

PREVENTION

The government maintained prevention efforts. In October, the government launched an interagency working group to coordinate continued implementation of the 2016-2017 national action plan. The DEO, as coordinator of the interagency steering committee on trafficking, oversaw protection and prevention programs. Labor officials inspected 160,347 sites, compared to 94,025 sites in 2016, including 7,265 agricultural companies, and identified more than 48,000 unregistered workers, compared to 30,000 workers in 2016. The government did not report the extent to which it screened or identified potential trafficking cases in the inspections. The government launched a nationwide public awareness anti-trafficking campaign, including a video broadcast on national television publicizing the trafficking hotline. Local authorities and NGOs continued to distribute brochures, posters, bumper stickers, and media advertisements providing information on victim assistance. The DEO's hotline for victims of trafficking received more than 4,033 calls for information, compared to 2,900 in 2016, of which 487 were potential trafficking cases. Some municipalities supported education campaigns led by NGOs and implemented fines on individuals in prostitution and purchasers of commercial sex for violating rules on street prostitution, although it was unclear to what extent the police screened for trafficking. There was no coordinated national government effort to reduce the demand for commercial sex. Italian diplomats received anti-trafficking training, as did troops prior to deployment with international peacekeeping missions. The government did not address the demand for global child sex tourism or prosecute Italian citizens who participated abroad.

Internationally, Italy implemented an agreement for joint operations and training with the Libyan Coast Guard through Operation Sophia aimed at reducing the flow of irregular migrants crossing the central Mediterranean. The Italian government provided patrol vessels and training for the Libyan coast guard to more effectively interdict smugglers and traffickers and rescue migrant vessels. However, some European and international NGOs criticized this coordinated effort of turning migrant boats back to Libya and stopping other migrants from attempting the crossing to Italy, citing poor security and human rights conditions inside Libya and an increased risk of trafficking for migrants forced to remain in Libya. Italy and the Libyan GNA also maintained agreements on judicial cooperation and extraditions. Italian police began a two-year training program in March 2018 for 360 law enforcement officials from 22 African countries on immigration and border control, based in Egypt, including training on combating trafficking. The government implemented a communication program across the Horn of Africa and West Africa to inform potential migrants of the risks of trafficking.

TRAFFICKING PROFILE

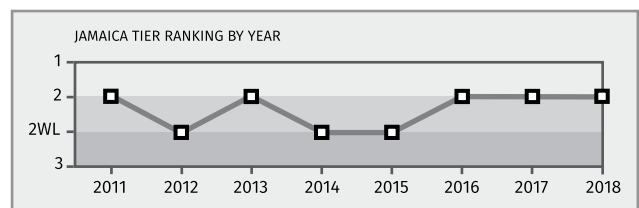
As reported over the past five years, Italy is a destination, transit, and source country for women, children, and men subjected to sex trafficking and forced labor. Victims originate primarily from Nigeria and other African countries, China, and Eastern Europe, and include ethnic Roma. Nigerians represented 36 percent of the victims who received residency permits in 2017, primarily women and girls subjected to sex trafficking through debt bondage and many coerced under threat of voodoo rituals. Men are victims of forced labor in agriculture in southern Italy and in construction, house cleaning, hotels, and restaurants in the north. Chinese victims work in textile factories in Milan, Prato, Rome, and Naples. Nigerian gangs have expanded and reportedly receive protection from Italian crime networks.

Chinese criminal elements also forced victims to work in apartments and in massage parlors.

The dramatic flow of African migrants and asylum-seekers across the Mediterranean continued, albeit at a lower rate. Italy received 119,310 irregular arrivals by sea in 2017, compared to the 181,436 arrivals in 2016 and 154,000 arrivals in 2015, nearly all coming via Libya. Most migrants rely on smugglers in their country of origin and many become subject to trafficking en route to Italy or upon arrival. Unaccompanied children are at high risk, including boys forced to work in shops, bars, restaurants, bakeries, or in forced begging. According to UNHCR, 15,731 persons arriving in 2017 were unaccompanied children, compared to 25,846 arriving in 2016, mostly boys, the majority from Africa. Asylum-seekers are allowed to work two months after their applications are submitted, although many migrants later seek illegal employment in informal sectors, increasing their vulnerability to trafficking. Many also attempt to depart for other European countries.

JAMAICA: TIER 2

The Government of Jamaica does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Jamaica remained on Tier 2. The government demonstrated increasing efforts by increasing funding for victim assistance, publishing standard operating procedures (SOPs) for labor and health care officials, passing a legal amendment designed to enhance the government's efforts to prosecute and convict traffickers under its anti-trafficking law, and increasing awareness efforts. However, the government did not meet the minimum standards in several key areas. In particular, under Jamaica's anti-trafficking law, penalties for trafficking are not commensurate with other serious crimes. The government initiated significantly fewer investigations compared to the previous year, did not provide adequate protection for some potential or confirmed trafficking victims, and did not publish an annual report on government efforts.



RECOMMENDATIONS FOR JAMAICA

Increase efforts to identify and provide comprehensive protection to victims of trafficking, including sex trafficking, forced begging, and domestic servitude of Jamaican children; vigorously investigate, prosecute, convict, and punish traffickers, including any officials complicit in sex or labor trafficking; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; develop and fully implement government-wide SOPs to guide social workers and other front-line officials in the proactive identification of local and foreign victims of forced labor and sex trafficking, including those exploited in commercial sex in nightclubs, bars, massage parlors, forced begging, and domestic servitude; dedicate adequate funding to implement the national action plan and develop

a new plan before the current one expires; utilize and expand available shelters for identified trafficking victims, including male victims; allocate sufficient resources to implement the national rapporteur's mandate to investigate reports of human trafficking, report on violations of the rights of victims, and provide an annual report to the government; continue to support victims during the criminal justice process to ensure their availability for testimony; increase efforts to investigate, prosecute, and convict foreign tourists and others who purchase commercial sex acts from child trafficking victims; continue cooperating with foreign authorities to prevent suspected child sex tourists from entering the country; and continue efforts to educate government officials and the public about human trafficking of both Jamaican citizens and foreign nationals.

PROSECUTION

The government maintained law enforcement efforts. The government criminalized sex and labor trafficking through its Trafficking in Persons (Prevention, Suppression, and Punishment) Act, which prescribed penalties of up to 20 years imprisonment, a fine, or both. These penalties were sufficiently stringent; however, with respect to sex trafficking, by allowing for a fine in lieu of imprisonment, these penalties were not commensurate with those for other serious crimes, such as rape. The Jamaican parliament approved and enacted an amendment to the Trafficking Act to allow such cases to be tried by a judge rather than a jury.

Authorities initiated 30 new trafficking investigations, compared with 40 in the previous reporting period. Officials prosecuted three new trafficking cases against three defendants—including Jamaica's first case of forced begging—and continued prosecuting 10 cases against 12 defendants, compared to three new cases in the previous reporting period. The government secured one conviction, compared to two in the previous reporting period. The convicted trafficker, whose prosecution began during a previous reporting period, was scheduled for sentencing in May 2018. The independent commission of investigations had authority to investigate all alleged abuses by police officers and government officials, but in practice did not pursue allegations of trafficking. The trial of the former deputy chairman of Jamaica's anti-doping disciplinary panel, the first Jamaican official to be charged with the offense of trafficking under the anti-trafficking law, ended in January when the judge dismissed the charges. The government did not report any other investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

The National Task Force against Trafficking in Persons (NATFATIP) continued leading the government's anti-trafficking efforts, while the Ministry of Justice housed the NATFATIP's Secretariat and hosted monthly NATFATIP meetings. The Ministry of Justice allocated 34.8 million Jamaican dollars (\$272,470) for anti-trafficking efforts in fiscal year 2017-2018. The Office of the Director of Public Prosecutions (DPP) maintained a 19-person trafficking unit and assigned dedicated prosecutors to trafficking cases. The government trained more than 600 police officers on trafficking, compared to 1,063 in the previous reporting period. The government hosted a two-week course on trafficking investigations for 30 law enforcement officials from eight Caribbean countries and territories. The government cooperated with the governments of Antigua, The Bahamas, Guyana, and Trinidad and Tobago on trafficking cases.

PROTECTION

The government maintained efforts to protect victims. Authorities

identified 13 confirmed trafficking victims—12 exploited in labor trafficking and one exploited in sex trafficking—during the reporting period, compared to eight confirmed victims in 2016. All but one identified victim was Jamaican. The government published victim identification SOPs for both health care officials and labor officials, and continued work on a protocol for child welfare officials, though these agencies did not report identifying any victims during the year. The Jamaica Constabulary Force (JCF) and immigration officers continued to use SOPs for victim identification and granting temporary immigration status; however, some officers reportedly failed to identify and refer potential victims. The JCF maintained an anti-trafficking unit, which interviewed potential victims and was required by law to notify NATFATIP, partner NGOs, and, in some cases, the Child Protection and Family Services Agency (CPFSA). There were no reports of the government referring victims to NGO-run shelter facilities; some stakeholders were not aware of, or did not fully utilize the JCF's anti-trafficking unit services when interacting with potential trafficking victims. The JCF anti-trafficking unit could arrange for the transportation and transfer of victims to a shelter, a CPFSA facility, or private short-term accommodation, regardless of whether or not the victim cooperated with law enforcement. No identified victims during the reporting period were transferred to the government-run trafficking shelter, but other accommodations, including long-term shelter in at least one case, were provided. During the reporting period, NATFATIP provided the anti-trafficking unit with a new vehicle to be used for supporting operations and transporting victims. CPFSA shelter facilities were inadequate for potential child trafficking victims; there was a shortage of child-friendly spaces, social workers, and facilities outside of the capital. The children's registry—which operated a national hotline for cases of child abuse, including human trafficking—received three reports of alleged child trafficking between April and September 2017, the latest data available.

The government offered protection to the 13 confirmed victims and referred them to government facilities for medical services, psychological services, and financial assistance for basic necessities. The government's trafficking shelter, which could house 12 people, continued assisting one female victim from a previous reporting period, who received medical and dental care, psychological counseling, food and basic necessities, legal services, and access to recreation, while other identified victims either returned home or were referred to other facilities, such as hotel arrangements funded by the government. At least one victim identified during the reporting period remained in a long-term shelter arrangement. An NGO-run trafficking shelter offered educational and training services funded by the government to victims older than 16 and was capable of housing six women; the government did not refer any victims to this shelter during the reporting period. The government reportedly provided support to victims after their departure from government shelters on a case-by-case basis, including medical and psychological care. The government reported a shortage of medical professionals trained to care for trafficking victims. The government had difficulty securing witness testimony of victims who had been repatriated and of those who feared reprisal; lengthy court cases and limited access to services exacerbated these fears and served as disincentives for victims to participate in trials. The DPP encouraged victim testimony by providing victims an overview of the criminal justice process, assigning dedicated prosecutors to develop a rapport with victims, and equipping some courtrooms for remote video testimony to enable testimony from abroad—video testimony has not been utilized in any trafficking cases.

Authorities provided more than 12 million Jamaican dollars (\$93,750) for both victim assistance and protection in 2017, compared with 6.3 million Jamaican dollars (\$49,220) for solely victim assistance in 2016. In accordance with Jamaica’s anti-trafficking law, the government continued providing temporary relief from deportation for one foreign national victim identified in a previous reporting period. The government coordinated with two governments to repatriate two Jamaican victims, including by preparing relevant documents and providing investigative and logistical support, but it did not provide repatriated victims with protective services. There were no reports of the government penalizing identified victims for crimes committed as a result of being subjected to trafficking; however, ineffective screening of vulnerable populations for indicators of trafficking may have led to some victims being penalized.

PREVENTION

The government increased efforts to prevent trafficking. NATFATIP continued to coordinate implementation of the government’s national anti-trafficking plan valid through 2018. With funding from an international organization, NATFATIP continued drafting a national anti-trafficking policy, to supplement the already-existing national plan of action on trafficking. The cabinet appointed a national rapporteur on trafficking in 2015 to investigate reports of trafficking, report on violations of the rights of victims, and provide an annual report to the government; the rapporteur had yet to publish a report by the close of the reporting period. The government engaged in public awareness activities, including a campaign in schools and the media, a film screening, a comic book, an animated mini-series, and the distribution of 69,000 copies of a pamphlet in a leading newspaper, reaching more than 31,000 students, teachers, government officials, and community members. The government formally adopted an anti-trafficking awareness campaign sponsored by an international organization. NATFATIP, with funding from a foreign government, conducted a nation-wide trafficking awareness tour that included five town hall events and reached over 700 students and community members. The National Children’s Registry conducted over 280 training sessions to educate audiences about the registry’s role in receiving reports of child abuse, including child trafficking. The labor ministry, prior to the departure of Jamaican participants in an overseas seasonal agricultural program, educated them about the risks of trafficking. The government did not report any investigations, prosecutions, or convictions of foreign tourists for the purchase of commercial sex acts from child trafficking victims, but authorities arrested one foreign citizen for sexual offenses committed against a child. Police conducted operations in areas known for prostitution and collaborated with the Jamaica Fire Brigade to close three suspected brothels based on building code violations. The government, in cooperation with foreign authorities, monitored foreign registered sex offenders attempting to travel to Jamaica. The government did not make efforts to reduce the demand for forced labor. The government provided anti-trafficking training to diplomatic personnel, including the requirement for such personnel to enter into employment contracts with their domestic workers.

TRAFFICKING PROFILE

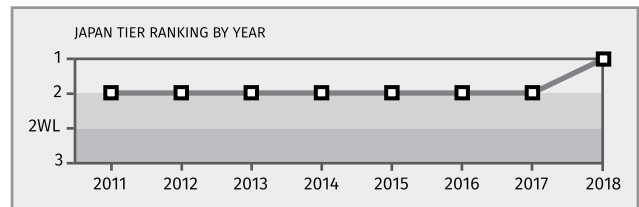
As reported over the past five years, Jamaica is a source and destination country for adults and children subjected to sex trafficking and forced labor. Sex trafficking of Jamaican women and children, including boys, reportedly occurs on streets and in nightclubs, bars, massage parlors, hotels, and private homes,

including in resort towns. Traffickers increasingly use social media platforms to recruit victims. Jamaican citizens have been subjected to sex trafficking and forced labor abroad, including in other Caribbean countries, Canada, the United States, and the United Kingdom.

Communities vulnerable to sex trafficking and forced labor include young women and children from poor households, child victims of sexual abuse, residents of Jamaica’s poverty-stricken areas effectively controlled by criminal “dons,” migrant workers, and workers in the informal sector, particularly on family farms and in markets and shops. Some boys may be subjected to forced criminal activity by gang members. Child domestic workers may be subject to domestic servitude, and some children and adults are subjected to forced begging. Many children are reported missing in Jamaica; some of these children are subjected to forced labor or sex trafficking. Foreign nationals are subjected to forced labor in Jamaica and aboard foreign-flagged fishing vessels operating in Jamaican waters. NGOs and other local observers report child sex tourism is a problem in Jamaica’s resort areas.

JAPAN: TIER 1

The Government of Japan fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Japan was upgraded to Tier 1. These achievements included establishing a new interagency taskforce to combat child sex trafficking in *Joshi kosei* or “JK” businesses—dating services connecting adult men with underage girls—and in forced pornography; operationalizing regulations and a new oversight mechanism for its Technical Intern Training Program (TITP); and acceding to the UN Convention against Transnational Organized Crime (UNTOC) and the 2000 UN TIP Protocol. Although the government meets the minimum standards, authorities continued to prosecute traffickers under laws carrying lesser sentences, which courts often suspended in lieu of incarceration. Many suspected cases of child sex trafficking and forced labor were addressed with administrative penalties or loss of business licenses rather than through criminal investigations and proceedings. The government was unable to fully enforce TITP reform law provisions aimed at blocking foreign-based recruitment agencies from charging excessive fees—a key driver of debt bondage among TITP participants. Authorities detained, charged, and in some cases deported TITP interns who absconded from exploitative conditions in their contracted agencies, rather than screening them and referring them to protective services.



RECOMMENDATIONS FOR JAPAN

Vigorously investigate and prosecute sex and labor trafficking cases, and hold convicted traffickers accountable by imposing strong sentences; amend anti-trafficking laws to remove sentencing provisions that allow fines in lieu of imprisonment and to increase the penalties prescribed for trafficking crimes to

include a maximum of no less than four years imprisonment; increase resources to provide specialized care and assistance to trafficking victims, including designated shelters for trafficking victims, and ensure these services are also available to both foreign and male victims; continue to implement the TITP reform law's oversight and enforcement measures, including by increasing employer inspections and terminating contracts with foreign recruitment agencies charging excessive commissions or fees; increase enforcement of bans on "punishment" agreements, passport withholding, and other practices by organizations and employers that contribute to forced labor; enhance victim screening to ensure victims, including migrant workers under the TITP program and children, are properly identified and referred to services, and not detained or forcibly deported for unlawful acts committed as a direct result of being subjected to trafficking; and aggressively investigate, prosecute, convict, and punish Japanese citizens who engage in child sex tourism overseas.

PROSECUTION

The government increased some law enforcement efforts. Japan did not have a comprehensive anti-trafficking statute that included definitions in line with international standards. However, it criminalized sex and labor trafficking offenses through disparate laws pertaining to prostitution of adults and children, child welfare, immigration, and employment standards. Article 7 of the Prostitution Prevention Law criminalized inducing others into prostitution and prescribed penalties of up to three years imprisonment or a fine of up to 100,000 yen (\$890) if fraudulent or coercive means were used, and up to three years imprisonment and a fine of up to 100,000 yen (\$890) if force or threats were used. Article 8 of the same law increased penalties to up to five years imprisonment and a fine of up to 200,000 yen (\$1,780) if the defendant received, entered into a contract to receive, or demanded compensation for crimes committed under Article 7. The "Act on Regulation and Punishment of Activities Relating to Child Prostitution and Pornography and the Protection of Children" criminalized engaging in, acting as an intermediary for, and soliciting the commercial sexual exploitation of a child and prescribed penalties of up to five years imprisonment, a fine, or both. The act also criminalized the purchase or sale of children for the purpose of exploiting them through prostitution or the production of child pornography, and prescribed a maximum penalty of 10 years imprisonment. The government reportedly also prosecuted trafficking-related offenses using the Child Welfare Act, which broadly criminalized transporting or harboring children for the purpose of causing them to commit an obscene or harmful act and prescribed penalties of up to 10 years imprisonment, or a fine of up to 1 million yen (\$8,880), or both. The Employment Security Act and the Labor Standards Act both criminalized forced labor and prescribed penalties of up to 10 years imprisonment or a fine not exceeding 3 million yen (\$26,650). When prescribed penalties allowed for fines in lieu of imprisonment for sex trafficking, they were not commensurate with penalties prescribed for other serious crimes, such as rape. However, the government issued sentencing guidelines at the end of the reporting period directing prosecutors not to pursue fines in lieu of imprisonment in trafficking cases. Penalties prescribed for trafficking crimes were sufficiently stringent. With respect to sex trafficking and in light of the aforementioned sentencing guidelines regarding fines, these penalties were also commensurate with those prescribed for other serious crimes, such as rape. Civil society organizations reported reliance on this series of overlapping statutes continued to hinder the government's ability to identify and prosecute

trafficking crimes, especially for cases involving forced labor with elements of psychological coercion.

In July 2017, Japan passed a law containing a provision that criminalized bribery of witnesses, which would allow the authorities additional grounds to pursue obstruction of justice charges against some traffickers. However, the government did not report to what extent it implemented this during the reporting period. The government did not report the number of investigations into crimes related to trafficking it initiated in 2017 (44 in 2016), but courts prosecuted 26 individuals (43 in 2016), leading to 23 convictions (37 in 2016). Six of the 23 convicted traffickers received only fines. Authorities sentenced the remaining 17 traffickers to two to four years imprisonment, but only incarcerated five of them; the remaining 12 received suspended sentences, allowing them to avoid serving prison terms. The government did not report convicting any individuals for involvement in the forced labor of TITP participants. However, following on-site inspection of TITP implementing organizations, the Labor Standards Office and regional immigration authorities referred 34 cases of "severe" labor abuses to the Public Prosecutor's Office for further criminal investigation (40 referrals to prosecution for lesser violations in 2016); the government did not report whether these cases included forced labor indicators, or whether they culminated in prosecutions. NGOs claimed courts set prohibitively high evidentiary standards for forced labor cases involving foreign victims, thereby stymying appropriate law enforcement action. The government also reported identifying and initiating investigations into 956 cases of "children in prostitution"—a form of sex trafficking—compared with 809 in 2016. Authorities reported convicting three individuals under "child prostitution" provisions in the "Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and the Protection of Children," but this figure only included "child prostitution" cases the government formally recognized as trafficking; the true number of convictions under these provisions was likely much higher. Authorities increased law enforcement action against child sexual exploitation in "JK" businesses and in coerced pornography operations. Police arrested and charged the head of an entertainment industry job placement agency and the operator of a pornographic video production company for inducing women and girls to engage in sexual intercourse for the purpose of profit—the first application of this criminal statute in over 80 years. However, the Public Prosecutor's Office did not prosecute the suspects. Police also arrested the owner of a prominent online DVD sales business for subjecting women, including a minor, to forced participation in pornography. The owner was initially convicted and given a suspended sentence, which the prosecutors successfully appealed; he was then re-sentenced to two years and six months imprisonment with a fine of 300,000 yen (\$2,670). In an effort to combat the commercial sexual exploitation of children, the Tokyo Metropolitan Assembly passed an ordinance in July 2017 prohibiting girls under 18 from working in compensated dating services and requiring "JK" business owners to register their employee rosters with the city's public safety commission. Authorities identified 114 of these operations nationwide in 2017, of which they closed 14 for violating the terms of the ordinance. Courts then initiated prosecution under the Labor Standards Act against the owner of one such establishment for subjecting three underage girls to sex trafficking; the case was ongoing at the end of the reporting period. The government continued to provide training on investigative methods and victim identification for police officers, prosecutors, judges, and immigration bureau officials.

PROTECTION

The government increased some efforts to protect victims. Authorities identified 46 trafficking victims, compared with 50 in 2016, in addition to 956 children exploited in commercial sex. The government increased efforts to screen for, identify, and provide appropriate protective services to victims among vulnerable groups, including girls subjected to labor and sex trafficking in the “JK” business. Of these 46 victims, the government identified 31 female sex trafficking victims (37 in 2016) and three labor trafficking victims (four in 2016), along with 12 additional victims of forced labor who were also likely subjected to sex trafficking (nine in 2016). National Police Agency (NPA) officials continued to use an IOM-developed handbook and the Inter-Ministerial Liaison Committee’s manuals to identify and refer victims to available protective services. The NPA also distributed a handbill for potential victims with emergency contact information in 10 languages. Only one victim identified in 2017 was male, and the government has never identified a forced labor victim within the TITP despite substantial evidence of trafficking indicators. Authorities continued to arrest and deport TITP participants—particularly those from Vietnam—who escaped forced labor and other abusive conditions in their contracted agencies. Despite identifying 956 cases of children exploited in commercial sex, police officially identified only six children as sex trafficking victims during the reporting period (10 in 2016); authorities continued to separate these statistics based on persistent definitional discrepancies that may have impacted service provision and proper law enforcement action. Police continued to treat some potential child sex trafficking victims as delinquents, counseling them on their behavior instead of screening them for victim status, investigating their cases, or referring them to specialized services; authorities arrested and initially charged some child victims in connection with their trafficking situations, though NGOs reported the authorities later dropped all such charges in 2017.

As in prior years, the government did not fund trafficking-specific shelters, but it continued to fund shelters run by Women’s Consulting Offices (WCOs) and those for victims of domestic violence. These shelters reported assisting 16 of the 46 victims identified in 2017 (15 in 2016), at least one of whom was under 18. An unknown number of additional victims received assistance in NGO shelters, where they could access government-subsidized medical care. WCO shelters provided food and other basic needs, psychological care, and coverage of medical expenses to victims, who were free to leave the facilities if accompanied by WCO personnel. The government allocated over 3.5 million yen (\$31,100) for sheltering male trafficking victims, although it was unclear whether the sole male victim identified in 2017 received direct government assistance. The availability and quality of victim services varied according to prefecture-level officials’ relative experience with trafficking cases.

The Ministry of Health, Labor, and Welfare (MHLW) continued to partially fund an NGO-run general counseling hotline for foreign workers, but it was not trafficking-specific. The immigration bureau operated a similar hotline through which two victims were identified during the reporting period. Police also ran a general hotline through a private entity that fielded over 20,000 complaints in 2017, 182 of which were trafficking-related. This hotline was only available in the Japanese language, and none of the calls culminated in positive victim identification. The government continued to fund a program through an international organization to provide counseling, temporary refuge, social reintegration, and repatriation services to trafficking victims. Through this program,

seven foreign victims received repatriation assistance (23 in 2016), and another eight who had been repatriated in previous years benefited from social reintegration services. Despite the existence of these services, international organizations and NGOs reported most foreign trafficking victims had limited or no access to other government-provided social services from which legal resident victims could benefit. NGOs highlighted a lack of language interpretation services as a particular challenge to the protection of foreign victims.

Although the law ostensibly protected victims from denial of entry into or deportation from Japan, inadequate screening of vulnerable groups reportedly led to the arrest and deportation of some victims due to immigration violations or other crimes committed as a result of being subjected to trafficking. NGOs noted increased cooperation between the Ministry of Foreign Affairs and the Ministry of Justice (MOJ) to tighten victim screening of Japanese-Filipino children entering the country on residency arrangements, but authorities did not report whether this led to any positive identification. Temporary, long-term, and permanent residence benefits were available to foreign victims who feared the repercussions of returning to their countries of origin. In 2017, the government reported granting two long-term visas and 16 short-term visas to victims under these circumstances (compared with zero and 24, respectively, in 2016); some victims identified in 2017 already had residence permits at the time of identification. Victims had the right to file civil suits to seek compensation from their traffickers; some foreign workers, including potentially unidentified victims, and sex trafficking victims filed civil suits for non-payment of wages in 2017. However, companies ordered to provide restitution often filed for bankruptcy, making restitution awards nearly impossible. Civil society organizations reported some victims of coerced pornography chose not to participate in court proceedings against their traffickers out of fear that doing so would create stigma-based challenges to their reintegration and rehabilitation.

PREVENTION

The government increased efforts to prevent trafficking. It produced its third annual report on government actions to combat trafficking and tracked measures against the stated goals of its anti-trafficking action plan. Authorities began implementing the 2016 Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (TITP reform law), which aimed to establish criminal penalties for certain labor abuses, increase oversight and accountability within the program, and expand participants’ freedom to change employers at will, among other improvements. Under the auspices of this law, the government established the Organization for Technical Intern Training (OTIT), which increased on-site inspections of both implementing and supervising organizations and provided over 1,300 participants with multilingual consultation services. The law also mandated the MHLW to approve work plans outlining living conditions, working hours, and other factors developed jointly by incoming TITP participants and their employers; authorities reported approving over 30,000 of these in the five months following enactment of the law. Despite an increase in inspections leading to a range of administrative and law enforcement actions, NGOs reported the OTIT was too understaffed to adequately investigate allegations of abuse within such a large program—particularly as the number of participants continued to grow. Observers remained concerned that most TITP participants still did not have the right to change employers once in Japan; some participants reportedly absconded from abusive conditions in their contracted

workplaces, thereby violating the terms of their visas and becoming more vulnerable to trafficking in unemployment.

In an attempt to prevent TITP participants from incurring high debts in their sending countries, the government entered into memoranda of cooperation with Vietnam, Cambodia, India, Laos, Mongolia, and the Philippines, affirming it would accept TITP trainees only from state-approved organizations that would not charge participants excessive fees. However, some sending organizations in these countries were able to circumvent the fee restrictions and still secure their respective governments' approval by charging high "commissions" in lieu of fees; trainees from these countries therefore remained vulnerable to debt bondage once in Japan. The Labor Standards Inspection Office conducted 299 on-site investigations into allegations of TITP employer misconduct, leading to "corrective notifications" for 213 organizations and at least four ongoing criminal investigations for "severe abuses." The MOJ also banned three companies, 27 supervising organizations, and 183 implementing organizations from receiving TITP interns in 2017, compared with two, 25, and 202, respectively, in 2016.

Authorities continued to advertise the multilingual emergency contact hotline number at local police and immigration offices, through NGOs, and in consultations with source countries' governments. The government raised awareness on trafficking by disseminating information online and through radio programs, posters, and brochures, as well as through leaflets distributed to NGOs, immigration and labor offices, and diplomatic missions in Japan and abroad. The government continued to distribute posters and brochures in transportation hubs and to travelers warning that Japanese citizens could face prosecution if suspected of having engaged in child sex tourism overseas. The government had extraterritorial jurisdiction to prosecute Japanese nationals who engaged in child sexual exploitation abroad, but authorities did not report exercising this jurisdiction. NGOs lauded the government's initiation of a high-level interagency taskforce, led by the Minister for Gender Equality, to address violence against children perpetrated through forced participation in pornographic films and the "JK"-business. In July, Japan passed a law approving UNTOC and became a State Party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the last five years, Japan is a destination, source, and transit country for men and women subjected to forced labor and sex trafficking, and for children subjected to sex trafficking. Male and female migrant workers, mainly from Asia, are subjected to conditions of forced labor, including in Japanese government-run programs. Men, women, and children from Northeast Asia, Southeast Asia, South Asia, South America, and Africa travel to Japan for employment or fraudulent marriage and are subjected to sex trafficking. Japan's fast-growing foreign student population is also vulnerable to trafficking in the unskilled labor sector. Traffickers use fraudulent marriages between foreign women and Japanese men to facilitate the entry of women into Japan for forced prostitution in bars, clubs, brothels, and massage parlors. Traffickers keep victims in forced labor or forced prostitution using debt bondage, threats of violence or deportation, blackmail, passport retention, and other psychologically coercive methods. Most victims are required to pay employers fees for living expenses, medical care, and other necessities, leaving them vulnerable to debt bondage. Brothel operators sometimes arbitrarily impose "fines" on victims for alleged misbehavior as a tactic to extend their indebtedness. Trafficking victims reportedly transit Japan

before being exploited in onward destinations, including East Asia and North America.

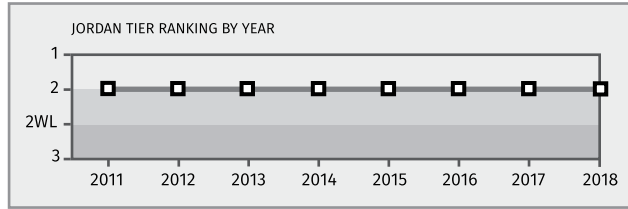
Japanese citizens—particularly runaway teenage girls—are also subjected to sex trafficking. *Enjo kosai*, also known as "compensated dating," and variants of the "JK" business continue to facilitate the sex trafficking of Japanese children. Highly organized prostitution networks target vulnerable Japanese women and girls—often living in poverty or with cognitive disabilities—in public spaces such as subways, popular youth hangouts, schools, and online, and subject them to sex trafficking. Some groups posing as model and actor placement agencies use fraudulent recruitment techniques to coerce Japanese men, women, and underage girls into signing vague contracts and then threaten them with legal action or the release of compromising photographs to force them to participate in pornographic films. Private Japanese immigration brokers help Japanese-Filipino children and their Filipina mothers move to Japan and acquire citizenship for a significant fee, which the mothers often incur large debts to pay; upon arrival, some of these women and their children are subjected to sex trafficking to pay off the debts. Organized crime syndicates posing as immigration brokers also lure these families to Japan with deceptive job offers, and then subject the women to forced labor in the nightlife industry. Japanese men remain a source of demand for child sex tourism in Thailand and other countries in Asia.

Cases of forced labor occur within the TITP, a government-run program originally designed to foster basic technical skills among foreign workers that has effectively become a guest-worker program. TITP participants from Burma, China, Cambodia, and Vietnam pay sending organizations in their home countries up to \$10,000 in excessive fees, deposits, or vague "commissions"—despite new international agreements aimed at curbing the practice—to secure jobs in fishing, construction, and manufacturing. Many participants are placed in jobs that do not teach or develop technical skills, contrary to the program's original intent; others are placed in jobs that do not match the duties they agreed upon beforehand. Some of these workers experience restricted freedom of movement, passport confiscation, threats of deportation, and other conditions of forced labor. Some sending organizations require participants to sign "punishment agreements" charging thousands of dollars in penalties if they fail to comply with their labor contracts. Some participants who abscond from their contracted TITP jobs are reportedly subjected to sex trafficking.

JORDAN: TIER 2

The Government of Jordan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Jordan remained on Tier 2. The government demonstrated increasing efforts by identifying and providing care to an increased number of victims and demonstrated strong efforts to investigate, prosecute, and convict traffickers. It also continued to improve the standard operating procedures (SOPs) within the national victim referral mechanism for authorities to systematically identify and refer victims to protection services. However, the government did not meet the minimum standards in several key areas. Under Jordan's anti-trafficking law, penalties for sex trafficking offenses were

not commensurate with penalties prescribed for other serious crimes. Jordanian authorities did not enact draft amendments to the anti-trafficking law, and a lack of sufficient resources hindered victim identification and care. Victims—including victims of domestic servitude—continued to be vulnerable to arrest, imprisonment, and deportation for acts committed as a direct result of being subjected to trafficking, such as immigration violations and fleeing abusive employers.



RECOMMENDATIONS FOR JORDAN

Amend the anti-trafficking law to ensure penalties for sex trafficking crimes are commensurate with those prescribed for other serious crimes; ensure victims are not inappropriately punished for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration or prostitution violations or escaping from an abusive employer; significantly increase training for law enforcement, prison officials, and labor inspectors throughout the country to proactively screen for, identify, and refer to protection services trafficking victims among vulnerable populations, such as detained foreign migrants, domestic workers, workers in the agricultural sector, and women in prostitution; fully implement the national victim referral mechanism, and finalize and distribute to all relevant officials the revised SOPs for the mechanism; continue to prosecute, convict, and punish sex trafficking and forced labor offenses with adequate jail time, and investigate and punish individuals for withholding workers’ passports under Jordan’s passport law; continue to regularly cooperate with NGOs to identify and refer victims to protection services; continue to allocate adequate funding for operation of the government’s trafficking shelter, and train shelter staff to identify and provide specialized care to victims; issue (or apply) labor regulations governing work in the agricultural sector, and increase labor inspections in this sector; and regulate and investigate fraudulent labor and recruitment practices.

PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. The 2009 anti-human trafficking law criminalized sex and labor trafficking. The law prescribed penalties of a minimum of six months imprisonment and/or a fine for sex and labor trafficking involving adult victims. These penalties were sufficiently stringent. However, by allowing for a fine in lieu of imprisonment, the penalties prescribed for sex trafficking were not commensurate with the penalties prescribed for other serious crimes, such as rape. The law prescribed penalties of up to 10 years imprisonment and a fine for the sex trafficking and forced labor of children, as well as for the sex trafficking of adults and other forms of adult trafficking involving aggravating circumstances. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. Jordan’s passport law criminalized the withholding of passports by an employer, carrying penalties of six months to three years imprisonment and fines. During the reporting period, the government did not pass draft amendments to the anti-trafficking law that would enhance sentences for trafficking

offenses and establish a victims’ compensation fund, in part because the Minister of Finance rejected funding the victims’ fund through the national budget.

The Public Security Directorate (PSD) and Ministry of Labor (MOL) joint anti-trafficking unit—the national focal point leading anti-trafficking investigations—continued to investigate potential trafficking crimes. The unit had national jurisdiction and included 18 criminal investigators, three labor inspectors, as well as interpreters and researchers. In 2017, the anti-trafficking unit investigated 310 potential trafficking cases. Additionally, in 2017 labor inspectors gained access to the residences provided for foreign garment workers to investigate potential labor violations and potential trafficking crimes. NGOs reported labor inspectors did not adequately investigate potential trafficking crimes (or other labor violations) in the agricultural sector. The Ministry of Justice reported it initiated the prosecution of 52 trafficking cases in 2017 and continued prosecution of additional trafficking cases initiated in previous years. The government convicted 10 traffickers under the anti-trafficking law, while 33 perpetrators were either acquitted or convicted of other crimes or violations of the labor law. Traffickers convicted in 2017 received sentences ranging from a fine of 1,000 Jordanian dinar (\$1,410) to five years imprisonment with temporary hard labor and a fine of 5,000 Jordanian dinar (\$7,060); some of these sentences were not sufficiently stringent to deter the crime. Efforts in 2017 were on par with the 58 total prosecutions and 10 convictions in 2016. Nevertheless, legal experts suggested courts were hesitant to convict perpetrators for human trafficking, preferring to pursue other charges such as labor violations that carried lesser penalties than the anti-trafficking law. NGOs and foreign embassy representatives continued to report the government preferred to settle potential cases of domestic servitude through mediation, rather than referring them for criminal prosecution. NGOs also raised concerns that the long litigation process for trafficking cases gave employers time to pressure victims to drop their cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses during the reporting period.

The anti-trafficking unit continued to place specially trained officials in cities outside the capital, including Aqaba, Irbid, and Ramtha. Resources were primarily concentrated in Amman, Jordan’s capital and largest city. Jordan’s overcrowded and underfunded judicial system reduced the availability of trained judges and prosecutors who could specialize in trafficking cases. However, during the reporting period, the anti-trafficking unit reported conducting several anti-trafficking training workshops for officials, in coordination with international organizations and NGOs. The government also provided training to 51 labor inspectors around the country on victim identification, victim protection, and trafficking prosecutions.

PROTECTION

The government increased efforts to protect victims; however, some victims remained vulnerable to punishment. The government continued to utilize formal written procedures to guide officials in identifying trafficking victims, and it continued to receive referrals of potential trafficking victims from NGOs, an international organization, and police stations in Amman. In 2017, the anti-trafficking unit identified 75 trafficking victims, which was an increase from the 65 victims the government identified in 2016. The government continued to utilize formal written procedures to refer identified victims to care; however, civil society organizations reported that labor inspectors, police,

and detention center officials lacked the specialized training to proactively identify and refer victims to protection services. The PSD continued to work in cooperation with a local NGO to identify and assist victims at police stations and prison rehabilitation centers, as well as to train PSD personnel and assist in the repatriation of victims. Government and NGO officials noted some field officers and inspectors were not well-informed of the SOPs within the existing victim referral mechanism to refer victims to care. To address these deficiencies, the government continued to work with an international organization to develop more detailed victim referral procedures to better guide officials; the revised procedures were pending approval at the end of the reporting period.

The Ministry of Social Development (MOSD) continued to operate and provide assistance to victims at a shelter solely dedicated to protecting trafficking victims, which provided a wide range of services, including psycho-social care, medical treatment, legal assistance, vocational training, and specialized services for children. The shelter's staff included specialists in psychology, social work, nursing, and education. The facility had the capacity to serve 40 male and female victims, both citizens and foreign nationals, including children, with a separate wing and entrance for male victims; it was the only shelter in the country available for men. The provision of shelter services was not conditional upon a victim's cooperation with law enforcement or judicial authorities. During the reporting period, shelter staff also coordinated with the MOL to waive fees for victims' lapsed labor permits and assisted victims to find new employment if they chose to continue working. The government allocated an operating budget for the shelter through 2018; it did not report budgeting information beyond 2018. In 2017, the shelter served a total of 99 trafficking victims, the majority of whom were female victims of forced labor, domestic servitude, or sexual exploitation; this represented an increase from 56 victims assisted at the shelter in 2016. The anti-trafficking unit referred the majority of the victims to the shelter, but NGOs and foreign embassies also referred some victims. The MOSD, through the trafficking shelter, was responsible for coordinating with NGOs and foreign embassies to assist in the repatriation of foreign trafficking victims, but it did not provide such assistance during the reporting period. Other facilities that served female victims of gender-based violence also served potential trafficking victims. Victims were not able to file civil suits against their traffickers for restitution. However, the government encouraged victims to assist in the prosecution of their traffickers by providing legal and reintegration assistance; victims also had the option to provide a deposition prior to being repatriated. The government provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

Despite the government's victim identification and protection efforts, some foreign trafficking victims remained vulnerable to financial penalties, arrest, detention, and deportation if found without valid residence documents. Jordan's sponsorship system prevents foreign workers from switching employers (without a letter of release from their sponsor) or receiving adequate access to legal recourse in response to abuse. Migrant workers, including potential trafficking victims, who left their place of employment prior to fulfilling their work contract, were considered illegal residents and accrued fines for their illegal presence in the country and risked detention. According to an NGO, even if a worker left an employer because it was an exploitative situation, bureaucratic and financial barriers and detention prevented some victims from repatriation. Furthermore, trafficking victims who opted to remain in Jordan

for work were required to pay their overstay and lapsed labor permit fines before applying for a new work permit, which was a significant financial burden for victims. Some foreign workers remained in Jordanian detention, due to pending criminal charges against them or their inability to pay overstay penalties or plane fare home. In April 2017, the media reported the government initiated a crackdown on domestic workers who fled their employers—a population highly vulnerable to trafficking—and violated the labor law and residency regulations, which resulted in the arrest and deportation of 11 foreign domestic workers; the government did not report utilizing identification measures to screen for potential trafficking victims during this crackdown.

PREVENTION

The government maintained strong prevention efforts. The inter-ministerial anti-trafficking committee met regularly during the reporting period. The government continued to draft a new national anti-trafficking action plan and strategy, but it was not finalized by the end of the reporting period. The government continued to raise awareness about trafficking crimes. Authorities continued to distribute anti-trafficking brochures to all foreign migrant workers entering Jordan, and labor inspectors distributed brochures in multiple languages at inspected work sites. MOL continued to operate a hotline to receive labor complaints, which offered interpretation services in some source-country languages. However, due to overall budget shortfalls, the government was unable to consistently maintain interpreters of some Asian languages at the hotline, which led to difficulties identifying potential trafficking victims and referring them to protection services.

The government continued to take efforts to reduce the demand for forced labor and commercial sex acts. In 2017, the government improved measures to reduce the vulnerability of Syrian refugees to trafficking. The government continued to make efforts to address and prevent forced marriages among the Syrian refugee population, which put women and girls at risk of abuse and exploitation. The government continued to issue work permits to Syrian refugees during the reporting period; in 2017, it issued 46,717 work permits to Syrians. The government also remained committed to formalizing access to the labor market for 200,000 Syrians from host communities and refugee camps. For example in August 2017, the government began issuing a new type of flexible work permit to Syrians in the construction sector, which it estimated would benefit at least 20,000 laborers; the permit legalized the status of these workers in the sector and allowed Syrians to work for multiple construction sector employers in a 12-month period. In 2017, the Ministry of Education (MOE) increased Syrian refugees' access to public education by doubling the number of schools that could accommodate an additional 50,000 Syrian refugee children. The MOE also established an accelerated educational program for Syrian refugee students who had not been in the formal school system for the last three or more years.

The MOL reduced the total number of labor inspectors from 237 in 2016 to 200 in 2017; inspectors were responsible for enforcing the labor code, including inspecting child labor violations across the country. In 2017, MOL conducted 79,589 labor inspections in the formal and informal sectors. In 2017, it also conducted 6,337 inspections focused on child labor, opened 420 child labor cases, and issued 328 warnings to employers for child labor violations. The government continued to conduct labor inspections in the agricultural sector in 2017, but found no labor violations or potential trafficking crimes;

nevertheless, MOL officials continued to report that there was not a clear regulatory framework for inspections of this sector, while it also lacked sufficient resources to monitor this sector. The MOL reported 36 instances of labor violations committed by recruitment centers in 2017. In 2017, the MOL implemented new regulations that required labor recruitment companies to maintain insurance policies for workers, which provided repatriation costs, health care, and death benefits. The Ministry of Foreign Affairs continued to report its finance department directly paid locally-hired domestic staff of Jordanian diplomats posted abroad, in accordance with labor laws and wage rates in the host country. The government did not provide specific anti-trafficking training for its diplomatic personnel, nor troops or police before their deployment abroad as peacekeepers.

TRAFFICKING PROFILE

As reported over the past five years, Jordan is a source, transit, and destination country for adults and children subjected to forced labor, domestic servitude, and sex trafficking. Trafficking victims in Jordan are primarily from South and Southeast Asia, East Africa, Egypt, and Syria. Forced labor victims in Jordan experience withheld or non-payment of wages, confiscation of identity documents, restricted freedom of movement, unsafe living conditions, long hours without rest, isolation, and verbal and physical abuse. Jordan relies on foreign migrant workers—many of whom are undocumented—in several sectors, including construction, agriculture, textiles, and domestic work. According to an NGO in 2017, domestic and agricultural workers in Jordan are the most vulnerable to trafficking because of informal work agreements and frequently changing employers. Some migrant workers from Egypt—the largest source of foreign labor in Jordan—experience forced labor in the construction, service, and agricultural sectors. In 2015, the government estimated there were 53,000 foreign female domestic workers in Jordan, primarily from Southeast Asia and East Africa. Men and women from throughout Asia migrate to work in factories in Jordan’s garment industry, some of whom may be vulnerable to trafficking. As of 2017, instances of workers paying unauthorized recruitment fees to labor recruiting agents in their country of origin reportedly declined.

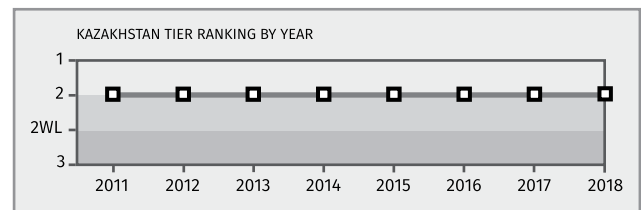
Refugees from Syria, the Palestinian Territories, and Iraq are highly vulnerable to trafficking in Jordan. Syrian boys and young men—in particular—often work illegally and informally in the Jordanian economy, which puts them at risk of trafficking. NGOs have observed an increase in child labor and potential forced child labor among Syrian refugee children working alongside their families in the agricultural and service industries, as well as peddling goods and begging. Because the agricultural sector in Jordan is inadequately regulated, children working in this sector may be susceptible to exploitation. There have been reported cases of Syrian refugee women and girls sold into forced marriages.

