, such as rape. In 2015, authorities investigated 306 cases of human trafficking, compared with 300 in 2014. The government initiated prosecutions of 46 defendants under article 182 and 50 defendants under article 195 in 2014—the most recent year comprehensive government data were available—compared with 51 under article 182 and 77 under article 195 in 2013. In 2014, authorities reported 15 convictions under article 182 and 26 convictions under article 195, compared with 12 and 21, respectively, in 2013. Some traffickers were convicted under both articles 182 and 195. Only 11 of the 41 convicted traffickers were sentenced to prison in 2014, with terms ranging from 182 days to 14 years. The government did not disaggregate data on law enforcement efforts between sex trafficking and forced labor; however, Swiss officials could only confirm two convictions for forced labor to date, demonstrating potentially inadequate efforts to address this form of the crime, especially when compared to the increasing number of forced labor victims receiving assistance from NGOs. In 2015, authorities provided training to law enforcement officials on investigating trafficking cases and victim identification, as well as training and awareness seminars for asylum personnel to improve victim identification among migrant and refugee populations. Additionally, a federal court provided the country's first judicial training for 60 officials. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government improved its victim protection efforts. Trafficking victims were entitled to shelter, free medical aid, living stipends, and psychological, social, and legal assistance from government-funded victim assistance centers. Three government-supported NGOs offered specialized shelter for female victims; one of the shelters was opened in June 2015 and also had services in place for children and male victims. Authorities placed male victims in assistance centers, hotels, or NGO-operated shelters for men. Several cantons maintained counseling centers for male victims of violence, including trafficking; however, none of these centers provided specialized services for trafficking victims. The federal government allocated 400,000 Swiss francs ($410,000) to the country's anti-trafficking NGOs in 2015.

A leading NGO reported assisting 229 trafficking cases in 2015—the most ever assisted, compared with 226 in 2014. Thirty-seven of the 57 newly identified victims in 2015 assisted in investigations or prosecutions during the year, compared with 45 of the 64 victims identified in 2014. Cantonal immigration

offices granted a three-month reflection period for victims to consider whether to participate in an investigation to 25 victims and issued 54 short-term residence permits to victims for the duration of legal proceedings against their traffickers in 2015, compared with 25 reflection periods and 52 short-term residence permits in 2014. The government also granted 15 victims long-term residence permits on personal hardship grounds in 2015, a decrease from 19 victims in 2014. Twenty-eight victims received restitution payments from their traffickers following their convictions. NGOs expressed concern that it remained difficult for victims to obtain victim protection and hardship residence permits without the assistance of a judge, making it particularly difficult for victims who were not prepared to testify against traffickers. Observers reported victim identification among vulnerable populations, particularly asylum seekers and victims of labor trafficking, remained a problem. NGOs said that victims were occasionally penalized for unlawful acts committed as a direct result of being subjected to human trafficking, although this occurred prior to their identification as victims.

PREVENTION

The government maintained prevention activities. A specialized unit within the federal police coordinated national efforts, including anti-trafficking policy, information exchange, cooperation, and training. The unit organized the second national meeting of the heads of the cantonal roundtables focused on trafficking to exchange information and best practices. The government's national action plan expired in 2014 and it did not finalize or implement a new national action plan during the reporting period. In October 2015, the government co-hosted and co-funded several awareness-raising events in collaboration with NGOs. Also in October, the city of Zurich issued a new law reducing the hours persons in street prostitution could solicit clients, from 10 to four hours a night, in an effort to reduce the number of clients in this area and increase protection of persons in prostitution; however, NGOs reported that this and other related efforts aimed at limiting street prostitution had a negative effect on victim protection and identification by pushing street prostitution underground. In November 2015, the government supported the OSCE's launch of a French-language handbook to prevent the exploitation of domestic workers in diplomatic households. Officers from the federal police's child sexual exploitation unit participated in several international conferences on child sex tourism and supported the production of a documentary on the subject, which was broadcast on public television in June 2015. Authorities continued to regulate the employment of domestic servants in diplomats' homes, including monitoring salaries and working conditions of domestic workers. The government provided anti-trafficking training for its diplomatic personnel.