Some Syrian and Jordanian girls are forced to drop out of compulsory school to perform domestic service in their families’ homes; some of these girls are vulnerable to trafficking. Jordanian children employed within the country as mechanics, agricultural laborers, and beggars may be victims of forced labor. Lebanese, North African, and Eastern European women may be forced into prostitution after migrating to Jordan to work in restaurants and nightclubs; some Jordanian women working in nightclubs may also be forced into prostitution. As reported by an NGO in 2016, some Egyptian women are forced to beg or forced into prostitution by their Jordanian husbands. Some out-of-status domestic workers from Indonesia, the Philippines,

Bangladesh, and Sri Lanka have been reportedly forced into prostitution after fleeing their employers.

KAZAKHSTAN: TIER 2

The Government of Kazakhstan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Kazakhstan remained on Tier 2. The government demonstrated increasing efforts by expanding protection of victims by opening seven new shelters for Kazakhstani human trafficking victims, increasing funding for shelter and victim assistance for Kazakhstani victims, and hosting awareness-raising events. However, the government did not meet the minimum standards in several key areas. Efforts to identify and protect foreign victims remained inadequate. Foreign victims could receive comprehensive assistance if they participated in criminal investigations; victims who chose not to participate in these proceedings were ineligible for services and had no legal alternatives to removal. NGOs continued to report allegations of police officers’ complicity in human trafficking. While the government convicted two police officers complicit in trafficking crimes, there remained few investigations or prosecutions of police or other government officials suspected of complicity. Legislative norms allowed for alleged traffickers to pay a settlement to victims to withdraw their criminal cases.



RECOMMENDATIONS FOR KAZAKHSTAN

Significantly increase efforts to identify trafficking victims—particularly foreign forced labor victims—among vulnerable populations and refer these victims for assistance; significantly increase assistance for foreign trafficking victims and ensure victim identification and assistance are not contingent on participation in investigation and prosecution efforts; vigorously investigate, prosecute, and convict suspected trafficking cases, respecting due process, including allegedly complicit government officials and police officers; increase funding and resources for anti-trafficking police units; amend laws to remove the option for traffickers to avoid criminal liability through “conciliation of parties,” or otherwise ensure such crimes are subject to criminal investigation and prosecution; cease deporting victims and provide legal alternatives to forced repatriation; continue to train labor inspectors to identify victims of forced labor and report potential trafficking cases to the police; and provide anti-trafficking training or guidance for diplomatic personnel to prevent their engagement in or facilitation of trafficking crimes.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Articles 128, 134, 135, and 308 of the penal code criminalized all forms of trafficking. However, inconsistent with the definition of trafficking under international law, the law did not include force, fraud, or coercion as an essential element of the crime, but rather considered it an aggravated circumstance.

The law prescribed penalties of three to five years imprisonment for adult trafficking and five to seven years imprisonment for child trafficking; the penalties could be increased to up to 15 years imprisonment under aggravated circumstances. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Article 68 of the criminal code allowed defendants to pursue settlements by paying monetary compensation to the victim in exchange for having the criminal case withdrawn; while this option was not available in cases involving sex crimes against minors, it was an option in cases involving other forms of trafficking under article 128, part 1; in 2017, this article was not applied in any trafficking cases.

Police investigated 101 trafficking cases in 2017, compared to 147 in 2016. The government did not report the number of prosecutions. The government convicted 29 offenders, compared to 45 in 2016; of which, 20 sex traffickers received sentences ranging from two and a half years conditional sentence to seven years imprisonment and eight labor traffickers received sentences of three years and six months to 10 years; one trafficker received a six years and eight months sentence for forced criminality. In addition, the government opened 200 investigations of trafficking-related crimes, including pimping and brothel maintenance. NGOs continued to report traffickers bribed low-ranking police officials to avoid these charges, and alleged that some police officers facilitated forced labor or sex trafficking crimes. In June 2017, the government sentenced the former head of the Aktobe state-run railway station to five years and six months in prison for labor exploitation of three individuals. In June 2017, a local police officer in Aktobe was sentenced to three years in prison for the extortion of a sauna owner for the purposes of commercial sex.

The government maintained its efforts on training police, prosecutors, and judges in the identification, investigation, and prosecution of trafficking crimes and funded police participation in international anti-trafficking conferences. In 2017, the Judicial Academy conducted five training sessions for 183 judges on the protection of trafficking victims during the criminal process. The Ministry of Internal Affairs' (MVD) Trafficking in Persons Training Center conducted eight training sessions on investigative techniques for 143 police officers. An estimated 174 police officers participated jointly with social workers in training events on victim assistance. In all training programs, the government provided the venue while international organizations, NGOs, and international donors covered other costs, including the travel of trainers and provision of training materials. During the reporting period, the government jointly investigated 14 cases related to trafficking in cooperation with foreign governments, including Georgia, Kyrgyzstan, Russia, and Uzbekistan. In 2017, the government extradited two foreign citizens wanted in their home countries for trafficking-related crimes.

PROTECTION

The government increased protection efforts for Kazakhstani victims, but made uneven protection efforts for foreign victims. While it improved the availability of protection services for Kazakhstani victims, efforts to identify and assist foreign victims remained negligible, with no shelters available to foreign victims. The government identified 76 trafficking victims, a decrease from 110 in 2016. Of those, 50 were victims of sex trafficking, 20 of forced labor, and six of forced criminality. All but five of the identified victims were from Kazakhstan; of five foreign victims, four were from Uzbekistan and one from

Georgia; five of the Kazakhstani victims were subjected to trafficking in Brazil, four in Bahrain, and three each in Turkey and South Korea, while the rest were subjected to trafficking in Kazakhstan, recruited from rural to urban areas for both labor and sexual exploitation. All 71 Kazakhstani victims identified by the government received assistance from government-funded programs; however, foreign victims were not eligible for assistance in government-funded shelters. In 2017, NGOs reported assisting 177 trafficking victims, compared to 167 in 2016; among these, police referred 22 while 155 referrals came from international organizations, embassies, NGOs, and the victims themselves. Of the 177 trafficking victims assisted by NGOs, 39 were Kazakhstani and 138 were foreigners; 13 were victims of sex trafficking, 158 of forced labor; 36 were female, and 141 male. Of the 138 foreign victims, 131 were from Uzbekistan. The government-funded and NGO-operated trafficking hotline received 1,350 phone calls in 2017, the vast majority of which were requests for information while 13 were referred to anti-trafficking police units; these referrals resulted in six confirmed cases of labor exploitation. Observers noted many foreign victims were reluctant to self-identify to the police due to lack of trust, perceived corruption, and fear of punishment or deportation due to their unlawful status, among other reasons. In cases where law enforcement identified foreign victims, victims often refused to cooperate. According to experts, foreign victims report to local police upon return to their home country, where they feel safer.

In addition to four existing government-funded, NGO-operated shelters, in 2017 the government opened trafficking shelters in seven cities: Almaty, Temirtau, Petropavlovsk, Uralsk, Aktobe, Kyzylorda, and Taldykorgan. The 11 NGO-operated trafficking shelters offered legal, psychological, and medical assistance and were accessible to all Kazakhstani trafficking victims, regardless of gender or age. Shelter services were not conditional upon victim's cooperation with law enforcement. Foreign citizens were not eligible to receive services at these shelters. In 2017, the government allocated at least 162.7 million Kazakhstani Tenge (KZT) (\$491,080) to direct victim assistance, including 159 million KZT (\$479,910) for shelter assistance and 3.7 million KZT (\$11,170) for victim assistance during investigations, an increase from 25.97 million KZT (\$78,390) in 2016. The shelters were opened and staffed in accordance with the 2016 established standards for trafficking victim shelters. In 2017, a law on victim compensation was adopted, which allowed victims, including foreign victims to request monetary compensation as a part of the criminal proceedings, instead of filing a civil suit in conjunction with the criminal case; the law was scheduled to be implemented in 2020.

NGOs reported effective victim referral and police cooperation with anti-trafficking units assigned to each region. Law enforcement units mandated to address migration or trafficking issues have a formal system to identify trafficking victims among at-risk persons, such as undocumented migrants or persons in prostitution; nonetheless, officials' efforts to identify foreign victims were limited. The government encouraged victims—including foreigners—to participate in investigations and prosecutions by providing witness protection during court proceedings, access to pre-trial shelter services, and basic provisions such as food, clothing, and medical and legal assistance. However, if a criminal case was not initiated, authorities did not recognize or give protective status to foreign victims. In 2017, the government provided two foreign victims legal protection (compared to 15 foreign victims in 2016), including suspension of deportation proceedings, and special temporary residency throughout the criminal investigation.

NGOs reported foreign victims sometimes experienced problems in accessing local medical care due to a lack of health insurance or residence permits. The government did not offer legal alternatives to foreign victims' removal to countries where they would face retribution or hardship and, according to local law, victims were deported after expiration of their temporary residency rights. In 2017, there were no reports of authorities criminally punishing victims for crimes as a direct result of being subjected to trafficking; however, authorities routinely detained and deported possible foreign victims with no proactive efforts made to screen for trafficking victimization, offer referral to care providers, or ensure they were not penalized for crimes committed as a result of their trafficking.

PREVENTION

The government maintained prevention efforts, under the direction of the Interagency Trafficking in Persons Working Group, led by the Ministry of Health and Social Protection. During the reporting period, the government adopted a new Concept of Migration policy for 2017-2021 and an associated Action Plan. This policy addressed internal and external migration challenges, particularly the status of Kazakhstan as a destination country. The government completed implementation of the national action plan for 2015-2017, which included activities to improve anti-trafficking legislation; investigation and prosecution of human trafficking cases; victim identification and assistance; cooperation with international and NGOs; and prevention efforts such as public awareness programs. The government developed an anti-trafficking national action plan for 2018-2020, but did not formally adopt it during the reporting period. The government continued to fund anti-trafficking information and education campaigns targeting potential trafficking victims, including children. The Ministry of Information and Communication funded radio and television programs, as well as the publication of newspaper articles and web-publications, designed to raise public awareness and prevent the crime. In July 2017, the MVD began a second annual public information campaign in commemoration of International Day against Human Trafficking. During the campaign, police participated in television and radio programs, conducted presentations at hospitals and tourist information and construction offices, and organized flash mobs at sporting events to raise public awareness of human trafficking. The MVD also distributed information in parks, shopping malls, rail stations, airports, hotels, and markets that included the number for the national anti-trafficking hotline. The hotline received more than 1,325 calls in 2017, which led to the investigation of 13 cases of human trafficking. In 2017, labor inspectors under the Ministry of Health and Social Protection conducted 8,393 inspections to identify labor violations, which resulted in 2,335 recruiters and employers receiving administrative fines for violations of foreign labor recruitment rules and employment of undocumented foreign laborers and the opening of 158 criminal cases by the MVD. NGOs reported receiving an estimated 10.5 million tenge (\$31,690) from the government for prevention projects, including public awareness campaigns. The government did not take any action to reduce the demand for commercial sex or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel.

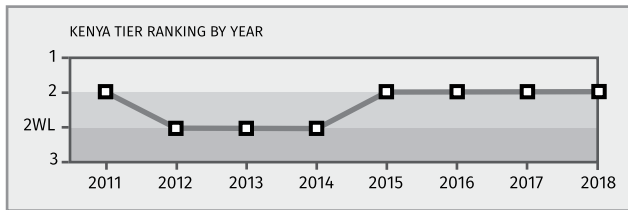
TRAFFICKING PROFILE

As reported over the past five years, Kazakhstan is a destination and, to a lesser extent, a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Domestic trafficking remains a consistent problem, as

victims are lured from rural areas to larger cities with *mala fide* offers of employment. Kazakhstani men and women are subjected to forced labor mostly in Russia, but also in Bahrain, Brazil, the Republic of Korea, Turkey, and the United Arab Emirates. Kazakhstani women and girls are subjected to sex trafficking in the Middle East, Europe, East Asia, and the United States. Women and girls from neighboring Central Asian and Eastern European countries, as well as from rural areas in Kazakhstan, are subjected to sex trafficking in Kazakhstan; in most cases, traffickers target young girls and women, luring them with promises of employment as waitresses, models, or nannies in large cities. Some children are forced to beg. Adults and children may be coerced into criminal behavior. The relative economic prosperity in the government capital Astana, the financial capital Almaty, and the western oil cities Aktau and Atyrau, attract large numbers of Kazakhstanis from rural villages, some of whom become victims of labor trafficking and sex trafficking. Chinese, Filipino, Ukrainian, Kazakhstani, and other Central Asian citizens, in particular Uzbekistani men and women, are subjected to forced labor in domestic service, construction, and agriculture in Kazakhstan. Since Russia banned re-entry for an estimated one million Uzbek migrants, many of them have sought temporary work and residence in Kazakhstan, where they remained vulnerable to trafficking; since 2014, the year the ban entered into effect, NGOs have identified more than 100 foreign victims each year, likely only a portion of the overall victims in this migrant population. Many victims of trafficking in Kazakhstan indicate they were lured through fraud and deceit, sometimes by friends or acquaintances, and, at times, exploited by small organized criminal groups in Kazakhstan. Traffickers capitalize on tough law enforcement policies to coerce migrants to remain in exploitative situations and leverage these policies to threaten victims with punishment and deportation if they notify authorities, fostering distrust in law enforcement.

KENYA: TIER 2

The Government of Kenya does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Kenya remained on Tier 2. The government demonstrated increasing efforts by commencing digital law enforcement data tracking on a monthly basis, fully implementing its national referral mechanism, and vetting 45 recruitment agencies in compliance with registration requirements and a code of conduct. In addition, officials allocated funding for its victim assistance fund for the first time since 2015. Labor attaches to Kenyan missions in Qatar, the United Arab Emirates (UAE), and Saudi Arabia became fully operational to protect citizens employed in those countries. However, the government did not meet the minimum standards in several key areas. Kenyan authorities continued to treat some victims as criminals, and the availability of protective services for adult victims remained negligible. There were no investigations into official complicity despite credible reports of traffickers obtaining fraudulent identity documents from corrupt officials. The government also routinely tried trafficking crimes as immigration or labor law violations rather than under the anti-trafficking law, which resulted in traffickers receiving less stringent sentences.



RECOMMENDATIONS FOR KENYA

Increase protective services available to adult trafficking victims, particularly those identified and repatriated from overseas; ensure potential victims are not inappropriately penalized for crimes committed as a direct result of their being subjected to trafficking; vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including forced labor cases; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; strengthen implementation of the formal process for law enforcement officials to refer trafficking victims for assistance, including adult trafficking victims and repatriated Kenyans; expand training to all levels of the government, particularly front-line responders, on identifying and handling trafficking crimes; continue to expand oversight of overseas recruitment agencies; and conduct awareness campaigns throughout the country, focusing substantially on rural coastal areas.

PROSECUTION

The government maintained law enforcement efforts, but incomplete data from the government made it difficult to fully assess those efforts. Section 1 of the Counter-Trafficking in Persons Act of 2010 criminalized sex and labor trafficking and prescribed a sufficiently stringent punishment of no less than 30 years imprisonment or a fine of not less than 30 million Kenyan shillings (\$290,700). By allowing for a fine in lieu of imprisonment for sex trafficking, these penalties were not commensurate with those for other serious crimes, such as rape. Sections 14 and 15 of the Sexual Offenses Act of 2006 criminalized the facilitation of child sex tourism and “child prostitution,” and prescribed punishment of no less than 10 years imprisonment, penalties that were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government reported an increase in the number of cases it prosecuted under the anti-trafficking law compared to previous years in which it more commonly utilized the 2006 Sexual Offenses Act, exhibiting a stronger understanding of how to effectively employ the anti-trafficking law.

During the reporting year, the government began tracking law enforcement data digitally and collecting it on a monthly basis from local police offices in order to ensure its anti-trafficking statistics were accurate, complete, and wholly representative of all 47 counties in Kenya. However, as the government had only begun to implement this change in data collection, it reported partial data from only some regions for the current year. It reported 35 investigations of potential trafficking cases in 2017, compared to 530 of which many included smuggling and other trafficking-related crimes. From official data derived from an unknown number of counties in Kenya, the government reported initiating nine sex trafficking prosecutions under the anti-trafficking law; during the previous reporting period, it completed 281 prosecutions, many of which were for smuggling vice trafficking crimes and prosecuted under other laws. At the close of the reported period, the government did not report any trafficking convictions, and the nine prosecutions

remained ongoing, compared with 105 convictions in 2016. Prosecutors continued to charge some defendants with immigration violations or labor exploitation vice human trafficking, as the former crimes were deemed easier to prove and less financially costly than the latter. The government did not report the number of prosecutions or convictions it attained under the Sexual Offense Act or the number of those for forced labor; however, various stakeholders reported at least 300 trafficking-related prosecutions during the year, although the government was unable to provide conviction and sentencing details for such crimes.

Corruption remained endemic at all levels of government, and traffickers were able to fraudulently obtain identity documents from complicit officials, and police often took bribes to warn traffickers of impending operations and investigations. The government did not report any investigations, prosecutions, or convictions of government employees involved in human trafficking. The national police service, in partnership with an international organization, included content on human trafficking and the anti-trafficking law in its basic training curricula. In 2017, two Kenyan NGOs provided training for an unknown number of police officers and prosecutors in the six coastal counties on how to differentiate between trafficking and smuggling crimes, and multiple international organizations and stakeholders trained an unknown number of immigration officials and airport contractors on how to detect trafficking crimes; the government provided logistical support for these training endeavors. During the reporting period, Kenya Airways—of which the government is the largest shareholder—coded plane tickets to highlight suspected trafficking cases and flagged those for government officials to intercept during transit at the Kenya International Airport; it did not report how many cases were investigated as a result of this initiative.

PROTECTION

The government demonstrated uneven protection efforts as it improved identification of and institutional protections for children domestically and adults abroad; however, such services for adult victims in-country remained negligible. Authorities reported identifying and referring to care at least 352 trafficking victims in 2017, of which the vast majority—267—were subjected to forced labor, seven to sexual exploitation, and the remainder unknown; this was compared with its identification and protection of 530 victims in 2016, although many were likely involved in smuggling. During the reporting period, the government provided 60 million Kenyan shillings (\$581,400) from the federal budget for anti-trafficking efforts, including implementation of the National Referral Mechanism (NRM) and the victim assistance fund, which is a marked increase from no funds provided during the previous period. By the end of 2017, the government fully implemented the NRM and trained relevant stakeholders on its identification and referral provisions. According to multiple government and civil society stakeholders, identification of child trafficking victims remained stronger than for adults. Identification sources included direct referrals to NGOs from victims or witnesses; reactively by police during investigations; or calls to the government-operated, gender-based violence or NGO-run hotlines. The two national hotlines were operational 24 hours per day, year round; however, unlike the previous two years, the government did not report how many calls either line received during the reporting period. Victim care varied in quality and services consisted of medical care, psycho-social counseling, rehabilitation and reintegration support, food and clothing supply, legal aid, and transportation. The government and NGOs across Kenya jointly provided these

protective provisions, although sometimes NGOs acted alone when the government was too slow or neglected to respond. The government placed some child victims in child-specific rescue centers, supported the familial reunification of others, and assisted with the repatriation of non-Kenyan nationals. It operated drop-in referral centers in Mombasa (Likoni), Malindi, Nyeri, Machakos, Meru, Kakamega, Kisumu, Nyamira, Nakuru, Eldoret, Kericho, and Muranga, and four rescue centers in Garissa, Nairobi, Thika, and Machakos, where child victims of violence, including trafficking victims, could stay for up to three months before returning home or being referred to NGO facilities.

To continue addressing the exploitation of Kenyan nationals in Arabian Gulf States, in addition to the Ministry of Labor (MOL)-assigned labor attaches already working in Kenyan missions in Qatar and Saudi Arabia, attaches began working in the UAE during the reporting period to assist citizens employed there. The government also concluded bilateral labor agreements with Saudi Arabia and Qatar to coordinate efforts to reduce cases of exploitative labor and other abuses against Kenyans abroad, to include trafficking; it was under negotiations for such agreements with the UAE and Kuwait at the close of the reporting period. It provided ad hoc monetary and logistical assistance for repatriation of its citizens subjected to trafficking outside Kenya. In some cases, NGOs and destination-country governments coordinated and funded the repatriation of Kenyan nationals without government support. Officials assisted more than 70 Kenyans with their return in 2017, mostly due to poor labor conditions, and an NGO and an international organization reported repatriating 46 Kenyan nationals from Gulf States.

Some officials continued to conflate smuggling with trafficking and arrested, without screening, potential trafficking victims for contravening immigration laws. Reports also alleged authorities treated some victims as criminals, particularly women in prostitution, sometimes charging them with labor violations. The government had formal procedures to encourage victims' cooperation in the investigation and prosecution of trafficking crimes, and during the reporting period seven victims utilized the government's victim-witness protection program. Under the anti-trafficking act, officials may grant permission for foreign trafficking victims to remain indefinitely in Kenya if it is believed they would face hardship or retribution upon repatriation; the government did not report using this provision during the reporting period.

PREVENTION

The government increased efforts to prevent trafficking. Authorities continued to implement the 2013-2017 national action plan through capacity building for officials and employment of the referral mechanism; it commenced development of an updated 2018-2022 version. The advisory committee—the governing body for anti-trafficking efforts—convened quarterly during the reporting period. The advisory committee and other government officials continued to promote anti-trafficking awareness, particularly targeting the prevention of child sex and labor trafficking. The government also launched a campaign centered on Human Trafficking Awareness Day using highway billboards and community outreach programs. Two NGOs organized campaigns via radio interviews, public fora, and conferences with local governments, effectively reaching around 70,000 people in critical coastal regions. However, the government's anti-trafficking awareness efforts were largely limited due to resource constraints.

In 2017, the government fully implemented the rules published the year prior, which outlined registration requirements for hundreds of private employment agencies that place Kenyans in work abroad. These requirements included informing Kenyan employees seeking work abroad about their prospective wages, visa fees, airfare, and medical examinations, and specifying that any administrative costs imposed on the employee should not exceed one month's salary. The MOL required contracts deemed credible to be signed in the presence of a labor ministry officer, and required applicants to register with the Kenyan embassy in the host country. During the reporting period, the MOL approved registration for 45 private employment agencies—up from 25 the previous reporting period—and prohibited hundreds of others from recruiting in Kenya; however, the list of vetted employment agencies registered by the MOL was not readily accessible and numerous illegal, unregistered agencies remained in operation. The government reported working only with travel and tourism companies that were part of a Code of Conduct consortium, which was an industry-driven responsible tourism initiative intended to provide awareness, tools, and support to the tourism sector to prevent the sexual exploitation of children. The code was an agreement signed by companies that committed their staff to training on the identification of child exploitation among foreigners and created a general awareness within their facilities. While government efforts to curb child sex tourism improved during the year, local reports claimed most government efforts involved prohibiting the entry of perpetrators into the country rather than arrests and prosecutions. The Ministry of Foreign Affairs provided anti-trafficking training for all newly posted diplomatic personnel and vetted employment contracts between Kenyan diplomats posted abroad and their domestic workers to ensure their legality. The government's training for troops deployed overseas on international peacekeeping missions included a module that addressed human trafficking.

TRAFFICKING PROFILE

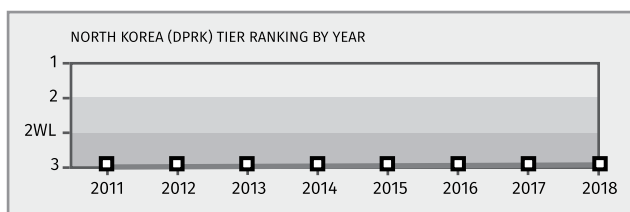
As reported over the past five years, Kenya is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Within the country, children are subjected to forced labor in domestic service, agriculture, fishing, cattle herding, street vending, and begging. Girls and boys are exploited in commercial sex throughout Kenya, including in sex tourism in Nairobi, Kisumu, and on the coast, particularly in informal settlements; at times, their exploitation is facilitated by family members. Children are also exploited in sex trafficking by people working in *khat* (a mild narcotic) cultivation areas, near gold mines in western Kenya, by truck drivers along major highways, and by fishermen on Lake Victoria. Kenyans are recruited by legal or illegal employment agencies or voluntarily migrate to Europe, the United States, Southeast Asia, and the Middle East—particularly Saudi Arabia, Lebanon, Kuwait, Qatar, the UAE, and Oman—in search of employment, where at times they are exploited in domestic servitude, massage parlors and brothels, or forced manual labor. NGOs reported that internally displaced persons, particularly those who live close to a major highway or local trading center, are more vulnerable to trafficking than persons in settled communities. Nairobi-based labor recruiters maintain networks in Uganda and Ethiopia that recruit Rwandan, Ethiopian, and Ugandan workers through fraudulent offers of employment in the Middle East and Asia. Kenya continues to serve as a transit point for Ethiopians and other East Africans seeking work in South Africa, impeding Kenyan authorities' ability to differentiate between trafficking and smuggling. Kenyan women are subjected to forced prostitution in Thailand by Ugandan and Nigerian

traffickers. Men and boys are lured to Somalia to join criminal and terrorist networks, sometimes with fraudulent promises of lucrative employment elsewhere.

Kenya's largest refugee camp complex, Dadaab, hosts approximately 230,000 refugees and asylum-seekers, and at times the security situation inhibits some humanitarian access, assistance, and protective services. Some children in Dadaab and Kakuma refugee camps may be subjected to sex trafficking, while others are taken from the camps and forced to work elsewhere. Children from East Africa are subjected to forced labor and sex trafficking in Kenya. Stakeholders assert domestic workers from Uganda, pastoralists from Ethiopia, and others from Somalia, South Sudan, and Burundi are subjected to forced labor in Kenya to work in jobs vacated by Kenyan youth who are being educated; however, this trend is reportedly waning. Nepalese and Indian women recruited to work in *mujra* dance clubs in Nairobi and Mombasa face debt bondage, which they are forced to pay off by dancing and forced prostitution.

KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF: TIER 3

The Government of the Democratic People's Republic of Korea (DPRK or North Korea) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore the DPRK remained on Tier 3. The government did not demonstrate any efforts to address human trafficking and the government continued state-sponsored human trafficking through its use of forced labor in prison camps, as part of an established system of political repression, and in labor training centers, facilitation of forced labor of students, and its exportation of forced labor to foreign companies. It used proceeds from state-sponsored forced labor to fund government functions as well as other illicit activity. It did not screen for or protect potential trafficking victims when they were forcibly repatriated from China or other countries.



RECOMMENDATIONS FOR THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

End the use of forced labor, including in prison camps used as a tool of political repression, and among North Korean workers abroad; end the practice of summary executions and other harsh punishments for victims who are forcibly returned from destination countries; provide assistance to trafficking victims exploited in the DPRK and to North Korean victims forcibly returned from abroad; criminalize human trafficking; investigate and prosecute trafficking cases and convict traffickers in accordance with the rule of law; eliminate coercion tactics used to monitor and limit the movements and communications of workers overseas; cease the monitoring of overseas workers and the garnishing of their wages for the

purposes of furthering forced labor; increase transparency by allowing international human rights monitors to evaluate living and working conditions of workers, both domestically and abroad; forge partnerships with international organizations and NGOs to combat human trafficking; allow North Koreans to choose their form of work, and leave their employment at will; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made negligible anti-trafficking law enforcement efforts. North Korean laws did not criminalize all forms of human trafficking. Fair trials did not occur in the DPRK, and the government did not provide law enforcement data. The government did not explain what provisions of law, if any, were used to prosecute trafficking offenses or protect victims. During the reporting period, there were no known investigations, prosecutions, or convictions of traffickers. An NGO report indicated traffickers could be sentenced based on the number of people they exploit, ranging from 10 years to life in forced labor camps, or to the death penalty. The government did not report whether it provided any anti-trafficking training to officials. The government did not report any investigations or prosecutions of government officials for alleged complicity in human trafficking offenses.

PROTECTION

The government did not report any protection efforts. Government authorities did not report identifying any victims or providing protective services to trafficking victims and did not permit NGOs to provide these services. The government did not exempt victims from being penalized for unlawful acts committed as a direct result of being subjected to trafficking. During the reporting period, the number of North Koreans forcibly returned by Chinese authorities rose significantly. These individuals, including potential trafficking victims, were sent to interrogation centers, where they were subjected to forced labor, torture, forced abortions, and sexual abuse by prison guards, and potentially sent on to prison camps. The government treated returning victims as criminals for crossing the border and North Korean defectors reported instances of the government executing trafficking victims forcibly returned from China. The government reportedly subjected some forcibly repatriated victims who were pregnant to forced abortions, and reports indicated infants born to forcibly repatriated victims while in prison were killed. An estimated 20,000 to 30,000 children born in China to North Korean women and Chinese men are often not registered upon birth, rendering them stateless and vulnerable to possible exploitation. Article 30 of the criminal code partially suspended civil rights of prison camp inmates; government officials used this provision to abuse victims in prison camps.

PREVENTION

The government did not report any efforts to prevent human trafficking. Government oppression in the DPRK prompted many North Koreans to flee the country in ways that made them vulnerable to human trafficking in destination countries. The DPRK made no efforts to raise awareness of human trafficking, train government officials, or screen migrants along the border for signs of trafficking. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The DPRK is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, the DPRK is a source country for men, women, and children who are subjected to forced labor and sex trafficking. Within North Korea, forced labor is part of an established system of political repression and a pillar of the economic system. The government subjects its nationals to forced labor through mass mobilizations, assigned work based on social class, and in North Korean prison camps. The DPRK holds an estimated 80,000 to 120,000 prisoners in political prison camps and an unknown number of persons in other forms of detention facilities, including re-education through labor camps. In many cases, these prisoners have not been charged with a crime or prosecuted, convicted, or sentenced in a fair judicial hearing. In prison camps, all prisoners, including children, are subject to forced labor, including logging, mining, or farming for long hours under harsh conditions. Political prisoners are subjected to unhygienic living conditions, beatings, torture, rape, a lack of medical care, and insufficient food. Many prisoners do not survive.

The North Korean government operates regional, local, and sub-district level labor camps and forces detainees to work for short periods doing hard labor, receiving little food and subject to abuse, including regular beatings. Authorities reportedly send people to such camps if they are suspected of engaging in simple trading schemes or are unemployed. Officials occasionally sent schoolchildren to work in factories or fields for short periods to assist in completing special projects, such as snow removal on major roads or meeting production goals. The effects of such forced labor on students included physical and psychological injuries, malnutrition, exhaustion, and growth deficiencies. At the direction of the government, schools force students older than 14 years of age, including those in universities, to work without pay on farms for periods up to a month, twice a year; students who do not meet work quotas set out by schools face physical abuse. In addition, school principals and teachers exploit students for personal gain by forcing them to work on farms or construction sites.

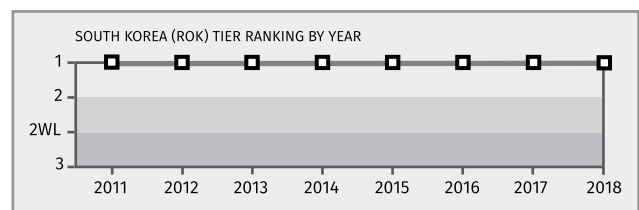
North Korean laborers sent by the government to work abroad, including through bilateral agreements with foreign businesses or governments, also face conditions of forced labor. Credible reports show many North Koreans working overseas are subjected to working excessively long hours in hazardous temperatures with restricted pay for up to three years at a time. North Korean government “minders” restrict and monitor their movement and communications. These workers face threats of government reprisals against them or their relatives in the DPRK if they attempt to escape or complain to outside parties. Workers’ salaries are appropriated and often deposited into accounts controlled by the North Korean government, which justifies its retention of most of the money by claiming various “voluntary” contributions to government endeavors. Workers receive only a fraction of the money paid to the North Korean government for their work and face punishment if they fail to meet production or work targets. According to NGO reports, the North Korean government withholds 70-90 percent of wages from overseas workers, which generates an annual revenue to the North Korean government of hundreds of millions of dollars (more than a trillion won). Wages of some North Korean workers employed abroad reportedly are withheld until the laborers return home, increasing their vulnerability to coercion and exploitation by authorities. Other reports note these laborers work on average between 12 and 16 hours a day, and sometimes up to 20 hours per day, and are allowed only one or two rest days per month. During the reporting period, UN Security Council resolutions banned

other countries from issuing new work authorizations to DPRK laborers and required the expulsion of current DPRK laborers, consistent with international human rights and refugee law, no later than the end of 2019. Even as efforts continue to reduce the number of overseas workers, there were still as many as 100,000 workers earning revenue for the DPRK regime during the reporting period. The majority work in Russia and China, but workers were also reportedly present in Algeria, Angola, Bangladesh, Burma, Cambodia, Equatorial Guinea, Ethiopia, Democratic Republic of the Congo, Ghana, Guinea, Indonesia, Kyrgyzstan, Kuwait, Laos, Libya, Mali, Malaysia, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Oman, Poland, Qatar, Senegal, Singapore, South Sudan, Tanzania, Taiwan, Thailand, the United Arab Emirates, Uruguay, Yemen, and Zambia during the year. Due to international pressure to repatriate DPRK workers as a means of cutting revenue supporting the DPRK’s unlawful nuclear and missile programs, several countries stopped accepting new DPRK laborers and expelled some workers before or at the conclusion of their work contracts.

The North Korean government’s egregious human rights violations can fuel trafficking in neighboring China. Many of the North Korean refugees and asylum-seekers living illegally in China are particularly vulnerable to trafficking, and traffickers reportedly lure, drug, detain, or kidnap some North Korean women upon their arrival. Others offer jobs but subsequently force the women into prostitution, domestic service, agricultural, or other types of work through forced marriages. These women are subjected to sexual exploitation by Chinese or Korean-Chinese men, forced prostitution in brothels or through internet sex sites, or compelled service as hostesses in nightclubs or karaoke bars. These victims often lack identification documents and bear children with Chinese men, which further hinders their ability to escape. If found by Chinese authorities, victims are often forcibly returned to the DPRK where they are subject to harsh punishment, including forced labor in labor camps or death.

KOREA, REPUBLIC OF: TIER 1

The Government of the Republic of Korea (ROK or South Korea) fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore South Korea remained on Tier 1. The government demonstrated serious and sustained efforts by identifying and providing services to a comparable number of victims relative to the previous reporting period, increasing inspections of entertainment businesses, and increasing efforts to reduce the demand for commercial sex acts. Although the government meets the minimum standards, it did not adequately address labor trafficking; the government investigated and prosecuted fewer cases, and penalized and deported trafficking victims due to inadequate identification efforts.



RECOMMENDATIONS FOR THE REPUBLIC OF KOREA

Increase efforts to investigate, prosecute, and convict traffickers under Chapter 31 of the criminal code, particularly for labor trafficking, and punish convicted offenders with sentences proportionate to the crime; train law enforcement officers, prosecutors, and judicial officials to understand “trafficking” does not require kidnapping, buying and selling, force, or confinement; establish and implement standard guidelines to proactively identify victims among vulnerable populations—including individuals arrested for prostitution, disabled persons, migrant workers in all visa categories, and workers on fishing vessels; establish and implement formal guidelines to refer sex and labor trafficking victims to services; designate a government entity responsible for coordinating efforts to combat both sex and labor trafficking; cease the penalization of victims for crimes they were forced to commit as a direct result of being subjected to human trafficking; investigate and prosecute those who use forced labor on South Korean-flagged fishing vessels; actively inspect industries with high potential for exploitation rather than relying on self-reporting of abuse by victims; draft and implement a trafficking-specific national action plan to guide governmental anti-trafficking efforts; establish a hotline to report potential trafficking crimes; proactively investigate and prosecute South Koreans soliciting child sex trafficking victims in South Korea and abroad; increase monitoring of trafficking vulnerabilities in South Korean government-issued entertainment visas, including verifying contracts and monitoring sponsoring establishments; and engage in efforts to reduce demand for forced labor, including in supply chains.

PROSECUTION

The government maintained law enforcement efforts. Chapter 31 of the criminal code criminalized sex and labor trafficking and prescribed penalties of up to 15 years imprisonment for trafficking crimes, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. In 2017, the government reported investigating 448 reported trafficking cases (562 in 2016), indicting 327 suspects (426 in 2016), and convicting 127 offenders (127 in 2016). Police investigated three cases of forced labor involving disabled victims. The government did not initiate any prosecutions under the trafficking statute in 2017. Of those convicted, 42 received suspended sentences and three were sentenced to a fine. Law enforcement entities did not have dedicated anti-trafficking teams. The government cooperated with foreign governments in the investigation and prosecution of sex trafficking cases. The government held numerous trainings throughout the year for prosecutors and law enforcement officers on sex trafficking issues and victim protection; however, government trainings did not address labor trafficking. Officials’ understanding of human trafficking continued to be limited and inconsistent; there remained widespread, false perceptions that kidnapping, buying and selling, physical force, or confinement were required to qualify a case as trafficking. As a result, law enforcement and prosecutors pursued most trafficking offenses under provisions of the law with the less severe penalties. A police officer who engaged in commercial sex acts with a child was convicted under the act on the protection of child and juveniles against sexual abuse and sentenced to a fine of 15 million Korean Won (\$14,070) and 40 hours of “john school.”

PROTECTION

The government maintained efforts to protect trafficking victims. The government identified and assisted 77 foreign sex trafficking

victims, compared with 82 in 2016; comprehensive statistics for Korean or labor trafficking victims was unavailable; however the government reported identifying three labor trafficking victims and assisting 7,392 victims of sex trafficking or related crimes in 2017. The government continued to use and distribute guidelines established in 2013 to identify victims of sex trafficking but did not have guidelines to identify victims of labor trafficking. In 2016, the National Human Rights Commission distributed updated identification guidelines to government, but no agency had implemented these guidelines by the end of the reporting period. The Korean National Police Agency was responsible for guiding crime victims, including trafficking victims, from the initial point of contact with law enforcement to protection and support systems; however, the government did not issue or use formal guidelines for referring victims to services. The government did not report efforts to identify potential victims of trafficking aboard South Korean flagged fishing vessels. The Ministry of Gender Equality and Family (MOGEF) supported 96 facilities that provided services to female sex trafficking victims, in addition to victims of other types of crime. These facilities assisted trafficking victims through counseling services, shelter, education, and rehabilitation support. The government made some services offered through these facilities available to male victims, such as counseling, medical, and legal assistance. In addition, the government operated 31 counseling centers and shelters that trafficking victims with disabilities were able to access. Nonetheless, NGOs reported the quality of government services were not adequate for male, disabled, foreign, or juvenile victims. NGOs reported government officials lacked awareness of trafficking issues and did not utilize a victim-centered approach. As a result of ineffective identification procedures, authorities arrested, detained, and deported sex trafficking victims. Police and other government officials often treated female South Korean and foreign sex trafficking victims as criminals, rather than identifying them as trafficking victims. The government offered foreign victims legal alternatives to their removal to countries in which they may face hardship or retribution. As an incentive to encourage foreign trafficking victims to participate in investigations and prosecutions, the government issued G-1 visas with permission to work for up to one year. However, NGOs reported authorities often did not make victims aware of their eligibility for G-1 visas and sometimes deported victims without referring to services. Victims could file a civil suit to receive restitution, and some victims received compensation during the reporting period.

PREVENTION

The government increased efforts to prevent trafficking. To raise awareness, the government conducted public service announcements, advertising campaigns, and events; distributed materials online; and publicized its anti-trafficking hotline. The Inspection Team for Implementation of the National Action Plan for the Promotion and Protection of Human Rights was responsible for coordinated governmental efforts to address sex trafficking but did not meet during the reporting period; there was no similar coordinating body for labor trafficking. In an effort to prevent exploitation among E6-2 entertainment visa holders, the government began to require visa holders to receive training on their rights and labor laws. In addition, MOGEF conducted inspections of 256 restaurants, bars, and illegal brothels (101 in 2016), and police arrested 323 building owners associated with illegal entertainment businesses. The Ministry of Employment and Labor (MOEL) inspected 20,000 workplaces for labor exploitation, in addition to 200 workplaces with high numbers of employees with disabilities and 3,069 businesses with foreign workers. The government found 7,053

violations in 1,510 workplaces with foreign workers (3,337 violations in 2016); MOEL instructed businesses to address violations, but it was unclear whether charges were brought against violators. MOEL provided interpretation and counseling services to migrant workers through 42 support centers that were partially funded by the government. The government did not operate a hotline specifically for reporting potential trafficking crimes, but MOGEF continued to operate hotlines in 13 languages that were accessible to trafficking victims, and the Ministry of Oceans and Fisheries continued to operate a hotline for foreign crewmembers on South Korean fishing vessels. The government lacked a trafficking-specific national plan of action; its 2012 human rights national action plan included some anti-trafficking efforts. The government did not make efforts to reduce the demand for forced labor. To reduce the demand for commercial sex acts, in 2017 the government began to require chatting websites and mobile applications to display a notice about sex trafficking and prostitution laws; provided schools, government agencies, local governments, and state-run corporations with anti-prostitution and trafficking education programs; and publicized the illegality of child sex tourism in airports, train stations, and travel agencies. South Korean men remained a source of demand for child sex tourism in Southeast Asia and the Pacific Islands. The government denied passport issuance to 11 South Koreans (four in 2016) for engagement in sex tourism abroad; the Gangwon Provincial Police arrested an individual suspected of operating a blog providing information to potential sex tourists. The government continued to provide anti-trafficking training to troops prior to and after their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

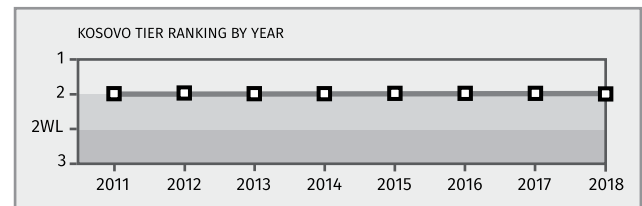
As reported over the past five years, the ROK is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. South Korean women are subjected to forced prostitution in South Korea and abroad. Some South Korean women enter destination countries on tourist, work, or student visas and are forced into prostitution in massage parlors, salons, bars, restaurants, or through internet-advertised escort services. Victims who owe debts to entertainment establishment owners or loan sharks are forced into prostitution. Some physically or intellectually disabled South Korean men are vulnerable to exploitation and have been forced to work on salt and cattle farms where they experience verbal and physical abuse, non-payment of wages, long work hours, and poor working and living conditions. Traffickers utilize smartphone applications to exploit victims, and South Korean children are vulnerable to sex trafficking through online recruitment. In need of money for living expenses and shelter, some runaway girls are subjected to sex trafficking.

Men and women from China, Thailand, the Philippines, Vietnam, Indonesia, and other countries in Asia, the Middle East, and South America are subjected to forced labor in South Korea and on fishing vessels registered and operated by South Koreans; some women from these regions are subjected to forced prostitution. Migrant workers, especially those from Vietnam, China, and Indonesia, can incur thousands of dollars in debt, contributing to their vulnerability to debt bondage. Approximately 400,000 low-skilled migrant workers, many employed under the government's employment permit system, work in fishing, agriculture, livestock, restaurants, and manufacturing; some of these workers face conditions indicative of forced labor. The ROK is a transit point for Southeast Asian

fishermen subjected to forced labor on fishing ships bound for Fiji and other ports in the Pacific. Foreign fishermen aboard small fishing vessels operating beyond the purview of the government or owners' cooperatives are vulnerable to exploitation, including forced labor. Some foreign women on E6-2 entertainment visas—mostly from the Philippines, China, and Kyrgyzstan—are subjected to forced prostitution in entertainment establishments near ports and U.S. military bases. Some women from China, Vietnam, Thailand, the Philippines, and Cambodia, who are recruited for marriage to South Korean men through international marriage brokers, are subjected to forced prostitution or forced labor after their arrival. Some South Korean men engage in child sex tourism in Vietnam, Cambodia, Mongolia, and the Philippines.

KOSOVO: TIER 2

The Government of Kosovo does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Kosovo remained on Tier 2. The government demonstrated increasing efforts by issuing guidance for proactive identification of victims and conducting joint proactive investigations with labor inspectors, prosecutors, and social workers. The Office of the Chief State Prosecutor also appointed a special coordinator for trafficking and established a new database to monitor trafficking cases. However, the government did not meet the minimum standards in several key areas. Judges imposed weak sentences on convicted traffickers, and prosecutors continued to downgrade trafficking cases to lesser crimes. The government decreased funding for NGO-run shelters and had inconsistent funding mechanisms, causing one NGO-run shelter to close temporarily.



RECOMMENDATIONS FOR KOSOVO

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose strong sentences; provide adequate and consistent funding for NGO-run shelters; designate specific prosecutors and judges to handle trafficking cases; provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions; train officials on screening for trafficking among individuals in prostitution, migrants, refugees, and other at-risk populations, and uniformly implement such protocols; develop written guidance and enhance efforts to identify and assist children subjected to forced begging; reduce the judiciary's backlog of cases, including trafficking-related cases; work with local authorities to establish shelter capacity in the northern municipalities; standardize data collection and create a database that disaggregates statistics for trafficking and trafficking-related prosecutions and convictions; and increase government support for comprehensive vocational training and reintegration services for victims.

PROSECUTION

The government increased law enforcement efforts. Article 171 of the criminal code criminalized sex and labor trafficking and prescribed punishments of five to 12 years imprisonment and a fine. These punishments were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Authorities filed 21 criminal reports for trafficking in 2017 (31 in 2016). Law enforcement arrested 28 trafficking suspects (62 in 2016) and 10 additional suspects for “utilizing sexual services from a trafficking victim” (18 in 2016). The government did not disaggregate trafficking and trafficking-related offenses for prosecution and conviction statistics, likely incorporating cases that were not trafficking, such as “enabling prostitution,” “facilitating or compelling prostitution,” sexual abuse of children, and child pornography. The government prosecuted 27 defendants (56 in 2016), including one defendant for “utilizing sexual services from a trafficking victim.” Courts convicted 29 traffickers (24 in 2016). Judges continued to issue sentences below the minimum penalty of five years imprisonment; one trafficker received five years imprisonment and a fine of €5,000 (\$6,000), and 14 traffickers received sentences between 18 months and three years and seven months, but seven traffickers received suspended sentences and seven received fines ranging from €600 (\$720) to €3,600 (\$4,320). Courts did not reduce the backlog of trafficking cases; 88 cases remained open from previous years. Observers reported the non-specialization of most prosecutors and judges resulted in weak sentences or cases downgraded to a lesser crime, especially cases involving emotional control or psychological coercion of a victim. The government exchanged information with foreign governments on 22 trafficking cases, conducted joint investigations with Albania, and signed an extradition treaty with Hungary.

The Trafficking in Human Beings Directorate (THBD) within the Kosovo Police (KP) investigated all trafficking cases with eight regional units. The THBD established a unit in the four northern municipalities, a region that was recently integrated into Kosovo’s judicial system. The THBD conducted joint investigations with prosecutors and social workers and coordinated with the labor inspectorate to conduct 143 joint inspections of bars, nightclubs, restaurants, and massage parlors (120 in 2016). The Office of the Chief State Prosecutor (OCSP) appointed a special coordinator for trafficking, added two prosecutors, and established a new database to monitor trafficking cases. The KP Training Department, in cooperation with international organizations, held 31 training workshops for 83 THBD investigators. The government trained prosecutors on best practices for prosecution and assisting victims in seeking compensation and trained judges and victim advocates on trafficking issues. However, many prosecutors trained under the Yugoslav criminal code required further training on the Kosovo criminal code.

THBD, OCSP, and the KP Inspectorate cooperated to investigate official government employees potentially complicit in human trafficking offenses but did not report prosecutions or convictions. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. In 2016, prosecutors indicted two police officers on separate cases of suspected abuse of an official position and sexual exploitation of trafficking victims. Trials were ongoing at the end of the reporting period. In 2014, courts convicted two labor ministry officials for abuse of an official position for issuing work permits to 22 foreign workers, later identified as trafficking victims, and fined each official €3,000 (\$3,600); however, the Basic Court acquitted

the two officials and allowed them to resume their official duties. In 2016, prosecutors appealed the acquittal but the Court of Appeals refused this appeal and confirmed the case as a final verdict.

PROTECTION

The government maintained victim protection efforts. The government identified 32 trafficking victims (36 in 2016). Of these, 18 were subjected to sex trafficking, seven to forced labor, three to forced begging, and four to “slavery and servitude” (26 were subjected to sex trafficking, nine to forced labor, and one victim to “slavery and servitude” in 2016); 19 were children (18 in 2016); 29 were female and three were male (34 females and two males in 2016); and 25 were from Kosovo, five from Albania, one from the Philippines, and one from Moldova. The government adopted a list of trafficking indicators to assist law enforcement and social service providers in proactively identifying victims; however, observers reported a lack of guidance and proactive identification efforts for victims of forced begging, especially children. A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures (SOPs) for identifying and referring victims to services. The NRM required an investigator from the THBD and a victim’s advocate from the Victim’s Assistance and Advocacy Office to convene and assess the victim as low, medium, or high risk of danger and coordinate victim care and placement. SOPs required a social worker to attend for child victims. Observers reported the NRM functioned well and highlighted good cooperation amongst actors.

The government licensed and partially funded two NGO-run shelters to provide services to trafficking victims, along with the state-run Interim Security Facility (ISF). These shelters provided legal assistance, medical and psychological services, counseling, education, recreational services, and other rehabilitative support. Victims also had access to nine Ministry of Labor and Social Welfare (MLSW) care facilities but the government did not have a care facility in the country’s four northern municipalities. ISF temporarily accommodated trafficking victims assessed as high risk. Authorities required victims to have a police escort outside of the ISF while court proceedings were ongoing and required an approval from a prosecutor and the KP for victims to permanently leave the ISF while assessed as high risk. The facility had the capacity to shelter 40 individuals with separate rooms for females, males, and families. Victims stayed at the ISF for an average of 90 days before transferring to a NGO-run shelter. ISF accommodated 35 victims, including five potential victims and two victims identified in 2016. The two NGO-run shelters provided support services to victims assessed as low- to medium-risk; one of these NGO-run shelters was solely for children. Observers reported reintegration programs faced limited success due to a lack of resources and high unemployment. The government allocated €152,870 (\$183,520) for victim protection, compared to €171,010 (\$205,290) in 2016. The government continued to decrease funds for NGO-run shelters; NGO-run shelters received €72,870 (\$87,480), compared to €91,010 (\$109,260) in 2016 and €101,930 (\$122,360) in 2015. The ISF received €80,000 (\$96,040) in 2016 and 2017. NGO-run shelters reported government funding was inadequate and operations could not continue without funding assistance from foreign donors. The MLSW required funding applications every six months, causing a gap in funding while applications were processed and approved. One NGO-run shelter temporarily closed for a month due to the MLSW delaying calls for funding applications.

There were no reports of victims being penalized for unlawful acts committed as a direct result of being subjected to human trafficking. The government encouraged victims to participate in investigative and judicial processes by providing protection at ISF accommodation and care at other facilities, and participation in the witness protection program. All 32 victims participated in investigations and court proceedings (36 in 2016). The law entitled foreign victims to a 30- to 90-day reflection period in which victims could recover before deciding whether to cooperate with law enforcement. The government reported suspected traffickers were not present when victims provided statements and foreign victims could return to their countries of origin after testifying without waiting for the conclusion of the trial. The law entitled foreign victims to a temporary residence permit for at least six months; one victim received a permit (two in 2016). The government allocated €100,000 (\$120,050) to the crime victim compensation fund and established a compensation committee to review claims; the first trafficking victim was compensated in December 2017 with approximately €5,000 (\$6,000).

PREVENTION

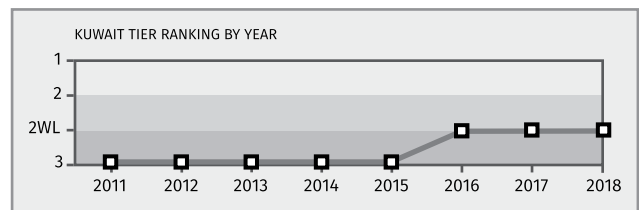
The government maintained efforts to prevent trafficking. The National Agency Against Trafficking in Persons (NAATIP) coordinated interagency efforts and held monthly meetings to monitor the implementation of the 2015-2019 anti-trafficking national action plan (NAP). The government did not report the amount of funds allocated towards implementation of the NAP in 2016 or 2017, compared to €288,000 (\$345,740) in 2015. NGOs reported strong cooperation with NAATIP and the national coordinator, including the responsiveness to recommendations and concerns. The government continued an annual month-long campaign aimed at potential trafficking victims; 28 of 38 municipalities allocated funds to participate in the awareness campaign. The government distributed pamphlets at border posts with Albania with information on how to seek assistance and held lectures on trafficking issues. The government-operated hotline for victims of domestic violence and other crimes received 907 calls, including seven potential trafficking cases that led to two investigations. The government produced a video on how citizens can reduce the demand for forced labor but did not report efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training for its diplomatic personnel and provided them a manual to aid in identifying trafficking victims.

TRAFFICKING PROFILE

As reported over the past five years, Kosovo is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Most victims are internally trafficked for sexual exploitation. Most sex trafficking victims in Kosovo are girls, although Kosovo criminal groups also force women from Albania, Moldova, Romania, Serbia, and other European countries into prostitution. Women and girls are subjected to sex trafficking in private homes and apartments, nightclubs, and massage parlors. Children from Kosovo, Albania, and other neighboring countries are forced to beg within the country. Traffickers subject Kosovo citizens to forced prostitution and forced labor throughout Europe. Marginalized Roma, Ashkali, and Egyptian communities are vulnerable to forced begging and sex trafficking. Government corruption creates an environment that enables some trafficking crimes. Several police officers, labor ministry employees, and other government officials have been charged with or convicted of trafficking crimes.

KUWAIT: TIER 2 WATCH LIST

The Government of Kuwait does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts by initiating more investigations and prosecutions; referring significantly more cases of illegal recruitment for criminal investigation; amending the domestic worker law to disincentivize unscrupulous recruiting practices; and operationalizing a government-run central recruitment company intended to reduce recruitment costs and combat illegal recruiting fees. The government also established a specialized prosecutorial unit to expedite trafficking cases, and, formally passed and funded its five-year national strategy to combat trafficking. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Some officials continued to use arbitration and administrative penalties to resolve grievances filed by domestic and other migrant workers, instead of investigating such cases as human trafficking crimes. Protracted litigation and subsequent appeals processes led most victims to decline to file court cases, and widespread corruption sometimes dissuaded workers from reporting trafficking cases to law enforcement. The government did not regularly use formal established procedures for identifying victims, and some foreign workers who quit their jobs without permission were subjected to criminal penalties, detention, and/or deportation. Because the government has devoted sufficient resources to a written plan, that, if implemented, would constitute significant efforts to meet the minimum standards, Kuwait was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Kuwait remained on Tier 2 Watch List for the third consecutive year.



RECOMMENDATIONS FOR KUWAIT

Continue to increase law enforcement efforts to investigate, prosecute, and convict traffickers, including Kuwaiti citizens, under the 2013 anti-trafficking law; investigate, prosecute, and convict sponsors and employers who subject foreign domestic workers to involuntary servitude or illegally hold migrant workers' passports; strengthen enforcement of the domestic labor law (law 68/15) to ensure domestic workers rights are protected; fully employ the centralized recruitment company; continue to institute reforms to the visa-sponsored employment system; routinely employ procedures to proactively identify and refer to protection services all victims of human trafficking; continue to train law enforcement officials to identify trafficking victims among vulnerable populations, and proactively screen for human trafficking victims during migrant round-ups to ensure victims are not wrongfully punished; ensure the availability of shelter and services to all trafficking victims; fully implement the new national anti-trafficking strategy; and continue to expand efforts to raise awareness and prevent trafficking.

PROSECUTION

The government demonstrated uneven law enforcement efforts. The 2013 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties ranging from 15 years to life imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

In 2017, the public prosecutor's office created a specialized unit to manage, investigate, and expedite the processing of trafficking cases. During the year, the government investigated 60 potential trafficking cases, an increase from six investigated in 2016. It discovered cases through tips from foreign embassies, civil society, hotlines, and the government-run shelter. Officials prosecuted 22 defendants in 10 cases, compared with 15 perpetrators prosecuted during the previous reporting period. The government charged five defendants (in 10 cases) with forced labor and 17 defendants (in seven cases) with sex trafficking. The government charged all 22 defendants—including four Kuwaiti nationals—with trafficking under the 2013 anti-trafficking law. At the close of the reporting period, the government convicted two sex traffickers and sentenced them both to 15 years imprisonment while it administered life sentences for four other sex traffickers. The trials of 15 defendants remained pending though it sentenced six convicted traffickers; during the previous reporting period the government achieved nine convictions—including one Kuwaiti citizen—under the anti-trafficking law.

The Ministry of Interior's (MOI) Domestic Labor Department (DLD) investigated employers and recruiting agencies, in addition to initiating investigations following grievances filed by employees, NGOs, embassies of labor-sending countries, and private citizens, and subsequently arbitrated such grievances. MOI authorities continued to investigate domestic worker recruitment agencies and residences to ensure compliance with the 2015 domestic labor law. During the reporting period, officials conducted 17,560 such inspections, referred more than 440 for criminal investigations following trafficking screenings, blacklisted 500 employers, and permanently shut down 82 recruitment agencies for domestic labor law contraventions, substantially up from 1,806 inspections, 39 referrals, none blacklisted, and 90 permanent closures, respectively, during the previous reporting period. Generally, Kuwaiti authorities did not categorize or investigate labor violations of domestic workers as human trafficking and continued to typically treat such cases as administrative infractions, using official arbitration resulting in monetary compensation and repayment of back-wages to victims, application of administrative fines, and closure of recruitment firms to resolve such cases; such approaches do not provide adequate deterrence to the commission of forced labor crimes. If a settlement could not be agreed upon, DLD officials referred the case to the courts, and if the complaint involved a gross violation, such as assault or domestic worker abuse, authorities transferred the case directly to the public prosecutor's office. Many domestic worker abuse cases were not prosecuted due to lack of evidence or witnesses, or, in many cases, prohibitively expensive legal fees. In some cases, characterized by local media as including trafficking indicators, the government sought prosecution for abuse or simple assault rather than as violations of anti-trafficking laws.

Although the withholding of workers' passports is prohibited under Kuwaiti law, this practice remained common among sponsors and employers of foreign workers; however, in nearly all of the 3,800 complaints of passport retention received by the government during the reporting period, employers were

ordered to return employees' passports. Reports claimed some government officials sold work permits to illegal recruiters or even directly to migrant workers, potentially facilitating trafficking; the government did not report efforts to prosecute and convict officials complicit in trafficking or trafficking-related offenses. The MOI's anti-trafficking unit conducted four anti-trafficking training programs during the reporting year, which covered signs of trafficking and a victim-centered approach to law enforcement efforts and reached 120 trainees across all MOI departments. It also facilitated eight training programs in cooperation with an international organization, reaching approximately 45 front-line responders at the MOI. The DLD produced internal training programs on a weekly basis targeting investigators and labor inspectors.

PROTECTION

The government maintained efforts to protect trafficking victims. During the reporting period, the government identified and referred 48 domestic workers—including 13 of whom were trafficking victims—to its shelter, compared to 76 it referred during the previous one. It provided shelter to a total of 3,000 domestic workers, including some potential forced labor victims, in its shelter dedicated for runaway female domestic workers; this is compared to 5,000 in 2016. The shelter received referrals from embassies, NGOs, international organizations, churches, private citizens, and other migrant workers. Although the government had in place a screening process to identify potential trafficking victims among vulnerable populations, such as foreign migrant workers, domestic workers, and women in prostitution, the extent to which the government employed this proactive screening mechanism during migrant roundups was unknown. The shelter served as a one-stop facility, providing medical and psychological care, repatriation assistance, and access to officials from various ministries to facilitate legal assistance, including filing cases against employers. Residents at the shelter had access to cell phones and adequate freedom of movement. Although a shelter for men was not established during the reporting period, officials allocated and approved a budget for construction of one. The government apportioned an annual budget of 2 million Kuwaiti dinar (\$6.6 million) for shelter operations and protection programs for trafficking victims, a slight increase from 1.9 million Kuwaiti dinar (\$6.3 million) the prior year. Some international organizations, in conjunction with foreign affairs officials, provided assistance to an unknown number of domestic workers from nations without diplomatic representation in Kuwait who needed to procure travel documentation. Embassies of the Philippines, India, and Sri Lanka maintained their own domestic worker shelters and worked closely with the Kuwait government to seek compensation and legal redress for their nationals subjected to exploitative working conditions in the country. The MOI continued its voluntary repatriation program and facilitated the repatriation of and provided transition assistance for more than 200 foreign domestic workers who were trafficking victims during the reporting period. Separately, the DLD provided repatriation assistance for 858 additional domestic workers and recouped approximately 193,720 Kuwaiti dinar (\$643,600). The government allowed victims residing in its shelter to either change sponsors or be repatriated to their country of origin once their residency status was resolved or pending the resolution of a legal case, without respective sponsor approval. It did not report deporting those who faced retaliation or retribution in their respective home countries. In compliance with a UN Security Council Resolution, the government reportedly repatriated North Korean nationals, many of whom were potential trafficking victims. In January 2018, the MOI

offered a general residency amnesty for all visa violators and absconders—including an estimated 154,000 expatriates—to either pay a fine and adjust their status if they were gainfully employed or return to their home countries without paying any outstanding fines and would still be eligible to return to Kuwait with a new work permit; the amnesty period existed for three consecutive months.

In August 2017, the MOI amended provisions of the domestic worker law that pertained to costs of doing business as recruitment professionals. The amendments stipulated that for issuance or renewal of a license for a domestic labor recruitment firm, single offices were required to submit financial deposits of 40,000 Kuwaiti dinar (\$132,890) bearing a validity of two years, while larger companies were obliged to present a letter of guarantee worth 100,000 Kuwaiti dinar (\$332,230) also with a two-year validity; this allowed the government to build a reserve of funds to adjudicate cases of labor law violations, use the money from the deposits to pay unpaid wages, and also cover repatriation fees. However, systemic challenges, including threat of criminalization and limited access to legal support, remained an impediment to the government's protection efforts. The 2013 anti-trafficking law did not stipulate that victims who flee abusive employers should be immune from prosecution. Therefore, some workers who fled their employers without permission risked criminal penalties and arrest, detention at police stations, and deportation, even if they were fleeing an abusive sponsor. The risk of penalization, coupled with protracted litigation processes and expensive legal fees, discouraged workers from appealing to police or other authorities for protection and adequate legal redress for their exploitation. In addition, it was not uncommon for sponsors to file counter-grievances against trafficking victims who reported their own, which sometimes resulted in administrative deportation or detention of the employees. The government reported public prosecutors willingly tried cases on victims' behalf using their oral and written statements; however, it lacked privacy laws to protect victims against potential retribution and often was unable to provide adequate care for victims throughout the duration of legal proceedings.

PREVENTION

The government increased its efforts to prevent human trafficking. In February 2018, the Council of Ministers officially approved and funded Kuwait's national strategy to combat trafficking and tasked the Ministries of Justice and Foreign Affairs to commence implementation. Several ministries, in collaboration with an international organization, printed and disseminated anti-trafficking pamphlets and actively participated in public awareness campaigns that warned against using illegal domestic worker recruitment companies and stressed the importance of hiring workers with the requisite documentation. Various officials also took part in awareness messages on local television outlets and continued to disseminate pamphlets to educate migrant workers on their rights, which were published in multiple languages in airports, embassies, and labor-recruitment agencies.

In September 2017, the government's new centralized recruitment center, which was developed during the previous reporting period in adherence to the domestic labor law, became fully operational in reducing recruitment costs, curbing illegal recruitment fees, hiring male domestic workers, and securing labor agreements for female employees; the government did not report how many domestic workers the government recruited via this central agency. The domestic labor law (Law

68 /15) guaranteed domestic workers one day off per week, a maximum 12-hour workday, minimum wage paid per month, paid annual leave, and access to file formal grievances at the MOI, among other protections, and 2016 by-laws regulated implementation of this law. Amendments to the 2010 labor law, passed in 2016, increased penalties for non-payment of wages, made mandatory documentation of all paid wages, and required prison time and fines for employers and government officials who failed to adhere to provisions of this law. In January 2018, authorities launched the Mobile Labor Disputes Office to help workers in remote areas of the country file complaints against labor law violating employers. The mobile unit was run by an emergency team of investigators, inspectors, translators, lawyers, and lay volunteers. Officials also unveiled online services that allowed workers and employers to dock and track workplace issues electronically, automatically alerted workers if an employer filed an absconding charge, notified the respective source country embassy, and ensured users the ability to challenge any settlement incurred. During the reporting period, the government received approximately 20,600 official grievances from foreign workers, the most common included pay discrepancies, requests to transfer employment to a different sponsor, and overtime pay disputes. According to government reports, roughly 90 percent of grievances pertaining to employment transfer grievances were resolved in favor of the employee. The grievances unresolved via mediation were referred to the labor courts, with 7,590 cases sent during the year. The government did not report outcomes of the cases referred for criminal investigation or which, if any, would be considered for prosecution under the anti-trafficking law. In January 2017, authorities investigated a Kuwaiti company on suspicion of labor law violations against its foreign workers; at the close of the reporting year, the government was still negotiating with the company and employees to determine punitive charges or fines to levy on the former and adequate compensation for the latter. However, the government repatriated those workers who decided to return home or readjusted the status of those workers who found new employment. Both the DLD and the MOI's anti-trafficking department launched hotlines to assist vulnerable migrant workers, to include potential trafficking victims. The government made appreciable efforts to reduce the demand for commercial sex and forced labor. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

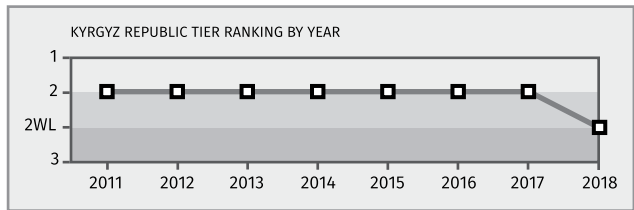
As reported over the past five years, Kuwait is a destination country for men and women subjected to forced labor and, to a significantly lesser extent, forced prostitution. Men and women migrate from Africa, South and Southeast Asia, and the Middle East, to work predominantly in the domestic service, construction, hospitality, and sanitation sectors, and the vast majority arrive voluntarily. Domestic workers are especially vulnerable to forced labor, physical and sexual abuse as they often have limited access to assistance. As conditions remain perilous for many, several labor-sending countries, including Nepal, India, Indonesia, Ethiopia, Zimbabwe, Bangladesh, and most recently, the Philippines, continue to restrict their female nationals from domestic employment in Kuwait. As countries restrict labor movements to Kuwait, the government has commenced recruitment of domestic employees from African labor-sending countries including Uganda, Cote d'Ivoire, Sierra Leone, Ghana, Nigeria, Tanzania, the Gambia, and Liberia, and most recently Cameroon, Togo, Benin, Guinea, and Burundi. Upon arrival, some sponsors subject migrants to forced labor, including non-payment of wages, protracted working hours, deprivation of food, substandard housing,

threats or harassment, physical or sexual abuse, and restrictions on movement, such as confinement to the workplace and passport confiscation. Although the practice is illegal, many migrant workers pay exorbitant fees to recruiting agents in their countries of origin and/or are coerced into paying labor broker fees in Kuwait which, according to Kuwaiti law, should be paid by the employer, thereby rendering workers vulnerable to forced labor, including debt bondage. In some cases, workers are not provided copies of their contracts, or the contracts are not written in a language they can read. Additionally, many sponsors pay high fees to agencies for migrant workers. Some labor recruiting companies facilitate trafficking through the use of deceptive techniques to bring in migrant workers on the basis of unenforceable contracts, fraudulent visas, and nonexistent positions. Reports allege officials take bribes or overtly sell work permits to illegal labor recruiting companies or directly to migrant workers. For more than a decade, reports indicate the Democratic People's Republic of Korea (DPRK or North Korea) has sent more than 4,000 North Korean laborers to Kuwait for forced labor on construction projects, sourced by a North Korean company operated by the Workers' Party of Korea and the North Korean military. According to these reports, employees work 14 to 16 hours a day while the company retains 80 to 90 percent of the workers' wages, and monitors and confines the workers, who live in impoverished conditions and are in very poor health due to lack of adequate nutrition and health care. In a previous reporting period, the government ceased issuing new work visas to North Korean workers, and during the current reporting period, it discontinued visa renewals for these workers.

Kuwait's sponsorship law—which ties a migrant worker's legal residence and valid immigration status to an employer—restricts workers' movements and penalizes them for leaving abusive workplaces; as a result, domestic workers are particularly vulnerable to forced labor inside private homes. Many workers report experiencing work conditions substantially different from those described in the contract. In addition, previous sources report runaway domestic workers are sometimes exploited in forced prostitution by agents or criminals, who manipulate their illegal status. Although illegal, passport confiscation by employers continues to be a common practice in Kuwait.

KYRGYZ REPUBLIC: TIER 2 WATCH LIST

The Government of the Kyrgyz Republic (or Kyrgyzstan) does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by adopting a new national action plan for 2017-2020 and developing and piloting victim identification criteria, including measures to prevent unfair criminalization of victims. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not investigate credible reports of serious and endemic corruption that contributed to trafficking or official complicity in detaining and exploiting victims. The government did not report any prosecutions of alleged traffickers. The government did not allocate additional funding for the implementation of its national action plan, and undertook limited victim identification efforts. Therefore Kyrgyz Republic was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR KYRGYZ REPUBLIC

Vigorously investigate and prosecute suspected trafficking crimes, including government officials allegedly complicit in trafficking or who abuse and exploit trafficking victims, and convict and punish trafficking offenders, ensuring the majority of those convicted serve time in prison; increase efforts to proactively identify trafficking victims, particularly among vulnerable groups such as persons in prostitution, and refer victims to protection services; approve and implement guidelines on victim identification and train officials on their use; implement child-sensitive investigation and prosecution procedures for cases in which children may be human trafficking victims; consistent with amendments to the national trafficking law, adopt and implement a national referral mechanism to better identify, assist, and protect potential victims; enact legislation consistent with international law to ensure prosecuting the prostitution of minors does not require proof of force, fraud, or coercion; increase trafficking-specific training for law enforcement, including through contributing to efforts by international organizations to train police, prosecutors, and judges; ensure identified trafficking victims are exempt from punishment for unlawful acts committed as a direct result of being subjected to trafficking; and continue to contribute to NGOs providing assistance to victims.

PROSECUTION

The government decreased law enforcement efforts and did not address a serious 2013 allegation of official complicity. Article 124 of the criminal code criminalized all forms of labor trafficking and some forms of sex trafficking. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The law also defined trafficking broadly to include "child adoption for commercial purposes." While the president signed into law an update to the existing criminal code to bring article 124 in line with international standards and address these deficiencies during the previous reporting period, the updated criminal code was not projected for implementation until 2019. Article 124 prescribed penalties of house arrest for up to five years or five to eight years imprisonment, which were sufficiently stringent. However, with respect to sex trafficking, by allowing for house arrest in lieu of imprisonment, these penalties were not commensurate with those prescribed for other serious crimes, such as rape. Prosecutors could also charge traffickers using article 260 for engaging a person in prostitution through the use of force or the threat of force or fraud, which was punishable by a fine or imprisonment of three to five years if the victim was an adult, five to 10 years imprisonment if the victim was 14-17 years old, and 10 to 15 years imprisonment if the victim was younger than 14 years old.

The government initiated four trafficking investigations under article 124 in calendar year 2017, including two cases of child trafficking; the government provided no additional information about these cases, such as how many involved sex or labor trafficking. In comparison, the government conducted eight

trafficking investigations in 2016. The government did not report the number of suspects prosecuted, contrasted with the prosecution of five defendants in 2016. Public data indicated that Kyrgyz courts convicted seven individuals under article 124, compared with convictions of 10 traffickers in 2016. The government did not provide information on sentencing.

In 2017, the Ministry of Internal Affairs (MVD) moved the Trafficking in Persons Police Unit from the Criminal Investigations Unit to the MVD's Criminal Militia Service. The unit was the central coordinator for trafficking investigations across the entire country. Experts believed the move raised the profile of trafficking issues within the MVD, and would serve to improve coordination on irregular migration, but some observers expressed concern that the unit focused on tackling organized prostitution or operation of brothels as prohibited under law, rather than identifying victims and investigating trafficking cases. Advocates for victims reported there was a general lack of proactive investigation, especially if victims did not make a specific, well-supported complaint. Civil society actors reported the need for systemic training for law enforcement, prosecutors, and judges, particularly on how to identify victims and work with them as witnesses. The MVD conducted training for the Customs Service on pilot identification procedures. Authorities cooperated with civil society and foreign partners to train police, prosecutors, and judges; based on a 2016 MOU, an international organization and the government collaborated on training 97 judges, 77 prosecutors, and 33 police officers in 2017.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking cases remained significant concerns, inhibiting law enforcement actions during the year. NGOs and international organizations reported law enforcement officials accepted bribes to drop cases and sometimes warned suspects prior to raids. Traffickers were reportedly also able to avoid punishment by offering victims payment to drop cases. The UN special rapporteur on the sale of children, child sex trafficking, and child pornography documented allegations of law enforcement officials' complicity in human trafficking in a 2013 report; police officers allegedly threatened, extorted, and raped child sex trafficking victims. However, the government has never investigated the allegations from this report, citing a lack of specific or actionable information.

PROTECTION

The government maintained efforts to protect trafficking victims. In January 2018, the government amended the trafficking law and authorized the creation and use of standard identification procedures and a national referral mechanism; experts have cited these gaps as an impediment to identifying and assisting victims. In 2017, the government, working with an international organization, developed procedures to identify trafficking victims and piloted the standards with law enforcement; the government did not formally adopt these procedures by the end of the reporting period. International organizations and NGOs reported assisting 112 victims in 2017, 89 of whom were subjected to forced labor, 16 to sex trafficking, and three to both labor and sex trafficking; two of the victims were children and 67 victims were male. The government identified and referred two of the 112 victims, compared with one identified victim referred to care by the government in the previous reporting period. Local governments in Osh and Bishkek continued to provide rent-free facilities used by three NGO-run shelters

that provided services for trafficking victims. Consular officials assisted an unknown number of victims abroad by providing no-cost travel documents, but the government did not report providing financial or in-kind support for their repatriation. The government did not report identifying or assisting any foreign victims in 2017; shelters reported that they could accommodate foreign victims.

Police did not use child-sensitive procedures when dealing with child victims during case investigation and courts did not provide safeguards to ensure children's privacy and protection; the draft referral mechanism would address the treatment and proper provision of assistance to children, but it was not finalized or implemented during the reporting period. Although experts reported that victims were highly vulnerable to pressure from traffickers to withdraw their complaint or settle informally, for the second consecutive year, MVD's witness protection unit did not report assisting any trafficking victims. Although the law provided for the proper treatment of witnesses, authorities rarely followed it. The government required witnesses to attend multiple public hearings and sit next to their alleged traffickers at trial, which deterred victims from cooperating with police. Government-provided attorneys reportedly lacked knowledge on handling trafficking cases. While the law provided the opportunity to seize traffickers' assets and compensate victims, authorities did not report granting such restitution. According to the 2013 UN special rapporteur report, police officers allegedly detained child sex trafficking victims, releasing them only after they performed sexual acts; the government has not yet responded to the report's allegations. Police allegedly extorted bribes from child sex trafficking victims through threats of arrest for commercial sex, even though commercial sex was neither illegal nor an administrative offense. The police's increased interaction with international and local trafficking experts has reportedly led to officers' increased sensitivity toward children found in brothels. However, the continued lack of formal written procedures for the identification and protection of potential sex trafficking victims increased victims' vulnerability to arrest and penalization during brothel raids. There were no reports officials fined, detained, or penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking; due to the lack of formal victim identification procedures, however, some victims may have remained unidentified in the law enforcement system.

PREVENTION

The government increased efforts to prevent trafficking. The Coordination Council on Migration continued to coordinate government efforts on migration issues, including combating trafficking in persons. During the reporting period, the Council devoted one session to trafficking in persons and met twice. The Prime Minister issued a decree in November 2017 approving a 2017-2020 national action plan to combat trafficking in persons, the culmination of a draft process that included input from 18 government agencies and NGOs and international organizations. Experts described the 38-objective plan as comprehensive but were concerned that its broad scope may be overly ambitious. The action plan did not include additional government resources to implement the activities, which was indicative of continued reliance on international funding. The government completed 66 percent of the previous national action plan (2013-2016), which included 32 objectives. Several projects related to the previous plan remained in progress. For the first time, the government developed a media action plan to raise awareness on trafficking in persons, but did not provide information on the implementation. The government,

in coordination with an international organization, held awareness-raising events in all seven regions of the country during a 100 Days to Prevent Trafficking Campaign.

The government, with the support of an international organization, continued to operate two employment centers in Bishkek and Osh that in 2017 provided an unknown number of people information on employment services, vacancy advertisements, licensed foreign labor recruitment agencies, and offered pre-departure orientation (which included trafficking prevention) for job-seekers to ensure safer migration and employment. The government also maintained two publicly available databases of private employment agencies: one contained “government licensed” agencies, and the other a list of agencies about which the government received complaints. In 2017, the government revoked a labor recruitment agency’s license due to labor recruitment fraud. The government also continued to provide a national toll-free telephone line and office space to an NGO-run hotline that provided legal advice and assistance regarding working abroad; the hotline received 2,909 calls in 2017 and January 2018, which resulted in the identification of four victims. The government continued to provide support for a mobile phone application that provided Kyrgyz migrants with information on the rights of migrant workers and contact telephone numbers including anti-trafficking hotlines and local Kyrgyz embassies. The government did not report providing anti-trafficking guidance for its diplomatic personnel or making efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

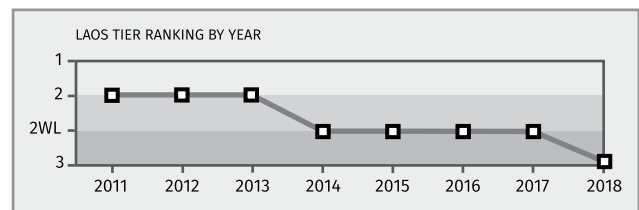
As reported over the past five years, the Kyrgyz Republic is a source, transit, and destination country for men, women, and children subjected to forced labor, and for women and children subjected to sex trafficking. Adult male labor migrants working abroad are reportedly at the highest risk of trafficking. Kyrgyz men, women, and children are subjected to forced labor in Russia and Kazakhstan, and to a lesser extent in Turkey and other European countries, as well as within the Kyrgyz Republic, specifically in the agricultural, construction, and textile industries and in domestic service and forced childcare. Kyrgyz children also are subjected to forced labor in the selling and distribution of drugs within the country, and hauling cargo both in the Kyrgyz Republic and neighboring countries.

Women and girls are subjected to sex trafficking abroad, reportedly in Turkey, the United Arab Emirates (UAE), India, Russia, Kazakhstan, South Korea, and within the country. Kyrgyz police officers allegedly exploit female trafficking victims, including some younger than age 18, for sex both in saunas and on the street. Concerns persist about police misconduct and corruption, including allegations that police threaten and extort sex trafficking victims, including minors, and reports that police accept bribes from alleged traffickers to drop cases. Street children who engage in begging and children engaged in domestic work (often in the homes of extended family members) are vulnerable to human trafficking. Women and underage teenaged girls from Uzbekistan may be subjected to sex trafficking in the southern region of the Kyrgyz Republic. Some men and women from Uzbekistan, Tajikistan, and Turkmenistan transit the country as they migrate to Russia and Kazakhstan, the UAE, and Turkey, where they may be subjected to sex and labor trafficking. International organizations and NGOs reported some Kyrgyz individuals who join extremist fighters in Syria are forced to remain against their will and recruiters may deceive others, including minors, promising

jobs in Turkey, before extremist groups force them to fight, work, or suffer sexual servitude in Syria.

LAOS: TIER 3

The Government of Laos does not fully meet the minimum standards for the elimination of trafficking and did not demonstrate overall increasing efforts to do so compared to the previous reporting period. Although Laos meets the criteria for Tier 2 Watch List, because it has been on Tier 2 Watch List for four consecutive years, it is no longer eligible for that ranking and was therefore downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by continuing to investigate, prosecute, convict, and sentence a modest number of traffickers; providing re-integrative livelihood assistance to some returned victims; and conducting awareness-raising activities in Lao communities at elevated risk of forced labor in relation to large-scale infrastructure projects. However, some officials reportedly continued to facilitate and sometimes profit from illicit activities permissive or generative of trafficking vulnerabilities. Lack of awareness among front-line officers and insufficient border security measures likely prevented the identification and service provision of many Lao victims voluntarily returning or deported from neighboring countries. Poor inter-ministerial coordination and policies constraining the operations of non-government service providers continued to impede effective implementation of Laos’ national action plan to combat trafficking.



RECOMMENDATIONS FOR LAOS

Strengthen efforts to implement the 2016 anti-trafficking law by investigating, prosecuting, and convicting traffickers, including complicit officials, as well as child sex tourists; disseminate, implement, and train police and border officials on formal victim identification and referral procedures, with a focus on vulnerable groups; screen for trafficking indicators among foreign workers and Lao men and boys working on large infrastructure, mining, and agricultural projects, in special and specific economic zones, and returning from work in foreign maritime industries, and among Lao women in domestic prostitution, Lao women and girls subjected to forced or fraudulent marriages abroad, and foreign women and girls facing deportation; strengthen efforts to secure, formalize, and monitor unofficial border crossings in remote and mountainous areas commonly used by Lao labor migrants returning from abroad, and screen for trafficking indicators among them; collaborate with civil society to implement the 2016-2020 national action plan; increase expenditures from the government anti-trafficking budget for service provision and assistance programs for victims, and expand these services for male victims; in partnership with local and international organizations, increase resources and vocational training to support victims, including male victims, to reintegrate into their home communities; further improve transparency by collecting information on government anti-trafficking activities, including case details and financial

including case details and financial allocations, and share this information among ministries and with non-governmental stakeholders; and strengthen efforts at diplomatic missions overseas to assist in victim identification and protection.

PROSECUTION

The government maintained insufficient law enforcement efforts. Article 134 of the criminal code criminalized sex and labor trafficking and prescribed penalties ranging from five years to life imprisonment, fines ranging from 10 million to 100 million kip (\$1,210 to \$12,090), and confiscation of assets, depending on the severity of the crime; these penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2017, the Ministry of Public Security reported investigating 69 incidents, culminating in the positive identification of 44 trafficking cases. At the end of the year, there were 29 ongoing investigations (19 investigations in 2016), and the remaining 15 were pending submission to the prosecutors' office. Authorities also initiated 13 prosecutions against 24 alleged traffickers (11 in 2016) and secured convictions in eight cases (six in 2016). The total number of traffickers convicted among these cases was unknown. Nine Chinese individuals were reportedly convicted and sentenced on charges related to forced or fraudulent marriage and subsequently delivered to Chinese custody after first serving jail terms in Laos of between nine months and one year. An additional 31 cases submitted by the anti-trafficking police were pending trial at the end of the reporting period, but further details were unavailable. The government did not provide details on the type of trafficking in each case, nor did it disaggregate sentencing data in all cases per convicted trafficker, but courts imposed penalties ranging from nine months to 16 years with fines of up to 50 million kip (\$6,040); authorities reported three individuals were sentenced to prison terms longer than one year. Three prosecutions were ongoing at the end of the reporting period. The government provided no information on prosecutions of foreign nationals in Laos who engaged in child sex tourism; authorities received and confirmed reports from international law enforcement agencies on entrance into Laos by known child sex offenders, but did not make efforts to appropriately monitor them.

The Lao Anti-Trafficking Secretariat collaborated with an international organization to integrate trafficking-specific content into the curricula at state-run degree-conferring programs designed for law enforcement officials. Authorities reported disseminating information to 1,346 provincial government officials and law enforcement officers about the 2015 anti-trafficking law (174 in 2016). With the assistance of an international organization, the Office of the Supreme People's Prosecutor completed a procedural manual for trafficking trials and distributed it to judges and court officers throughout the country; however, due to its delayed release, authorities generally did not implement its provisions during the reporting period. Lao law enforcement agencies continued to cooperate with multilateral organizations and counterpart agencies in China, Malaysia, and Thailand on transnational trafficking investigations—some of which culminated in extraditions—but did not report relevant statistics.

Anti-trafficking organizations and media continued to report some low-level officials contributed to trafficking vulnerabilities by accepting bribes for the facilitation of immigration and transportation of girls to China, including through falsification of travel and identity documents. Observers also reported immigration officials may have enabled the illicit transportation

of thousands of undocumented migrant workers from China and Vietnam into Laos for work on large-scale infrastructure, mining, and agricultural projects, where some of them may have been subjected to trafficking. Despite these allegations, the government did not report any investigations, prosecutions, or convictions of officials for complicity in trafficking or trafficking-adjacent crimes during the year.

PROTECTION

The government maintained insufficient victim protection efforts. In furtherance of its adoption of the Coordinated Mekong Ministerial Initiative Against Trafficking in 2016, the government reported producing and disseminating a victim identification manual to Anti-Trafficking Department (ATD) officials throughout the country. However, the government did not take adequate measures to identify domestic or foreign victims. Among the 4,340 Lao individuals confirmed to have been deported or "pushed back" from Thailand in 2017, immigration officials reported referring 167 to NGO services. However, it was unclear how many of these were trafficking victims, and authorities did not systematically screen for trafficking indicators among these groups. This figure marked a significant decrease from the annual average of 10,000 pushback cases in recent years, despite a sharp increase in the number of Lao migrant workers who returned from Thailand as a result of new immigration policies. Observers believed this drove a large number of labor migrants—some of whom were likely trafficking victims—to return to Laos via unofficial border crossings in remote or mountainous regions. Authorities did not adequately respond to this new trend by screening among these groups for trafficking indicators. Front-line officers' lack of awareness often led to conflation between trafficking and smuggling, which may have resulted in the penalization of victims. Authorities reported officially identifying a total of 86 victims (184 in 2016)—22 Lao victims of internal trafficking (85 in 2016) and 64 Lao victims subjected to trafficking abroad (99 in 2016; 143 in 2015). Officials reportedly screened for, but did not identify, trafficking indicators among 50 Lao women arrested during anti-prostitution raids and detained in June and July 2017; ATD officers "educated" them about the illegality of their conduct and issued warnings to the owners of the raided establishments. Observers were concerned some of these women may have been trafficking victims, despite their lack of formal identification. Unlike in prior years, the government did not disaggregate victim identification statistics by type of trafficking, age, or sex. International organizations identified a higher number of Lao trafficking victims abroad than reported by the government.

Most Lao victims exploited abroad were identified by authorities in neighboring countries. Despite allegations of forced labor among foreign workers involved in large-scale infrastructure, mining, and agricultural operations in Laos—and despite the prevalence of foreigners subjected to sex trafficking, often in relation to these industries—the government did not identify any foreign victims during the reporting period. Bilateral security agreements with China and Vietnam appeared to require Laos to repatriate their respective nationals without processing them through relevant legal channels, including the victim screening and referral procedures outlined in the national action plan.

Officials reported developing National Victim Protection Guidelines, although its provisions were unclear, as was the extent to which authorities consulted or implemented this system as part of their anti-trafficking efforts during the reporting period. Victims were entitled to temporary accommodation, legal

advice, health care, education or job training, and sometimes financial and livelihood assistance, although most of these services were provided and funded by NGOs and international organizations with minimal government involvement. The secretariat and local authorities reported engaging in limited direct assistance to victims in 2017, including through provision of 40 head of cattle valued at 160 million kip (\$19,340) to 15 male and 17 female victims who returned to their home communities. However, the government did not keep complete records of how many victims benefited from these services during the reporting period. Authorities cooperated with several international organizations to run a transit center in Vientiane, where victims returning from Thailand could stay for approximately one week before being reintroduced to their home communities. A quasi-governmental women's union operated a single short-term shelter in Vientiane for victims of abuse that also offered services to trafficking victims. This shelter was in contact via its hotline with 46 men, women, and children demonstrating possible trafficking indicators; however, it did not report how many among them it positively identified as trafficking victims. In cooperation with an international organization, the government reportedly referred 50 potential victims to this shelter and another run by an NGO in 2017; the government reported only 22 of these individuals, including 11 children, ultimately benefited from shelter services. A lack of adequate long-term support due to limited resources made victims vulnerable to re-trafficking. Although authorities continued to identify male victims during the reporting period—and despite their particular vulnerabilities to labor trafficking in agriculture, mining, construction, and the maritime sector—the vast majority of services were available only for women. The government did not report instances of trafficking victims seeking or securing restitution; according to one international organization, one Lao woman was in the process of suing to recover wages withheld by her employers in Malaysia, but it was unclear if the Lao authorities assisted in any way.

PREVENTION

The government maintained prevention efforts. It formally approved the ASEAN Convention on Trafficking in Persons in April 2017 and presented its instruments of ratification the following May. Authorities signed a new cooperative agreement on anti-trafficking with Thailand and revised preexisting agreements with Vietnam and China. Under the auspices of the latter, Lao authorities traveled to China to consult on cooperative measures to prevent forced and fraudulent marriages—a significant driver of sexual exploitation and forced labor. Anti-trafficking police also conducted interviews with victims in an effort to compile information on hundreds of illicit brokerages and entertainment establishments suspected of the crime throughout the country. The government continued to conduct a range of awareness-raising activities, including production of a television show focusing on trafficking vulnerabilities and, with assistance from an international organization, the creation of mobile advertising groups to educate youth. Authorities also held 33 workshops for more than 4,600 participants across four provinces in order to raise awareness among the communities most vulnerable to forced labor in relation to ongoing construction of a railway connecting China and Laos.

The government did not record complete data on the number of officials who received training on human trafficking. It continued to disseminate information on the 2016 National Action Plan through its national steering committee, which it also ordered to conduct a first annual report on the country's anti-trafficking efforts in conjunction with NGO partners.

This assessment was incomplete at the end of the reporting period. In practice, inter-ministerial efforts and coordination on trafficking prevention remained lacking amid resource constraints and restrictions on operating space for civil society. NGOs reported their cooperation with the government was hampered by the Decree on Non-Profit Associations, provisions of which imposed burdensome reporting requirements, prior approval for planned activities, and constraints on the receipt of funding from international donors. The government reported maintaining funding for anti-trafficking activities in its annual budget, but did not provide specific information on how it allocated this funding. Contacts believed the government had insufficient resources and bandwidth to carry out anti-trafficking work due to prioritization of efforts to address other crimes. The government did not provide anti-trafficking training for its diplomatic personnel, nor did it take any discernible measures to reduce the demand for forced labor or commercial sex acts.

TRAFFICKING PROFILE

As reported over the last five years, Laos is a source and, to a lesser extent, a transit and destination country for women, children, and men subjected to sex trafficking and forced labor. Lao trafficking victims, especially from the southern region of the country, are often migrants seeking opportunities abroad who then experience labor or sexual exploitation in destination countries—most often Thailand, as well as Vietnam, Malaysia, China, Taiwan, and Japan. Some migrate with the assistance of brokers charging fees, while others move independently through Laos' 23 official border crossings using valid travel documents. Traffickers take advantage of this migration—and the steady movement of Lao population through the country's 50 unofficial and infrequently-monitored border crossings—to facilitate the trafficking of Lao individuals in neighboring countries. Traffickers in rural communities often lure acquaintances and relatives with false promises of legitimate work opportunities in neighboring countries, then subject them to sex or labor trafficking.