SYRIA: Tier 3

Syria is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. The situation in Syria continues to deteriorate amid the ongoing civil war with sub-state armed groups of varying ideologies exerting control over wide geographic swathes of the country's territory. Human rights groups and international organizations estimate more than 250,000 persons have been killed since the beginning of protests against the Bashar al Asad regime in March 2011. Incidents of human trafficking continue to increase and trafficking victims remain trapped in Syria, particularly as the designated terrorist organization, Da'esh—also known as the Islamic State of Iraq and the Levant (ISIL), Islamic State of Iraq and Syria (ISIS), or the Islamic State (IS)—consolidated control of the eastern governorates of Raqqa. In June 2014, Da'esh announced the establishment of an Islamic "Caliphate" in Iraq and Syria, and during 2015, Da'esh seized control of areas in southern Syria in and around Palmyra, Homs, Damascus, and Aleppo. More than half of Syria's pre-war population of 23 million has been displaced; over 4.5 million have fled to neighboring countries and roughly 6.5 million are internally displaced. Syrians, both those that remain in the country and refugees in neighboring countries, continue to be highly vulnerable to trafficking.

Da'esh continues to target women and girls for sexual slavery and forced labor. In December 2014, Da'esh publicly released guidelines on how to capture, forcibly hold, and sexually abuse female slaves. In April 2015, an international organization reported the system of organized sexual slavery and forced marriage—which can lead to commercial sexual exploitation and forced labor—by Da'esh militants is a central element of the terrorist group's ideology. Da'esh continues to force local Syrian girls and women in Da'esh-controlled areas into marriages with its fighters, and it routinely subjects women and girls from minority groups to sexual slavery. In 2014 and 2015, Da'esh abducted thousands of women and girls from the Yezidi and other minority groups in Iraq and sold them in Syria in human trafficking rings or to provide to fighters where they experience forced marriage, domestic servitude, systematic rape, and sexual violence. Da'esh routinely forces Iraqi and Syrian girls to undergo virginity tests before trading them in "slave bazaars" and sending them to various Syrian provinces and other countries for sexual slavery. Additionally, following the February 2015 Da'esh incursion into Assyrian villages in the northeastern province of Hasaka, it captured as many as 30 Assyrian Christian women and forced them into sexual slavery.

In June 2015, an international organization reported the recruitment and use of children in combat in Syria has become "commonplace." Syrian government forces, pro-regime militias, armed opposition forces, and designated terrorist organizations recruit and use children as soldiers, human shields, suicide bombers, and executioners, as well as in support roles. In November 2014, children were among the civilians forced at gunpoint to shield Syrian government forces' tanks entering the town of al-Sheikh Meskin in Dar'a to secure the Dar'a-Damascus highway. Militants also use children for forced labor and as informants, exposing them to retaliation and extreme punishment. An international organization verified hundreds of cases of boys and some girls who have been recruited and used by the Syrian government and armed groups, including the Free Syrian Army (FSA) and FSA-affiliated groups, Kurdish forces, Da'esh, and al-Nusra Front (ANF). Some armed groups fighting with the Syrian government, such as Hezbollah and pro-regime militias known as the National Defense Forces (NDF) or "shabiha," forcibly recruit children, some as young as 6 years old. Reports of the recruitment and use of boys by Da'esh and ANF increased significantly in 2015. Da'esh actively deploys children—some as young as 8 years old—in hostilities, including coercing children to behead Syrian regime soldiers; the terrorist group has deliberately targeted children for indoctrination and used schools for military purposes, endangering children and preventing their access to education. Da'esh operates at least three child training camps in Raqqa; forces children to attend indoctrination seminars; and promises children salaries, mobile phones, weapons, a martyr's place in paradise, and the "gift" of a wife upon joining the terrorist