A large number of victims, particularly women and girls, are exploited in Thailand's commercial sex industry and in forced labor in domestic service, factories, or agriculture. Lao men and boys are victims of forced labor in Thailand's fishing, construction, and agricultural industries. Lao victims of forced labor in the Thai fishing industry have been identified in Indonesian waters. NGOs report individuals offering transportation services near the Thai border facilitate the placement of economic migrants into forced labor or sex trafficking in Thailand. Foreign traffickers increasingly collaborate with local Lao middlemen to facilitate trafficking. Many trafficking victims may be among the thousands of migrants deported or "pushed back" annually from Thailand without official notification, often by way of boats across the Mekong River. Recent changes in Thai immigration policy are reportedly driving many among the 100,000 Lao migrant workers in Thailand to cross back into remote, mountainous regions of the country via porous or unsupervised portions of the shared border. Vehicle drivers sometimes intercept these migrants when they return to Laos and facilitate their re-trafficking. Some women and girls from Laos are sold as brides in China and subjected to sex trafficking or forced domestic servitude. Some local officials reportedly contributed to trafficking vulnerabilities by accepting payments to facilitate the immigration of girls to China.

Laos is reportedly a transit country for some Vietnamese and Chinese women and girls who are subjected to sex trafficking

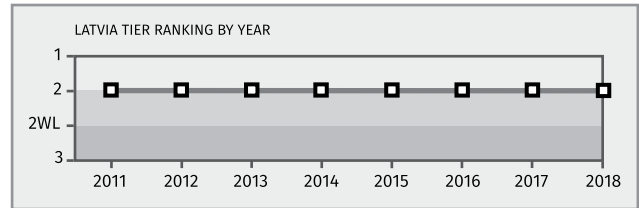
and forced labor in neighboring countries, particularly Thailand. Chinese women and girls are also subjected to sex trafficking within Laos. Some of the Vietnamese men and women working in or near (often illegal) logging and construction areas along the Laos-Vietnam border may be trafficking victims. Burmese nationals work as manual laborers or are involved in prostitution near the Lao portion of the “Golden Triangle”—the geographic area marked by the intersection of the Lao, Burmese, and Thai borders.

Some of the 20,000 registered migrant workers in Lao Special or Specific Economic Zones, along with a high number of undocumented workers in these areas, are reportedly vulnerable to trafficking or other labor abuses. An increasing number of Chinese- and Vietnamese-owned companies reportedly facilitate the unregistered entry of labor migrants from their respective countries into Laos—including with possible assistance from corrupt Lao immigration officials—and subject them to forced labor in mines, hydropower plants, and agricultural plantations. Some Lao adults are subjected to forced labor in these sectors within Laos; children in particular are subjected to forced labor in agriculture—often by their families. Other Lao communities may be vulnerable to forced labor in the ongoing construction of a major railway connecting China and Laos, along with a high number of Chinese migrant workers brought to Laos for the project. Some Vietnamese, Chinese, and Lao women and children are subjected to sex trafficking in larger cities and in close proximity to national borders, casinos, and special economic zones—especially those with heavy Chinese investment—reportedly to meet the demand of Asian tourists and migrant workers. NGOs estimate 13,000 individuals are in prostitution in Lao commercial establishments, with as many as three times that figure operating independently throughout the country. International organizations note insufficient or informal birth registration procedures leave as much as 30 percent of the Lao population without identity documentation, significantly increasing their vulnerability to exploitation. Communities resettled due to the construction of dams and other large infrastructure projects may be especially vulnerable to trafficking. Reports indicate child sex tourists from the United Kingdom, Australia, and the United States have traveled to Laos for the purpose of exploiting child sex trafficking victims.

LATVIA: TIER 2

The Government of Latvia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Latvia remained on Tier 2. The government demonstrated increasing efforts by certifying more victims for the state-funded assistance program, amending labor regulations requiring licensed placement agencies to ensure at least minimum wage for workers hired for employment outside Latvia, and amending the code on administrative violations to protect victims forced to commit crimes. However, despite these efforts, the government did not meet the minimum standards in several key areas. Authorities prosecuted fewer traffickers under the trafficking statute, and courts continued to issue convicted traffickers lenient sentences, usually resulting in no jail time. Officials’ lack of knowledge of trafficking indicators impaired proactive victim identification, particularly among women and children exploited in commercial sex. Additionally,

children in state orphanages were vulnerable to sex trafficking and ineligible for state-funded trafficking victim assistance program benefits.



RECOMMENDATIONS FOR LATVIA

Vigorously investigate and prosecute trafficking cases under the trafficking statute (section 154-1 of the criminal law) and punish convicted traffickers with stronger sentences; increase efforts to proactively identify trafficking victims, particularly minors in state care institutions induced into commercial sex and victims of sexual exploitation in Latvia’s legal prostitution industry; provide specialized trafficking victim services to children in care institutions, such as orphanages; amend regulations to allow for the enrollment of persons from state care institutions into the state-funded victim assistance program; expand efforts to train officials involved in judicial proceedings to understand all forms of trafficking and apply anti-trafficking laws; increase anti-trafficking training for law enforcement officials on working with victims, evidence collection, and understanding psychological coercion; and broaden public awareness efforts to educate socially at-risk groups on the dangers of trafficking.

PROSECUTION

The government maintained law enforcement efforts. Sections 154-1 and 154-2 of Latvia’s criminal code criminalized sex and labor trafficking and prescribed a maximum penalty of up to 15 years imprisonment, which was sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Judges and prosecutors had the power to reclassify cases from section 154-1 to lesser crimes. Trafficking crimes could be charged under section 164, which criminalized exploiting vulnerability or using deceit to involve individuals in prostitution with prescribed penalties as lenient as community service or a fine. Additionally, law enforcement reportedly were more likely to investigate and charge suspected traffickers for crimes other than trafficking, such as pimping and transfer for sexual exploitation. Authorities used section 165-1, which prohibited the transfer of individuals for the purpose of sexual exploitation, to prevent potential cases of trafficking by charging perpetrators who attempted to recruit individuals for sexual exploitation schemes abroad.

A 19-officer State Police unit specialized in investigating trafficking, sham marriages, and related crimes. Police investigated seven new cases involving four suspects under section 154-1 in 2017, compared with four cases involving three suspects in 2016. Authorities initiated prosecutions of three traffickers under section 154-1, compared with 11 in 2016. Courts convicted four traffickers in 2017, compared with four in 2016. Three of the convicted traffickers received conditional sentences resulting in no prison time, and one trafficker received a fine. Under section 165-1, authorities investigated eight new cases, prosecuted five defendants, and convicted six suspects during the reporting period; none of the convicted offenders received prison sentences. By comparison, in 2016 authorities investigated 10 cases, prosecuted four defendants, and convicted 10 suspects. A case from 2014 involving two Riga police officers

charged with facilitating pimping remained in court at the end of the reporting period. In 2016, the specialized unit reported the first domestic forced labor investigation in at least six years in which 22 Latvian nationals were coerced into working on a local farm and committing criminal acts in exchange for alcohol and debt forgiveness, likely cases of debt bondage. In this case, two suspects were charged with trafficking; the case remained in court at the end of the reporting period. In 2017, police from Latvia and the United Kingdom cooperated on a labor trafficking case involving 12 suspected traffickers—all Latvian nationals who recruited victims in Latvia and exploited them in the United Kingdom. Latvian authorities started the process to extradite four suspects for further prosecution and trial in the United Kingdom.

Perennial issues within the judicial system, such as lengthy trials and lenient sentences, which often resulted in no jail time for convicted traffickers, limited Latvia's prosecution efforts. Observers reported the need for more training for judges, prosecutors, and law enforcement, particularly on applying anti-trafficking laws, working with victims, evidence collection, and understanding psychological coercion. The government supported such training during the reporting period by partnering with an international organization and an NGO to train more than 400 government employees (social workers, law enforcement, and local government staff) on victim identification and referral mechanisms. Additionally, Latvia's judicial center organized a training for prosecutors, judges, and judges' assistants on trafficking involving minors. The police collaborated with international and non-governmental partners to provide training for law enforcement officials, and the State Border Guard trained 25 border guards in victim identification.

PROTECTION

The government increased efforts to protect trafficking victims. The government allowed a second NGO to assist victims in the state-funded, NGO-run victim assistance program for 2017-2018. This program offered victims medical and psychological assistance, legal representation, housing, and reintegration services. In 2017, the government increased funding for the program to €135,110 (\$162,200) from €133,275 (\$155,990) in 2016. Authorities certified victims for enrollment in the program based on decisions by either law enforcement or an NGO-led panel of experts. Authorities and NGOs certified 24 new victims, an increase from 14 victims in 2016. Six enrollees were male; 18 were female, three of whom were minors subjected to sexual exploitation. Government regulations on assistance to trafficking victims limited state-funded rehabilitation services to six months, although victims whose cases went to trial received assistance, mostly legal counselling, for the duration of the legal proceedings. Police, immigration, and social services had written procedures for identifying victims. The government's trafficking working group reported most government agencies lacked either the practical experience or willingness to identify victims. Experts noted agencies tasked primarily with non-trafficking issues, such as the State Border Guard and the Office of Citizenship and Migration Affairs, did not refer trafficking cases for investigation or victims for assistance. Identifying child sex trafficking victims domestically remained a challenge. Regulations did not allow for the enrollment of persons from state care institutions, such as orphanages, in the state trafficking victim assistance program; observers reported five minors in institutions were reported to law enforcement as suspected trafficking victims. Experts raised concerns about sexual exploitation in Latvia's legal prostitution industry, noting law enforcement's focus on fining individuals who were not

in compliance with prostitution regulations or other criminal statutes rather than on identifying potential trafficking victims.

NGOs reported cooperation improved with law enforcement on trafficking investigations. Thirteen registered victims cooperated with law enforcement in 2017, although male victims were often reluctant to work with police because they felt ashamed for having been exploited. Courts had digital video capabilities and audio-recording equipment to protect victims from trafficker-victim confrontation. The criminal law provided special protection measures for trafficking victims, including questioning victims in private rooms by a prosecutor or judge of the same gender as the victim, the right to a closed court hearing, and the right to court-recorded testimony. During the reporting period, the government modified the code on administrative violations to include that administrative liability could also be waived if criminal acts were performed while the individual was subjected to trafficking and forced to commit the crime. In 2017, one trafficking victim received compensation from the state agency for judicial assistance, which administered a crime victims' compensation program. Five trafficking victims received state-funded repatriation and other services through the state assistance program.

PREVENTION

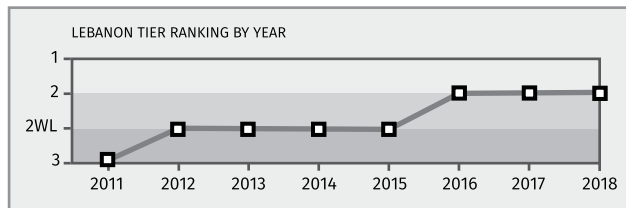
The government increased prevention efforts. The anti-trafficking working group monitored efforts, facilitated inter-ministerial information exchange, and implemented the 2014-2020 national action plan. At the municipal level, the government established two trafficking task forces and trained government employees. The government amended labor regulations to require licensed placement agencies ensure at least minimum wage for workers hired for employment outside Latvia. During the reporting period, the state monitored the activities of licensed employment agencies and canceled licenses for 34 agencies in violation. The labor inspectorate conducted 50 specialized inspections focusing on identifying forced labor; none of these inspections resulted in identified labor trafficking. The labor inspectorate sponsored a Baltic regional conference on topics including labor trafficking. Various ministries contributed to a number of awareness-raising activities, including publishing an illustrated book by trafficking survivors for outreach in schools. The government maintained emergency helplines that received calls on potential trafficking situations. The government did not report any specific measures to reduce the demand for commercial sex.

TRAFFICKING PROFILE

As reported over the past five years, Latvia is a source country for men, women, and children subjected to sex and labor trafficking. To a lesser extent, Latvia is a source and destination country for exploitation in forced criminality. Traffickers subject Latvian women and girls to sex trafficking in Latvia and other parts of Europe. Government agencies note an increase in child sex trafficking cases over the past few years. Children in state orphanages are particularly vulnerable to sex trafficking. Latvian men and women are subjected to forced labor, mainly in other parts of Europe. The government reports organized crime groups facilitate labor trafficking to Germany and Ukraine. Latvian women recruited for brokered marriages in Western Europe, particularly Ireland, are vulnerable to sex trafficking, domestic servitude, and forced labor.

LEBANON: TIER 2

The Government of Lebanon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Lebanon remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting significantly more trafficking cases and referring an increased number of trafficking victims to NGO-run protective services. The government continued to partner with several NGOs to provide essential services to victims. However, the government did not meet the minimum standards in several key areas. The government did not directly protect victims or fully implement victim identification and referral procedures stipulated in its anti-trafficking law, which resulted in the potential for some victims to face arrest, detention, or deportation for crimes committed as a result of being subjected to trafficking. Moreover, Lebanon's sponsorship system, which places a significant amount of power in the hands of employers of foreign workers, remained a significant impediment to authorities identifying and protecting trafficking victims.



RECOMMENDATIONS FOR LEBANON

Increase prosecutions and convictions of offenders under the anti-trafficking law, and investigate employers and recruitment agents who withhold workers' passports, travel documents, or wages for potential trafficking crimes; increase efforts to ensure trafficking victims are not arrested, detained, or deported for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration or prostitution violations; screen all detained domestic workers for potential trafficking victims in detention centers; develop and implement procedures to identify and refer to protection services trafficking victims among vulnerable populations, such as illegal migrants, women holding *artiste* visas, domestic workers, and Syrian refugees; take steps to establish greater oversight over *artiste* visas, a program that contributes to the vulnerability of women to sexual exploitation; increase efforts to train judges, prosecutors, law enforcement officials, and diplomatic personnel about the crime of trafficking and application of the anti-trafficking law; continue to work in partnership with NGOs to screen for, identify, and provide protection services to victims, including witness support during criminal proceedings; prohibit and penalize the withholding of workers' passports and travel documents, reform the sponsorship system to ensure workers are not bound to abusive employers, and allow workers, including *artiste* visa holders, freedom of movement; formally establish the victim assistance fund; adopt and implement the draft national action plan; enact the labor law amendment extending legal protections to foreign workers and the draft law providing increased labor protections to domestic workers; and launch an awareness-raising campaign.

PROSECUTION

The government significantly increased efforts to investigate and prosecute potential trafficking cases. The 2011 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of five to 15 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government did not have a law that prohibited or penalized confiscation of workers' passports or travel documents by employers or labor agents. Government officials and NGOs continued to report that some judges lacked understanding of the anti-trafficking law and knowledge of best practices for handling trafficking cases, though they noted improvements in the overall consistency of judges' and prosecutors' application of the law.

In 2017, the government reported initiating 134 total trafficking investigations, compared with 71 investigations in 2016. The Internal Security Forces (ISF) anti-trafficking unit investigated 23 cases of suspected trafficking, involving 55 victims of sexual exploitation and child trafficking; this was compared with 20 ISF investigations in 2016. Of the 23 cases, the ISF issued 17 arrest warrants and referred 39 suspected traffickers to the judiciary. The Directorate of General Security (DGS) investigated 111 potential trafficking cases involving migrant workers and other immigrants in 2017, which was a significant increase from 51 investigations in 2016. Among the 111 cases, the DGS referred six to judicial or law enforcement authorities for further investigation and it classified 36 as child labor cases and referred them to the Ministry of Labor (MOL). In 2017, public prosecutors referred 109 trafficking cases to investigative judges, who charged and prosecuted 172 suspected traffickers under the anti-trafficking law; these cases were pending at the end of the reporting period. These cases involved forced prostitution, coerced street begging, and labor exploitation. This demonstrated a significant increase in prosecutions, but a decrease in convictions, in comparison to 2016 when investigative judges charged and prosecuted 71 alleged traffickers, which resulted in 33 convictions under the anti-trafficking law; however, these cases, like many in Lebanon's overworked judicial system, took significant time to resolve. Officials generally sought to resolve trafficking cases involving foreign workers through mediation between the employer and worker, rather than refer them for criminal prosecution. Additionally, government officials continued to report security forces were reluctant to arrest parents for subjecting their children to trafficking, usually in forced begging, due to a lack of social services available should the child be removed from the family. The government did not report investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period; however, NGOs continued to report a common perception that DGS officers allegedly accepted bribes to protect adult nightclubs or issue *artiste* visas—a program that sustains a significant commercial sex industry and enables sex trafficking. The government encouraged officials to participate in trainings provided by NGOs and during the reporting period, DGS introduced human rights and anti-trafficking training as part of its curriculum for all new DGS recruits. The army continued to require anti-trafficking training for soldiers, while widely distributed military publications featured articles on human trafficking to raise awareness among military officers.

PROTECTION

The government maintained inconsistent victim protection efforts. It referred an increased number of victims to NGOs, but victims remained vulnerable to punishment for crimes

committed as a direct result of being subjected to trafficking. The government did not formally adopt draft procedures for the identification and referral of victims to NGO services; in practice, officials continued to identify and refer trafficking victims to care on an ad hoc basis. During the course of investigations in 2017, the ISF identified 55 victims of sex trafficking and child trafficking that were referred to NGO-run shelters, compared to the 87 victims it identified in 2016. Nevertheless, NGOs reported they received 56 victim referrals from ISF, DGS, and MOL in 2017, which was an increased number from the 46 victims that government officials referred in 2016. During the reporting period, the ISF adopted a policy to route all cases involving potential trafficking victims through its Human Rights Unit, where officers monitored victims to ensure they were properly identified and cared for per ISF guidelines. The government did not directly provide protection services to trafficking victims but continued to work in cooperation with NGOs to provide essential victim services. NGO-run victim care facilities in Lebanon were dedicated only to female and child victims of trafficking; there were no services available or government resources dedicated to male trafficking victims, who comprised a minority of total victims, mostly through coerced agricultural labor. A longstanding Memorandum of Understanding between the government and an NGO required DGS to refer female victims to an NGO-run safe house and provide security for the location. In 2017, the safe house assisted 218 trafficking victims; victims were not allowed to work while receiving assistance at the safe house. The Ministry of Social Affairs continued to coordinate and fund the provision of protection services to child trafficking victims through contractual agreements with NGOs. During the reporting period, the government collaborated with an NGO to initiate a committee dedicated to drafting a handbook outlining best practices and legal requirements for the protection of trafficking victims and witnesses during investigations and trials.

The government continued to arrest, detain, and/or deport unidentified victims for crimes committed as a direct result of being subjected to human trafficking, mainly domestic workers who fled abusive employers and out-of-status or illegal migrant workers, but also women holding *artiste* visas and persons in prostitution. Women holding *artiste* visas were subject to immediate deportation upon arrest for prostitution violations, and foreign workers without valid residence and work permits were subject to detention for one to two months—or longer in some instances—followed by deportation. ISF and NGO representatives observed decreased rates of detention of sex trafficking victims, in part due to coordination between security forces and prosecutors to proactively screen for trafficking among women in prostitution and refer them to care. The DGS continued to operate a 750-person detention center where authorities detained foreign domestic workers for violating the terms of their work contracts or visas. However, the DGS continued to implement procedures for identifying and referring trafficking victims in the detention center to care facilities, and permitted an NGO to interview detainees to identify trafficking victims among the detention center population; the NGO identified and assisted 29 victims in the center in 2017. The NGO continued to report an increased level of professionalism and sensitivity among DGS officials and investigators. The government did not adopt the draft labor law amendment extending legal protections to foreign workers or the draft law to increase labor protections for domestic workers.

Officials did not always encourage victims to file criminal charges against their traffickers, although victims were permitted to file civil suits. Victims were allowed to reside in Lebanon

during an investigation of a trafficking case upon a judge's decision, but the government did not report if any judges issued such a decision during the reporting period. Investigations were impeded when victims chose voluntary repatriation rather than facing an often-lengthy trial process because they were not present in the country to testify against their traffickers. NGOs continued to report that foreign victims preferred quick administrative settlements followed by repatriation rather than long criminal prosecutions because of the lack of protection services or resettlement options during the criminal proceedings. The anti-trafficking law stipulated that money earned from trafficking crimes would be confiscated and deposited into a special fund to assist trafficking victims, but the government did not issue an implementing decree to create such a fund. Except for cases involving Syrian refugees, whom the government did not deport, the government did not provide temporary or permanent residency status or other relief from deportation for foreign trafficking victims who faced retribution or hardship in the countries to which they would be deported.

PREVENTION

The government maintained some efforts to prevent trafficking. The national anti-trafficking steering committee continued its monthly meetings throughout 2017. The government did not adopt the draft national anti-trafficking action plan, but relevant ministries continued to take efforts to implement portions of the plan. The government did not organize any anti-trafficking public awareness campaigns during the reporting period. DGS, MOL, and ISF continued to operate hotlines to receive reports of abuse and migrant worker complaints, including for trafficking crimes, but the government did not report how many trafficking victims were identified through these hotlines. In January 2018, the municipality of Tripoli—in cooperation with an NGO—opened a hotline to report cases of exploitative child street begging. DGS continued a program to inform *artiste* visa holders about restrictions and obligations of their visa status upon arrival to Beirut International Airport. Under the program, if the visa holder objects to the visa's terms, she is free to return to her home country. During the reporting period, under a directive from the DGS, airport officers continued to return passports directly to foreign domestic workers upon their arrival in Lebanon. In June 2017, the Ministry of Justice and Lebanon's main air carrier to raise awareness of trafficking and victim identification for airline crews.

The government made some efforts to reduce the demand for forced labor. The MOL had the authority to close or penalize employment agencies that exploited migrant workers, and it maintained a blacklist of an unknown number of recruitment agencies for committing fraudulent recruitment practices; however, the government did not report prosecuting any recruitment or employment agencies for potential trafficking crimes. Unlike in the previous reporting period, the MOL did not report how many employment agencies it closed for labor violations. The MOL and ISF continued to require Syrian nationals to hold work permits in order to work in the formal sector, which bound these refugees to their employers. However, the government continued to ease the ability of some UNHCR-registered refugees to work in three sectors without any work permit—agriculture, sanitation, and construction—by waiving the fee for residence permit renewals, and made some progress on easing the ability of Syrian teenagers to obtain their own legal Lebanese residency documents when they were too old to be legally resident under their parents' statuses. Following an agreement signed in early 2017 between DGS, MOL, and

the Farmers' Union in Lebanon that addressed protections of foreign children—primarily Syrians—under the age of 16 from agricultural work, MOL provided training to DGS officers and farmers in the Bekaa Valley and held awareness meetings across Lebanon on child labor in agricultural work. The government did not take steps to reduce the demand for commercial sex acts or address child sex tourism by Lebanese nationals abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

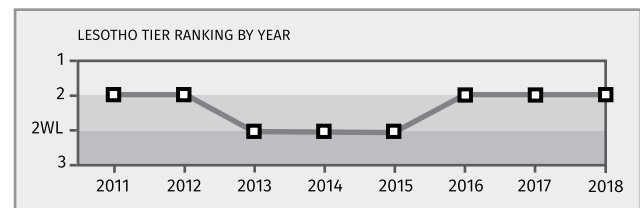
As reported over the past five years, Lebanon is a source and destination country for women and children subjected to forced labor and sex trafficking and—to a lesser extent—a destination country for Syrian refugee men subjected to forced labor. Women and girls from South and Southeast Asia and an increasing number from East and West Africa are subjected to domestic servitude in Lebanon. Under Lebanon's sponsorship system, foreign workers who leave their employers' houses without permission forfeit their legal status, increasing their vulnerability to re-trafficking. Lebanese government officials and NGOs report most employers withhold their workers' passports, putting workers at risk of trafficking, and NGOs report that abuse of domestic workers is typically underreported. Many migrant workers arrive in Lebanon through legal employment agencies, but are subsequently placed in abusive or exploitative situations with their employers; some employment agencies recruit workers through fraudulent or false job offers. Women from Eastern Europe and North Africa legally enter Lebanon to work primarily as dancers in nightclubs through Lebanon's *artiste* visa program, which is valid for three months and can be renewed once. The government reported 10,363 women entered Lebanon under this program in 2017; 11,284 *artiste* visa holders entered Lebanon in 2016. The terms of the *artiste* visa prohibit foreign women working in these nightclubs to leave the hotel where they reside, except to work in the nightclubs which sponsor them, and nightclub owners withhold the women's passports and control their movement; these women also experience physical and sexual abuse, withheld wages, and domestic servitude. There are increasing reports that traffickers, including parents, force children to beg in the streets.

Men, women, and children among the estimated 1.3 million Syrian refugees in Lebanon are at high risk of sex trafficking and forced labor. There are some restrictions on Syrians' ability to work legally in Lebanon and the enforcement of visas and residence permit laws increase this population's vulnerability to trafficking. Syrians are commonly involved in the exploitation of other Syrians in Lebanon, particularly targeting refugees fleeing the conflict. For example, traffickers hold Syrian refugee men, women, and children in bonded labor in order to pay for food, shelter, and the cost of transit to Lebanon, and contract out groups of refugees to work in the agricultural sector in the Bekaa Valley. An international organization reported in 2015 evidence of bonded labor within refugee communities where child labor is used in exchange for living in informal tented settlements. Child labor among the Syrian refugee population continues to increase, particularly in agriculture, construction, and street vending and begging. These children are highly vulnerable to labor trafficking, especially in the agricultural sector of Bekaa and Akkar and on the streets of main urban areas such as Beirut and Tripoli. NGOs report that some children are forced or coerced to conduct criminal activity. Syrian women and girls are highly vulnerable to sex trafficking. In March 2016, Lebanese authorities reported on an extensive sex trafficking

ring exploiting primarily Syrian women and girls in Beirut; the majority of the women and girls were recruited from Syria with false promises of work and subjected to commercial sexual exploitation in which they experienced mental, physical, and sexual abuse and forced abortions. Syrian girls are brought to Lebanon for sex trafficking, sometimes through the guise of early marriage. Some Syrian refugee women and girls are forced into sex acts or early marriage, often by family members or powerful local families, in order to ease economic hardships; these women and girls are highly vulnerable to trafficking. Syrian LGBTI refugees continue to be vulnerable to sexual exploitation. An international organization reported in 2017 that some employers coerce Syrian refugee men to perform sexual acts through threats of withholding their pay or terminating their employment. An international organization reported in 2016 that some Lebanese children are involved in armed tribal violence in Bekaa and Tripoli, some of whom may be forced to conduct such activity. There is also evidence of children within the Syrian refugee community in Lebanon that are associated with armed groups, who have either fought in the Syrian conflict or intend to fight in Syria as child soldiers.

LESOTHO: TIER 2

The Government of Lesotho does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Lesotho remained on Tier 2. The government demonstrated increasing efforts by identifying and referring significantly more potential trafficking victims to care, initiating an increased number of prosecutions, providing in-kind and financial resources for an NGO partner, and conducting public awareness activities. However, the government did not meet the minimum standards in several key areas. For the second consecutive year, the government did not convict any traffickers or make efforts to address the severe backlog of trafficking cases spanning over five years. Despite ongoing concerns of official complicity in trafficking crimes, the government did not investigate such allegations. The government did not address issues in its legal framework for human trafficking, which did not criminalize all forms of forced labor and sex trafficking and included penalties that were not sufficiently stringent to deter the crime.



RECOMMENDATIONS FOR LESOTHO

Increase efforts to secure convictions for perpetrators of trafficking crimes; increase efforts to investigate and prosecute trafficking crimes, including those involving complicit officials; allocate funds for the Victims of Trafficking Trust Fund and implement procedures for administering the funds; finalize and implement guidelines for proactive victim identification and standard operating procedures (SOPs) for referring identified victims to care, in line with the anti-trafficking act regulations;

allocate funding to support operation of the multi-agency anti-trafficking task force; expand efforts to provide trafficking-specific training to police investigators, prosecutors, judges, and social service personnel; amend the anti-trafficking and child welfare laws so that force, fraud, or coercion are not required for cases involving children younger than age 18 to be considered trafficking crimes; fix jurisdictional issues that prevent magistrate courts from issuing the maximum penalty for trafficking crimes; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; provide anti-trafficking training to diplomatic personnel; increase efforts to systematically collect and analyze anti-trafficking law enforcement and victim protection data; and increase oversight of labor recruitment agencies licensed in Lesotho.

PROSECUTION

The government made uneven anti-trafficking law enforcement efforts and the human trafficking law remained inconsistent with the international definition. The 2011 Anti-Trafficking in Persons Act criminalized all forms of labor trafficking and some forms of sex trafficking. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The law prescribed penalties of up to 25 years imprisonment or a fine of 1 million maloti (\$81,200) under section 5(1) for the trafficking of adults and up to life imprisonment or a fine of 2 million maloti (\$162,390) under section 5(2) for the trafficking of children. These penalties were sufficiently stringent. However, with respect to sex trafficking, by allowing for a fine in lieu of imprisonment, these penalties were not commensurate with penalties prescribed for other serious crimes, such as rape. Section 77 of the Children's Protection and Welfare Act criminalized child sex trafficking offenses without requiring the use of force, fraud, or coercion, but prescribed penalties of a fine not to exceed 30,000 maloti (\$2,440) or 30 months imprisonment, or both; these penalties were not sufficiently stringent nor, with respect to sex trafficking, commensurate with other grave crimes, such as rape.

During the reporting period, the government investigated one case of sex and labor trafficking involving 10 victims and initiated 10 prosecutions, which included four sex trafficking cases, two of which were tried under the anti-trafficking act, and six labor trafficking cases, which were all tried under the anti-trafficking act. This was compared with five investigations and six prosecutions (two sex trafficking and four labor trafficking) during the previous reporting period. For the second consecutive year, the government did not convict any traffickers or address the significant backlog of cases, some of which have been pending for more than five years. The government did not report any investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses; however, official complicity in trafficking crimes remained a significant concern, inhibiting law enforcement action during the year. Many law enforcement officials reportedly had limited understanding of trafficking and how to protect victims from potential intimidation. For the third consecutive year, the government did not address a jurisdictional issue impeding efforts to hold traffickers accountable: The magistrate courts, which are the court of first instance for trafficking cases, lacked authority to impose the maximum penalties allowed in trafficking crimes. The government appointed a new magistrate responsible for hearing trafficking cases at the high court as the previous magistrate was moved to another district; however,

it did not provide adequate training to magistrates on the anti-trafficking law.

PROTECTION

The government increased efforts to protect victims. The government identified and referred a greater number of potential trafficking victims to care, coordinated with a foreign government to repatriate victims exploited abroad, and referred all potential victims to care. The Child and Gender Protection Unit (CGPU) within the Lesotho Mounted Police Service identified 12 trafficking victims, compared with nine the previous reporting period; the CGPU referred all 12 victims to an NGO that provided counseling and assistance. These efforts represent an increase compared with one referral during the previous period. In a change from previous years, the government provided in-kind and financial support for utilities at an NGO-run shelter throughout the reporting period. However, it did not allocate funding for the Victims of Trafficking Trust Fund for the seventh consecutive year, which was established to ensure consistent provision of protective services and to provide restitution for victims. After a two-year drafting period, the Multi-Sectoral Committee on Combating Trafficking in Persons (MSC) consolidated recommendations and amendments by various directorates for approval by the national referral mechanism and SOPs in spring 2017; however, they were not finalized during the reporting period. According to the chair of the MSC, a draft is with the principal secretary of home affairs for concurrence before going to print. The anti-trafficking act and its implementing regulations prohibited the prosecution of victims for unlawful acts committed as a direct result of being subjected to trafficking, afforded foreign victims permanent residency as a legal alternative to their removal, and encouraged victims to assist in the investigation of traffickers; however, it was unclear whether the government implemented these provisions. Courts allowed testimony via video conferences and one trafficking victim testified in a trial during the reporting period.

PREVENTION

The government maintained its efforts to prevent trafficking through public awareness activities and measures to protect Basotho workers in South Africa. The multi-sectoral committee met two times, and its member ministries conducted public awareness activities, including two radio spots, one television spot, 12 community outreach events, and posting and distribution of printed material in public areas. During the reporting period, the Ministry of Labor and Employment conducted approximately 1,060 inspections of formal sector work sites; however, it did not inspect informal work settings, where forced labor was more prevalent. The number of labor inspectors increased by two over the previous reporting period, from 32 to 34; labor inspectors did not identify any child labor violations in 2017. The government continued to participate in the Southern African Development Community (SADC) regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, UNODC and SADC launched the first annual draft analysis report for the region. In 2016, the government implemented an agreement signed during the previous reporting period with the Government of South Africa that increased protections for Basotho workers, including domestic workers, employed in South Africa, by authorizing the issuance of long-term work permits, requiring signed employment contracts, and allowing Basotho to register for unemployment insurance in South

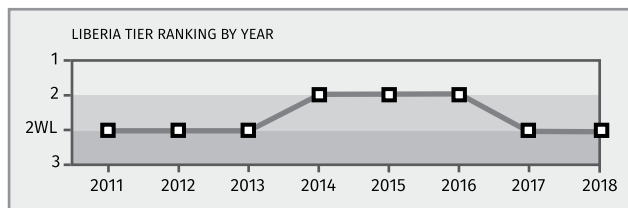
Africa. The government made no efforts to reduce the demand for commercial sex or forced labor. The regulations for the anti-trafficking act directed the Ministry of Foreign Affairs to provide anti-trafficking training to diplomatic personnel, but it did not conduct such training during the reporting period.

TRAFFICKING PROFILE

As reported over the past five years, Lesotho is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking, and for men subjected to forced labor. In Lesotho, Basotho children are subjected to domestic servitude and forced labor in animal herding; children, especially orphans who migrate to urban areas, increasingly are subjected to sex trafficking. Basotho women and girls seeking work in domestic service voluntarily migrate to South Africa, where some are detained in prison-like conditions or exploited in sex trafficking. Some Basotho men who migrate voluntarily, although illegally and often without identity documents, to South Africa for work in agriculture and mining become victims of forced labor; many work for weeks or months before their employers turn them over to South African authorities for deportation on immigration violations to avoid paying them. Basotho are also coerced into committing crimes in South Africa, including theft, drug trafficking, and smuggling under threat of violence or through forced drug use. Foreign nationals, including Chinese, subject their compatriots to sex trafficking in Lesotho.

LIBERIA: TIER 2 WATCH LIST

The Government of Liberia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by prosecuting and convicting four traffickers in one case, its first trafficking convictions in four years, and providing shelter and services for at least three trafficking victims. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. It did not provide training or basic resources for law enforcement and prosecutors to investigate and prosecute trafficking cases; complicity and corruption inhibited anti-trafficking law enforcement action; and the government did not allocate an operating budget or resources to the anti-trafficking task force or its working-level body, the TIP Secretariat, which severely limited their activities. Therefore Liberia remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR LIBERIA

Increase efforts to investigate, prosecute, and convict traffickers; train and equip law enforcement, immigration officials, and social workers to identify, investigate, and prosecute trafficking offenses; provide operating and victim protection budgets to the anti-trafficking task force; finalize the national referral

mechanism, and train law enforcement and social workers on implementation; expand victim services—particularly for victims outside the capital, males, and long-term care—through increased financial or in-kind support to shelters; create and train officials on measures to identify trafficking victims among vulnerable populations, such as people in prostitution; enforce the 2005 law requiring restitution be paid to trafficking victims; increase efforts to educate the public on all forms of human trafficking; continue to assist citizens with registering births and obtaining identity documents; and enact legislation that prescribes sufficiently stringent penalties for adult trafficking and sex trafficking penalties that are commensurate with the penalties for rape.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2005 Act to Ban Trafficking in Persons criminalized labor trafficking and sex trafficking and prescribed minimum sentences of one year imprisonment for adult trafficking and six years imprisonment for child trafficking but did not include maximum sentences. The prescribed penalties for child trafficking were sufficiently stringent, but those prescribed for adult trafficking were not. The penalties for sex trafficking were not commensurate with those prescribed for other serious crimes, such as rape or kidnapping.

The government investigated eight suspects in four cases and prosecuted and convicted four traffickers, an increase from four investigations, two prosecutions, and no convictions the previous reporting period. Prosecutors often pursued other charges that were more likely to result in a guilty verdict, including rape, in lieu of sex trafficking. In one case that continued from the previous reporting period, judges prosecuted four individuals for illicit human trafficking, and the primary suspect, a Sierra Leonean, was convicted and sentenced to 10 years imprisonment. The other three suspects—one Sierra Leonean and two Liberians—were convicted for facilitation of human trafficking and each received a sentence of one year imprisonment. These were the government's first trafficking convictions in four years and its first convictions of Liberian traffickers under the 2005 law. A second investigation was ongoing at the end of the reporting period. The government reported investigations of government officials allegedly complicit in human trafficking offenses; however, it did not report efforts to prosecute or convict allegedly complicit officials. Police investigated a government official for involvement in the alleged illegal transport of five Liberian children to the United States in a previous reporting period. It was unclear whether the allegations were for human trafficking or smuggling. A law enforcement official reportedly intervened to hasten the end of the investigation and clear the accused. In January 2018, the United Kingdom expelled two Liberian diplomats. Reports indicated one of several reasons was allegedly facilitating prostitution. NGOs and officials reported some government employees were directly complicit in child trafficking, including for domestic servitude and street hawking.

The Women and Children Protection Section (WACPS) of the Liberian National Police (LNP) was responsible for investigating most trafficking cases. The Ministry of Labor (MOL) was responsible for investigating adult forced labor, and the Liberian Immigration Service (LIS) could investigate transnational trafficking. The LNP did not have dedicated anti-trafficking funding or in-kind support and therefore lacked basic resources and equipment to fully respond to and investigate allegations of trafficking, especially outside the capital. The

government did not provide anti-trafficking training for officials but provided in-kind support for two officials to attend an international training. New WACPS and LIS officials received anti-trafficking training as part of their induction. Officials reported many labor inspectors, police, prosecutors, and judges remained largely unable to identify trafficking, which posed serious impediments to investigating and prosecuting such cases. In addition, some high-level officials did not have a clear understanding of trafficking.

PROTECTION

The government maintained modest efforts to identify and protect trafficking victims. The government and NGOs identified at least four trafficking victims, compared to five trafficking victims and 25 suspected trafficking victims identified the previous reporting period. Poor record keeping outside the capital and inadequate resources hindered reliable data collection, and statistics were often not disaggregated to differentiate trafficking from similar crimes. While the government had standard procedures to identify trafficking victims, authorities reported the majority of law enforcement, immigration, and social services personnel lacked training on such procedures, and some trafficking victims were identified as victims of other crimes. Many officials continued to view internal trafficking, especially child domestic servitude, as a community practice rather than a crime. Due to a lack of awareness of trafficking among authorities and communities, as well as insufficient government resources to identify trafficking victims, most trafficking victims remained unidentified. Despite these shortcomings, the government did not provide training on such measures. The draft national referral mechanism to direct victims towards services, developed by the task force, did not receive final approval for the third year. As a result, the government remained without a formal process to refer victims to care, and agencies responsible rarely coordinated such efforts.

Police and community members generally referred trafficking victims to the Ministry of Gender, Children, and Social Protection (MOGCSP). The anti-trafficking task force working group, of which the MOGCSP was a member—was responsible for coordinating victim care. In cases involving one victim, the members of the task force referred the victim to a government or NGO safe house or coordinated foster care. When authorities identified a group of potential trafficking victims, the individuals were either referred to NGOs for care or funds were provided by either the MOGCSP or the Ministry of Justice to provide care in government shelters. In part because the government did not have consistent funding for victim care and officials did not receive training on referral procedures, not all identified victims of crime, including trafficking, received comprehensive care during the reporting period. While government-provided shelter and services remained basic and short-term, the government took steps to improve the shelters and child protection services broadly. MOGCSP operated two shelters for victims of sexual and gender-based violence and trafficking, as well as 12 transit centers throughout the country, and LNP operated one victim safe house. The shelters provided long-term care and social services, while the transit centers provided medical services and short-term accommodation. In theory, each transit center had at least one social worker, one nurse trained in sexual- and gender-based violence cases, and one police officer on staff; however, resources allocated to each center varied, and officials reported only three of Monrovia's five transit centers had sufficient space and staffing to care for victims. Most of the transit centers did not actually provide short-term accommodations. The Ministry of Health could provide limited medical and psycho-social

services. The government relied heavily on NGOs and private shelters when government shelters were unavailable. During the reporting period, MOGCSP embedded two social workers within the WACPS to assist women and children, including trafficking victims, at the police safe house. LNP provided food and other in-kind support to the police safe house, and the government renovated several short-term transit centers during the reporting period. In addition, the MOGCSP provided some funding to support short-term shelter in a transit center and psycho-social support to at least three victims during the reporting period. Shelter and services were available to both domestic and foreign victims. NGO shelters and MOGCSP facilities—including those outside the capital—could accommodate male victims. Adult victims were sometimes allowed to leave the shelters at will; in some cases, however, shelter workers restricted victims from leaving, citing safety and to protect the integrity of the testimony at trial. Shelters often could not protect victims' identities, and stays were limited, usually to three months due to capacity. MOGCSP could arrange foster care for victims who required longer term care. MOGCSP increased collaboration with NGOs through regular meetings of the Child Protection Network, which facilitated government-NGO partnership on child protection cases. The government collaborated with the Government of Sierra Leone to repatriate a Sierra Leonean trafficking victim identified in Liberia.

The government did not systematically encourage victims to participate in investigations and prosecutions of their traffickers but had at times provided victim-witnesses support to offset the costs of participating in a trial; it did not report providing these services during the reporting period. The anti-trafficking law provided for restitution, and victims could file civil suits against their traffickers; no victims received restitution or filed civil suits during the reporting period. The government did not have a formal policy that provided alternatives to removal to countries in which victims would face retribution or hardship but could offer alternatives, including temporary residency, on a case-by-case basis. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking; however, due to a lack of training on victim identification and the absence of measures to screen for trafficking among vulnerable populations, it was possible that victims remained unidentified in the law enforcement system.

PREVENTION

The government maintained minimal efforts to prevent trafficking in persons. The anti-trafficking task force met irregularly and neither the anti-trafficking task force nor the TIP Secretariat had an operating budget; as a result, they did not implement any activities in the 2014-2019 anti-trafficking national action plan. In addition, other government offices continued to use the TIP Secretariat's dedicated vehicle for their offices' non-anti-trafficking purposes, leaving the Secretariat without transportation to investigate cases. In collaboration with an NGO, the MOL continued to staff an anti-trafficking hotline during business hours; it did not report whether it received any trafficking reports during the reporting period. LNP, with some international support, visited approximately 25 beaches and 80 entertainment centers in Monrovia known to have high instances of child sex trafficking, spoke with community groups, and distributed more than 200 flyers to sensitize citizens on child protection issues. MOGCSP continued a government-funded program to provide shelter, psychological counseling, and family reunification to vulnerable street children. The government did not make discernible efforts to reduce the

demand for forced labor or commercial sex acts. The government did not have the resources to regularly monitor artisanal gold mining operations—where most child labor in the gold mining sector took place—for child or forced child labor, and it did not have any inspectors dedicated to child labor or forced child labor. The government provided anti-trafficking training for its diplomatic personnel; however, there were allegations that two Liberian diplomats in the United Kingdom engaged in human trafficking.

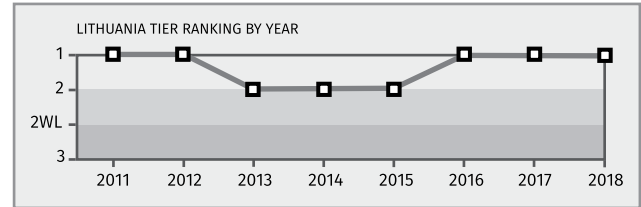
TRAFFICKING PROFILE

As reported over the past five years, Liberia is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Trafficking within the country from rural to urban areas is more prevalent than transnational trafficking, and the majority of victims are children. Most trafficking victims originate from and are exploited within the country's borders, where they are subjected to domestic servitude, forced begging, sex trafficking, or forced labor in street vending, gold and alluvial diamond mines, and on rubber plantations. Traffickers typically operate independently and are commonly family members who promise poorer relatives a better life for their children or promise young women a better life for themselves, take the children or women to urban areas, and exploit them in forced street vending, domestic servitude, or sex trafficking. Traffickers are also often well respected community benefactors who exploit the “foster care” system common across West Africa. While Liberian law requires parents to register children within 14 days of birth, fewer than five percent of births are registered. Although the government has made improvements in birth registration accessibility, continued lack of birth registration and identity documents increase individuals' vulnerability to trafficking. Orphaned children are vulnerable to exploitation, including in street selling and child sex trafficking. In some poor families, parents encourage their daughters to be exploited in prostitution to supplement family income. Liberian nationals and—to a lesser extent—foreigners exploit children in sex trafficking in Monrovia. Officials have documented allegations of women in sex trafficking in Chinese-run hotels. Authorities identified two groups of suspected traffickers from Sierra Leone operating in Liberia during the reporting period. A small number of Liberian men, women, and children are subjected to human trafficking in other West African countries, including Cote d'Ivoire, Guinea, Mauritania, Senegal, Sierra Leone, and Nigeria. Women from Tunisia and Morocco have been subjected to sex trafficking in Liberia, and Liberian women have been subjected to forced labor in Lebanon and Finland.

LITHUANIA: TIER 1

The Government of Lithuania fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Lithuania remained on Tier 1. The government demonstrated serious and sustained efforts by enacting new legislation to reform the institutional child care system; increasing funding to NGOs for victim assistance programs, resulting in the provision of support to more victims and at-risk individuals; identifying more victims; and investigating and prosecuting a significant amount of traffickers. The government established guidelines for municipalities on anti-trafficking models, and two municipalities approved

the creation of anti-trafficking working groups, action plans involving key stakeholders from civil society, and local referral mechanisms. Although the government meets the minimum standards, a lack of victim protection during the investigation and trial process and a lack of knowledge within relevant agencies in recognizing indicators of child trafficking remained. The government provided training to law enforcement officials in collaboration with NGOs, but some police officers did not identify victims of trafficking. Authorities inconsistently implemented victim identification and referral mechanisms throughout the country, specifically in rural areas.



RECOMMENDATIONS FOR LITHUANIA

Increase efforts to identify trafficking victims, particularly children, in municipalities, through enhanced training for police and child protective services officials; implement reforms to the child care system to improve the protection of vulnerable children; provide specialized services to child victims in foster homes and mixed-use shelters; implement formal victim identification and referral mechanisms for victim assistance throughout the country, especially in rural areas; protect victims from threats and re-victimization during the investigation and trial of trafficking cases; expand training investigators and prosecutors on building trafficking cases, including collecting adequate evidence beyond victim testimony; and broaden public awareness efforts to educate low-income and socially at-risk communities on the risks of trafficking.

PROSECUTION

The government increased law enforcement efforts. Articles 147 and 157 of the criminal code criminalized sex and labor trafficking and prescribed penalties ranging from two to 12 years imprisonment, which were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Authorities initiated 35 investigations (nine investigations for sexual exploitation, five for labor exploitation, 14 for exploitation for forced criminal activities, four for false marriage, and three for trafficking for other purposes), compared with 29 in 2016. The government initiated prosecutions of 54 suspected traffickers (64 in 2016) and convicted 20 traffickers under articles 147 and 157 (23 in 2016). Nearly all traffickers received prison sentences, with terms ranging from two to 10 years. However, one trafficker received no jail sentence but paid a fine, and two traffickers received jail sentences that the court suspended. The government collaborated with foreign counterparts in 21 international trafficking investigations, compared with 18 in 2016. The general prosecutor's office received and fulfilled one request for extradition (zero in 2016), and issued five European arrest orders in human trafficking cases (six in 2016). In 2015, prosecutors began investigating allegations that the director of an orphanage sexually exploited boys and operated a sex trafficking ring inside the institution, offering young boys to pedophiles. In April 2017, the court convicted the former director for sexual exploitation, imposing a prison sentence of three years and 10 months with a suspended sentence for three years, a fine, and a ban from working at any public or private

educational or care institution for five years.

Although the basic training for police cadets included only one hour on trafficking, the national police organized three anti-trafficking training sessions on crime investigations for 55 police officers. The border guard organized two anti-trafficking training events for 43 border officials. In March 2017, the national court administration held two trainings for 82 judges and judicial assistants on communication during court procedures with victims, including children, and in October organized training on the legal definition of human trafficking, the challenges in proving trafficking crimes, and courtroom practices for 78 judges and judicial assistants. During the reporting period, eight specialized prosecutors participated in a regional conference dedicated to combating trafficking, and 37 prosecutors attended six anti-trafficking trainings throughout the country. Prosecutors reported collecting adequate evidence continued to be a problem in proving trafficking cases.

PROTECTION

The government increased efforts to protect and assist victims. Authorities identified 60 victims in 2017 (41 in 2016); eight were minors compared with four in 2016. Government-funded NGOs supported 219 trafficking victims and at-risk individuals (179 victims in 2016). The central government allocated NGOs €115,000 (\$138,060) for victim assistance programs, compared with €81,000 (\$97,240) in 2016; local governments allotted €16,000 (\$19,210) to support trafficking victims. In 2017, 13 victims received compensation of about €34,000 (\$40,820) in total. The government assisted nine Lithuanian victims exploited overseas in obtaining legal documents, providing consultations, and coordinating with local NGOs for additional aid and information. Authorities implemented formal victim identification and referral mechanisms for victim assistance; however, observers reported authorities in some parts of the country underutilized both. Observers reported local officials' tendency to blame trafficking victims persisted, especially in rural areas.

The government established reforms to the institutional child care system by entering into force new legislation that allowed temporary guardianship of a child in foster care for no longer than 12 months, and guardianship of a child under three years of age in a child care institution only in exceptional cases and for no longer than three months. The government allocated €2.7 million (\$3.2 million) to the reforms. While the goal was to move all children from institutions to families by 2020, authorities continued to place child victims in mixed-use shelters, as there were no shelters specifically for child trafficking victims. According to NGOs, child protective services reportedly lacked knowledge in recognizing indicators of child trafficking, especially in rural areas. Sexually abused children could seek assistance in the government-operated national support center in Vilnius.

Five publicly funded men's crisis centers had the capacity to provide support to trafficking victims, including finding shelter; the government reported that 103 male victims received assistance during the reporting period. Victims were reluctant to cooperate with law enforcement because traffickers threatened victims as they were entering or exiting the courtroom. Experts acknowledged the lack of victim protection during the investigation and the trial process. In an effort to prevent re-traumatization of trafficking victims, courts increasingly used video technology to present victims' testimony, as the criminal code required trafficking victims' testimony. Legislation allowed

foreign trafficking victims a 30-day reflection period to decide whether to cooperate with law enforcement; foreign victims cooperating with law enforcement could receive temporary residency. Authorities identified 20 foreign victims in 2017 and one in 2016. While the government provided legal representation to victims, observers reported the attorneys had little experience with trafficking issues. NGOs often hired private attorneys for victims. In 2017, 13 victims received compensation.

PREVENTION

The government increased prevention efforts. The government continued to implement its national action plan for 2017-2019 and maintained an interagency commission for coordinating anti-trafficking efforts. At the municipal level, the government initiated the establishment of anti-trafficking working groups, action plans involving key stakeholders from civil society, and local referral mechanisms. The interior ministry donated €10,000 (\$12,000) to an awareness campaign created by the Lithuanian community in the United Kingdom aimed at educating Lithuanians on the risk of trafficking. The campaign included the development of preventive videos and flyers on the threat of human trafficking with information on how and where to receive assistance. These products were distributed among Lithuanian communities in the UK, Lithuanian-language newspapers, news portal websites, and social networks. From October to December, the government, law enforcement, and NGO representatives participated in a prevention campaign organized by the interior ministry in cooperation with regional municipalities. Additionally, the government distributed 18,000 information cards in three languages (Lithuanian, Russian, and English), which included indicators of trafficking and contact information. Using government funding, NGOs organized anti-trafficking seminars, lectures, discussions, meetings, and three conferences, which more than 1,000 people attended. The police advertised and managed an email account that the public could use to report potential human trafficking situations and ask for advice. The government fined individuals who contributed to the demand for commercial sexual acts. The labor inspectorate, in cooperation with an NGO, produced leaflets alerting third country nationals to the risk of labor exploitation. In May 2017, the inspectorate conducted checks of business recruitment practices, focusing on whether businesses employed third country nationals and abided by anti-trafficking legislation. Additionally, the inspectorate and police inspected construction sites to ensure employers were complying with the law regarding third country nationals, concentrating on Ukrainian workers. In October 2017, the Ministry of Interior co-hosted a training for 40 social workers on the prevention of missing and exploited children, in conjunction with a foreign government and NGO. In 2017, 35 inspectors participated in five training sessions organized by the inspectorate.

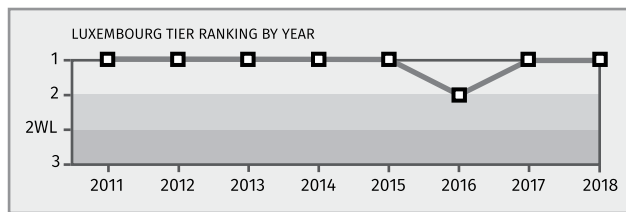
TRAFFICKING PROFILE

As reported over the past five years, Lithuania is a source, transit, and destination country for women and girls subjected to sex trafficking, as well as a source and destination country for men subjected to trafficking for labor and criminal activities. Law enforcement reports the majority of trafficking cases involve Lithuanian trafficking networks that prey on Lithuanian victims. Traffickers target unemployed adults and children from low-income and socially at-risk families mainly through the internet, social media, and newspaper. Traffickers exploit Lithuanian adults and children in criminal activities, such as shoplifting, and Lithuanian women in commercial sex in Western Europe and Scandinavia. Women and girls subjected

to sex trafficking within the country remained a problem. Reports indicate the percentage of male victims vulnerable to forced labor and criminal activity increased and composed the largest group of identified trafficking victims. Foreign workers from Ukraine, Nepal, and China, seeking a better life and well-paid jobs in Lithuania, are at risk of labor trafficking in agriculture and construction. The approximately 4,000 boys and girls institutionalized in approximately 90 orphanages are especially vulnerable to trafficking.

LUXEMBOURG: TIER 1

The Government of Luxembourg fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Luxembourg remained on Tier 1. The government demonstrated serious and sustained efforts by doubling the number of staff in the police unit responsible for trafficking, identifying more victims, increasing funding for victim assistance, and increasing the amount of training available for civil servants. Although the government meets the minimum standards, courts fully suspended half of all prison sentences for convicted traffickers, creating potential safety problems for trafficking victims, weakening deterrence, and undercutting efforts of police and prosecutors.



RECOMMENDATIONS FOR LUXEMBOURG

Vigorously prosecute, convict, and sentence traffickers with sufficiently stringent prison sentences; increase law enforcement efforts against labor trafficking; revise the trafficking law, including article 382-1, to clarify that force, fraud, or coercion are core elements of the crime of trafficking of adults; increase the number of labor inspectors; require victim identification training for labor inspectors; increase funding to NGOs to provide expedient victim assistance; make resources available to law enforcement and government officials to proactively identify and assist victims and investigate labor and sex trafficking cases; coordinate and centralize the collection of trafficking data across government; continue to work collaboratively with, and make resources available to, the national rapporteur to critically assess efforts and make recommendations to improve the government's response to human trafficking; and establish a victim assistance hotline.

PROSECUTION

The government maintained law enforcement efforts. Luxembourg criminalized all forms of sex and labor trafficking through articles 382-1 and 382-2 of the criminal code, although article 382-1 is broader than the international definition and could be used to prosecute non-trafficking cases, as force, fraud, and coercion are aggravating factors that increase penalties rather than a means to commit the offense. The prescribed penalties range from three to 10 years imprisonment for adult trafficking and 10 to 20 years imprisonment for child trafficking.

These penalties are sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. In February 2018, the government passed bill 7008, which criminalized the solicitation of prostitution from a person known to the solicitor to be a trafficking victim, and criminalized the theft, modification, damage, or destruction of another person's travel documents.

In 2017, the government initiated seven investigations (five of forced labor and two of sex trafficking), compared with 10 investigations in 2016 (two of forced labor and eight of sex trafficking). The government initiated one new prosecution (five in 2016) and convicted eight for sex trafficking in 2017 (11 in 2016); there were no forced labor convictions. Courts issued weak sentences for trafficking convictions, undercutting efforts to hold traffickers accountable. Half of the convicted traffickers (four of eight) received fully suspended prison sentences and were ordered to pay fines ranging from €1,500 to €12,000 (\$1,800 to \$14,410). Four traffickers received partially suspended sentences and were ordered to serve between 12 and 18 months in prison and pay fines ranging from €2,000 to €20,000 (\$2,400 to \$24,010). The average effective prison term was 15 months (19.75 months in 2016). The police organized crime unit, responsible for trafficking, doubled its staff of investigators to 11 and created a new victim protection unit staffed by two personnel to establish clear separation between victim assistance and investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government increased efforts to protect victims. Authorities identified 11 trafficking victims (eight forced labor victims and three sex trafficking victims), compared with three in 2016 (all sex trafficking victims). All victims were foreign citizens; six were women, five were men, and one was a boy. Seven of the 11 victims received assistance from government-funded shelters. Officials reported labor inspectors were chronically understaffed and not required to complete victim identification training, which negatively impacted the proactive identification of forced labor victims. The government provided €164,200 (\$197,120) to the two NGOs responsible for coordinating trafficking victim care, an increase from €149,600 (\$179,590) in 2016. The two NGOs were funded to operate a maximum combined total of 40 hours per week. Beginning in 2018, the government increased funded operational hours to a maximum combined total of 60 hours per week. When victims were identified outside operational hours, police could directly refer adult female and child victims to general shelters for victims of crime; adult male victims could be housed temporarily in hotels until longer-term housing could be identified. Adult male victims received the same access to long-term accommodation and other victim services as adult female and child victims. The NGOs' limited hours of operation, coupled with the physical separation of their staff created delays in delivering victim assistance. The government also provided €6.6 million (\$7.9 million) to assistance centers that provided shelter and assistance to adult female and child victims of crime, including trafficking victims, compared with €6.4 million (\$7.7 million) in 2016. The government had legal alternatives to removal to countries in which victims would face retribution or hardship. Trafficking victims were entitled to a 90-day reflection period to decide whether they wanted to testify, during which EU citizens could work. Upon expiration of the reflection period, the government could issue a foreign victim either temporary or permanent residency status, which conferred the right to work,

depending upon the victim's willingness to cooperate with law enforcement and whether the victim was an EU national. Two victims were issued a temporary residency permit during the reporting period. Victim assistance was not contingent on a successful trafficking prosecution. Victims could participate in a witness protection program to ensure their security before, during, and after a trial. Victims could claim restitution from the government and file civil suits against traffickers, but none were recorded. There were no reports authorities penalized victims for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government increased prevention efforts. The government's inter-ministerial committee, chaired by the Ministry of Justice, met four times in 2017 to coordinate anti-trafficking efforts and the national action plan. For the first time, the government granted the inter-ministerial committee its own dedicated budget of €15,000 (\$18,010) to fund awareness activities. In 2017, the government increased training for civil servants by offering its basic anti-trafficking course eight times and an advanced iteration two times. The government re-launched its multi-faceted awareness campaign across media and news outlets and collaborated with an NGO to promote forced labor awareness. The national rapporteur on trafficking in persons finalized its first biannual report and presented it to a parliamentary justice commission in March 2017. The rapporteur reported a lack of accurate and reliable trafficking data and emphasized a critical need to coordinate and centralize data collection across the government. The government provided funding for multiple development programs in other countries that contained anti-trafficking components. From 2015 to 2017, the government provided €240,800 (\$289,080) to an NGO for local awareness campaigns focused on the prevention of child sex tourism. The government did not make efforts to reduce the demand for forced labor. The government did not operate a victim assistance hotline.

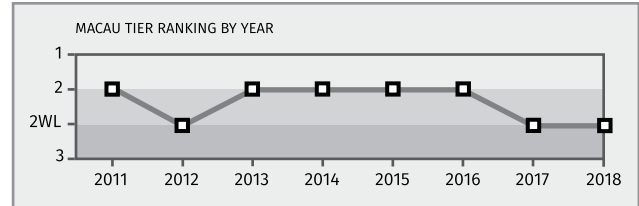
TRAFFICKING PROFILE

As reported over the past five years, Luxembourg is a destination country for men, women, and children subjected to sex trafficking and forced labor. Victims of sex trafficking from Europe, Africa, Asia, and South America are exploited in prostitution in cabarets, private apartments, and on the street. Forced labor, sometimes involving Chinese or eastern or southern European men, women, and children, occurs in various sectors, including restaurants and construction. Traffickers reportedly transport an unknown number of Romani children from neighboring countries for forced begging in Luxembourg. Groups vulnerable to trafficking include migrant workers in domestic work, catering, construction, and begging, as well as unaccompanied foreign children and people in Luxembourg's legal and illegal commercial sex industry.

MACAU: TIER 2 WATCH LIST

The Government of the Macau Special Administrative Region (MSAR) of the People's Republic of China does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying victims of sex trafficking, partnering with an NGO

to escort a child victim home, training numerous government officials, and allocating 5.5 million patacas (\$684,500) to victim protection services and prevention programs. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Authorities investigated fewer cases than in the previous reporting period, did not obtain any sex trafficking convictions for the third consecutive year, and never obtained a labor trafficking conviction. Therefore Macau remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR MACAU

Significantly increase efforts to investigate, prosecute, and convict sex and labor traffickers; provide training on the use of trafficking laws to prosecutors; improve and consistently implement proactive victim identification methods, especially among vulnerable populations such as migrant workers and children exploited in commercial sex; significantly increase efforts to screen for and identify labor trafficking and male victims, especially among the migrant worker population; increase protections for foreign domestic workers, including by instituting a minimum wage for foreign domestic workers; and conduct sex trafficking awareness campaigns so visitors in Macau understand that purchasing sex with children is a crime.

PROSECUTION

Authorities maintained anti-trafficking law enforcement efforts. The anti-trafficking law, law number 6/2008 within the penal code, criminalized sex and labor trafficking and prescribed penalties of three to 15 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Authorities conducted investigations of three suspected human trafficking cases in 2017 (eight in 2016); all three investigations involved suspected sex trafficking. The government initiated one prosecution in 2017 (two in 2016) in a case involving child sex trafficking; however, authorities used the "procuring of prostitution" law and did not prosecute any cases under the trafficking statute. The government did not obtain any sex trafficking convictions for the third consecutive year and has never obtained a labor trafficking conviction. The government continued to include a trafficking component in mandated training for new police, fire, customs, and immigration recruits and provided additional training when officials were promoted. Authorities organized anti-trafficking law enforcement and awareness trainings for an increased number of police, customs, and other law enforcement personnel in 2017. The government reported cooperating with mainland Chinese and Hong Kong authorities on anti-trafficking efforts through intelligence exchanges and joint investigations. Authorities did not report any investigations, prosecutions, or convictions of officials complicit in human trafficking offenses.

PROTECTION

Authorities maintained efforts to identify and protect trafficking victims. Police identified three victims of sex trafficking, including two children and one adult, compared to four in

2016. Authorities have never identified labor trafficking victims in Macau, despite reports of Indonesian officials identifying Indonesian trafficking victims in Macau during the year. Authorities had formal victim identification procedures, an operational referral processes, and standardized screening questionnaires that could guide law enforcement, immigration, and social services personnel to screen individuals vulnerable to trafficking. Officials distributed questionnaires to workers, including those in construction, to screen for trafficking; it was unclear how officials administered these questionnaires. Police and social welfare bureau (SWB) officials referred both child victims identified in 2017 to a government-funded NGO that offered shelter, counseling, and economic and medical assistance. SWB partnered with a mainland Chinese organization to escort one child victim to her home in mainland China and arranged for vocational training. The government also provided training focused on identification and protection of sex and labor trafficking victims to an increased number of social welfare, health, law enforcement, and labor officials. SWB designated shelters for female and male trafficking victims, but did not report providing shelter to any adult victims in 2017; the one adult victim identified in 2017 chose to be repatriated. The government allocated approximately 1.9 million patacas (\$234,500) on victim protection services, including allocations to NGOs for service provision at shelters, compared to 1.6 million patacas (\$200,000) allocated in 2016. There were no reports of victims penalized for unlawful acts committed as a result of being subjected to trafficking. Authorities generally accepted a written statement in lieu of oral testimony to encourage victim participation in the prosecution of trafficking crimes. Macau law did not provide trafficking victims with permanent residency as a legal alternative to removal to countries in which they would face retribution or hardship; however, authorities reported a policy which allowed foreign victims to reside and work in Macau on the basis of “well-founded humanitarian reasons,” but it was unclear if any victims have benefited from this policy.

PREVENTION

Authorities maintained efforts to prevent trafficking. The interagency Human Trafficking Deterrent Measures Concern Committee, led by the security bureau, coordinated Macau’s anti-trafficking efforts; the government allocated 3.6 million patacas (\$450,000) to the committee for anti-trafficking activities in 2017, compared to 3.2 million patacas allocated in 2016 (\$400,000). The labor affairs bureau (LAB) and law enforcement agencies disseminated television commercials, as well as pamphlets and posters in eight different languages to raise awareness of trafficking. The government ran trafficking awareness videos at all border checkpoints. Authorities held labor rights seminars that reached more than 10,000 students and migrant workers, including those in the domestic helper and construction industries. In cooperation with an NGO, SWB sponsored a competition encouraging students to identify anti-trafficking solutions. Some governmental policies may have increased migrant workers’ vulnerability to trafficking. For example, immigration regulations prevented migrant workers who were fired for just causes (such as criminal behavior, abuse, and non-payment of wages) or resigned without just causes before the expiration of a contract from obtaining a new work permit for six months. There was no minimum wage established for foreign domestic workers. LAB adjudicated the labor dispute cases of 1,430 migrant workers, and inspected 22 construction sites and 196 employment agencies for labor violations. LAB investigated 13 complaints of overcharging by employment agencies, of which four were substantiated and

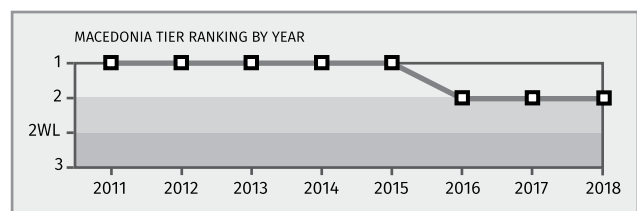
two remained under investigation by the end of the reporting period. The government made some efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, Macau is primarily a destination and, to a much lesser extent, a transit territory for women and children subjected to sex trafficking and forced labor. Sex trafficking victims originate primarily from mainland China and Southeast Asia; many are from northern Chinese provinces and travel to the border province of Guangdong in search of more lucrative employment. Many trafficking victims respond to false advertisements for jobs, including in casinos in Macau, but upon arrival are forced into prostitution. Traffickers sometimes exploit victims in massage parlors, illegal brothels, apartments, and houses where they are closely monitored, threatened with violence, forced to work long hours, and have their identity documents confiscated. Migrant construction and domestic workers may be vulnerable to labor exploitation. Some brokers who bring foreign men and women, such as foreign domestic workers based in Hong Kong, to Macau to renew work visas for other countries restrict these workers’ movements and withhold their passports in conditions indicative of debt bondage and forced labor.

MACEDONIA: TIER 2

The Government of Macedonia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Macedonia remained on Tier 2. The government demonstrated increasing efforts by training first responders on victim identification and working with local authorities to establish local anti-trafficking action plans. The government established an anti-trafficking Task Force, re-established mobile identification teams in four regions, and dispatched social workers to conduct proactive victim identification at border crossings and migrant and refugee camps. However, the government did not meet the minimum standards in several key areas. The government identified six victims and convicted one trafficker, judges continued to issue weak sentences that were below the government’s own minimum penalty, and law enforcement lacked staff to conduct adequate proactive investigations. The government decreased overall funding for victim protection and did not award grants to anti-trafficking NGOs, despite NGOs identifying and serving the vast majority of potential victims identified during the year. Corruption and official complicity in trafficking crimes remained significant concerns; while the government charged a civil servant with complicity in 2017, it has not prosecuted a government official for complicity in several investigations it has initiated in recent years.



RECOMMENDATIONS FOR MACEDONIA

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose strong sentences; increase efforts to proactively identify trafficking victims and train officials on screening for trafficking among individuals in prostitution, migrants, refugees, and other at-risk populations; allocate sufficient resources for victim protection efforts; provide accommodation to foreign potential trafficking victims in safe and appropriately rehabilitative settings and allow victims to leave shelters at will; allocate sufficient resources and personnel to the police anti-trafficking unit to proactively investigate trafficking; provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions; improve compensation mechanisms for victims and inform them of their right to seek restitution; and make public government anti-trafficking efforts.

PROSECUTION

The government maintained weak law enforcement efforts. Articles 418(a) and (d) of the criminal code criminalized sex and labor trafficking and prescribed a minimum penalty of four years imprisonment, which was sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government investigated four cases in 2017 (two in 2016). The government prosecuted four defendants (two in 2016), and convicted one trafficker in both 2016 and 2017. Judges continued to issue sentences below the minimum penalty of four years imprisonment; the only convicted trafficker in 2017 received two years probation, but the prosecutors appealed and the sentence remained pending at the end of the reporting period.

The Combatting Trafficking in Human Beings and Migrant Smuggling Unit (CTHBMSU) within the Ministry of Interior (MOI) led specialized investigations, but for much of 2017 lacked the staff to conduct adequate proactive investigations. The MOI trained 718 police officers on trafficking issues and the Ministry of Labor and Social Policy (MLSP) trained 25 inspectors on forced labor issues. The government established an anti-trafficking task force and law enforcement conducted joint investigations with Albania, Greece, Serbia, and Montenegro. Corruption and official complicity in trafficking crimes remained significant concerns. In previous years, observers reported some police and labor inspectors allegedly accepted bribes from traffickers and authorities suspected bar and brothel owners received warnings ahead of time before police raids. The government charged a civil servant with complicity in trafficking in 2017. In 2016, the government charged a municipal inspector for trafficking and three police officers remained under investigation since 2014 for suspected involvement in organizations engaged in trafficking; the government did not report progress on those cases.

PROTECTION

The government maintained victim protection efforts. The government identified six victims in the reporting period (six in 2016). Of these, four victims were subjected to sex trafficking, one to both sex trafficking and forced labor, and one to forced labor (six were subjected to sex trafficking in 2016); five were children (three in 2016); and five were female and the other a male (six females in 2016). The government and NGOs also identified 99 potential trafficking victims in 2017 (125 in 2016); 57 were adults and 42 were children. MLSP reestablished mobile identification teams in four regions for vulnerable populations, including trafficking victims, and continued to dispatch social

workers to conduct proactive victim identification at border crossings and migrant and refugee camps; MLSP identified one official victim (one potential victim in 2016). The government trained first responders on victim identification, including police officers, labor inspectors, immigration officials teachers, and social workers. However, experts reported most government agencies lacked proactive identification efforts. Officials screened for trafficking indicators at border posts, but border agents did not properly identify victims. MLSP social workers and police continued to identify potential forced labor victims among predominately Romani children engaged in street begging and street vending. The government placed them in daycare centers and warned, fined, or jailed their parents; in cases where courts deemed parents unfit to care for their children, the state placed the children in orphanages.

First responders referred potential victims to CTHBMSU and MLSP, which were authorized to officially identify victims. The government referred 15 potential trafficking victims and civil society referred 84 potential victims (56 were adults and 41 were children), compared to 36 potential victims referred by the government and 89 by civil society in 2016. The government and NGOs provided potential victims and officially recognized victims with protection and assistance, including food, clothing, medical assistance, psycho-social support, rehabilitation, and reintegration services. MLSP-run social service centers also employed specialized staff and provided psycho-social support and reintegration assistance, including education and job placement. However, potential trafficking victims did not have access to the government-run shelter and its support services until officially recognized by the government and GRETA reported officially recognized victims did not receive any formal notification, which hindered their entitlement to free medical and legal assistance. Specialized assistance was not available for male victims and observers reported only one forced labor victim ever received reintegration support. The government operated a shelter for trafficking victims and a transit center for irregular migrants that offered separate facilities for foreign potential victims of trafficking; both facilities could house male, female, and child victims. The government allocated 2.7 million denars (\$52,870) to the government-run shelter and the transit center for foreigners, compared to 3.8 million denars (\$72,450) in 2016. The government also allocated 382,950 denars (\$7,500) to support services and security for victims, compared to approximately 1 million denars (\$19,580) in 2016. The government did not award grants to NGOs in 2016 or 2017; NGOs reported their reliance on these grants forced them to reduce services to victims. Observers reported the government relied heavily on funding from the international community and on NGOs to provide assistance. The government-run shelter opened only when authorities identified an official trafficking victim due to budget restraints. The government-run shelter allowed victims freedom of movement, but the migrant facility did not permit foreign potential victims to leave without a temporary residence permit. GRETA reported the migrant facility was in "poor material condition" and "effectively a detention facility and not the appropriate environment for trafficking victims," and reported the facility held unaccompanied minors and potential child trafficking victims in recent years. The government-run shelter accommodated five child victims during the reporting period and the migrant facility housed 131 foreigners in 2017. The law permitted foreign victims a two-month reflection period to decide whether to testify against their traffickers, followed by a six-month temporary residence permit, regardless of whether they testified; no foreign victims requested residence permits in 2016 or 2017.

The government did not penalize trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking; however, the government may have deported, detained, or restricted freedom of movement of some trafficking victims due to inadequate identification efforts. The government did not report the number of potential victims that assisted in initial investigations (12 in 2016) and five of the six officially identified victims gave statements against their alleged traffickers (two in 2016). The Academy for Judges and Public Prosecutors trained 76 officials in non-penalization of victims and victim identification. The government reported no victims required witness protection services in 2016 or 2017. While victims could claim restitution through civil proceedings, no victims had ever successfully completed a claim due to the complexity of the process. The government and civil society continued efforts to develop a victim compensation fund that allowed authorities to allocate compensation to victims from seized criminal assets.

PREVENTION

The government maintained prevention efforts. The National Commission (NC), which comprised government agencies, international organizations, and NGOs, met regularly and published an annual report of its activities. The government appointed a new national coordinator in July 2017, who led the NC and coordinated anti-trafficking efforts. Observers reported increased communication and cooperation between civil society and government due to the national coordinator. However, the national rapporteur did not produce a public assessment for the third consecutive year. The national coordinator, in cooperation with international organizations, launched a month-long awareness campaign. The NC distributed approximately 1,500 awareness raising leaflets to the general public and the MOI organized 11 round tables and 249 lectures in schools to raise awareness. The government assisted three local anti-trafficking commissions (Prilep, Gevgelija, and Veles) in developing the first local action plans for trafficking. The government did not operate a hotline, but MOI managed an application to report various offenses, including trafficking; the application received one trafficking-related report, but it did not result in an investigation. The government, in partnership with NGOs, conducted seminars for Romani students, teachers, and NGOs on the risks of forced marriages of minors. Observers reported cases of Romani children not registered at birth whose parents lacked the registration and identification documents to access health care, social protection, and education. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government warned citizens travelling abroad regarding fraudulent offers of employment within the Schengen zone.

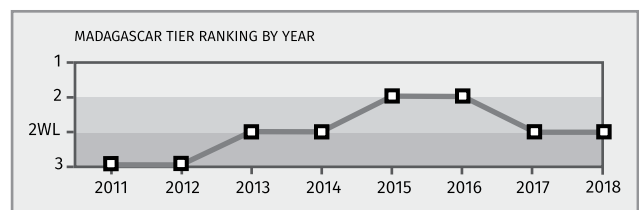
TRAFFICKING PROFILE

As reported over the past five years, Macedonia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and girls in Macedonia are subjected to sex trafficking and forced labor within the country in restaurants, bars, and nightclubs. Foreign victims subjected to sex trafficking in Macedonia typically originate from Eastern Europe, particularly Albania, Bosnia and Herzegovina, Kosovo, Romania, Serbia, and Ukraine. Citizens of Macedonia and foreign victims transiting Macedonia are subjected to sex trafficking and forced labor in construction and agricultural sectors in Southern, Central, and Western Europe. Children, primarily Roma, are subjected to forced begging and sex trafficking through forced marriages. Migrants and refugees traveling or being smuggled through Macedonia are vulnerable

to trafficking, particularly women and unaccompanied minors. Traffickers frequently bribe police and labor inspectors. Police have been investigated and convicted for complicity in human trafficking.

MADAGASCAR: TIER 2 WATCH LIST

The Government of Madagascar does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by operationalizing a new Morals and Child Protection Unit (SPEM), coordinating with law enforcement of a foreign government to investigate a trafficking network, and referring more victims to care. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Despite continued reports of alleged complicity during the year, it did not hold any complicit officials accountable, and did not investigate reports of officials facilitating child sex trafficking. The government continued to lack formal procedures to proactively identify trafficking victims, and did not systematically provide services to victims. For the second consecutive year, the government did not provide funding to the National Office to Combat Trafficking, inhibiting its ability to lead national efforts, raise awareness, and operationalize the national action plan. Therefore Madagascar remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR MADAGASCAR

Increase efforts to convict suspected trafficking offenders, including complicit officials; develop formal procedures for, and provide training to officials on, proactive measures to identify victims, investigate cases, and refer victims to appropriate services; adequately fund the National Office to Combat Trafficking and relevant agencies supporting anti-trafficking efforts; implement the five-year national action plan to combat trafficking; replace the general suspension of recruitment agencies sending migrant workers abroad with strong regulations that are consistently enforced; negotiate an agreement between the government, training centers, and recruiters for prospective migrant workers; collaborate with destination country governments to protect Malagasy migrant workers and jointly address cases of abuse; increase efforts to raise public awareness of labor trafficking, including of adults subjected to forced labor; and, improve national level data collection on law enforcement efforts, distinguishing between trafficking and other crimes, including the number of victims identified, cases investigated and prosecuted, and the number of convictions.

PROSECUTION

The government slightly decreased law enforcement efforts and reports of alleged official complicity continued during the

year. Law No.2014-040 criminalized sex and labor trafficking, including sexual exploitation, labor trafficking, forced labor, forced begging, and debt bondage. It prescribed penalties ranging from two to five years imprisonment and financial penalties; child trafficking convictions were subject to penalties of five to 10 years imprisonment and financial penalties. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

National statistics on prosecutions and convictions remained difficult to obtain and verify, as there was no national database for trafficking crimes. The government reported initiating 32 trafficking investigations, an increase from the previous reporting period for which the government did not report the number of investigations. The government reported initiating the prosecution of 15 alleged traffickers, charging the majority of these suspects under the anti-trafficking law; this is compared with the prosecution of 32 alleged traffickers in 2016. The government also prosecuted 36 alleged traffickers for attempted human trafficking under the 2014 anti-trafficking law for trying to send migrant workers abroad, but it is unclear whether these cases involved attempted trafficking in persons. The government did not report the number of convictions, a decrease from three reported convictions in 2016. The Central Unit of Specialized Investigation and Fight Against Documentary Fraud (SCESLFD) within the National Police reported investigating six cases in which Malagasy women were fraudulently recruited for work on Chinese tea plantations, but instead were forced to marry Chinese men and were subjected to involuntary servitude. In a separate case, the SCESLFD police unit cooperated with law enforcement officials from China to investigate a trafficking network suspected of sending women and children to China for sex trafficking and forced labor. Once alerted, the Chinese police located and arrested the suspected trafficker—a Malagasy woman—and extradited her to Madagascar, where the investigation remained ongoing. The SCESLFD also investigated 16 recruitment companies, some of whom may have been fraudulently recruiting workers to send to Kuwait. In partnership with an international organization, the government operationalized SPEM to investigate crimes involving children in rural areas, including trafficking; it investigated five cases of trafficking during the reporting period. The Police Service's Morals and Protection of Minors (PMPM) unit continued to lead anti-trafficking law enforcement efforts in the capital.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses despite allegations of corruption and complicity, including continued reports of an alleged network of government officials involved in falsification of identity documents used to facilitate child sex trafficking. There remained a lack of coordination between agencies combating trafficking in persons and a reluctance of victims to file charges for fear of reprisals. The government facilitated and led workshops, funded by an international organization, to educate law enforcement and civil society in Antananarivo, Mahajanga, Sambava, Fianarantsoa, Antsiranana, and Toliara on the enforcement of the anti-trafficking laws and victim identification and referral.

PROTECTION

The government maintained uneven efforts to protect victims. The government reportedly identified 86 victims, a decrease compared to 117 identified in the previous reporting period. The government reportedly referred at least 57 to care during the reporting period, an increase compared to 41 last reporting

period. An NGO identified and assisted 147 victims. However, due to a lack of coordinated data collection at the national level, this data may not be comprehensive. The government reported housing 35 child trafficking victims in a children's shelter and repatriating 12 transnational trafficking victims; this compared to 35 sheltered and 70 repatriated victims in the previous year. The police reported identifying 70 potential victims, to whom they provided temporary accommodation in police stations, given the lack of alternative shelter options across the country. The government reported identifying 16 Malagasy women in China and facilitated, but did not fund, the repatriation of 12, with some receiving travel documents and basic assistance from the Malagasy embassy in China, and all receiving care upon return. An international organization reported there might be as many as 200 Malagasy women still in a rural region of China, who were also victims of the same trafficking scheme where deceptive or coercive brokers defrauded and sold women into marriages to Chinese men for the purpose of involuntary servitude. An NGO in China reported identifying at least two trafficking victims, helped them pursue legal action, and then coordinated their repatriation. The Ministry of Population assisted 10 trafficking victims that returned from Gulf countries where traffickers exploited them as domestic servants; the government provided all the victims with psychological support and medical care, and five victims additionally received financial aid for their socioeconomic reinsertion and vocational training.

The government remained without formal national procedures to proactively identify trafficking victims or refer victims for care; however, an international organization had previously supported the creation of a trafficking victim identification and referral manual, which the government updated during the reporting period and disseminated to 80 stakeholders in Antananarivo, Mahajanga, Sambava, Fianarantsoa, Antsiranana, and Toliara. While the government offered some protection services, it is unclear how many victims received these benefits. The Ministry of Population and Social Affairs, in collaboration with an international organization, continued to coordinate approximately 700 child protection networks across the country, a decrease from 780 in the prior reporting period. These networks were mandated to protect children from various forms of abuse and exploitation, as well as to ensure access to medical and psychological services for victims. However, during the reporting period, the networks' ability to provide protective services were inadequate, as they generally referred victims to NGOs to receive care. Four government hospitals had one-stop victim support centers that offered assistance to child victims of various abuses, including sex trafficking; the one-stop support centers were located in Antananarivo, Toamasina, Mahajanga, and Nosy Be and offered victims medical assistance, psychological support, and access to the police and social workers, but the government did not report how many victims received assistance at these facilities. The Ministry of Population in Nosy Be continued to operate a foster care program for exploited children in partnership with an international organization; the program included 10 participating families who received funding from the government, but the government did not report how many children it placed in foster families during the reporting period. The government continued to operate and fund the Manjary Soa Center in Antananarivo, which received 35 children who had been removed from situations of forced labor and sex trafficking. This center provided vocational training or reintegration into the public school system. The city of Antananarivo continued to manage an emergency center for child victims of domestic servitude, generally referred by PMPM; the city, in partnership

with an international organization, provided food, lodging, psychological and medical aid, and educational services.

The foreign ministry had the responsibility to systematically inform the Ministry of Population when victims were in the process of repatriation; in turn, the Ministry of Population would contact the victims upon their return and offer assistance, but reports indicated most victims were reluctant to work with the government to accept assistance. The 2014 anti-trafficking law required authorities to consider legal alternatives for foreign trafficking victims who believe they may face hardship or retribution if returned to their country of origin. There were no reports the government arrested or punished trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking; however, without formal national procedures to identify trafficking victims, some victims might have remained unidentified in the law enforcement system. The government would sometimes require the testimony of identified trafficking victims as a condition of using the police station as temporary shelter. To prevent retaliation from suspected traffickers, trafficking trials might be held in private or by camera for the sake of the victim or witness' confidentiality and privacy; however, the government did not report doing so in the reporting period. Further, while the 2014 anti-trafficking law entitled victims to restitution, for the fourth consecutive year, the government did not implement this provision.

PREVENTION

The government maintained efforts to prevent trafficking and coordinate national-level anti-trafficking measures. The National Office to Combat Trafficking, intended to lead national efforts, did not receive funding or demonstrate leadership in driving national efforts or raising awareness and did not undertake steps to operationalize the national action plan. The government continued to employ a national toll-free hotline to report child abuse, including child trafficking. The Ministry of Justice continued its anti-trafficking awareness campaign to educate the public on the 2014 anti-trafficking law through weekly national radio broadcasts.

A 2013 ban on domestic worker travel to Gulf countries remained in place; however, illicit recruitment agencies circumvented the ban by sending workers through Mauritius, Kenya, Comoros, and the Seychelles. In an attempt to address this issue and identify agencies involved in fraudulent recruitment, the government continued its suspension of all existing accreditations for placement agencies and, thus, its prohibition of recruitment of workers for employment abroad. These prohibitions continued to leave migrant workers vulnerable to blackmail and human trafficking. The government did not make progress on the effort to set up a tripartite agreement between the government, placement agencies, and vocational training centers. The government did not collaborate with destination country governments to protect Malagasy migrant workers and jointly address cases of abuse.

The government made some efforts to reduce the demand for sex tourism; in 2017, the Ministry of Tourism, in partnership with international organizations, facilitated approximately 1,000 tourism operators in 12 regions to accede to the Tourism Code of Conduct against Commercial Child Sexual Exploitation and Sex Tourism. The Ministry of Tourism conducted hotel inspections, reminding hotels of their obligation to display posters publicizing the prohibition of child sexual exploitation in their reception areas; the government also maintained such billboards at airports as a warning for tourists. However, despite

the prevalence of sex tourism, the government did not report any prosecutions or convictions for sex tourism, and reports of official complicity in such crimes continued. The government did not provide anti-trafficking training to its troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

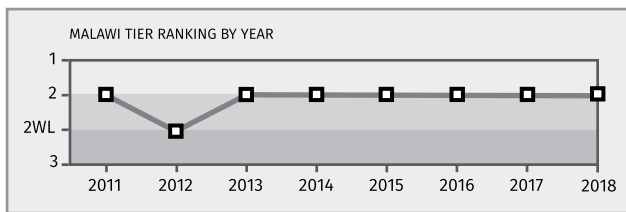
As reported over the past five years, Madagascar is a source and destination country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Malagasy children, mostly from rural and coastal regions, and from impoverished families in urban areas, are exploited in child sex trafficking, domestic servitude, and forced labor in mining, fishing, and agriculture across the country. The prevalence of child forced begging has increased in Antananarivo; reports indicated that children, including disabled children, are forced to work for long hours and in dangerous conditions, frequently at the behest of their parents. Most child sex trafficking occurs with the involvement and encouragement of family members; however, tourist operators, hotels, taxi drivers, massage centers, and local adults in prostitution also facilitate this crime. Some children are fraudulently recruited for work in Antananarivo as waitresses and masseuses before being exploited in child sex trafficking. Malagasy men exploit the majority of child sex trafficking victims. Reports suggest child sexual exploitation is also prevalent in tourist destinations and surrounding formal and informal mining sites. The majority of child sex tourists are French and Italian nationals, and to a lesser extent, other Westerners and Comorians. NGOs previously reported government officials' complicity in obtaining falsified national identity cards facilitates child sex trafficking in Madagascar and forced labor in domestic servitude of Malagasy women abroad. Previous reports indicated child sex trafficking of boys was becoming more prevalent. Forced labor persisted in the context of "*dinas*," which were informal arrangements for payment or in response to wrongdoing and a way of resolving conflicts or paying debt; these arrangements persisted because authorities did not effectively enforce the law.

Many Malagasy women are employed as domestic workers in Lebanon, Kuwait, China, and Saudi Arabia, and the media reports that informal placement agencies are still attempting to circumvent the 2013 ban against sending workers to the Middle East by routing them via Mauritius, Seychelles, Comoros, and Kenya using tourist visas. Malagasy women are sent by persons acting as informal placement agents to China with falsified identity cards and exploited in forced labor and sold as brides. Reports state that Malagasy men in the Middle East may endure forced labor in the service and construction sectors and may endure forced domestic servitude in China. Recently, migrant workers are increasingly targets for blackmail or solicitation of bribes, largely consequences of the suspension of accreditation of placement agencies. Reports indicate Malagasy workers in Lebanon are victims of various forms of abuse by their employers, such as physical violence and confiscation of passports, which might have been a factor in their subsequent imprisonment.

MALAWI: TIER 2

The Government of Malawi does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated

increasing efforts compared to the previous reporting period; therefore Malawi remained on Tier 2. The government demonstrated increasing efforts by prosecuting and convicting 26 traffickers and handed down sentences ranging from 12 to 21 years imprisonment. It identified 121 trafficking victims and coordinated with a foreign government to repatriate two women who were exploited abroad. The government launched its anti-trafficking fund intended for victim services. The government also launched a five-year anti-trafficking national action plan and continued to conduct awareness-raising activities. However, the government did not meet the minimum standards in several key areas. The government did not always employ a victim-centered approach in the courtroom and continued to lack systematic procedures for the proactive identification of victims and their referral to care. In November 2016, a United States District Court for the District of Maryland issued a default judgment awarding more than \$1 million in damages to a domestic worker who sued her former employer, a Malawian diplomat, for human trafficking; the diplomat left the United States in 2012. The diplomat did not pay the outstanding judgment nor did the government report taking any action during the reporting period to hold the diplomat accountable. Despite launching the anti-trafficking fund, it did not provide adequate funding to NGOs, which took the primary responsibility for providing protective services to victims.



RECOMMENDATIONS FOR MALAWI

Enter lists of enforcement and protection officers and shelters for trafficking victims in the official gazette in order for the law to be fully operational; fully implement the prosecution and protection provisions in the 2015 anti-trafficking law; vigorously prosecute and sentence both sex and labor trafficking offenses under the 2015 law; ensure all convicted traffickers receive jail time by consistently applying sufficiently stringent punishments; support training and increase funding for judges, prosecutors, labor inspectors, and police to identify, investigate, and prosecute trafficking crimes; develop formal guidelines to identify trafficking victims, especially among vulnerable populations, and refer them to available services; increase the availability of shelters and protection services for victims, including through in-kind or material support to NGOs for expansion of direct service provisions; improve and expand the collection of national prosecution and protection data; and increase awareness and monitoring of trafficking crimes, as well as efforts to identify traffickers and victims at border crossings and internal police checkpoints.

PROSECUTION

The government maintained robust law enforcement efforts. The 2015 Trafficking in Persons Act prohibited labor and sex trafficking and prescribed punishments of up to life imprisonment, without the option of fines. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape.

In 2017, the Malawi Police Service (MPS) reported anti-

trafficking law enforcement data from seven of Malawi's 34 district-level police stations. MPS reported it arrested 42 suspects, prosecuted at least 26 alleged traffickers, and convicted 26; this is compared with 30 arrests and prosecutions, and 18 convicted during the previous reporting period. The government did not report sentencing data; however, according to media reports the courts sentenced two traffickers to 12 and 21 years imprisonment. The Ministry of Home Affairs (MHA), which includes MPS and immigration officials, maintained primary responsibility for the prosecution of trafficking crimes and enforcement of trafficking laws. During the reporting period, a defendant who was self-representing was allowed to cross examine three girls aged 12, 13, and 14 who he exploited in sex trafficking in an open court with 60 onlookers in attendance.

The MPS retained anti-trafficking training in its curricula for the Limbe, Mtakata, and Mlangeni Police Training Schools and Zomba Police College and human trafficking was a topic of continuing education lectures. The Department for Immigration trained an unknown number of new immigration officers on victim identification and assistance to potential trafficking victims. In partnership with an international organization, the government trained an unknown number of magistrates, prosecutors, immigration officers, police investigators, police victim support officers, roadblock officers, and community policing partners. MHA partnered with an international organization to establish cross-border forums with Mozambique, Zambia, and Tanzania, with which the government held monthly information exchanges between law enforcement officials. In November 2016, a United States District Court for the District of Maryland issued a default judgement awarding more than \$1 million in damages to a domestic worker who sued her former employer, a former Malawian diplomat, for trafficking; the former diplomat left the United States in 2012. The diplomat did not pay the outstanding judgment nor did the government report taking any action during the reporting period to hold the diplomat accountable.