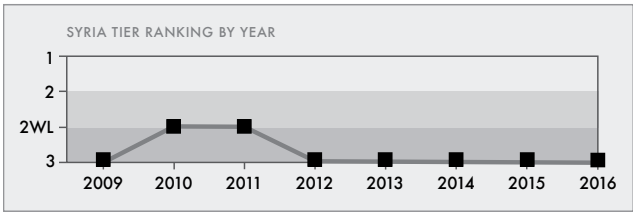
group. By forcibly recruiting and using children in combat and support roles, Da'esh has violated international humanitarian law and perpetrated war crimes on a mass scale.

The Kurdish People's Protection Units (YPG) continued to recruit and use boys and girls, including children younger than 15 years old, reportedly taking them to indoctrination and training camps, despite signing a pledge of commitment with an international organization in June 2014 to demobilize all fighters younger than 18 years old. In May 2015, the YPG and the Women's Protection Units (YPJ) announced compulsory "self-defence duty" for all those aged 18 and older in the Kurdish canton of Afrin in the northern part of the Aleppo Governorate; however, in April 2015, a 16-year-old girl in Aleppo was allegedly recruited by the YPJ against the wishes of her family. An NGO reported in January 2016 instances in which the Iranian government forcibly recruited or coerced male Afghan refugees and migrants, including children, living in Iran to fight in Syria. Some foreigners, including migrants from Central Asia, children, and western women, are reportedly forced, coerced, or fraudulently recruited to join extremist fighters, including Da'esh.

Syrian children are reportedly vulnerable to forced early marriages—which can lead to commercial sexual exploitation and forced labor—and children displaced within the country continue to be subjected to forced labor, particularly by organized begging rings. In 2015, there were credible reports of South Asian women fraudulently recruited to Syria as domestic servants or forced into prostitution, including hundreds of Nepalese women who transited India, Oman, and United Arab Emirates to Syria under false pretenses of employment. According to the media, some Bangladeshi women migrate to Lebanon or Jordan for domestic work with the help of Bangladeshi recruitment agencies but are sold and transported to Syria, where they are subjected to forced labor and sex trafficking.

The Syrian refugee population is highly vulnerable to trafficking in neighboring countries, particularly Jordan, Lebanon, and Turkey. In 2015, an international organization reported a high number of child marriages among Syrian girls among refugee populations, which can lead to commercial sexual exploitation and forced labor. In previous years, there were isolated reports of Syrian refugees forced into "temporary" marriages—for the purpose of prostitution and other forms of exploitation—by men from Jordan and the Gulf states. Arab men reportedly visit refugee camps in Jordan in search of Syrian brides; most reports, however, remain second-hand and very few have been documented and corroborated by the Jordanian government or international organizations working with Syrian refugees. Reports continue of illicit prostitution rings of Syrian refugee women and girls, which are administered by local men, in Turkey and Lebanon, while the Lebanese police issued reports in 2014 detailing the sale of Syrian refugee women by local men. Syrian refugee children continue to engage in street begging in Turkey, Lebanon, and Jordan, some of which may be forced; Syrian women and children begging in the streets in Yemen are highly vulnerable to forced labor and sex trafficking. Syrian gangs inside Lebanon force refugee men, women, and children to work in agriculture in Lebanon's Beqaa Valley, where victims are forced to work under harsh conditions with little to no pay and some are subject to physical abuse. LGBTI persons among the Syrian refugee population in Lebanon are reportedly vulnerable to sex trafficking by Lebanese pimps. Syrian adults are reportedly subjected to forced labor as low-skilled workers in Qatar and Kuwait. In 2014, an international organization reported Syrian nationals temporarily residing in Sudan preferred to travel through Libya en route to Italy with the use of smugglers; these Syrians could be at risk of trafficking along this route. Likewise, displaced Syrians seeking illegal sea passage to Europe through the use of smugglers may be at risk of trafficking.