PROTECTION

The government maintained inadequate protection efforts. The government continued to lack systematic procedures for the proactive identification of victims and their referral to care. Given severe resource constraints, the government relied largely on NGOs to provide long-term protective services. The government identified 121 trafficking victims, a decrease from 168 identified during the previous reporting period. Of those victims, 86 were adults and 35 were children; 29 victims were identified abroad in Kenya, Saudi Arabia, Iraq, and South Africa. The majority of victims identified abroad were women. The government did not provide information on whether these victims were referred to protective services. The government launched in December 2017 its anti-trafficking fund, as required by the 2015 anti-trafficking law. The fund, intended to finance delivery of protective services, shelter refurbishment, and repatriation, has yet to be credited with the budgeted funds. The government did not report how much of this budget was actually dispersed during the reporting period. The government did not provide in-kind or financial support for most NGO services, including those offered at the only dedicated shelter for trafficking victims in the country, which was operated by an international NGO. The government ran one social rehabilitation center in Lilongwe for vulnerable children, orphans, and child trafficking and gender-based violence victims, providing counseling and rehabilitation services. Despite the establishment of the anti-trafficking fund, the center remained chronically underfunded and poor conditions reportedly led

some child sex trafficking victims to leave the shelter and return to the brothels from which they had been removed. The lack of adequate and sustained assistance left victims vulnerable to re-trafficking.

Some of the approximately 300 police sub-stations at the village level housed victim support units (VSUs) to respond to gender-based violence and trafficking crimes; however, the VSUs lacked capacity to respond adequately and the quality of services remained variable throughout the country. Some foreign victims avoided these centers due to fear of deportation. Malawian law does not provide foreign victims with temporary residency or other legal alternatives to removal to their countries of origin; foreign victims faced deportation unless they challenged their immigration status in court. The government coordinated with the Government of Iraq to repatriate two women who were exploited in Erbil. In 2017, there were no credible reports of trafficking victims being detained, fined, or jailed for unlawful acts committed as a direct result of their being subjected to trafficking; however, due to a lack of formal victim identification procedures during the reporting period, and the absence of alternatives to deportation for trafficking victims, some unidentified trafficking victims might have remained in the criminal justice system or been deported.

PREVENTION

The government maintained modest efforts to prevent trafficking. The government launched a five-year anti-trafficking national action plan. The National Coordination Committee, established under the anti-trafficking act that came into force in November 2015, met once during the reporting period. Members of the informal Malawi Network Against Child Trafficking, comprising government officials, NGOs, and international stakeholders, registered as an NGO and met several times during the reporting period. The government conducted awareness campaigns via various media outlets. The government continued to participate in the South African Development Community (SADC) regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, UNODC and SADC launched the first annual draft analysis report for the region. The government implemented compulsory universal birth registration, by issuing chip-based national identification cards to more than 9 million citizens over 16 years of age and 4.5 million under the age of 15.

The government did not conduct any labor inspections for the third consecutive year. However, after the government became aware of the exploitation of two Malawian women in Iraq, the Ministry of Labor issued a press release urging private employment agencies, the general public, and prospective economic migrants to familiarize themselves with the Labor Export Guidelines. Due to lack of funding, more than 60 percent of positions within the Ministry of Labor were vacant, impeding efforts to identify and penalize fraudulent labor recruitment during the year. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor. Malawi did not provide anti-trafficking training for its diplomatic personnel. With support and assistance from foreign entities, the government ensured Malawian troops received anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

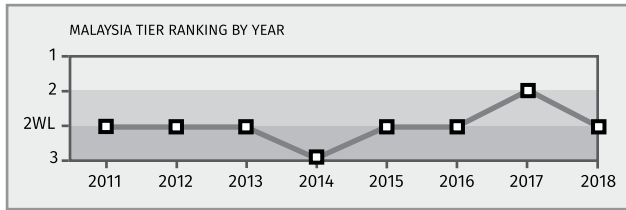
As reported over the past five years, Malawi is a source country

for men, women, and children subjected to forced labor and sex trafficking. To a lesser extent, it is a destination country for men, women, and children from Zambia, Mozambique, the Great Lakes region, and the Horn of Africa who are subjected to labor and sex trafficking, and a transit country for people from these countries exploited in South Africa. Most Malawian trafficking victims are exploited within the country, generally transported from the southern part of the country to the central and northern regions for forced labor in agriculture (predominantly the tobacco industry), goat and cattle herding, and brickmaking. Many cases of child labor external to the family involve fraudulent recruitment and physical or sexual abuse, indicative of forced labor. Traffickers—primarily facilitators or brothel owners—typically lure children from their families in rural areas under pretenses of employment opportunities, clothing, or lodging for which they are sometimes charged exorbitant fees, resulting in sex trafficking coerced through debts. Traffickers subject teenage boys to forced labor on farms and young girls to sexual exploitation in nightclubs or bars. Children are subjected to forced labor in begging, small businesses, and potentially in the fishing industry; in past years, some were coerced to commit crimes. Adult tenant farmers are vulnerable to exploitation, as they incur debts to landowners and may not receive payment during poor harvests. Malawian victims of sex and labor trafficking have been identified in Mozambique, South Africa, Zambia, Kenya, and Tanzania, as well as Iraq, Kuwait, and Saudi Arabia. Some young girls are drugged, gang-raped, and exploited in commercial sex. Some girls recruited for domestic service are instead forced to marry and subsequently subjected to child sex trafficking by their “husbands.” Fraudulent employment agencies lure women and girls to Gulf states where they are exploited in sex and labor trafficking.

MALAYSIA: TIER 2 WATCH LIST

The Government of Malaysia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts by convicting more traffickers, increasing criminal enforcement of unauthorized passport retention, granting more victims freedom of movement, tripling funding for NGOs including for three NGO-run shelters, and opening its first trafficking-specific court. The government also amended its foreign worker levy and Private Employment Agency Act to shift debt burdens away from migrant workers. However, the government did not demonstrate overall increasing efforts compared to the previous year. The government’s victim protection efforts remained largely inadequate and the government identified fewer victims than the previous year. The Ministry of Human Resources drafted legislative changes that would cover domestic workers under employment laws, but the new regulations had not been approved by the Cabinet by the end of the reporting period, and recruitment practices often exposed foreign workers to debt bondage. Procedures to extend victims’ freedom of movement and the right to work were impeded by bureaucratic delays, lack of appropriate staff, and risk-averse and paternalistic attitudes towards victims; of the 721 victims identified, the government granted two work visas and 91 special immigration passes for freedom of movement. Complicity among law enforcement officials hampered some anti-trafficking efforts; while authorities investigated these crimes, culpable officials typically avoided prosecution and punishment. No Malaysians, including suspected complicit

officials, have been prosecuted for the possible trafficking crimes that were uncovered on the border of Thailand in 2015. The government prosecuted fewer suspected traffickers than the previous year. Therefore Malaysia was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR MALAYSIA

Significantly increase the number of trafficking victims who obtain approval for freedom of movement; expand freedom of movement allowed of victims in shelters to include unchaperoned movement and at-will communication with people outside shelter facilities; increase the number of trafficking victims who obtain approval for employment; improve implementation of regulations for the 2015 amendments to the anti-trafficking law and formally establish procedures that ensure security assessments are designed to mitigate safety and security concerns of individual victims rather than risk to the shelter or government; increase the number of trafficking prosecutions and convictions, including of complicit officials and forced labor crimes; reduce court delays and increase judicial familiarity with the full range of trafficking crimes, particularly forced labor; make public the results of investigations involving corrupt officials to increase transparency and deterrence and hold officials criminally accountable when they violate the law; provide greater protection against debt bondage to foreign workers during the worker recruitment process; increase law enforcement capacity to investigate and prosecute trafficking cases based on intelligence gathering and information-sharing among government agencies; increase the capacity of labor inspectors to identify trafficking victims among vulnerable groups, such as migrant workers, and to effectively investigate labor trafficking; expand labor protections for domestic workers and investigate allegations of domestic worker abuse; improve case management and communication with trafficking victims, including through increased prosecutor-victim interaction at least two weeks prior to trial in compliance with the attorney general's directive; strengthen collaboration with credible and effective NGOs and implement plans to provide more services for victims, including the construction of new or expansion of existing shelters; expand efforts to inform workers, including domestic workers, of their rights to maintain access to their passports at any time, without delay or approval, and without consequence to their status and relationship with their employer, and include language explicitly stating passports will remain in the employee's possession in model contracts and future bilateral memoranda of understanding with labor source countries; effectively enforce the law prohibiting employers from retaining passports without employees' consent, educate workers and employers on foreign worker rights, including legal recourses and remedies against traffickers, and ensure employers provide lockers or other secure passport storage facilities; and fully implement the 2016-2020 national plan to combat trafficking.

PROSECUTION

The government demonstrated uneven law enforcement efforts. The 2007 Anti-Trafficking in Persons Act—amended

in 2010 and 2015—criminalized labor and sex trafficking and prescribed punishments of up to 20 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious offenses, such as rape. The government conducted 556 trafficking and trafficking-related investigations in 2017, compared to 581 investigations in 2016 and 158 in 2015. The government initiated prosecutions against 80 alleged traffickers, compared to 175 initiated in 2016 and 38 in 2015. The government convicted 45 traffickers—including 13 for forced labor—under the anti-trafficking act, representing the highest number of convictions achieved annually, and compared to 35 in 2016 and seven in 2015. The government sentenced 25 traffickers to imprisonment ranging between 15 months and 12 years. Eleven traffickers received prison sentences ranging between one day and six months, while 12 traffickers received only fines.

In March 2018, the government established an anti-trafficking court beginning in the state of Selangor, which historically had the highest number of trafficking cases. In its first month, the court expedited 12 trafficking cases in an existing court by setting aside a few hours a week for senior, experienced judges to focus on trafficking cases. The majority of prosecutors engaged with victims at least two weeks prior to trial to better understand and address victims' concerns about the inner workings of trials; however, limited availability of certified interpreters and Malaysia's decentralized jurisdictions made it difficult for officials to meet with all victims.

The government expanded the mandate of the interagency law enforcement task force and made it permanent. The government provided new office space for the 17-member interagency group. The task force successfully conducted six operations focused on forced labor in 2017. The Royal Malaysia Police continued to serve as the lead enforcement agency under the anti-trafficking act and maintained a specialized anti-trafficking unit comprising 242 officers posted throughout the country. The labor department's specialized trafficking enforcement team increased the number of officers to 34, from 30. The attorney general's chambers appointed two additional trafficking-specialist deputy public prosecutors throughout Malaysia, raising the total to 54. The government continued to conduct or support anti-trafficking trainings, including 34 in-service trainings for police officials and 14 transnational or bilateral trainings in the region focusing on victim protection, law enforcement, and prosecution, among other topics. Labor inspectors received eight trafficking-focused training sessions. During the year, a total of 40 prosecutors at the attorney general's chambers participated in four trafficking-related training programs.

The 2015 discoveries of migrant camps and mass graves along the border with Thailand fueled reports that corrupt officials facilitated migrant smuggling, which may have included trafficking crimes committed in 2015. The media published a report in December 2017 alleging official misconduct and claiming law enforcement officials conducted a previously undisclosed raid in January 2015; the government reported it did not reveal the details of the case since it was an ongoing investigation. In 2016, investigations into these camps and graves yielded four migrant smuggling convictions in Malaysia; no Malaysian nationals were among those convicted. The government reported the investigations remained ongoing, and Malaysia and Thailand continued to cooperate in the search for additional suspects. No new charges have been brought and to date no Malaysian national—public official or private citizen—has been prosecuted for alleged trafficking crimes associated with these camps and graves.

Complicity among law enforcement officials, in the form of accepting bribes to allow undocumented border crossings, hampered some anti-trafficking efforts. The government uncovered four smuggling networks operating at Kuala Lumpur International Airport; the immigration director reassigned 600 officials and investigations remained ongoing at the close of the reporting period. Separately, authorities investigated 18 for human smuggling and trafficking in persons and prosecuted two officers for exploitation of their domestic employees (unrelated to their official duties); all cases remained ongoing at the end of the reporting period. In 2016, the government prosecuted five officials for corruption in the form of accepting bribes to allow undocumented border crossings; four were found guilty for smuggling offenses while the fifth official was acquitted.

PROTECTION

The government maintained protection efforts. Law enforcement agencies followed standardized procedures to identify trafficking victims. Identification of labor trafficking cases continued to rely on labor inspections in response to workers' complaints of non-payment of wages and other violations. In 2017, the government identified 2,224 potential trafficking victims nationwide and confirmed 721 victims, compared to 3,411 potential trafficking victims and 1,558 confirmed victims in 2016. Both years represented a marked increase over the 305 victims confirmed in 2015. Enforcement agencies employed the anti-trafficking law broadly by presuming as potential trafficking victims all foreign women during bar or massage parlor roundups. The government shifted significant resources toward forced labor, compared to a previous focus primarily on sex trafficking, partially explaining the decrease in the overall number of victims identified. The government did not proactively screen the vulnerable migrant worker population for indicators of trafficking, which left an unknown number of potential victims without proper care. The anti-trafficking law provided trafficking victims immunity from immigration-related offenses, such as illegal entry, unlawful presence, and possession of fraudulent travel documents. The government sometimes detained, deported, or charged with immigration offenses potential victims who denied they had been subjected to trafficking or when employers confiscated their documents.

Amendments to the anti-trafficking law allowed victims to work and to move freely in and out of government facilities, pending a security risk assessment, medical screening, and mental health evaluation. Of the 721 victims identified, the government issued 91 special immigration passes that would authorize freedom of movement, compared to 12 passes in 2016. However, in practice, authorities sometimes limited movement outside the shelter to occasional trips with a chaperone, two to three times a month. The government issued two work visas to victims, compared to six issued the previous year. Despite government efforts to provide legal employment for victims, government shelter staff reported the majority of eligible participants declined to participate in the program, citing a preference to return home. The government commenced monthly allowance payments of 127 ringgits (\$31) to victims for incidental expenditures, and by March 2018, 273 victims received a total of 96,320 ringgits (\$23,820). The government did not disburse the funds on a monthly basis, and victims received the allowance as a lump sum when they repatriated home.

The government housed most victims in government facilities as part of a court-ordered 21-day interim protection order (for suspected trafficking victims) or a subsequent 90-day protection order (for certified trafficking victims). Some victims, however,

remained in the shelters for up to six months. Shelters sometimes became temporarily over-crowded following increased police efforts to identify victims. The government took steps to reduce shelter overcrowding by providing 80 percent of the funding for three new NGO-run shelters in Kuala Lumpur, Sabah, and Penang; however, the shelters remained underutilized due to bureaucratic obstacles and authorities approved only a small number of victims for transfer to these shelters during the reporting period. Most victims who stayed in government shelters did so without freedom of movement or the right to work, in contravention of global best practices. As in past years, many victims preferred to return immediately to their home countries. Although the law permits victims to testify remotely, authorities generally expected victims to remain in-country pending trial proceedings. During the reporting period, many victims were unwilling to testify. The reluctance of victims to provide witness testimony reportedly stemmed from a desire to avoid protracted criminal proceedings and to quickly rejoin the informal workforce, unappealing shelter and work conditions, and bribes or intimidation from traffickers.

The Ministry of Women, Family, and Community Development maintained seven facilities specifically to house trafficking victims—four for women, one for men, and two for children. During the reporting period, the government allocated 5.6 million ringgits (\$1.4 million) to operate its shelters, including funds to open three new trafficking shelters in the states of Kedah, Kelantan, and Sarawak. The government provided basic services for all victims staying in its facilities, including food, shelter, medical care, social and religious activities, and security; NGOs provided some victim rehabilitation and counseling services in most shelters, typically without government-allocated funding. After an initial 21-day period when authorities did not permit victims any communication with persons outside the shelter, victims could make a phone call once per month, and shelter staff provided opportunities for victims to engage in handicrafts and other income-generating activities. In general, NGOs expressed difficulty in maintaining adequate resources and staffing levels to provide consistent services for victims. Overall, the government tripled its funding for NGOs this year, increasing from 483,000 ringgits (\$119,440) in 2016 to 1.4 million ringgits (\$341,250) to conduct various programs and activities with shelter residents.

PREVENTION

The government increased efforts to prevent trafficking. The home affairs ministry headed the anti-trafficking council (MAPO), which included five enforcement bodies, other government entities, and three NGOs. It met on a quarterly basis and was active in coordinating interagency anti-trafficking efforts and conducting trainings for government ministries, in addition to consultation sessions with NGO partners to strengthen victim protection. In 2017, the government maintained its allocation of 4 million ringgits (\$989,120) to operate the MAPO secretariat. The government continued implementing the national action plan spanning 2016-2020, making progress towards improved cooperation with civil society, integrated action among law enforcement agencies, and increased focus on combating labor trafficking. The government produced and aired 9,006 public service radio broadcasts and 1,605 television segments during the reporting period, compared to 6,492 and 1,648 announcements, respectively, in 2016. It also consulted with civil society to create and publish a new informational booklet for employers of domestic workers. The government printed 2,000 booklets in English and Bahasa Malaysia for distribution to new employers. Labor officials also provided

banners and other signage at the Kuala Lumpur International Airport in holding lounges for newly arrived migrant workers in a range of languages to help educate foreign workers about their rights in Malaysia. MAPO partnered with Malaysia Airlines on a human trafficking awareness campaign, kicked off with a three-day exhibition at Kuala Lumpur International Airport. UNHCR and a local NGO mapped stateless people in peninsular Malaysia and submitted nationality applications to reduce vulnerability to trafficking by providing identity documents. In response, the government granted citizenship to 2,168 persons and continued processing the remaining 10,000 applications during the reporting period.

The government strengthened its enforcement of the law against unauthorized passport retention by initiating 70 prosecutions and obtaining 41 convictions of employers who contravened the Malaysian Passport Act of 1966 (17 in 2016). The government also implemented two improvements to labor laws to eliminate conditions that often lead foreign workers into debt bondage. The first improvement required employers to pay the foreign worker levy for any non-Malaysians they hired, instead of forcing workers to bear the costs. The government also amended the Private Employment Agency Act to significantly increase the penalties for violating recruitment laws and to require all recruitment agencies to get a special license from the Ministry of Human Resources to recruit foreign workers, including domestic workers. Employment law continued to exclude domestic workers from a number of protections, including the country's minimum wage. Labor inspectorates conducted 40,869 labor inspections, which resulted in the issuance of 5,257 correction notices, a slight decrease compared to 49,610 labor inspections and 5,297 correction notices in 2016. Labor courts resolved 12,498 labor disputes and ordered employers to provide exploited workers back wages of more than 64 million ringgits (\$15.8 million) and levied fines of 979,000 ringgits (\$246,090) for non-compliant employers. The government did not demonstrate efforts to reduce demand for commercial sex. The government provided anti-trafficking training for its diplomatic personnel and its troops prior to their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Malaysia is a destination and, to a much lesser extent, source and transit country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. The overwhelming majority of victims are among the estimated two million documented and an even greater number of undocumented migrant laborers in Malaysia. Foreign workers constitute more than 20 percent of the Malaysian workforce and typically migrate voluntarily—often illegally—from Bangladesh, India, Nepal, Burma, Indonesia, the Philippines, and other Asian countries. Employers, employment agents, and informal labor recruiters subject some migrants to forced labor or debt bondage when they are unable to pay the fees for recruitment and associated travel. Outsourcing or contract labor companies may not have oversight of personnel issues or day-to-day working conditions, leading to heightened vulnerabilities to exploitative labor conditions and a reduced ability to resolve disputes for foreign workers. Agents in labor source countries may impose onerous fees on workers before they arrive in Malaysia, and additional administrative fees after arrival in some cases cause debt bondage. Large organized crime syndicates are responsible for some instances of trafficking.

Official complicity and corruption among immigration and

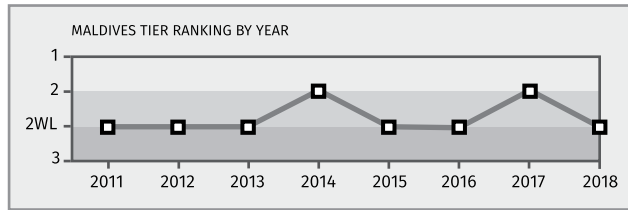
police officers remains a problem and impedes some efforts to address trafficking. NGOs made credible accusations of complicity among some Malaysian law enforcement agencies, including immigration officials who reportedly accept bribes to allow undocumented border crossings. Discoveries of migrant camps and mass graves along the border with Thailand in 2015 and media reporting in December 2017 generated reports some officials were complicit in facilitating migrant smuggling, which may have included trafficking crimes; however, no Malaysian official (or national) was held criminally accountable.

Some migrant workers on palm oil and agricultural plantations, at construction sites, in the electronics and garment industries, and in homes as domestic workers are subjected to practices that can indicate forced labor, such as passport retention, contract violations, restricted movement, wage fraud, and imposition of significant debts by recruitment agents or employers. Contract violations remain widespread in Malaysia. Passport retention remained widespread and problematic; Malaysian law allows employers to hold workers' passports with the workers' permission, but it is difficult to determine if workers have freely given permission, and some employers may retain the passports to prevent workers from changing jobs. In efforts to circumvent anti-trafficking protections established by the Indonesian government, some Indonesian workers may transit Malaysia legally en route to Middle Eastern countries, where traffickers exploit some into forced labor. Although significantly fewer than the number of forced laborers, some young foreign women—mainly from Southeast Asia—are recruited ostensibly for legal work in Malaysian restaurants, hotels, and beauty salons, but are instead forced or coerced into prostitution. Traffickers force some women and girls into prostitution through brokered marriages. The more than 152,000 registered refugees and asylum-seekers in Malaysia lack formal status and the ability to obtain legal work permits, leaving them vulnerable to trafficking. Many refugees incur large smuggling debts, which traffickers use to subject some refugees to debt bondage. Traffickers exploit Malaysian orphans and children from refugee communities for forced begging. The number of internal Malaysian victims, including child victims, is increasing due to the additional focus on labor trafficking.

MALDIVES: TIER 2 WATCH LIST

The Government of Maldives does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by launching an online case management system and elevating its anti-trafficking unit status to department level for greater access to resources and funding. Immigration officials created and implemented a pre-departure screening system for Bangladeshi migrant workers in part to reduce fraudulent recruitment. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government's trafficking law does not conform to the 2000 UN TIP Protocol as its definition of human trafficking is generally predicated on the movement of the victim. The government did not adopt standard operating procedures (SOPs) for victim identification, protection, and referral, thereby inhibiting proactive identification of victims and, at times, resulting in the deportation of victims. The government's investigation of possible trafficking cases decreased sharply, possibly as a result of poor victim identification efforts. Trafficking victim protection services were limited—victims

lacked regular access to psycho-social support, interpreters, and a dedicated shelter. Therefore Maldives was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR MALDIVES

While respecting due process, increase investigations, prosecutions, and convictions against all forms of trafficking, and against officials complicit in trafficking-related crimes; amend the Prevention of Human Trafficking Act (PHTA) to bring the definition of human trafficking in line with the 2000 UN TIP Protocol; formally adopt SOPs for proactive identification of trafficking victims and referral to protection services, and train all relevant government officials on their use; re-establish the state-run shelter and consistent rehabilitation services, including psycho-social support and interpretation; finalize and implement the SOPs for shelter operations and victim services; increase efforts to monitor and punish labor recruitment agents and firms engaging in fraudulent practices; enforce prohibitions against passport retention by employers, including government agencies; and raise public awareness of human trafficking through media campaigns.

PROSECUTION

The government decreased its anti-trafficking law enforcement efforts during the reporting period. The PHTA criminalized some, but not all, forms of sex and labor trafficking. Inconsistent with the definition of trafficking under international law, the PHTA required transportation of a victim in order to constitute a trafficking offense. The law criminalized child sex trafficking but did not make clear if forced prostitution of adults was considered a form of trafficking. Article 16 criminalized debt bondage without reference to transportation. The PHTA prescribed penalties of seven to 15 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Maldives Police Service (MPS) reported investigating one labor trafficking case, a decrease from 10 forced labor and one sex trafficking case during the previous reporting period. The Prosecutor General's Office (PGO) continued prosecuting four labor trafficking cases against five Maldivian and seven Bangladeshi defendants from the previous reporting period. It also initiated the prosecution of one new sex trafficking case against one Maldivian defendant compared with four new prosecutions in the previous reporting period. The government did not secure any convictions during the reporting period compared with three foreign nationals convicted under the PHTA in the previous reporting period.

MPS reported the elevation of the anti-human trafficking unit from a unit level to a department level under the Head of Crime Investigations to increase its future access to resources and funding. In May 2017, MPS, in partnership with an international organization, launched an online trafficking case management system which also allowed potential victims to submit cases to the police online; however, it was only available in English, which limited its utility. Maldives Immigration continued to implement a mandatory training curriculum on trafficking for

new recruits. MPS conducted a training during the reporting period for two officers who separately participated in an international anti-trafficking training conference with the Republic of Korea. Despite these trainings, officials conflated human trafficking with smuggling and undocumented migrants, and government efforts focused mainly on transnational labor trafficking to the possible detriment of addressing sex trafficking cases. Government officials acknowledged a need for more training.

Private employers and some government agencies held the passports of foreign workers they employed. These included the education and health ministries, which held the passports of foreign teachers and health care workers. Maldives Immigration investigated cases of employer passport retention and negotiated the return of documents to employees; however, the government did not report whether it penalized employers for such acts or investigated potential labor or trafficking crimes among these populations. Authorities recognized the lack of law enforcement cooperation agreements with source country governments as an obstacle to investigations in cases with foreign victims or perpetrators; they did not report collaborating with other governments during the reporting period. The absence of dedicated foreign language interpreters for victims and witnesses continued to hamper law enforcement and victim protection efforts. Observers stated some traffickers operated with impunity because of their connections with influential Maldivians and alleged the government was more likely to prosecute foreign suspects than Maldivian suspects. Observers reported some officials warned businesses in advance of planned raids for suspected trafficking offenses or other labor abuses. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government decreased its victim identification and protection efforts. The government did not identify any victims during the reporting period, a decrease from 18 in the previous reporting period. Two victims identified in a previous reporting period continued to receive services from the government. Victims were entitled to receive rehabilitative services, including shelter, health care, counseling, translation services, and police protection; however, in practice, victim care services were limited. Victims lacked regular access to psycho-social support, interpretation services, and a dedicated shelter. The government had not reopened or constructed a new dedicated trafficking victim shelter since 2014, reportedly due in part to budget constraints. The government housed two victims identified in a previous reporting period in guesthouse facilities. PGO's victim support officer, assigned to ensure victims' needs were met, was only available to trafficking victims whose cases would be prosecuted. PHTA article 32 provided a 90-day reflection period during which victims were eligible to receive services while deciding whether to assist authorities in a criminal case. The police reported two victims received extensions of the reflection period.

The government did not formally adopt SOPs for victim identification, protection, and referral that the Anti-Trafficking National Steering Committee (NSC) finalized in a previous reporting period. Although MPS reported it had disseminated the SOPs to its officers in the past, other government agencies were not aware of these SOPs; this at times resulted in the deportation of potential victims without an investigation. Foreign victims may receive a special visa allowing them

to remain in Maldives and work during the course of the investigation and prosecution; however, the PHTA permitted the deportation of identified victims who had voluntarily entered Maldives illegally.

PREVENTION

The government demonstrated mixed efforts to prevent human trafficking. While it implemented a pre-departure screening system for Bangladeshi migrant workers in part to reduce fraudulent recruitment, overall government anti-trafficking coordination decreased. The Ministry of Economic Development (MED) had responsibility for coordinating government and NGO anti-trafficking efforts through the NSC. The NSC did not meet during the reporting period; however, a lower-level advisory body met quarterly. The government had a 2015-2019 national action plan; however, several agencies continued to report overall government coordination was weak. The government's anti-trafficking infrastructure largely excluded the Ministry of Gender and Family, which had previously held the chair of the steering committee. This arrangement increased coordination challenges. The NSC failed to comply with a legal requirement to develop an annual report of its activities and submit it to parliament. The government continued to promote its trafficking hotline through banners at the airport; the hotline received 20 calls during the reporting period, none of which resulted in investigations or referrals to services.

Maldives Immigration created and implemented the pre-departure screening system for Bangladeshi migrant workers. The system required Bangladeshi employment agencies to register in the system and agree to standard wage and safety conditions. The system also established electronic contracts with migrant workers that recruiters could not amend. The government's revised regulations on all foreign employment agencies required agencies to be licensed and fully compliant with regulations by July 2017. MED made 40 inspection visits to agencies in 2017. During the reporting period, the Labor Relations Authority stopped blacklisting labor-recruiting companies and individuals for labor-related infractions due to the belief that blacklisting was ineffective as companies could register under a new name to continue operations. Maldives Immigration continued to implement a program allowing local companies to employ undocumented victims of labor law violations to extend the victims legal status to remain in the country; during the reporting period, 3,499 undocumented workers enrolled in this program. The government did not report any efforts to reduce the demand for commercial sex acts or forced labor.

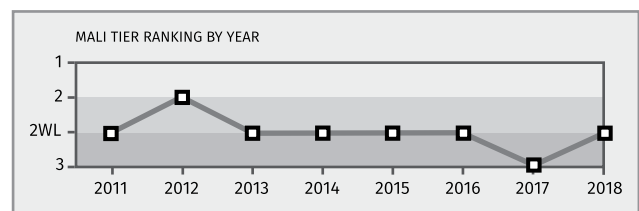
TRAFFICKING PROFILE

As reported over the past five years, Maldives is a destination country for men, women, and children subjected to forced labor and sex trafficking, and a source country for women and children subjected to labor and sex trafficking. An unknown number of the approximately 100,000 documented and 60,000 undocumented foreign workers in Maldives—primarily Bangladeshi and Indian men in the construction and service sectors—are subjected to practices indicative of forced labor, including fraudulent recruitment, confiscation of identity and travel documents, withholding or non-payment of wages, and debt bondage. Migrant workers pay approximately \$2,500 to \$4,000 in recruitment fees to work in Maldives, contributing to their risk of debt bondage upon arrival. In addition to Bangladeshis and Indians, some workers from Sri Lanka, Pakistan, and Nepal reportedly experience recruitment fraud before arriving in Maldives. Recruitment agents in source

countries collude with employers and agents in Maldives to facilitate fraudulent recruitment and forced labor of migrant workers. A small number of women from Africa, Asia, Central Asia, and Eastern Europe, as well as girls from Bangladesh and Maldives, are subjected to sex trafficking in Maldives. Some women from South Asia are forced into prostitution after entering the country with their trafficker under the guise of tourism. Maldivian children are transported to the capital, Male, from other islands for domestic service. Some of these children also are reportedly subjected to sexual abuse and may be victims of forced labor. Maldivian women may be subjected to sex trafficking in Sri Lanka.

MALI: TIER 2 WATCH LIST

The Government of Mali does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore Mali was upgraded to Tier 2 Watch List. These achievements included investigating and prosecuting an increased number of trafficking cases, including several Quranic school teachers for allegedly forcing children to beg; identifying an increased number of trafficking victims; training judges, magistrates, and police around the country; and disbursing funds specifically for anti-trafficking efforts and victim protection. Despite these achievements, the government did not make significant efforts to address child soldiering. The government provided support to and collaborated with the Imghad Tuareg and Allies Self-Defense Group (GATIA), a non-governmental armed group headed by a Malian general that used and recruited child soldiers, at times by force. The government did not investigate any suspects, including government officials, for child soldiering offenses or make efforts to prevent armed groups from using and recruiting children. Moreover, the lack of funding and resources for police inhibited investigations of reported trafficking cases.



RECOMMENDATIONS FOR MALI

As part of the peace process, engage with non-governmental armed groups to cease recruitment and use of children; cease support to armed groups that recruit and use children; vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including complicit officials, with sentences prescribed in the 2012 law; provide care to all trafficking victims, irrespective of their participation in criminal proceedings; follow the established protocol for referring children allegedly associated with armed groups to care, and release any children inappropriately detained; train and equip law enforcement on effective case investigation techniques; further train judges and prosecutors on the 2012 law; continue to provide funding or in-kind support to NGOs that assist trafficking victims; develop and train officials on standardized mechanisms to identify trafficking victims; finalize the draft anti-trafficking national action plan, including formalizing the roles of anti-trafficking committee members; expand and strengthen implementation of programs

for the disarmament, demobilization, and reintegration of former child combatants that address specific needs of child ex-combatants; and increase efforts to raise public awareness of trafficking, including child forced begging and child soldiering.

PROSECUTION

The government modestly increased law enforcement efforts. Law 2012-023 Relating to the Combat against Trafficking in Persons and Similar Practices, as amended, criminalized labor and sex trafficking. The law prescribed penalties of five to 10 years imprisonment for sex and labor trafficking—except forced begging—and separately criminalized forced begging with lesser penalties of two to five years imprisonment and a fine. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape.

As in the previous reporting period, the justice minister issued a decree instructing judicial personnel to prioritize prosecutions of cases under the 2012 law. Although the government did not have a centralized mechanism to collect comprehensive anti-trafficking law enforcement statistics, it reported investigating 32 cases involving 63 defendants (initiating 19 new cases and continuing 13 cases from previous reporting periods), prosecuting 13 traffickers (including at least 10 prosecutions initiated during the reporting period), and convicting one trafficker. The government reported investigating 11 cases, prosecuting seven suspects, and convicting four traffickers during the previous reporting period. Of the 13 suspects prosecuted—primarily Quranic school teachers for alleged child forced begging—the government convicted and sentenced one offender to eight months imprisonment and acquitted five additional suspects, although prosecutors were appealing these rulings. There were seven ongoing prosecutions at the end of the reporting period.

The Ministry of Justice trained more than 300 judges, magistrates, and police in five of Mali's eight regions on victim identification and investigations and prosecutions under the 2012 law, and distributed 200 copies of the law in all 13 national languages. Despite these efforts, continued lack of awareness of the 2012 law stymied law enforcement action; for example, judges dismissed cases against at least three alleged traffickers for forced begging because judges were unfamiliar with the 2012 law. Additionally, the police's system-wide lack of funding and resources, including vehicles and equipment to investigate crimes, impeded anti-trafficking efforts. Due to continuing security concerns, the government had limited or no judicial presence in four of the country's eight regions, primarily in the north and center of the country. The government continued the investigation from the previous reporting period of a former diplomat from Democratic Republic of the Congo and two Malian police officers for allegedly facilitating the transportation of Congolese girls to African, European, and Asian countries for exploitation. The non-governmental armed group GATIA, led by a Malian general, used and recruited child soldiers during the reporting period, but the government did not report any investigations, prosecutions, or convictions of traffickers, including complicit officials, for child soldiering offenses.

PROTECTION

The government maintained efforts to identify and protect trafficking victims. Government officials and NGO partners identified 104 trafficking victims and 43 potential trafficking victims during the reporting period, including Malians exploited

in Mali and abroad and foreigners exploited in Mali. This is compared to the government and NGOs identifying 143 potential trafficking victims the previous reporting period. Among the potential victims, authorities identified 41 Nigerian sex trafficking victims (36 women and five girls), 40 children in forced begging, and 23 child soldiers; the remainder included those exploited in unknown forms of trafficking and those vulnerable to exploitation. The government did not report identifying any victims of hereditary slavery. The government did not have standardized mechanisms to identify trafficking victims.

The government worked closely with RAFY, a national network composed of NGOs; international organizations; and government ministries, including the Ministry for the Advancement of Women, Children, and the Family (MFFE), to refer all identified trafficking victims to service providers. While in some cases police denied assistance to trafficking victims if they did not file police reports against their traffickers, NGOs—with some government assistance—assisted all trafficking victims identified during the reporting period. Services varied by location but generally included shelter, food, counseling, vocational training, repatriation, and reintegration assistance. Most service providers were NGOs, and the government relied on these NGOs to provide the majority of services, funded by private and international donors. With funding from the national anti-trafficking committee, however, the government provided in-kind support, including furniture to NGO shelters. MFFE had general care facilities that could assist trafficking victims, although it did not report if they assisted any trafficking victims during the reporting period. Shelters and services for victims outside the capital remained limited, especially in the north. Foreign and domestic victims received the same services, and while some facilities could offer specialized services for females, there were no such services for males. The government issued travel documents and provided logistical coordination to facilitate the repatriation of at least 52 foreigners exploited in Mali. In collaboration with NGOs, MFFE also coordinated repatriation for Malian nationals exploited abroad and food, shelter, and medical assistance upon repatriation. The government provided monetary assistance to some Malian trafficking victims repatriated from Libya. The government referred victims to and provided security for an internationally run transit center for children separated from armed groups, including ex-child combatants. The National Directorate for the Advancement of Children and Families provided interim care, including medical and rehabilitation services, when victims could not be immediately placed at the transit center and assisted with family reunification. The center assisted at least 11 children during the reporting period.

The government did not offer legal alternatives to removal to countries in which victims would face retribution or hardship, and it did not have formal policies to encourage victims to participate in trials against their traffickers. Victims could file civil suits against their traffickers, but the government did not report that any did so during the reporting period. Malian law protected victims from being fined, detained, or otherwise penalized for crimes committed as a result of being subjected to trafficking; however, at least three children remained in state-run detention facilities for association with armed groups because the government considered them to be adults; some of the children had been in detention since April 2015. This was a decrease from seven children detained the previous reporting period. In at least 13 other cases, authorities followed the government's 2013 inter-ministerial protocol requiring them to direct former child soldiers to rehabilitation centers.

PREVENTION

The government maintained efforts to prevent trafficking. Officials continued modest efforts to implement the 2015-2017 anti-trafficking national action plan and began drafting a new plan. The national anti-trafficking committee met frequently during the reporting period, but the lack of coordination and ownership for activities in the action plan among committee members impeded its effectiveness. The government allocated 200 million West African CFA francs (\$355,660) for anti-trafficking efforts, the same amount allocated the previous year, and donated a vehicle to the committee. With this funding, the government conducted at least seven trainings on the 2012 law, awareness-raising activities, and provided in-kind support to NGO victim shelters. With an NGO, the government also conducted an awareness-raising session on child forced begging for Quranic teachers in Segou. The police had a hotline for crimes against women and children, although it did not report receiving any trafficking cases during the reporting period. The government did not make efforts to address the fraudulent recruitment of Malians abroad, and labor inspectors remained without sufficient capacity or resources to regulate the informal sector, where most cases of forced labor occurred. The government did not make efforts to decrease the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training to Malian troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

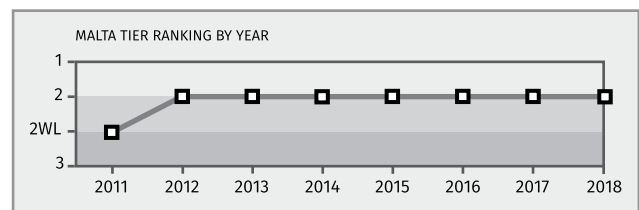
As reported over the past five years, Mali is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Humanitarian actors report high unemployment, food insecurity, and security threats drive some families to sell their children into domestic servitude or forced labor in gold mines. Internal trafficking is more prevalent than transnational trafficking. Boys from Mali, Guinea, and Burkina Faso are subjected to forced labor in agriculture—especially rice production—artisanal gold mines, domestic work, transportation, begging, and the informal commercial sector. Malian boys are also forced to beg or perform agricultural work by unscrupulous Quranic teachers in neighboring countries, including Senegal and Guinea. Some members of Mali's black Tuareg community are subjected to slavery practices rooted in traditional relationships of hereditary servitude. Men and boys, primarily of Songhai ethnicity, were subjected to a long-standing practice of debt bondage in the salt mines of Taoudeni in northern Mali. NGO reports indicate Malian children endure forced labor on cotton and cocoa farms in Cote d'Ivoire. Malian women and girls are victims of sex trafficking in Gabon, Libya, Lebanon, and Tunisia and domestic servitude in Lebanon, Saudi Arabia, and Tunisia. Women and girls from other West African countries, particularly Nigeria and Benin, are recruited with promises of jobs as nurses or waitresses in Bamako but exploited in sex trafficking throughout Mali, including in Chinese-run hotels and especially in small mining communities. Nigerian authorities estimate more than 5,000 Nigerian girls are victims of sex trafficking in Mali. Traffickers force women and girls into domestic servitude, agricultural labor, and support roles in artisanal gold mines. Reports allege corruption and complicity among local police and *gendarmes* in Farako may have facilitated forced labor and sex trafficking in mining communities. Africans transiting Mali to Europe, primarily via Algeria and Libya and less so via Mauritania, are vulnerable to trafficking, and Nigerian traffickers exploit Nigerian women in sex trafficking in Mali en route to Europe. An international organization repatriated more than 1,430 Malians from Libya

in 2017, some of whom may have been trafficking victims.

During the reporting period, the government did not exercise control over the majority of its territory and lost ground it had previously regained. Justice officials had no or an extremely limited presence in four of Mali's eight regions, limiting the government's ability to provide justice, victim services, and gather data. Since early 2012, rebel and Islamic extremist groups have occupied parts of northern Mali. Terrorist organizations and armed groups continue to recruit and use children, mostly boys, in combat, requiring children to carry weapons, staff checkpoints, guard prisoners, and conduct patrols; some used boys for running errands and spying. Some of these groups have also used girls in combat, support roles, and for sexual exploitation, including sexual slavery through forced marriages to members of these militias. The armed groups purportedly force some families to sell their children to the groups or coerced communities into giving up teenage boys to the groups for "community protection." An international organization reported traffickers fraudulently recruited some children for education in Quranic schools but forced them to fight with armed groups. Some poor families reportedly insert their children into the ranks of armed groups because parents believe they will benefit from disarmament, demobilization, and reintegration assistance. In the past, a Malian armed group forcibly recruited Malian refugees in Mauritania to be child soldiers in Mali. The government provided in-kind support to and collaborated with GATIA, a non-governmental armed group led by a Malian general that used and recruited at least nine children during the reporting period. In 2016, an international organization investigated GATIA officials, Malian Defense and Security Forces officers, and civilians for conflict-related sexual violence, including forced prostitution and sexual slavery.

MALTA: TIER 2

The Government of Malta does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Malta remained on Tier 2. The government demonstrated increasing efforts by providing more training to law enforcement personnel, increasing shelter capacity, and allocating more funding to counter trafficking. It also established a victim support unit to provide counseling, information, and referral services to victims of all crime, including trafficking. However, the government did not meet the minimum standards, as it has not secured any trafficking convictions since 2012, lacked coordination among ministries, which may have delayed the issuance of residency and work permits, and did not conduct any awareness campaigns during the reporting period.



RECOMMENDATIONS FOR MALTA

Vigorously and expeditiously investigate and prosecute trafficking offenses, and pursue adequate sentencing for

convicted trafficking offenders; improve coordination efforts among ministries to provide the timely receipt of residency and work permits for victims; reduce turnover in police anti-trafficking roles; increase collaboration between police and other stakeholders during investigations; increase efforts and training of relevant staff and officials to proactively identify trafficking victims among vulnerable immigrant populations, particularly migrant workers, and women in prostitution; use anti-trafficking training for police officers, prosecutors, and judges to increase focus on working with victims and procedures for appropriate referral for care; disburse sufficient funding to the inter-ministerial committee for implementing the national action plan; continue funding for both short- and long-term shelter and assistance adapted to the needs of trafficking victims, including male victims and minors; provide adequate availability of interpreters for victims; and increase awareness campaigns.

PROSECUTION

The government maintained law enforcement efforts. Article 248A-G of the criminal code criminalized all forms of trafficking and prescribed penalties of four to 12 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The police vice squad, responsible for trafficking, conducted seven investigations, compared to three in 2016. The government initiated the prosecution of one Maltese national and one Chinese national, both for forced prostitution, compared to four individuals prosecuted in 2016. Three labor trafficking prosecutions initiated in 2014 and a 2004 case involving a police official for collusion with a trafficker remained pending at the close of the reporting period. The government has not obtained a trafficking conviction since early 2012. There were no new investigations or prosecutions of government employees complicit in human trafficking offenses.

The government increased efforts to train police and prosecutors over the reporting period. The Ministry of Home Affairs and National Security organized investigative, judiciary and victim identification training for front-line stakeholders, including police officers and prosecutors. Specifically, the government-funded a British NGO to provide training to law enforcement personnel on child trafficking investigations. Maltese law enforcement cooperated with a foreign government and extradited three Ukrainian nationals on trafficking charges. The slow pace of court proceedings continued to hamper prosecutions relying on victims to provide testimony in court. Although one police officer position is dedicated to trafficking crimes, civil society reported turnover within the position hindered effectiveness.

PROTECTION

The government maintained protection efforts. Police identified 30 foreign trafficking victims (35 in 2016). These included 24 Ukrainian labor trafficking victims (all from a single case) and six female victims (four Chinese nationals and two Hungarian nationals). The government had standard operating procedures for victim identification that allowed a range of entities to refer victims to the government's social welfare agency. The national welfare agency offered medical care, employment services, counseling, and additional emergency shelters and staff. This resulted in an increase in the allocation of funds for trafficking cases in 2017. In one large case, the police and national welfare agency joined coordination efforts during a forced labor investigation in order to prepare for a large number

of victim referrals. The agency leased additional apartments on a three-year basis to temporarily shelter these victims and to build shelter capacity for future victims. All 30 victims identified in 2017 received care services. While NGOs reported assisting victims who are children, the government has never formally identified a child trafficking victim.

The government encouraged, but did not require victims to assist in the investigation and prosecution of their alleged traffickers and provided them with protective support, including the option to testify via video, although this was inconsistently offered. Some victims reported challenges in the availability of translators. The law provided victims a two-month reflection period to recover and contemplate cooperation with law enforcement. In 2017, the government established a victim support unit to provide counseling, information, and referral services to victims of all crime, including trafficking. Foreign victims who decided to assist police in prosecuting trafficking cases were entitled to a renewable six-month temporary residence permit, police protection, legal assistance, and the right to work. The government provided these temporary residence permits to the majority of the trafficking victims identified during the calendar year.

NGOs reported a lack of coordination among the police, the national welfare agency, and immigration officials negatively affected victims' ability to obtain residency and work permits, especially for victims of forced labor. Victims can apply for restitution from the government and file a civil suit against the perpetrators for the restitution of unpaid salaries and other expenses. One civil suit was under judicial consideration during the reporting period. There were no reports the government penalized victims for unlawful acts committed as a direct result of being subjected to trafficking. Courts, however, have convicted some minors for prostitution in recent years, who may have been unidentified sex trafficking victims. Additionally, migrants who entered the country illegally, some of whom may have been trafficking victims, were routinely held in detention centers. In December 2015, the government issued guidance that limited the circumstances under which irregular migrants could be detained.

PREVENTION

The government maintained prevention efforts. The inter-ministerial anti-trafficking committee continued to implement a national action plan, and it published a new action plan for 2017 to 2020. The government increased its anti-trafficking budget from €20,000 (\$24,010) in 2017 to €35,000 (\$42,020) in 2018, which excluded government funds provided to agencies for victim support provided elsewhere in the budget. The government did not conduct any awareness campaigns during the reporting period. The inter-ministerial anti-trafficking committee charged with implementing the national action plan convened several times throughout 2017; however, NGOs reported that despite the meetings, the committee produced little to no tangible actions to coordinate improvements across the government. Authorities conducted 3,539 labor inspections in 2017. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The national welfare agency continued to run a hotline for individuals in need of social services, including potential trafficking victims.

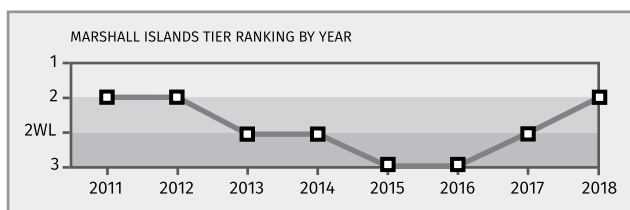
TRAFFICKING PROFILE

As reported over the past five years, Malta is a source and destination country for women subjected to sex trafficking and

a destination for women and men subjected to labor trafficking. Women and children from Malta have also been subjected to sex trafficking within the country. Forced labor victims originate from China, Eastern Europe and Southeast Asia. Women from Southeast Asia working as domestic workers, Chinese nationals working in massage parlors, foreign male soccer players, and women from Central and Eastern Europe, Russia, and Ukraine working in nightclubs represent populations vulnerable to exploitation. The approximately 5,000 irregular migrants from African countries residing in Malta are vulnerable to trafficking in the country's informal labor market, including within the construction, hospitality, and domestic sectors.

MARSHALL ISLANDS: TIER 2

The Government of the Republic of the Marshall Islands (RMI) does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore RMI was upgraded to Tier 2. The government demonstrated increasing efforts by enacting a comprehensive trafficking law with increased penalties, continuing implementation of the National Action Plan to Combat Trafficking, and increasing training of officials. However, the government did not meet the minimum standards in several key areas. The government did not report any systematic efforts to identify trafficking victims among foreign and local women in prostitution and did not prosecute or convict any individuals for trafficking offenses.



RECOMMENDATIONS FOR THE MARSHALL ISLANDS

Increase efforts to investigate, prosecute, and convict traffickers under the new law, sentencing them to penalties appropriate for the seriousness of the crime; adopt proactive procedures to identify trafficking victims among all vulnerable groups, such as children, women in prostitution, and foreign fishermen, and train officials on their use; strengthen efforts to implement the national action plan; train law enforcement and prosecution officials to implement the anti-trafficking laws; strengthen efforts to fund and administer protective services for victims in cooperation with NGOs and international organizations; develop and conduct anti-trafficking education and awareness-raising campaigns; undertake research to study human trafficking in the country; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. The parliament enacted the Prohibition of Trafficking in Persons Act in April 2017, criminalizing all forms of sex and labor trafficking and prescribing penalties of up to 15 years imprisonment and a fine of \$10,000, which were sufficiently stringent and, with regard to sex trafficking, commensurate with other serious crimes, such as rape. The government investigated one new case of child sex trafficking during the reporting period and observers noted at least one additional case of child sex trafficking

under investigation, compared with two investigations in the prior reporting period. Both cases involved foreign citizens sexually abusing Marshallese children; one of the cases involved transporting the child outside the country. As in the previous reporting period, the government did not report prosecutions or convictions for trafficking crimes, although the government continued to cooperate with a foreign government investigation of a trafficking case involving a Marshallese man who may be prosecuted outside the Marshall Islands. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The government reported increased law enforcement training on trafficking, including participating in the first graduating class of 16 sea patrol officers of the Regional Marine & Terrestrial Conservation Law Enforcement Academy, which focused on environmental protection and combating human trafficking, funded by foreign donors.

PROTECTION

The government maintained its efforts to identify trafficking victims and to ensure their access to protective services. The government continued to implement the national action plan, including increasing available victim services and developing investigation and identification mechanisms. The government identified one child sex trafficking victim and a second potential case of child sex trafficking compared with one identified victim last year. Law enforcement and social services personnel did not employ systematic procedures to identify trafficking victims among women in prostitution and child sex trafficking, but did so in the fishing sector; during the reporting period, law enforcement implemented a standard operating procedure to screen over 100 crewmembers aboard three abandoned fishing vessels but did not identify any cases of trafficking. The government provided protective services at no cost for trafficking and other victims jointly with non-governmental, faith-based and international organizations, which included counseling, legal assistance, testing for sexually transmitted diseases, and accessible services for victims with disabilities. Female minor victims aged 14 and above were assigned to survivor support services and placed in a network of approved safe houses. Adult victims were able to leave safe houses or shelters unchaperoned unless it was determined that doing so might put them in danger. There are memoranda of understanding between multiple agencies for victim referral and the Ministry of Internal Affairs funded two permanent social workers to assist victims of trafficking. The government contributed approximately \$93,000 to an NGO, Micronesia Legal Services Corporation, which provided free legal advice and support to victims, including trafficking victims. The government also used its own funds together with funding from an international organization and foreign governments to train more than 50 participants from the government, education, and NGOs for training on psychological trauma, to include providing aid for trafficking victims.

PREVENTION

The government increased efforts to prevent trafficking. The National Task Force on Human Trafficking (NTHT) was the lead coordinating body for the government's anti-trafficking efforts. The NTHT collaborated with other governmental and non-governmental entities to conduct awareness campaigns, using materials developed under the national action plan, reaching more than 2,400 people. The government took measures to prevent the commercial sexual exploitation of vulnerable populations, such as underage girls, by prohibiting

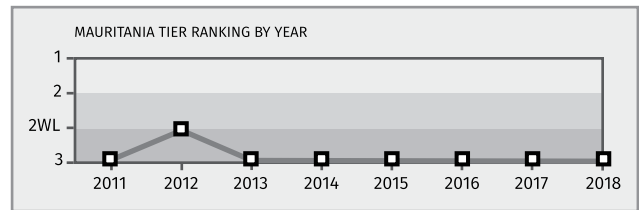
unauthorized visitors on board licensed foreign fishing vessels docked in Majuro and issuing immigration day passes for most crewmembers that mandate they return to their ship by the evening. The government did not provide anti-trafficking training for its diplomatic personnel, nor did it take steps to reduce the demand for commercial sex acts or forced labor. The RMI is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported in the past five years, the Marshall Islands is a source, transit, and destination country for children, women, and men. It is a destination for East Asian and Marshallese girls and women subjected to sex trafficking and a transit point for foreign fishermen subjected to labor trafficking. Women and girls are recruited and transported by hotel and bar staff and family members and subjected to sex trafficking with crewmembers of foreign fishing and transshipping vessels that dock in Majuro. Observers report sexual activity involving foreign fishermen has moved from fishing vessels to local bars and hotels. Some of these foreign fishermen themselves are subjected to conditions indicative of forced labor on ships in Marshallese waters. Foreign women, most of whom are long-term residents, are subjected to forced prostitution in establishments frequented by crewmembers of Chinese and other foreign fishing vessels; some Chinese women are recruited with the promise of other work and, after paying large recruitment fees, are forced into prostitution. Limited reports indicate some Marshallese searching for work in the United States experience indicators of trafficking, such as passport confiscation, excessive work hours, and fraudulent recruitment. Some Marshallese children are transported to the United States, where they are subjected to situations of sexual abuse with indicators of sex trafficking. Some traditional cultural practices caused impoverished Marshallese from outer islands to serve as indentured labor in the home or on the land of wealthier or more powerful family members.

MAURITANIA: TIER 3

The Government of Mauritania does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Mauritania remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking. The government convicted three slaveholders; allocated increased funding to the Ministry of Social Affairs, Childhood, and Family (MASEF) to improve shelter and services trafficking victims could access; and Tadamoun, the government agency mandated to address poverty and the “vestiges of slavery,” continued efforts to reduce socio-economic inequality. However, authorities penalized trafficking victims, continued to prevent certain anti-slavery activists from operating within the country, and increased harassment of anti-slavery activists. Government agencies charged with combating trafficking and slavery continued to lack the resources, personnel, and political will to prosecute politically-connected offenders, and reports persisted of officials refusing to investigate or prosecute perpetrators. Despite an increase in convictions, there remained a fundamental lack of commitment to combat hereditary slavery and other forms of human trafficking.



RECOMMENDATIONS FOR MAURITANIA

Hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged slavery offenses and interference with ongoing investigations; significantly increase efforts to investigate, prosecute, and convict traffickers and slaveholders with sufficiently stringent sentences using the 2003 anti-trafficking and 2015 anti-slavery laws; sufficiently fund the anti-slavery courts, and train prosecutors and judicial officials on the 2003 anti-trafficking and 2015 anti-slavery laws; develop and train authorities on standard procedures to identify and refer trafficking and slavery victims to care; institute measures to support trafficking and slavery victims during investigations, including providing easier access to legal assistance and protection from intimidation and threats from their alleged traffickers; cease penalization of trafficking victims; investigate and prosecute individuals accused of fraudulently recruiting Mauritians abroad for exploitation; legally recognize eligible anti-trafficking NGOs, allow them to operate freely within the country, and cease harassment of anti-slavery activists; with input from civil society, develop and implement a plan to provide economic resources—through monetary or property allotment—to former slaves and members of traditional slave castes to allow them the opportunity to leave their communities of enslavement; finalize and implement the anti-trafficking national action plan; and increase public awareness of trafficking, including hereditary slavery.

PROSECUTION

The government made uneven anti-trafficking law enforcement efforts. The 2003 Law Against Trafficking in Persons criminalized sex and labor trafficking, except hereditary slavery, and prescribed penalties of five to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The 2015 anti-slavery law criminalized hereditary slavery and prescribed sufficiently stringent penalties of five to 20 years imprisonment.

The government investigated 19 suspects in three cases and prosecuted and convicted three slaveholders, a slight increase from one investigation, two prosecutions, and two convictions the previous reporting period. The government also continued 15 investigations from previous reporting periods, although their statuses were unclear. In one case, Mauritanian police and an international organization arrested 15 Quranic school teachers, known as *marabouts*, for child forced begging. The prosecutor declined to press charges and released the *marabouts* when they promised not to force the children to beg. International authorities reported the same children were begging in the streets after the *marabouts'* release, but the government did not take any further action. Three regional anti-slavery courts had exclusive jurisdiction over trafficking and slavery cases; however, the courts lacked the staff, funding, and resources to investigate and prosecute trafficking and slavery crimes throughout their regions. The three courts received a total of 4.5 million Mauritanian ouiguya [all amounts shown in the Dec. 31, 2017 MRO ouiguya] MRO (\$12,670) during the reporting

period, although the government had announced a budget of 7,000,000 MRO (\$20,000), and none of the appointed judges were specifically trained to address the unique challenges of investigating slavery cases, including how to prevent slaveholders from intimidating victims and victims from withdrawing their cases. Moreover, while other topical courts had specialized prosecutors, there were no specialized prosecutors for the anti-slavery courts. Despite these limitations, the Nouadhibou court heard and completed its first two slavery cases since its inception in 2016 and convicted three slaveholders. In the first case, one slaveholder received a sentence of 10 years imprisonment and a fine. In the second case, one father, now deceased, and his son, who had fled Mauritania prior to the trial, were sentenced to 20 years imprisonment and a fine. These sentences were significantly higher than in the previous reporting period, when judges sentenced two slaveholders to five years imprisonment with four years suspended. The Nouakchott anti-slavery court had never heard a slavery case. The Ministry of Justice directed all courts to transfer cases under the 2003 anti-trafficking and 2015 anti-slavery laws to the anti-slavery courts; judges transferred 13 slavery cases, but at least four slavery cases remained with local courts. The government did not report information on the additional 29 investigations that were ongoing at the close of the previous reporting period. NGOs reported trafficking and slavery victims had begun to file complaints with international courts due to a lack of faith in the Mauritanian judiciary. NGOs reported the government did not initiate any investigations into fraudulent recruitment or continue the investigation initiated in 2016 into a recruitment agency that had allegedly fraudulently recruited more than 200 Mauritanian women to Saudi Arabia for domestic servitude and forced prostitution; NGOs alleged the case was closed and the agency continued to operate. In a second case, a Mauritanian domestic servitude victim in Saudi Arabia attempted to file a complaint against her employer, but the Mauritanian embassy reportedly refused to assist. At the close of the reporting period, an NGO within Mauritania had filed a complaint on her behalf, as well as on behalf of approximately 20 other Mauritanian women exploited in domestic servitude and forced prostitution in Saudi Arabia.

Efforts to address hereditary slavery remained weak. Despite serious concerns of official complicity and corruption in slavery cases, the government did not report any prosecutions or convictions of government officials complicit in human trafficking offenses. Some police, prosecutors, and judges reportedly refused to investigate and try cases of hereditary slavery. Heavy government influence over the judiciary restricted its independence, and reports persisted that prosecutors and judges often prosecuted alleged slave owners for lesser offenses to avoid bringing a slavery case to trial. However, Tadamoun remained a civil party to seven ongoing slavery investigations. During the reporting period, two former slaves appealed to the African Union the lenient sentence given to their former slaveholder in 2011. After the verdict in 2011, the prosecution had appealed the lenient sentence and the defendant had appealed the verdict; the defendant was released pending the appeal, and the judiciary had not taken any further action on the case in the last seven years. In December 2017, the African Union ruled the government had failed to adequately enforce its anti-slavery law, had not duly compensated the victims, and had given too lenient of a sentence to the convicted slaveholder. It further ruled that by failing to fully investigate or prevent cases of slavery, authorities had created a culture of impunity for trafficking. In coordination with NGOs, the government co-led two trainings on the anti-trafficking legal framework for judges and prosecutors.

PROTECTION

The government maintained minimal efforts to protect trafficking victims. The government reported identifying 35 child forced begging victims—20 Mauritanian children and 15 children from neighboring countries—a significant decrease from the previous reporting period, when police identified more than 649 child slavery and trafficking victims. The government did not have formal measures to identify trafficking victims or refer them to care, but it used existing referral procedures for child victims of crime. NGOs noted social workers lacked training to identify trafficking victims, including in domestic work and prostitution, and where to refer them for care. One NGO assisted, including with repatriation, 44 Mauritanian women exploited abroad in forced prostitution. The NGO also identified a Mauritanian man in debt bondage abroad, but neither his alleged trafficker nor the destination government provided authorization for him to return to Mauritania; he remained in debt bondage at the close of the reporting period. NGOs reported caring for 4,616 vulnerable children during the reporting period, which included child victims of violence, abuse, and exploitation, including trafficking. Some of the children received socio-legal assistance, medical care, and educational support from NGOs. The government did not provide financial or in-kind support to NGOs that continued to provide the majority of protective services to trafficking victims.

MASEF managed seven public day centers for the protection and social integration of children, which child trafficking victims could access. In addition, it expanded two of its day centers in Nouakchott to overnight shelters that could provide overnight and long-term care for child victims of crime. The Ministry of Interior's Special Brigade for Minors referred 305 vulnerable children to MASEF's day centers, including an unknown number of *talibes* exploited in forced begging, and 170 disabled children to MASEF's training center for handicapped children, compared with 540 children assisted in these centers in the previous reporting period. MASEF's day centers closed at night, so the *talibes* and other vulnerable children had to return to their exploitative situations or sleep on the streets. After short-term care, MASEF generally referred victims to other government shelters or NGOs for long-term care and vocational training; MASEF continued to assist 700 vulnerable children identified in previous years. The government allocated 35.5 million MRO (\$100,000) to MASEF's day centers to fund staff and psycho-social assistance, a slight increase from 35 million MRO (\$95,600) the previous reporting period. The government also allocated 3.66 million MRO (\$10,300) to MASEF's Office of Childhood and 105 million MRO (\$296,000) to MASEF's Vocational Training Center. Shelters accommodated both Mauritanian and foreign victims, although no shelters could accommodate adults; victims had to depart MASEF centers at age 18. The lack of long-term rehabilitative care rendered victims vulnerable to re-trafficking. The government did not provide any services to protect victims from threats or intimidation from their traffickers, nor did it provide training or services to help slavery victims adjust to life after slavery. The Ministry of Justice and MASEF conducted two capacity-building trainings for civil society organizations and government social workers to improve care for child victims of crime.

During the reporting period, the African Union ruled in favor of two former Mauritanian slaves who argued that the government had failed to uphold the anti-trafficking law in their 2011 case. The court ruled the government should enroll the victims in school, provide identity documents, and provide psychological support; the government did not report providing these services after the ruling. The government did not have a formal policy to

encourage victims to assist in investigations and prosecutions against their alleged traffickers. The 2015 anti-slavery law provided for comprehensive legal assistance for victims of hereditary slavery and the creation of support centers in each province; however, the government did not report implementing such provisions during the reporting period. While Tadamoun made efforts to reduce poverty, it did not make efforts to protect victims of slavery, which was a central component of its mandate. The law allowed victims to obtain restitution and file civil suits against their traffickers, although the complex and opaque legal system made such efforts extremely difficult; there were no reports any victims did so during the reporting period. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. There were reports the government penalized and imprisoned on fornication charges girls who had been sexually abused, some of whom were likely victims of domestic servitude. Officials jailed women suspected of prostitution and held illegal migrants in detention until their refugee status had been resolved, without screening for trafficking. In 2017, the Ministry of Interior deported 4,971 foreign residents to their countries of origin without screening for trafficking.

PREVENTION

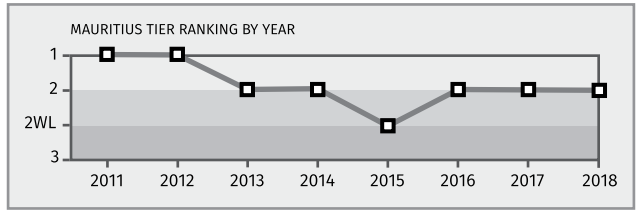
The government maintained minimal efforts to prevent human trafficking but increased harassment of anti-trafficking advocates. No single government agency was responsible for leading national anti-trafficking efforts. The inter-ministerial anti-trafficking committee, which reported to the prime minister, met twice during the reporting period to oversee implementation of the 2014-2017 roadmap to fight the vestiges of slavery, an action plan drafted in collaboration with an international organization. The Commission for Human Rights conducted a public workshop to showcase its draft 2016-2020 anti-trafficking national action plan but did not finalize it for the second consecutive year; it continued to review the draft in collaboration with international organizations. Tadamoun opened five new schools in communities of former slaves and continued to provide income-generating activities in poverty-stricken areas, focusing particularly on communities of slave descendants and groups vulnerable to exploitation. The government organized two slavery awareness campaigns outside of Nouakchott. The government continued to harass and prevent anti-slavery activists from operating in Mauritania; it denied entry into the country to two prominent human rights organizations and denied a national NGO authorization to conduct anti-slavery trainings for *gendarmes*, who were responsible for identifying and investigating trafficking cases in the country's interior. The government did not make efforts to reduce the demand for forced labor or commercial sex acts. Despite large groups of Mauritians fraudulently recruited for work abroad, the government did not make efforts to oversee labor recruitment or investigate labor recruiters or brokers allegedly involved in fraudulent recruitment. The government signed a Memorandum of Understanding with Saudi Arabia to increase protections for prospective domestic workers, although it did not implement it during the reporting period and denied requests to consult with civil society organizations on implementation. The government did not provide anti-trafficking training to its diplomatic personnel. The government, in partnership with foreign donors, provided Mauritanian troops with anti-trafficking training prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Mauritania is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Adults and children from traditional slave castes in the Black Moor and Afro-Mauritanian communities are subjected to hereditary slavery practices rooted in ancestral master-slave relationships, where they are often forced to work without pay as cattle herders and domestic servants. Although reliable data on the total number of slaves does not exist, local and international experts agree hereditary slavery continues to affect a significant portion of the country's population in both rural and urban settings. Many former slaves and their descendants remain in a dependent status with their former slave owners, in part due to cultural tradition and a lack of marketable skills, poverty, and persistent drought. Some former slaves and descendants of slaves are forced or have no other viable option than to work for their old masters in exchange for some combination of lodging, food, and medical care. Some former slaves reportedly continue to work for their former masters or others under exploitative conditions to retain access to land that they had traditionally farmed. Some boys from Mauritania and other West African countries who study at Quranic schools are forced to beg for food and money to pay corrupt *marabouts*; boys from low-income families in the Halpulaar community are particularly vulnerable. Approximately 41 percent of Mauritanian children lack birth certificates and are thus generally not permitted to enroll in school, which increases their risk for trafficking. Fraudulent recruiters promise Mauritanian women and girls—especially those from the traditional slave castes and Afro-Mauritanian communities—shelter and an education but force them into domestic servitude, especially in larger cities such as Nouakchott, Nouadhibou, and Rosso. Children of Haratine and Afro-Mauritanian descent working in the fisheries sector are vulnerable to forced labor. An NGO reported girls in border towns have been forced to carry drugs. West African women and girls, especially Senegalese and Ivoirians, are vulnerable to domestic servitude and sex trafficking in Mauritania. Mauritanian, Nigerian, and Senegalese traffickers in the port city of Nouadhibou forced into prostitution Mauritanian women and West and Central African migrants transiting Mauritania en route to Europe. Refugees in Nouadhibou reportedly engage in prostitution due to their dire financial situations, increasing their vulnerability to forced prostitution. Sub-Saharan African migrants transit Mauritania en route to Morocco and Europe, where some are exploited in forced labor and sex trafficking. Mauritanian women and girls are fraudulently recruited by foreign agencies and Mauritanian middlemen for nursing and teaching jobs abroad and exploited in domestic servitude and sex trafficking in the Gulf, including Saudi Arabia. Men from Middle Eastern and North African countries use legally contracted temporary marriages to sexually exploit Mauritanian girls and young women. Mauritanian women and girls from poor families enter into these forced marriages, facilitated by brokers and travel agencies in both Mauritania and in the Middle East promising substantial payment, and are exploited as sex slaves and in forced prostitution in Saudi Arabia and other Gulf countries. In 2016, an international organization identified and removed from a refugee camp in southeastern Mauritania 16 Malian child soldiers aged 15-17 associated with Malian rebel groups; some of the victims had been recruited in Mali, and others allegedly had been recruited from the camp in Mauritania.

MAURITIUS: TIER 2

The Government of Mauritius does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Mauritius remained on Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more suspected traffickers, including its first conviction under the Combating of Trafficking in Persons Act of 2009. The government increased their efforts on public awareness campaigns and continued training front-line officers. However, the government did not meet the minimum standards in several key areas. The government did not report law enforcement efforts to address the trafficking of adults and protection services for adults remained lacking, with neither specialized shelters nor systematic provision of care. Coordination between law enforcement and prosecutors remained weak and the judicial process was slow, discouraging some victims from pursuing legal redress. Efforts to identify victims decreased and, unlike last year, the government did not report investigating any employers that exhibited indicators of trafficking, such as passport retention.



RECOMMENDATIONS FOR MAURITIUS

Improve protection services for adult trafficking victims by developing and implementing standardized procedures for proactive victim identification and referral to protective services, especially among at-risk populations including women in prostitution and migrant workers, and ensuring provision of adequate assistance once identified; improve coordination between law enforcement and prosecutors to decrease the length of the judicial process, including establishing a case conferencing group; continue to investigate and prosecute trafficking offenses, and convict and punish traffickers under the anti-trafficking law, including cases involving forced labor or forced prostitution of adults; empower an inter-ministerial coordination committee to address all forms of trafficking, not just child trafficking; increase monitoring of employers of migrant workers to identify and investigate indicators of trafficking; continue to provide specific anti-trafficking training to law enforcement officials and labor inspectors, social workers, prosecutors, and magistrates to improve case investigation and victim identification and referral to appropriate care; finalize the national action plan to combat trafficking, allocate sufficient funding to its implementation, and ensure clear roles and responsibilities in its implementation; and develop a national level centralized data collection mechanism for comprehensive statistics on law enforcement efforts and trafficking victims.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The Combating of Trafficking in Persons Act of 2009 criminalized sex and labor trafficking of adults and children and prescribed penalties of up to 15 years imprisonment. In addition,

the amended Child Protection Act of 2005 criminalized child sex and labor trafficking and prescribed penalties for child trafficking offenses of up to 15 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The 2009 anti-trafficking law prohibited the recruitment of workers by using fraudulent or deceptive offers; however, the law did not extend to foreign recruiters who operated outside Mauritius.

The government had no centralized data collection mechanism, making comprehensive statistics difficult to obtain. In 2017, the government initiated four investigations and prosecuted six individuals, all for child sex trafficking; of the prosecuted individuals, all were Mauritians, except one French individual. This compared to three investigations and one prosecution in 2016. The government also continued the prosecutions of 26 suspected traffickers initiated in previous reporting periods, all of which remained ongoing at the end of the reporting period. The government reported convicting two traffickers, both for child sex trafficking, compared with zero convictions in 2016. One trafficker was convicted for 'causing a child to be sexually abused' under the Child Protection Act; the trafficker was sentenced to six months imprisonment. For the first time, the government convicted a trafficker for child sex trafficking under the anti-trafficking bill and prescribed a penalty of three years imprisonment. The judicial process continued to be prohibitively long, frequently many years, which could dissuade victims from seeking legal redress; lack of coordination among law enforcement and prosecutors continued to contribute to the lengthy judicial process during the reporting period. Historically, the Ministry of Labor, Industrial Relations, Employment, and Training (MOL) addressed potential labor trafficking cases through arbitration and mediation, rather than referral for criminal investigation and prosecution, allowing traffickers to repeatedly commit trafficking offenses and face only administrative penalties.

The Mauritius Police Force continued the operation of an internal coordination committee to combat trafficking and a "TIP desk" where two police officers focused on trafficking cases and could serve as a resource to other police units. During the reporting period, the Mauritius Police Training School provided anti-trafficking courses to 91 sub-inspectors and police corporals, 130 trainee police constables, and 221 police recruits, this compared to 771 trained last reporting period. The MOL conducted an in-house trafficking training for 112 labor officers and inspectors, including the Special Migrants Unit. Despite these training efforts, some law enforcement officers continued to lack an understanding of the anti-trafficking law; proper investigations, including collection of evidence and adequate witness testimony, remained difficult for law enforcement, often leading to lengthy and poor investigations and prosecutions. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking.

PROTECTION

The government maintained efforts to identify and protect victims of sex and labor trafficking, but the availability of services for adult trafficking victims remained lacking. In 2017, the government identified five trafficking victims (three child sex trafficking and two adult labor trafficking), compared with 11 victims in 2016. The government referred all victims to assistance and provided shelter, food, medical care, and arranged contact with an international organization. The government

did not assist or facilitate the repatriation of any trafficking victims during the reporting period. An NGO identified at least three victims of child sex trafficking in 2017. The Child Development Unit of the Ministry of Gender Equality, Child Development, and Family Welfare continued to employ the standard referral procedure after identifying child trafficking victims. The government continued the operation of a shelter for girls exploited in sex trafficking, but did not report how many children it assisted during the reporting period. Child victims could leave the shelter to attend school and received medical and psychological assistance. The government continued to provide funding for several anti-trafficking NGOs, several NGO-run daycare centers for trafficking victims, and continued to fund a drop-in center, operated by a local NGO, for trafficking victims.

There were no standard identification and referral procedures for adult sex or labor trafficking victims, nor was there a clear government agency responsible for assisting adult sex trafficking victims. There was neither specialized shelter, nor systematic provision of medical, psychological, or financial assistance for adult trafficking victims; however, there were at least three NGO-run shelters female victims could utilize, but there were no shelters available for men. The Passport and Immigration Authorities (PIO) continued to conduct raids to identify foreign persons with expired visas and during the raids, PIO officers would also proactively screen migrant workers to identify potential labor trafficking victims. The government reported screening 194 migrant workers during the reporting period, and while last reporting period, the PIO identified eight labor trafficking victims, it did not report identifying any trafficking victims this reporting period. There were no reports the government arrested or punished trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. However, due to the lack of identification measures and gaps in understanding of human trafficking among some law enforcement officers, some adult victims of forced prostitution and forced labor may have been penalized for unlawful acts committed as a direct result of being subjected to trafficking. For example, police officers generally did not screen women in prostitution for trafficking indicators. Contrastingly, immigration control at ports and the airport reportedly did screen for women who may be trafficking victims or in prostitution and turned back 287 persons after questioning them and checking an INTERPOL database. During the reporting period, immigration officials continued to regularly turn back single Malagasy women, traveling on their own, with less than 4,200 Mauritian rupees (\$130) who attempted to enter the country on tourist visas on the grounds that they might be coming to Mauritius to engage in prostitution.

An NGO reported that not all migrant workers had freedom of movement beyond work hours and many employers provide housing facilities that were comparable to compounds with fences and security guards. The 2009 anti-trafficking law provided victims limited legal alternatives to removal to countries in which they would face hardship. The law allowed the Minister of Home Affairs to decide to allow a trafficking victim to remain in the country for up to 42 days before deportation, and could issue a temporary residence permit, but only if the victim agreed to cooperate with the investigation and prosecution of the trafficking case. The law allowed the Minister of Home Affairs to extend the trafficking victim's permit on humanitarian grounds. Despite these protection provisions, in previous reporting periods, the government continued to deport some trafficking victims. The government generally encouraged, but did not require, victim cooperation in

investigations and prosecutions; however, without cooperation, there is no basis under the law for a foreign victim to remain in the country. The law allowed victims to file civil suits against their alleged traffickers for restitution; however, civil suits could be prohibitively expensive and lengthy. There were no reports trafficking victims filed any civil suits during the reporting period. An NGO reported that some companies in Mauritius actively deterred and prevented migrant workers from petitioning for their rights and some companies used informants to expose the leaders of potential protests and subsequently canceled their contracts and deported them. The government did not report efforts to address these abuses by employment agencies. The anti-trafficking law allowed the court to award the victim up to 500,000 Mauritian rupees (\$14,970) in compensation from the convicted; however, the government did not award any compensation to victims during the reporting period. In an effort to encourage cooperation, victims and witnesses could request police protection by contacting their local police.

PREVENTION

The government increased prevention efforts. While the government did have an inter-ministerial coordination committee to address trafficking as a whole, the committee only met once during the reporting period and there was still confusion amongst agencies which department was responsible for addressing adult trafficking. The government conducted several awareness raising campaigns during the reporting period. The Child Development Unit, in partnership with an NGO, organized awareness campaigns on commercial sexual exploitation of children and trafficking in 96 schools and reached approximately 1,650 children. The police's Family Protection Unit and the Minors Brigade continued extensive public awareness campaigns on child abuse and child rights at schools and community centers that included information on the dangers and consequences of facilitating child sex trafficking, which reached an estimated 31,540 people through more than 110 campaigns. The police conducted a variety of anti-trafficking campaigns for approximately 9,150 people. The police continued to hold the annual police security and safety exhibitions, which included presentations on anti-trafficking, reaching more than 182,320 people. The Ministry of Tourism and External Communication continued to distribute pamphlets warning tourism industry operators of the consequences of engaging in or facilitating child sex trafficking. The Crime Prevention Unit distributed anti-trafficking posters to police stations, high schools, and community centers. The government continued to run the drop-in center that promoted its services through bumper stickers, a toll-free number, and community outreach, and a social worker continued to promote the services in communities and schools. The government did not have an anti-trafficking national action plan. The government had three different hotline numbers available to report trafficking crimes, but did not report how many trafficking victims utilized this line.

The MOL conducted nearly 603 sessions to sensitize migrant workers of their rights, including producing relevant documents in the native language of the migrant worker. The government increased the number of labor inspectors from 85 to 95 in 2017. The MOL's Special Migrant Workers Unit—responsible for monitoring and protecting all migrant workers and conducting routine inspections of their employment sites—had nine inspectors during the reporting period. The unit conducted 872 inspections, compared to 402 in the previous reporting period; however, this number of inspections continued to remain inadequate relative to the approximately 37,000

migrant workers employed in Mauritius. Despite the illegality of passport seizure, this practice remained widespread. In 2016, the government collaborated with the Bangladeshi High Commission in Mauritius to identify and refer cases of passport retention to the PIO; however, the government did not report continuing this practice in 2017.

The government did not report suspending any labor recruitment licenses for trafficking-related crimes during the reporting period or holding any fraudulent recruitment companies criminally accountable. Although the MOL was required to approve all employment contracts before migrant laborers enter the country, some migrant laborers reportedly entered the country with contracts that were incomplete or had not been translated into languages the workers understood. The Ministry of Health was required to grant initial approval for migrant worker dormitory buildings; however, an NGO reported that subsequent periodic checks were not required, and thus many buildings have fallen into disrepair and failed to meet the minimum health and occupancy standards after the initial inspection. The government did not make any discernable efforts to reduce the demand for commercial sex acts or forced labor.

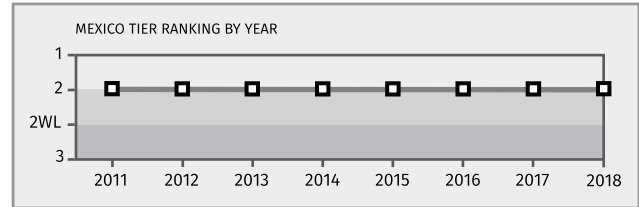
TRAFFICKING PROFILE

As reported over the past five years, Mauritius is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Girls from all areas of the country are induced or sold into sex trafficking, often by their peers, family members, or by businessmen offering other forms of employment. Taxi drivers allegedly transport child sex traffickers to their victims with whom they engage in commercial sex acts. Girls and boys whose mothers engage in prostitution reportedly are vulnerable to sex trafficking at a young age. Small numbers of Mauritian adults have been identified as labor trafficking victims in the UK, Belgium, and Canada. Malagasy women transit Mauritius en route to employment as domestic workers in the Middle East, where many are subjected to forced labor and sex trafficking. Mauritius's manufacturing and construction sectors employ approximately 37,000 foreign migrant workers from India, China, Sri Lanka, and Madagascar, with the vast majority from Bangladesh, some of whom are subjected to forced labor. Employers operating small- and medium-sized businesses employ migrant workers, mainly from Bangladesh, that have been recruited through private recruitment intermediaries, usually former migrant workers now operating as recruiting agents in their country of origin; labor trafficking cases are more common in small and medium enterprises, rather than in larger businesses that recruit directly without the use of intermediaries. Despite the illegality, employers routinely retain migrant workers' passports to prevent them from changing jobs.

MEXICO: TIER 2

The Government of Mexico does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Mexico remained on Tier 2. The government demonstrated increasing efforts by prosecuting more traffickers than in the previous year; identifying and providing support to trafficking victims subjected to forced labor in Mexico and abroad; and launching a new national awareness-raising

campaign. However, the government did not meet the minimum standards in several key areas. The government obtained fewer convictions than in the previous year; identified fewer victims than in the previous year; provided limited specialized services for trafficking victims, which were unavailable in most parts of the country; and maintained an inadequate number of shelters compared to the scale of the problem. The government inspected and prosecuted few complaints of forced labor in agriculture, in part due to a lack of resources. Corruption and complicity remained significant concerns, inhibiting law enforcement action.



RECOMMENDATIONS FOR MEXICO

Strengthen efforts to investigate and prosecute trafficking offenses and convict traffickers, especially for forced labor crimes; fully implement victim identification and referral protocols; develop and implement a national strategic action plan on victim services in consultation with international organizations and NGOs to include specialized trafficking victim services and shelters funded by the government; increase funding for law enforcement efforts and victim services; increase the capacity of state-level anti-trafficking committees and specialized anti-trafficking units to respond more effectively to trafficking cases, through increased funding and staff training; increase efforts to protect victims and witnesses testifying against traffickers, while ensuring they are not coerced into testifying or inappropriately misidentified as traffickers; train officials to seek restitution for victims as provided by law; strengthen the labor inspection system, particularly in the agricultural sector, and enforce laws to hold fraudulent foreign labor recruiters accountable; increase efforts to hold public officials complicit in trafficking accountable through effective prosecutions and stringent sentences; amend anti-trafficking laws at the federal and state levels to incorporate the definition of trafficking in international law; strengthen data collection efforts; and improve coordination mechanisms among federal, state, and local authorities.

PROSECUTION

The government maintained law enforcement efforts. The 2012 anti-trafficking law criminalized sex and labor trafficking, prescribing penalties ranging from five to 30 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, or coercion as aggravating factors rather than essential elements of the crime. The law defined trafficking broadly to include labor exploitation and illegal adoption without the purpose of exploitation. Federal officials have jurisdiction over all international trafficking cases, all cases that take place on federally administered territory involving organized crime, and all cases involving allegations against government officials. States investigate other internal trafficking cases. Twenty-three of 31 states, compared to only 14 in 2016, had aligned their trafficking laws with the federal law, which could address inconsistencies among those states' laws and

improve interstate investigations and prosecutions. The 2012 law obligated states to have a dedicated human trafficking prosecutor; 27 of 31 states had established specialized anti-trafficking prosecutors or units by the end of 2017.

Authorities initiated 127 federal and 298 state investigations in 2017, compared to 188 federal and 288 state investigations in 2016 and 250 federal and 415 state investigations for trafficking in 2015. Authorities initiated prosecutions against 609 individuals in federal and state cases in 2017, compared to 479 in 2016 and 578 in 2015. Authorities convicted 95 traffickers involved in 40 federal and state cases, compared to 228 traffickers involved in 127 federal and state cases in 2016 and 86 traffickers involved in 36 federal and state cases in 2015. The government reported sentences ranging from two years to 99 years imprisonment. The number of investigations, prosecutions, and convictions include cases that would not be defined as trafficking under international law. Mexican authorities maintained law enforcement cooperation with the United States, partnering on three joint law enforcement operations, which resulted in the arrest of at least 14 alleged traffickers. The government provided anti-trafficking training to the federal police, federal prosecutors, immigration officials, medical professionals, federal child and family protection workers, federal tourism officials, and state government officials.

In 2017, the federal government dedicated at least 6.7 million pesos (\$340,030) for investigations and prosecutions; this figure included funding for the Special Prosecutor for Violence against Women, but not the Special Prosecutor for Organized Crime and overall represented a decrease in funding from the previous year. In June 2016, the government completed a lengthy transition to an accusatory criminal justice system at the federal and state level, which impacted the overall number of convictions. Investigations and prosecutions were sometimes delayed while authorities determined which prosecutors had jurisdiction or coordinated with officials in other parts of the country, which caused additional stress for victims. Some judges' and prosecutors' lack of understanding of trafficking led to traffickers being prosecuted for more minor offenses or to being acquitted when prosecuted for human trafficking, but at least one recent Mexican Supreme Court opinion revealed an understanding of Mexican trafficking law as related to international trafficking law. NGOs noted weaknesses in the government's application of the law, including misuse or misunderstanding of the law, an overly broad legal definition of trafficking, failure to perform official functions, and improper identification of and inadequate support for victims. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, corruption and complicity remained significant concerns.

PROTECTION

The government maintained protection efforts, but identified fewer victims for the second consecutive year. The government reported identifying 667 trafficking victims in 2017—429 for sex trafficking, 103 for forced labor or services, eight for forced begging, eight for forced criminality, four for other purposes, and 115 unspecified—compared to 740 victims in 2016 and 1,814 in 2015. Of the 667 trafficking victims identified, approximately 15 percent were male, 66 percent were female, and 19 percent did not have their gender specified. The federal government identified 140 victims, compared to 194 in 2016 and 876 in 2015. The state governments identified 527 victims, compared to 691 in 2016 and 938 in 2015. The Ministry of Foreign Relations

identified and provided support to 196 Mexican forced labor victims abroad, including 180 in the United States and 16 in other countries, compared to 20 in 2016. Government officials used several procedures or protocols to proactively identify victims: immigration officials used the "Process for Detection, Identification, and Attention to Foreign Trafficking Victims;" federal officials used the "Protocol for the Use of Processes and Resources for the Rescue, Assistance, Attention and Protection of Trafficking Victims;" and Mexican consular officials abroad operated special windows in consulates in the U.S. to identify situations of vulnerability among migrant children, women, and indigenous persons. The government collaborated with an international organization, which had developed specific state-level protocols in 17 of 31 states for victim identification and assistance, to train government officials. NGOs and the media challenged the government to continue to improve its ability to accurately identify trafficking victims among vulnerable populations, such as migrant workers and individuals in prostitution. Many victims reported they were afraid to identify themselves as trafficking victims or, if identified, to testify against their traffickers in court under the accusatorial system; and few filed complaints or assisted in investigations and prosecutions due to their fear of retribution from traffickers, the lack of specialized services, or distrust of authorities.

While victim services vary, in general, federal and state agencies offered victims emergency services, such as medical care, food, and housing in temporary or transitional homes; and long-term victim services, such as medical, psychological, and legal services. The Special Prosecutor's Office for Violence Against Women and Trafficking in Persons (FEVIMTRA) continued to operate a high-security shelter in Mexico City and provided shelter to 52 trafficking victims. Women were allowed to have their children with them at the shelter. Women were not allowed to leave the shelter alone; NGOs expressed concern that this arrangement re-traumatized some victims, but officials maintained it was critical for ensuring their safety. An NGO in the State of Puebla continued to operate the country's only public-private shelter. The State of Mexico opened three trafficking-specific shelters in 2016; and the City of Mexico opened a trafficking-specific shelter, which provided medical, legal, psychological, and social services to victims during pending cases. In addition to these shelters, there are two publicly funded Women Justice Centers in the states of Hidalgo and Guanajuato that work jointly with the Specialized State District Attorneys for Trafficking in Persons to provide a temporary shelter for trafficking victims. NGOs reported some shelters relied on the prosecutor's office to identify victims and received funding based on the number of victims housed, which some observers suggested could create an incentive to hold victims pending the conclusion of a case and potentially compromise the shelter's independence and sustainability of operations.

In 2017, the Executive Committee for Victim Assistance (CEAV) signed an agreement for the creation of an emergency fund of approximately 3 million pesos (\$152,250) to support trafficking victims mandated by the 2012 anti-trafficking law, which began to provide funding in April 2017. The National Institute of Social Development (INDESOL) provided 598,500 pesos (\$30,370) to two NGOs to provide victim services to 76 trafficking victims. The Attorney General's Office (PGR) provided victim services to 98 trafficking victims who were participating in the legal process against their exploiters. The National Children and Family Services System (DIF) provided assistance to 78 victims. The National Security System (CNS) provided assistance to 126 victims. The National Institute of Migration (INM) provided assistance to 31 potential foreign trafficking

victims and issued temporary immigration relief in the form of humanitarian visas to 25 victims in 2017, compared to four victims in 2016. Humanitarian visas enabled foreign trafficking victims to remain in the country up to 60 working days or 90 calendar days, and may be extended. Some government officials and NGOs expressed concern humanitarian visas were not granted as often as they should be due to a failure to identify eligible foreign trafficking victims and the waiting time for processing requests for immigration relief. NGOs, many with foreign donor or private funding, also provided specialized shelters and assistance. Despite these efforts, services for male, adolescent, and forced labor victims and victims in rural areas remained inadequate. The inter-secretarial anti-trafficking commission provided funding to an international organization to develop a national information system to track the number of victims identified, referred, and assisted across the country; the government completed the first phase of installation in 2017 and began incorporating additional data with the goal of full implementation in 2018.

The law provided victims with protection from punishment for unlawful acts committed as a direct result of being subjected to trafficking, but NGOs reported that in practice some officials unlawfully detained victims. Some officials transferred victims to INM for detention and deportation due to their immigration status and lack of formal identification as trafficking victims. Individuals in prostitution in Mexico City alleged officials detained and forced them to sign declarations accusing detained individuals of trafficking, which raised serious concerns about law enforcement tactics to secure evidence. NGOs also reported officials often re-traumatized trafficking victims due to lack of sensitivity. The national anti-trafficking law provided for restitution to be paid from a victims' fund, but the government did not report whether the courts awarded any trafficking victims restitution.

PREVENTION

The government increased prevention efforts. The inter-secretarial anti-trafficking commission coordinated with more than 30 government agencies and institutes; established cooperation agreements with state and local governments and the National Human Rights Commission, which coordinated regional committees to address human rights issues, including trafficking in persons; and monitored the implementation of the national anti-trafficking action plan for 2014-2018 and published a report of its anti-trafficking efforts for 2017. Twenty-eight out of 31 states had state-level anti-trafficking committees. The national anti-trafficking commission hosted a national meeting of the technical secretaries with representation from 29 states. The government provided anti-trafficking training and awareness-raising programs nationwide for government officials, including health professionals and the general public reaching more than 11 percent of the population. With U.S. government support, the federal government launched a national awareness-raising campaign called Blue Heart Campaign 2.0 in July 2017, including targeted messages for repatriated migrants, indigenous communities, disabled persons, women, children, and youth. The government operated several hotlines to report emergencies, crime in general, for victims of crime, for crimes against women and trafficking crimes, and promoted the reporting of trafficking tips to an NGO-run national anti-trafficking hotline. The NGO-run hotline received 981 calls in 2017, resulting in the identification of 103 calls with trafficking indicators and 22 investigations. The National Human Rights Commission (CNDH), with the support of the government, continued to promote a national awareness campaign in airports

and bus terminals, and conducted anti-trafficking training and awareness sessions for a range of audiences. CNDH also collaborated with the State of Yucatan to raise awareness of trafficking in rural and indigenous communities, publishing materials in 21 indigenous languages.