The Government of Syria does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government's actions directly contributed to the vulnerability of the population to trafficking and continued to perpetrate human trafficking crimes routinely. As the conflict continued, the government maintained its forcible recruitment and use of child soldiers, subjecting children to extreme violence and retaliation by opposition forces; it also failed to protect and prevent children from recruitment and use by government and pro-regime militias, armed opposition forces, and designated terrorist organizations such as Da'esh. The government continued to arrest, detain, and severely abuse trafficking victims, including child soldiers, and punished them for crimes committed as a direct result of being subjected to human trafficking. The government did not investigate or punish traffickers, including officials complicit in recruiting and using child soldiers, nor did it identify or protect any trafficking victims.



RECOMMENDATIONS FOR SYRIA:

Stop the forcible recruitment and use of child soldiers by government forces, pro-regime militias, and—to the extent possible in a civil war—armed opposition forces and designated terrorist organizations such as Da'esh; provide adequate protection services to demobilized children; ensure trafficking victims are not punished for crimes committed as a direct result of having been subjected to trafficking, particularly children forcibly recruited as soldiers by the regime and armed opposition and extremist groups; implement the anti-trafficking law through increased investigations and prosecutions of traffickers, including officials complicit in the recruitment and use of child soldiers; and proactively identify potential trafficking victims and provide them with appropriate protection services.

PROSECUTION

The government did not report any anti-trafficking law enforcement efforts, and the government and government-affiliated militias remained complicit in trafficking crimes, including child soldiering. The increasingly violent civil war continued to directly amplify the magnitude of human trafficking crimes occurring within Syria and affecting displaced Syrians. Decree No. 3 of 2011 provides a legal foundation for prosecuting trafficking offenses and protecting victims, but it does not include a clear definition of human trafficking. This decree prescribes a minimum punishment of seven years' imprisonment, a penalty that is sufficiently stringent, though not commensurate with those prescribed for other serious crimes, such as rape. The government adopted Law No. 11/2013 in June 2013, which criminalizes all forms of recruitment and use of children younger than the age of 18 by armed

forces and armed groups; however, the government made no efforts to prosecute child soldiering crimes perpetrated by government and government-affiliated militias, armed opposition groups, and designated terrorists organizations. The government did not report investigating, prosecuting, or convicting suspected traffickers, nor did it investigate, prosecute, or convict government officials complicit in human trafficking, including officials who forcibly recruited and used child soldiers in combat and support roles. The government did not provide anti-trafficking training for officials.

PROTECTION

The government did not identify or protect trafficking victims. The government failed to protect children from forcible recruitment and use as soldiers, human shields, and in support roles by government forces and pro-government armed groups, armed opposition groups, and terrorist organizations. Furthermore, the government arrested, detained, raped, tortured, and executed children, whom opposition groups forcibly recruited and used; the government made no efforts to exempt these children from punishment or to offer them any protection services. The government neither encouraged trafficking victims to assist in investigations or prosecutions of their traffickers nor provided foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

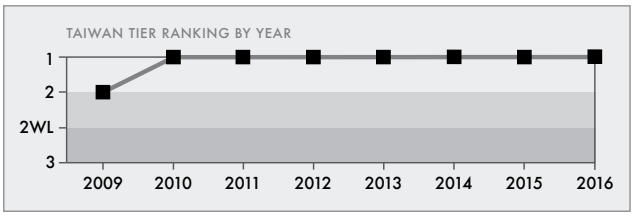
PREVENTION

The government did not prevent human trafficking; the government's actions continued to amplify the magnitude of human trafficking crimes. The government failed to implement measures to prevent children from recruitment and use as combatants and in support roles by government, government-affiliated militias, opposition armed groups, and terrorist organizations. The government did not raise awareness of human trafficking among the general public or officials. The government did not report efforts to reduce the demand for commercial sex acts or forced labor, nor did it prevent child sex tourism by Syrian nationals abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

TAIWAN: Tier 1

Taiwan is a destination for men and women subjected to forced labor and sex trafficking and, to a lesser extent, a source of men and women subjected to forced labor and of women and children subjected to sex trafficking. Most trafficking victims are migrant workers from Indonesia, the Philippines, Thailand, Vietnam, and to a lesser extent, individuals from China and Cambodia. Most of Taiwan's more than 587,000 migrant workers are hired in their home countries through recruitment agencies and brokers, some of which are from Taiwan, to perform low-skilled work as home caregivers and domestic workers, or in farming, manufacturing, construction, and fishing industries. Some migrant workers are charged exorbitantly high recruitment fees, resulting in substantial debts used by brokers or employers as tools of coercion to obtain or retain their labor. After recruitment fee repayments are garnished from their wages, many foreign workers in Taiwan earn significantly less than the minimum wage. Domestic workers and home caregivers are especially vulnerable to exploitation, since they often live in their employers' residences, making it difficult to monitor their working and living conditions. Brokers in Taiwan often assist employers in forcibly deporting "problematic" foreign employees should they complain, enabling the broker to fill the empty positions with new foreign workers and continually use debt bondage to control the work force. Documented and undocumented fishermen on Taiwan-flagged fishing vessels, mostly from China, Indonesia, and Vietnam, experience non- or under-payment of wages, long working hours, physical abuse, lack of food, and poor living conditions, which are indicators of trafficking. Women from China and Southeast Asian countries are lured to Taiwan through fraudulent marriages and deceptive employment offers for purposes of sex trafficking. There have been reports of men and women from Taiwan engaged in illegal business operations overseas that present indicators of human trafficking, as well as women from Taiwan being lured into forced prostitution in the United States.

Taiwan authorities fully meet the minimum standards for the elimination of trafficking. During the reporting period, authorities continued to prosecute trafficking offenses, including both forced labor and sex trafficking, trained law enforcement and other officials on trafficking indicators, took steps to make the system of direct hiring of employees without the use of brokers more accessible, promulgated interagency procedures for handling cases involving trafficking of foreign workers on fishing vessels, and raised public awareness of trafficking. There were, however, no arrests or convictions for trafficking violations on Taiwan fishing vessels. Prosecutors and judges continued to treat many cases involving trafficking indicators as lesser crimes and, in many cases, sentenced traffickers to lenient penalties not proportionate to the crimes.



RECOMMENDATIONS FOR TAIWAN:

Increase efforts to prosecute and convict traffickers under Taiwan's anti-trafficking law; sentence convicted traffickers to sufficiently stringent punishments; vigorously investigate and prosecute, using the newly established procedures, the owners of Taiwan-owned or -flagged fishing vessels that allegedly commit abuse and labor trafficking onboard long haul fishing vessels; clearly define roles and responsibilities for the agencies that oversee Taiwan-flagged fishing vessels; differentiate the process of victim identification from prosecution, such that victim identification is not tied to the successful prosecution of traffickers; increase efforts to reduce brokers' exploitation of migrant workers by continuing to simplify the process of direct hiring and build public awareness of the Direct Hiring Service Center and by strengthening broker evaluation and accountability systems; improve the effectiveness of anti-trafficking training and increase prosecutors' and judges' understanding of human trafficking; pursue legislative changes that would address gaps in basic labor protections for household caregivers and domestic workers; establish a systematic information-sharing process to foster more robust interagency anti-trafficking coordination; enhance cross-border efforts to identify victims and prosecute offenders; and continue efforts to increase public awareness of all forms of trafficking.

PROSECUTION

Authorities sustained anti-trafficking law enforcement efforts. Taiwan's Human Trafficking Prevention and Control Act