The Secretary of Labor and Social Welfare used an inspection protocol in federal job centers with agricultural activities, which included a requirement to identify victims of forced labor and to report such crimes to law enforcement officials. In 2017, inspectors conducted 132 inspections, identifying 54 children working in agriculture in violation of the law, and issued 5,667 protection measures, although the government did not specify how many were related to forced labor or trafficking. The government conducted outreach to foreign migrant workers to inform them of their rights and responsibilities and inspections of worksites to detect irregular activity, including underage workers who may be vulnerable to trafficking. According to NGOs, authorities conducted very few inspections in major farming states, investigated few complaints, and imposed only modest fines, although a few high profile cases resulted in criminal prosecutions; and inspectors lacked resources and faced technical difficulties in carrying out inspections. While Mexican law criminalized fraudulent labor recruiting, authorities did not report efforts to regulate or hold accountable fraudulent labor recruiters.

The Secretary of Tourism implemented a program to prevent trafficking and sex tourism, which included a "code of conduct" for travel agencies, hotels, restaurants, tourist guides, training centers, and transportation providers; training for students pursuing careers in this sector; and the distribution of awareness materials to prevent trafficking and reduce the demand for commercial sex acts from children in tourism destinations. Mexico participated in several international fora on trafficking in persons, including the fourth annual trilateral trafficking in persons working group meeting with Canada and the United States and shared best practices in the area of monitoring financial transactions potentially linked to human trafficking. CNS hosted the first summit for law enforcement from countries in the Americas to exchange best practices, offer training, and promote international cooperation on trafficking resulting in the signing of a declaration by representatives of 33 police forces. The government had laws to facilitate the investigation, prosecution, or conviction of child sex tourists, but did not report any such cases. Some NGOs alleged corrupt local officials allowed child sex tourism to occur in isolated incidents, but the government did not take action in these cases. The government provided anti-trafficking training for its diplomatic personnel. The government collaborated with an international organization to develop a consular protocol for the protection of Mexican national trafficking victims, completing a field study of nine Mexican consulates in 2017.

TRAFFICKING PROFILE

As reported over the past five years, Mexico is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Groups considered most vulnerable to human trafficking in Mexico include women, children, indigenous persons, persons with mental and physical disabilities, migrants, and LGBTI individuals. Mexican women and children, and to a lesser extent men and transgender individuals, are exploited in sex trafficking in Mexico and the United States. Mexican men, women, and children are exploited in forced labor in agriculture, domestic servitude, child care, manufacturing, mining, food processing, construction, tourism,

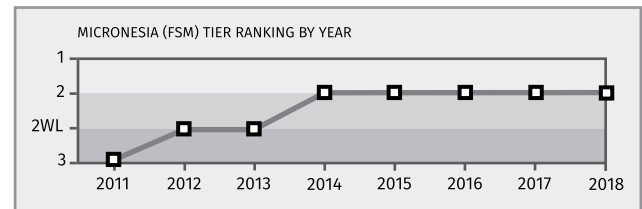
forced begging, and street vending in Mexico and the United States. Day laborers and their children are particularly vulnerable to and are the primary victims of forced and child labor in Mexico's agricultural sector; migrating from the poorest states to the agricultural regions to harvest vegetables, coffee, sugar, and tobacco; receiving little or no pay, health care, or time off, and in the case of children, being denied education. NGOs report some Mexicans are held in debt bondage in agriculture, and are indebted to recruiters or to the company itself. International organizations and NGOs estimated more than 375,000 people exploited in forced labor in Mexico, placing the country at the top of the list for countries in the Americas; however, observers surveyed government and NGO statistics finding fewer than 1,500 forced labor victims identified from 2013 to 2017. Transgender Mexicans in commercial sex are vulnerable to sex trafficking. Observers reported potential trafficking cases in substance abuse rehabilitation centers, women's shelters, and government institutions for people with disabilities including by organized criminal groups and facility employees. The vast majority of foreign victims of forced labor and sex trafficking in Mexico are from Central and South America; some of these victims are exploited along Mexico's southern border. NGOs and the media report victims from the Caribbean, South America, Eastern Europe, Asia, and Africa have also been identified in Mexico, some en route to the United States. Observers reported an increase in Venezuelan migrants vulnerable to trafficking over the past two years.

The government, the UN, international organizations, NGOs, and the media reported increased participation by organized criminal groups in trafficking and the creation of complex alliances with federal, state, and local government officials in at least 17 of 32 states to commit trafficking and related crimes. Organized criminal groups profit from sex trafficking and force Mexican and foreign men, women, and children to engage in illicit activities, including as assassins, lookouts, and in the production, transportation, and sale of drugs. Observers noted links between women's disappearances and murders and trafficking in persons by organized criminal groups. The UN Special Rapporteur on Indigenous Rights expressed concern over the recruitment and use of torture and murder by organized criminal groups of indigenous children and youth to exploit them in forced criminality. Observers also expressed concern over recruitment of recently deported Mexican nationals by organized criminal groups for the purpose of forced criminality. International observers denounced the murder in November 2017 of a Veracruz state attorney specializing in violence against women and human trafficking cases noting the extreme levels of violence that permeate the country and the risks taken by public officials to defend vulnerable individuals. Trafficking-related corruption and complicity among some public officials, including law enforcement and immigration officials continues to raise concern. NGOs reported child sex tourism remains a problem and continues to expand, especially in tourist areas and in northern border cities. Many child sex tourists are from the United States, Canada, and Western Europe; Mexicans also purchase sex from children who have been subjected to sex trafficking.

MICRONESIA, FEDERATED STATES OF: TIER 2

The Government of the Federated States of Micronesia (FSM)

does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore FSM remained on Tier 2. The government demonstrated increasing efforts by convicting two traffickers, increasing anti-trafficking training among judicial officials and students, and establishing and staffing a national hotline. Despite these efforts, the government did not meet the minimum standards in several key areas. Courts issued weak sentences to convicted traffickers and authorities did not follow an established procedure to identify victims among vulnerable populations or refer them to protective services, which remained undeveloped and under-resourced.



RECOMMENDATIONS FOR THE FEDERATED STATES OF MICRONESIA

Increase efforts to investigate, prosecute, and convict traffickers, and sentence them to penalties proportionate to the seriousness of the crime; amend anti-trafficking legislation to remove sentencing provisions that allow fines in lieu of imprisonment; develop and implement procedures for the proactive identification of trafficking victims among vulnerable populations; develop and implement a victim referral system and establish and allocate funding for specialized protective services for trafficking victims; strengthen efforts to implement the National Action Plan (NAP), including through establishment of state-level anti-trafficking task forces in all four states, staffing a governmental anti-trafficking secretariat; and strengthen efforts to conduct anti-trafficking awareness campaigns targeted to government and law enforcement officials, traditional leaders, health care professionals, and the public.

PROSECUTION

The government maintained law enforcement efforts. The national anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of up to 15 years imprisonment, a fine of \$5,000-\$25,000, or both for offenses involving adult victims and up to 30 years imprisonment, a fine of between \$5,000-\$50,000, or both for offenses involving child victims. These penalties were sufficiently stringent, but by allowing for a fine in lieu of imprisonment for sex trafficking crimes, these penalties were not commensurate with penalties for other serious crimes, such as rape. Each of Micronesia's four states had its own laws which criminalized trafficking offenses; however, Pohnpei and Chuuk States did not explicitly prohibit adult sex trafficking. Cases prosecuted at the state level may be heard subsequently at the national level, under national anti-trafficking law, depending on which court hears a case.

In 2017, the government reported investigating eight alleged trafficking cases, the same number of cases investigated in 2016. Of these investigations, one case led to a prosecution with two convictions, compared to one conviction in 2017. The government reported another alleged trafficking case was awaiting a trial date and a third case was still under investigation. They did not report the status of the other five alleged trafficking cases or the outcome of two cases reported as pending last year.

In the case with two convictions, one offender was ordered to pay a \$5,000 fine and sentenced to be in prison from Saturday night until Monday morning and confined to his workplace or home on the weekdays for a 15 month period. The other offender, the parent of the sexually trafficked child, received probation for 15 months with no fine.

In partnership with an international organization, the government conducted anti-trafficking training for a total of 735 participants: 75 judicial officials, 110 college students, and 550 high school students and teachers at venues provided by local governments. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained inadequate efforts to protect victims. Law enforcement, health care, and labor inspection entities did not implement standard procedures required in the NAP to proactively identify trafficking victims. The government reported protecting three victims involved in prosecution cases, two of whom received limited services during the reporting period. The government reported establishing and staffing a national hotline but did not receive any calls during the reporting period. The government had no formal referral system for trafficking victims but continued to work with state governments on the development of a directory listing churches, NGOs, and local government bodies which may be able to provide limited additional protective services to trafficking victims. However, the government did not report if any trafficking victims benefited from any of these services. Authorities did not provide legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution, nor did it provide incentives for victims to participate in trials. The government did not report any victim involvement in law enforcement or requests for victim restitution during the reporting period. Although there were no reports of victims punished for crimes committed as a direct result of having been subjected to trafficking, some potential victims may have been detained due to a lack of formal victim identification procedures.

PREVENTION

The government increased efforts to prevent trafficking. The national government’s anti-trafficking office and the supreme court reported collaboration with state task forces and an international organization on developing awareness campaigns targeting law enforcement, immigration and customs officers, political leaders, churches, women’s and youth groups, and students which reached over 500 participants. The government reported the creation and dissemination of posters to 100 participants in summit and council meetings. Three of the four FSM states had state action plans linked to the NAP, which guided state level anti-trafficking task forces operating under state action plans. The government did not report efforts to reduce the demand for commercial sex acts or forced labor. The government did not report any efforts to monitor foreign labor recruitment or preparation of Micronesian women and girls leaving to work in other countries. The government did not provide anti-trafficking training for its diplomatic personnel.

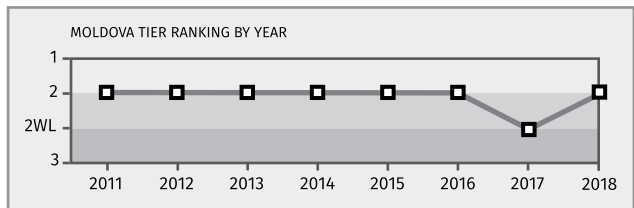
TRAFFICKING PROFILE

As reported over the past five years, the Federated States of Micronesia is a source, transit and, to a lesser extent, destination

country for men, women, and children subjected to forced labor and sex trafficking. The groups most vulnerable to trafficking in FSM include foreign migrant workers, especially from the Philippines, and Micronesian women in prostitution. Women and girls are allegedly exploited in sex trafficking by the crewmembers of docked Asian fishing vessels, on vessels in FSM territorial waters, or with foreign construction workers. FSM women recruited with promises of well-paying jobs in the United States and its territories are subsequently forced into prostitution or domestic labor upon arrival. Local authorities claim many sex trafficking cases are unreported due to social stigma and victims’ fear of possible repercussions in their home communities. Foreign migrants from Southeast Asian countries report working in conditions indicative of human trafficking on Asian fishing vessels in FSM or its territorial waters.

MOLDOVA: TIER 2

The Government of Moldova does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Moldova was upgraded to Tier 2. The government demonstrated increasing efforts by investigating and prosecuting more suspected traffickers, including complicit officials, and increasing budgets for victim protection. However, the government did not meet the minimum standards in several key areas. Identifying victims and conferring official victim status continued to be a challenge. Corruption, particularly in law enforcement and the judiciary, impeded prosecutions and influenced the outcomes of cases, including cases against complicit officials. Victims continued to suffer from intimidation from traffickers, and authorities provided uneven levels of protection during court proceedings.



RECOMMENDATIONS FOR MOLDOVA

Vigorously investigate, prosecute, and convict traffickers and government officials complicit in human trafficking; implement measures to address corruption in the judicial sector and law enforcement community, including taking steps to shield trafficking investigators and prosecutors from external influence and internal corruption; exempt all trafficking victims from the requirement of in-person confrontations with their accused traffickers before an investigation can begin; improve protection of victims and witnesses during court proceedings, including prosecutions for witness tampering and intimidation; train police, judges, and prosecutors on a victim-centered approach to investigations and prosecutions; increase access to shelters and rehabilitation facilities for male victims of trafficking; improve cooperation with non-governmental care providers, including coordination on policy development and assisting victims cooperating with investigations; and continue to fund and maintain data for the hotline on child abuse and exploitation.

PROSECUTION

The government increased law enforcement efforts. Articles 165 and 206 of the criminal code criminalized all forms of trafficking. The law prescribed penalties of five to 12 years imprisonment for adult trafficking; and eight to 12 years imprisonment for child trafficking; and up to 20 years imprisonment in cases with aggravating circumstances. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. Article 168 of the criminal code also criminalized forced labor and imposed penalties of up to three years imprisonment. Corruption in the judicial system remained an acute impediment to bringing traffickers to justice; however, courts demonstrated increasing efforts to prosecute officials complicit in trafficking. Courts frequently reversed convictions on appeal, sometimes without explanation or on weak grounds, although comprehensive statistics on the rate of appeal were not available. The government prosecuted several officials for complicity in trafficking. The former head of a human rights agency, who forced children to beg in Russia, was brought to trial and his case remained ongoing. The Court of Appeal upheld the conviction of the former head of the Biathlon Federation of Moldova for child trafficking; he was sentenced to three years in prison. Several government officials were convicted on charges of facilitating prostitution. In January 2018, the former Deputy Director of Moldova's human trafficking-specialized law enforcement body was found guilty of trafficking in influence and sentenced to four years in prison. Several government officials were investigated in 2017 for complicity in trafficking. Two police officers were indicted for sex trafficking. A case against a village mayor for labor trafficking remained ongoing. The director of an orphanage was indicted for the sexual and labor exploitation of several children; his trial was ongoing. Several Moldovan diplomats and the head of the foreign ministry's consular affairs department were investigated, arrested, or indicted for extorting or accepting bribes to facilitate illegal migration.

Authorities conducted 185 trafficking investigations in 2017, compared to 151 in 2016. The government sent 85 cases to court in 2017, compared to 33 in 2016, and convicted 58 traffickers, compared to 56 in 2016. Of the 58 convicted traffickers, 52 received prison terms, with one suspended sentence. The average jail sentence was eight to 13 years.

The Center for Combating Trafficking in Persons (CCTIP), Moldova's specialized law enforcement body, filled its leadership vacancies and increased staffing, which led to improved working relationships with civil society and international partners, and an initial shift back to investigating complex cases of international sex and labor trafficking. Investigations into large-scale cases, however, remained inadequate. Observers reported prosecution and investigation teams struggled to conduct complex investigations, such as those involving transnational criminal gangs or complex financial transactions. Authorities did not prosecute any large trafficking groups in 2017. Observers reported CCTIP focused on simpler domestic sex trafficking cases rather than complex international cases, potentially to boost the center's statistics. This focus on statistics moved CCTIP away from its traditional strength of resource intensive victim-centered investigations. However, CCTIP continued to lack sufficient resources, particularly financial resources and experienced investigative staff. Previously, the restructuring of the Prosecutor General's Office (PGO) eliminated the use of specialized prosecutors, disbanded the specialized anti-trafficking prosecutorial unit, ended the task force approach to

investigations, and reduced institutional knowledge regarding the use of victim-centered approaches to investigations and prosecutions. The PGO subsequently created a new Trafficking in Persons and Cybercrimes unit in August 2016 with five prosecutors who were entirely focused on the investigation stage of the criminal justice process. As observers previously noted, the new unit was not dedicated only to trafficking cases, prosecutors have not received comprehensive training, and the unit remains vulnerable to corruption and political influence. In December 2017, the Chisinau Prosecutor's Office established an Anti-Trafficking Bureau and concurrently revised internal processes for the assignment of cases, which ensured that only prosecutors who have undergone specialized training will be assigned trafficking cases. Every territorial prosecutor's office outside the capital was assigned a designated prosecutor to cover these cases. A separate team of six prosecutors within the PGO served as the focal point for international trafficking treaties and monitored the newly established Anti-Trafficking Bureau; it also tracked trends and data.

Prosecutors did not develop investigative techniques that corroborate testimony or consistently employ a victim-centered approach to cases. A February 2016 Constitutional Court decision limited the time suspects may be detained to 12 months. Because final verdicts in trafficking cases can take years, this ruling allowed suspected traffickers to be released before trials conclude, enabling them to flee the country or retaliate against witnesses. Observers reported traffickers tried to manipulate, blackmail, or bribe victims to change their testimony. In 2017, only three victims and their family members benefited from witness protection programs, despite many more in need of such protection. The National Investigative Inspectorate (INI) maintained a policy requiring CCTIP to regularly inform the INI of the suspects in CCTIP's investigations, to include subjects of search warrants before searches are executed, which increased the risk of corrupt officers warning suspects ahead of raids or intervening in ongoing investigations. During the reporting period, law enforcement initiated eight investigations of suspected witness intimidation, six of which resulted in criminal cases.

Moldovan authorities cooperated with foreign counterparts on multiple trafficking investigations. Mostly using donor funding, the government and international organizations trained police, border guards, prosecutors, and judges in 2017.

PROTECTION

The government maintained victim protection efforts. The government identified 249 trafficking victims in 2017, compared with 232 in 2016. Of these identified victims, 48 were children, an increase from 35 in 2016. Some law enforcement officials may have intentionally avoided taking action on victim identification and investigation of trafficking crimes. Border police did not consistently screen undocumented migrants for trafficking before placing them in detention facilities. The government increased funding for victim protection, budgeting approximately 12.1 million Moldovan lei (\$709,340) to repatriation assistance and seven shelters for victims of crime and family violence, with increased funding for some shelters and programs offset by decreases to others; this is compared with 8.6 million lei (\$504,160) in 2016. The government did not disburse all of the budgeted funds, with shelters and protection programs generally receiving 89 percent of the allocated fund amounts. The government often relied on NGOs and international organizations to supplement government employee salaries

and fund victim services; government contributions were often insufficient to cover basic living expenses for both employees and victims.

The government assisted 117 victims with repatriation assistance or shelter care, compared with 124 in 2016. Teams of local officials and NGOs in all regions of Moldova coordinated victim identification and assistance; specialists noted the improvement in the community-based approach police had taken, as law enforcement bodies were responsible for 61 shelter referrals. Through the Chisinau and regional centers, victims could receive shelter and medical, legal, and psychological assistance, regardless of their cooperation with law enforcement. Psychological assistance, legal aid, and long-term reintegration support were insufficient, however, and victims were unable to obtain the free medical insurance afforded under Moldovan law. Victims often struggled to find pro bono legal representation and relied on legal assistance provided by NGOs and international organizations. The weak capacity of social workers in outlying regions led to inefficient and poor quality services offered to victims. These deficiencies contributed to the continued risk of re-victimization. Authorities placed child victims with relatives, in foster care, or in rehabilitation clinics that provided specialized medical and psychological care. Officials interviewed victims 14 years old or younger in specialized hearing rooms with recording equipment with the assistance of a psychologist. Male victims were entitled to all forms of assistance, but lacked access to shelters. Care providers reported bureaucratic impediments to moving victims with severe mental health needs to state-run psychiatric institutions.

The government did not adequately protect victims participating in investigations and prosecutions. Victims were seldom fully informed of their rights. At times, police had reportedly done so intentionally attempting to secure victims' cooperation. Shelters had little security and corruption undermined police protection. Prosecutors did not maintain regular contact with victims or adequately prepare them for trial. The law required that adult trafficking victims confront their alleged traffickers in person at a police station to begin an investigation, and in some cases on multiple occasions over the course of an investigation and trial; this requirement likely deterred victims from reporting crimes and could re-traumatize victims or otherwise put them at risk. Judges had discretion to allow victims to provide testimony without the alleged trafficker being physically present in the room. Judges disregarded laws and regulations designed to protect victims during trial proceedings thereby violating victims' rights and allowing traffickers to intimidate some victims in the courtroom so that the victims felt pressured to change their testimony.

The law allowed for victims to file a civil suit for restitution as part of the criminal proceedings. In 2017, victims filed 59 civil suits, resulting in restitution claims of more than 3.5 million lei (approximately \$205,180). On January 1, 2018, Law 137 entered into effect, allowing victims to submit compensation claims to the Ministry of Justice in cases when it could not be obtained from the perpetrator. Law Enforcement recovered criminal assets from traffickers totaling 3.4 million lei (\$199,320), including cash, vehicles, and real estate. The criminal code exempts trafficking victims from criminal liability for committing offenses related to their exploitation. However, when authorities classified cases under related statutes, such as the article criminalizing forced labor, victims were no longer exempt from criminal liability. The government punished trafficking victims for unlawful acts committed as a direct result of being subject to trafficking. Similarly, when authorities

reclassified sex trafficking cases to pimping cases, victims were no longer exempted from punishment and could be charged with prostitution offenses. Victims could be fined or imprisoned for making false statements if they changed their testimony, whether deliberately due to bribes or intimidation, or unintentionally due to the traumatization experienced. Observers previously reported some cases of authorities charging child sex trafficking victims with prostitution or other offenses; there were no such cases during the reporting period.

PREVENTION

The government increased prevention efforts. The national anti-trafficking committee (NCCTIP) and its secretariat coordinated government efforts. NCCTIP has three staff members, which observers stated was insufficient to manage the workload. During the reporting period, NCCTIP, in coordination with an inter-institutional working group that included national and international experts, central public authorities, NGOs, and the OSCE and IOM, drafted a national strategy for 2018-2023 and an associated action plan for 2018-2020. The government approved the plan in March 2018. NCCTIP implemented programs to raise awareness among students and Moldovan citizens abroad, as well as the general public through a website and a national anti-trafficking week. The government provided partial funding to an NGO to manage a hotline on child abuse and exploitation. The government-funded two separate trafficking hotlines, one for use in Moldova and one for calls from abroad; the hotlines are both operated by an NGO. The government provided training for its diplomatic personnel on identifying trafficking victims. The government did not make significant efforts to reduce the demand for commercial sex acts or forced labor, but did initiate two criminal prosecutions against two foreign citizens for sexual exploitation of children in Moldova.

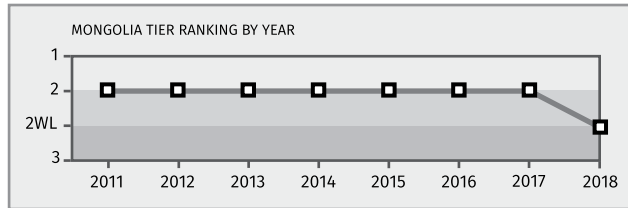
TRAFFICKING PROFILE

As reported over the past five years, Moldova is primarily a source country for men, women, and children subjected to sex trafficking and forced labor, including forced begging. Moldovan victims are subjected to sex and labor trafficking within Moldova and in Russia, Ukraine, and other countries in Europe, the Middle East, Africa, and East Asia. Most victims are from rural areas and have low levels of education. Women and children are subjected to sex trafficking in Moldova in brothels, saunas, and massage parlors. Increasingly, girls aged 13 to 15 are victims of sex trafficking. Child sex tourism remains a concern, including from the EU, Turkey, Australia, Israel, Thailand, and the United States. Children, living on the street or in orphanages, remain vulnerable to exploitation. The breakaway region of Transnistria remains a source for victims of both sex and labor trafficking. The undocumented, or stateless, population within Moldova remains vulnerable to exploitation, primarily in the agricultural sector. Official complicity in trafficking continues to be a significant problem in Moldova.

MONGOLIA: TIER 2 WATCH LIST

The Government of Mongolia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by increasing the number of trafficking investigations initiated during the year;

using a fund dedicated to the assistance of Mongolian victims overseas to repatriate more victims than in previous years; and adopting a new National Anti-Trafficking Program and work plan aimed at improving prevention and protection efforts. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Citing unfamiliarity with the new criminal code, prosecutors dismissed up to 26 in-process trafficking cases upon passage of the new criminal code, rather than reassessing each case to determine how best to continue prosecution. Authorities decreased the number of trafficking prosecutions and did not secure any convictions. The government did not provide funding to trafficking-specific training sessions for key stakeholders and, for the third consecutive year, did not provide funding to NGOs, which continued to provide the majority of victim protection services. New criminal code provisions barred victims from seeking shelter or care until prosecutors initiated cases against their alleged traffickers, further restricting access to Mongolia's already limited protection services. Authorities used the new criminal code to detain and charge trafficking victims, including underage girls, as part of raids on illicit establishments. Therefore Mongolia was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR MONGOLIA

Increase efforts to investigate and prosecute all trafficking offenses using Articles 12.3 and 13.1 of the criminal code, and impose adequate sentences on convicted traffickers; amend portions of the legal framework that bar victims from accessing protection services prior to initiation of formal criminal proceedings against their alleged traffickers; cease penalizing trafficking victims for offenses committed as a result of having been subjected to trafficking; continue to develop and implement formal procedures to guide government officials, including police, immigration, and labor authorities, in victim identification and referral to protective services, especially among vulnerable populations; allocate funding to support both government and NGO-run shelters and other forms of victim assistance and protection, including for male victims; strengthen efforts to monitor the working conditions of foreign laborers employed in Mongolia and screen them for labor exploitation indicators, including by increasing funding and resources for labor inspectors; and engage in efforts to reduce demand for commercial sex acts, particularly throughout major transportation hubs and in border and mining areas.

PROSECUTION

The government decreased law enforcement efforts. In July 2017, the government enacted a new criminal code, articles 12.3 and 13.1 of which criminalized labor and sex trafficking. Article 13.1 prescribed penalties of two to eight years imprisonment for adult trafficking and five to 12 years imprisonment for child trafficking; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. Prior to introduction of the new criminal code, authorities prosecuted trafficking cases under article 124, which criminalized inducing others into

and organizing prostitution; this article carried lesser penalties and did not require the element of force, fraud, or coercion.

In 2017, authorities investigated 12 potential trafficking cases (three in 2016) and prosecuted seven defendants (14 in 2016) under article 13.1. The government initiated prosecutions against 31 individuals under article 124, but it was unclear to what extent these cases featured genuine trafficking indicators. Courts did not convict any alleged trafficking offenders under either law (nine in 2016). An additional 12 defendants faced charges under article 12.3, but case details were unavailable. Although the new criminal code corrected the insufficiencies of article 124, prosecutors cited lack of training on its implementation in their decision to fully dismiss as many as 26 pending trafficking cases under article 124, rather than conducting assessments of each case to determine whether the relevant allegations fell under new provisions of the criminal code. However, the prosecutor's office reportedly began a review of the dismissed cases under the new criminal code at the end of the reporting period. The government did not disaggregate ongoing prosecutions initiated in prior years from new cases in 2017.

Due to the misconception among many government officials that only females could be sex trafficking victims, authorities rarely used articles 13.1, 12.3, 113, or 124 to prosecute cases in which males were the victims, and instead used provisions with less stringent penalties. Unlike in prior years, the government did not fund training courses for law enforcement officers or social workers on trafficking, but it did provide certain forms of in-kind support, including instructors and classroom spaces for training sessions. The National Police Agency (NPA) re-established an anti-trafficking unit, although it was unknown if the unit initiated any trafficking investigations. Authorities did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

PROTECTION

The government decreased efforts to protect victims. NGOs continued to provide the vast majority of protection services for victims without support from the government. Two shelters run by the non-governmental Mongolian Gender Equality Center (GEC) were the main victim service providers in the country, but only one could accommodate male victims, and neither was accessible to persons with disabilities. For the third consecutive year, the government did not report funding GEC facilities; observers claimed this constrained them to a reduced operating budget, leading to a dip in service provision. Article 8.1 of the revised criminal procedural code included language that resulted in trafficking victims being unable to access protective services until prosecutors had initiated cases against their alleged traffickers, further obstructing access to protective services. In 2017, the GEC assisted one victim of labor exploitation and 28 victims of sex trafficking (a total of 44 in 2016). All of these victims were female, and approximately one third were minors. It was unclear how many of these cases were referred by police. Of the 29 victims identified by the GEC, 20 opted to report their abuses to the police, but it was unclear if this triggered any investigations or prosecutions.

NPA investigators reported using a trafficking risk assessment checklist containing 11 questions to proactively identify victims among vulnerable populations; however, in implementation, NGOs indicated victim identification and referrals were not systematic, and instead depended largely on the awareness and initiative of individual officers. Metropolitan Police

Agency (MPA) and Criminal Police Department (CPD) officers reportedly identified 24 underage girls in prostitution during a series of raids on massage parlors and hotels. However, these authorities continued to fine, arrest, detain, and charge trafficking victims—including children—for crimes and administrative offenses committed as a result of having been subjected to trafficking during the reporting period. In January 2018, police reportedly arrested and charged four underage girls in prostitution for allegedly violating the new Law on Petty Offenses; the case remained pending at the end of the reporting period.

Mongolia adopted a National Anti-Trafficking Program (2017-2021) and work plan aimed at improving prevention and protection efforts, but the government was reportedly unable to dedicate sufficient resources toward implementation of the plan. The NPA's Victim and Witness Protection Department reported it did not assist any trafficking victims during the 2017 calendar year. Article 15 of the anti-trafficking law stipulated that victims were entitled to financial compensation for "damages to property, dignity, and psychology" perpetrated by their traffickers, but officials and non-government observers agreed inconsistencies between the criminal code and the civil code made this provision impossible to fully implement. The Ministry of Foreign Affairs maintained a fund to assist Mongolian nationals subjected to trafficking abroad. In 2017, authorities used this fund to repatriate seven Mongolian individuals (four in 2016) who were subjected to trafficking in China, but it was unclear if these victims were able to access protection services upon their return. Neither the government nor the GEC identified any foreign victims during the reporting period. Mongolian law did not provide legal alternatives to the removal of foreign victims to countries in which they could face retribution or hardship. In compliance with a UN Security Council resolution, the government reportedly repatriated the majority of North Korean labor migrants originally in Mongolia under the auspices of bilateral work agreements; they were not screened for trafficking indicators.

PREVENTION

The government maintained efforts to prevent trafficking. In May 2017, the government adopted a new National Anti-Trafficking Program (2017-2021) and corresponding work plan aimed at improving prevention and protection under the management of a National Sub-Council established in June 2017 to provide technical guidance on trafficking prevention and coordinate interagency efforts to implement relevant legislation. However, some observers questioned the level to which the National Sub-Council implemented the program and the government did not provide funding or dedicate other resources for its operations. Authorities continued to work with an international organization to establish an integrated statistical database, and the Ministry of Justice and Home Affairs assisted an international organization to conclude a comprehensive study on the implementation of Mongolia's anti-trafficking legislation. Officials continued to disseminate a daily trafficking-themed public service announcement (PSA) on social media and television, in addition to distributing PSAs to police stations in all provinces.

The General Authority for Specialized Investigation (GASI), which sat on the National Sub-Council, tracked the number of foreign laborers in Mongolia and the number of Mongolian laborers abroad. GASI also had the authority to inspect the labor contracts of companies recruiting Mongolians for work abroad and to conduct inspections of working conditions in

Mongolian formal sector establishments. However, officials and NGOs noted funding and resources for the inspectors were too low to provide comprehensive oversight, and their limited scope within the formal sector left some vulnerabilities unaddressed. The government did not take measures to reduce the demand for forced labor or commercial sex acts. In 2017, the government provided anti-trafficking training for all peacekeepers in advance of their deployment abroad and trained its diplomatic personnel on anti-trafficking laws prior to their assignment abroad.

TRAFFICKING PROFILE

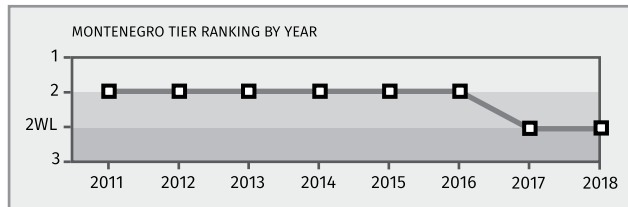
As reported over the last five years, Mongolia is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Mongolian men, women, and children are subjected to forced labor in Turkey, Kazakhstan, Norway, and Sweden and to sex trafficking in South Korea, Japan, China, Hong Kong, Macau, Malaysia, Germany, Sweden, Belgium, Turkey, and the United States. Women and girls are subjected to sex trafficking in Mongolian massage parlors, hotels, bars, and karaoke clubs. Mongolian girls employed as contortionists—often under contractual agreements signed by their parents—are subjected to forced labor primarily in Mongolia and Turkey, and to a lesser extent in Hong Kong and Singapore. Women are subjected to domestic servitude or forced prostitution after entering into commercially brokered marriages to Chinese and Korean men, although this trend appears to be decreasing in Korea. Traffickers sometimes use drugs, fraudulent social networking, online job opportunities, or English language programs to lure Mongolian victims into sex trafficking. A majority of Mongolian victims from rural and poor economic areas are subjected to sex trafficking in Ulaanbaatar, provincial centers, and border areas. Tourists from Japan and South Korea have reportedly engaged in child sex tourism in Mongolia in prior years.

The ongoing development of the mining industry in southern Mongolia continues to drive growing internal and international migration, intensifying trafficking vulnerabilities—especially along the China-Mongolia border. Truck drivers transporting coal across the border are often more vulnerable to exploitation due to an arrangement under which the authorities confiscate their passports as collateral for their vehicles. Women and girls are also at risk of being exploited in prostitution by drivers awaiting border crossing, along the coal transport roads connecting mining sites to the Chinese border, and at nightlife establishments in mining towns. Mining workers sometimes leave their children at home while on extended shift rotations, during which time the children are at elevated risk of sexual exploitation. Children are also subjected to forced labor and sexual exploitation in connection with artisanal mining. Some children are forced to beg, steal, or work in other informal sectors of the economy, such as horsing, herding and animal husbandry, scavenging in garbage dumpsites, and construction, and are sometimes subjected to sex trafficking with familial complicity. North Korean and Chinese workers employed in Mongolia are vulnerable to trafficking as contract laborers in construction, production, agriculture, forestry, fishing, hunting, wholesale and retail trade, automobile maintenance, and mining. The remaining North Korean laborers in Mongolia reportedly do not have freedom of movement or choice of employment, and companies allow them to retain only a small portion of their wages while subjecting them to harsh working and living conditions. Chinese workers have reported non-payment of wages. Observers report that corruption among some Mongolian officials facilitates sex trafficking

in illicit establishments and impedes the government's anti-trafficking efforts.

MONTENEGRO: TIER 2 WATCH LIST

The Government of Montenegro does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by prosecuting two defendants for the first time since 2014 under article 444. The government continued to train government employees on trafficking issues and organized awareness campaigns. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not convict any traffickers under its trafficking law for the fourth consecutive year. The labor inspectorate had insufficient resources to identify victims proactively and the Office for the Fight against Trafficking in Persons lost its status as an independent agency. The lack of convictions prevented victims from obtaining restitution from their traffickers. Therefore Montenegro remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR MONTENEGRO

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, for trafficking crimes under article 444 of the criminal code; increase proactive screening of potential victims, especially for children engaged in begging, women in prostitution, and seasonal workers; provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions; increase training of first responders on victim identification and referral; incentivize and encourage victim participation in investigations and prosecutions in a victim-centered manner; allocate sufficient resources to the labor inspectorate to increase proactive identification of forced labor victims; integrate Romani groups into decision-making processes regarding victim protection; create and finance an accessible compensation fund and inform victims of their right to compensation during legal proceedings; and ensure the Office for the Fight against Trafficking in Persons has adequate authority, capacity, and impact to implement anti-trafficking efforts.

PROSECUTION

The government maintained law enforcement efforts. Article 444 of the criminal code criminalized all forms of trafficking and prescribed penalties ranging from one to ten years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government investigated two cases (seven in 2016) and prosecuted two defendants (no prosecutions in 2016 or 2015). The government did not secure any convictions under article 444 for the fourth consecutive year. Experts reported authorities investigated and prosecuted possible sex trafficking cases under other offenses, such as

brokering in prostitution (article 210), due to a lack of evidence or reluctance of victims to act as a witness; one of the two cases investigated as trafficking led to a prosecution under brokering in prostitution. Experts reported prosecutors stopped some investigations when they secured enough evidence to prosecute under article 210 and did not investigate for more subtle forms of coercion or seek additional evidence through financial investigations or other specialized investigative techniques. In addition, experts were not aware of any cases referred to the prosecutor's office responsible for organized crime and noted weak coordination between police and prosecutors.

Law enforcement maintained two task forces targeting forced child begging and sex trafficking, as well as a specialized trafficking unit within the police's organized crime department. Law enforcement conducted raids on bars, nightclubs, commercial sex sites, escort agencies, and businesses suspected of illegal employment practices, but these raids did not result in any trafficking investigations. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The Office for the Fight against Trafficking in Persons (OFTIP) and the Ministry of Interior (MOI), in cooperation with an international organization, trained 41 border police officers, 18 investigators, 16 prosecutors, and 17 judges. OFTIP, MOI, and the police academy trained 50 representatives from the police directorate on trafficking issues. The police academy also trained new police cadets on trafficking issues.

PROTECTION

The government maintained victim protection efforts. The government identified one officially recognized victim and one potential sex trafficking victim (one potential forced begging victim in 2016). The government also identified three female children forced into marriage and vulnerable to domestic servitude (two children forced into marriage in 2016). The government-funded NGO-run shelter accommodated four victims (three in 2016). OFTIP allocated €23,500 (\$28,210) to the NGO-run shelter, compared to €27,000 (\$32,410) in 2016. Police identified 107 child beggars (75 in 2016 and 122 in 2015) but did not identify any as trafficking victims. The government accommodated most of the child beggars at local social welfare centers until releasing them to their parents or guardians.

A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures for identifying and referring victims to services. First responders carried out the preliminary identification of potential victims and then contacted police who formally recognized the individuals as potential trafficking victims. The government identified potential victims as an official trafficking victim only in cases with a final conviction or at times a formal indictment; however, the government provided the same services to potential victims and officially recognized victims. A multi-disciplinary coordination team led by the national coordinator monitored the implementation of the NRM and met twice a year and when a potential victim was identified. OFTIP provided training on victim identification to police, labor inspectors, health workers, social workers, and asylum officers; however, law enforcement still conducted the majority of proactive identification efforts. Police officers proactively screened foreign nationals and seasonal workers during the summer tourist season for indicators of trafficking. Observers reported the low number of identified victims reflected inadequate victim identification procedures. The government-funded NGO-run shelter provided specialized

services for trafficking victims, including vocational training and medical, psycho-social, legal, and reintegration assistance. The shelter could accommodate adult male, adult female, and child victims in separate living quarters in the shelter. Victims could leave the shelter after assessment by police, or by the social welfare centers in the case of children. The Ministry of Labor and Social Welfare (MLSW) operated local and social welfare centers and two regional institutions, which provided general services for victims of abuse, including trafficking victims. Although MLSW did not provide specialized services for trafficking victims, MLSW could provide separate facilities for males and females.

The law provided witness protection, free legal aid, and a psychologist to encourage victims to participate in prosecutions; however, observers reported the government assigned lawyers with little or no experience to victims in trafficking cases. The law also allowed for the possibility for victim restitution through civil suits and entitled foreign trafficking victims to receive a temporary residence permit, lasting from three months to one year, and work authorization. No victims applied for temporary residence permits in 2015, 2016, or 2017. One child victim participated in the prosecution of her trafficker; prosecutors video recorded her testimony in the presence of a social worker. The law on compensation of victims intended to provide financial assistance to victims of violent crimes; however, this law will not go into effect until Montenegro becomes a member of the EU. No victim has ever received restitution in civil or criminal proceedings; observers reported some prosecutors did not know they could make claims during criminal proceedings. The government did not penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government maintained prevention efforts. The government produced semiannual progress reports on implementing the strategy and action plan and allocated €176,630 (\$212,040) to OFTIP, compared to €174,862 (\$209,920) in 2016. OFTIP led overall anti-trafficking efforts and the head of OFTIP was the national coordinator for the anti-trafficking task force, which comprised government agencies, non-governmental and international organizations, and the international community. OFTIP lost its status as an independent agency after reorganization into the MOI; observers reported the MOI did not fully recognize OFTIP's role and the reorganization created unnecessary administrative obstacles. The government organized seminars for health care workers, municipality representatives, social workers, and inspectors, on their respective roles and responsibilities in anti-trafficking efforts. The government continued to support two hotlines for victims of abuse and domestic violence, including trafficking victims. The hotline received 476 calls (414 in 2016), but none of the calls led to an investigation, and observers reported police rarely acted on potential cases from the hotline (15 potential trafficking cases initiated from calls in 2016).

The government, in coordination with the Roma Council and NGOs, organized awareness campaigns targeting the Romani community on trafficking issues. The government also continued a national awareness campaign that included an awareness-raising video shown on television stations and increased cooperation with media outlets to advertise the hotline. Observers reported awareness campaigns lacked attention towards seasonal workers. Authorities provided specialized training to labor inspectors, although inspectors did

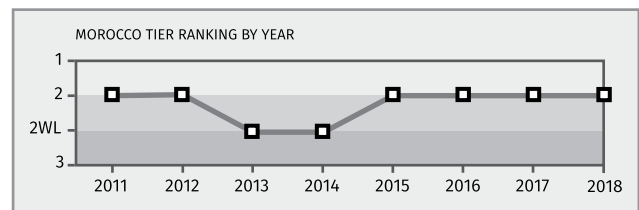
not identify any cases of forced labor. The labor inspectorate reported its 32 inspectors was insufficient to fulfill its mandate. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Montenegro is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Victims of sex trafficking identified in Montenegro are primarily women and girls from Montenegro, neighboring Balkan countries, and, to a lesser extent, other countries in Eastern Europe. Sex trafficking victims are exploited in hospitality facilities, bars, restaurants, nightclubs, and cafes. Children, particularly Romani and Albanian children, are subjected to forced begging. Romani girls from Montenegro reportedly have been sold into marriages in Romani communities in Montenegro and, to a lesser extent, in Kosovo, and forced into domestic servitude. International organized criminal groups occasionally subject Montenegrin women and girls to sex trafficking in other Balkan countries.

MOROCCO: TIER 2

The Government of Morocco does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Morocco remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting more trafficking cases and convicting slightly more traffickers compared to the previous year—all under the 2016 anti-trafficking law. It also established an inter-ministerial anti-trafficking committee to coordinate anti-trafficking policies and programs across ministries and created a specialized unit to combat trafficking among Moroccans overseas and migrants in the country. However, the government did not meet the minimum standards in several key areas. The government did not provide or fund specialized protection services specifically for trafficking victims, and did not report screening for trafficking victims, especially among irregular migrants who remained highly vulnerable to trafficking in Morocco. As a result, unidentified victims among vulnerable populations remained at risk of penalization and re-trafficking.



RECOMMENDATIONS FOR MOROCCO

Implement the 2017 decree for the National Commission to coordinate anti-trafficking measures and directly train judicial and law enforcement authorities on its application; significantly increase trafficking-related investigations, prosecutions, and convictions of traffickers and impose sufficiently stringent sentences; continue to develop and implement procedures for officials to proactively identify and refer trafficking victims, especially among irregular migrants; ensure that victims are not punished for crimes committed as a direct result of being subjected to human trafficking, such as immigration and

prostitution violations; provide adequate protection services for trafficking victims and witnesses via funding or in-kind support to NGOs that provide specialized services for victims of all forms of trafficking; develop and systemically implement formal procedures for victim identification and referral to care using a victim-centered approach; address obstacles to integration faced by migrants who face abuse in the security system and elsewhere; and disaggregate the data between human trafficking and migrant smuggling crimes.

PROSECUTION

The government increased its law enforcement efforts. Law 27.14 criminalized sex and labor trafficking and prescribed penalties of five to 10 years imprisonment and fines of up to \$53,465, which were sufficiently stringent, and with regard to sex trafficking, commensurate with penalties for other serious crimes, such as rape. The law criminalized child trafficking as an aggravated offense, with prescribed penalties of 20 to 30 years' imprisonment and a fine of between \$21,386 and \$213,857. Several pre-existing laws used during the reporting period criminalized some forms of sex and labor trafficking. Generally, penalties under these laws were not sufficiently stringent. Morocco's penal code criminalized forced child labor through article 467-2, which prescribed penalties of one to three years imprisonment, which were not sufficiently stringent. The penal code also criminalized "forced prostitution" and "child prostitution" through articles 497-499, which prescribed penalties of up to 10 years; these penalties were sufficiently stringent and commensurate with other serious crimes such as rape. Article 10 of Morocco's labor code criminalized forced labor and prescribed penalties of a fine for the first offense and a jail term of up to three months for subsequent offenses; these penalties were not sufficiently stringent. The Ministry of Justice (MOJ) reported that proposed amendments to the penal code would expand the definition of the exploitation of children, including defining anyone under 18 (compared with prior age limit of 15) a child, and increased fines and prison sentences for those who exploit children in any way, including as labor; those amendments remained pending at the end of the reporting period.

The media reported that the government investigated a total of 34 potential trafficking cases for calendar year 2017, as compared to 11 in 2016. The government reported prosecution of nine cases involving 20 alleged traffickers and four convictions, compared with four prosecutions and three convictions in 2016. This was the first reporting period for which the government recorded data specifically on trafficking-related arrests and convictions under this law. Among its investigations were eight sub-Saharan migrants for links to trafficking networks, more than 25 beauty salons and massage parlors in Casablanca for suspected trafficking-related crimes, and a journalist on human trafficking and sexual assault charges. The government reported that a U.S. citizen charged in the previous reporting period in a child sex trafficking case will be extradited to the United States for trial. The government reported that two Moroccan peacekeepers accused in 2016 of sexual exploitation were convicted under article 475 and 486 of the penal code for sexual abuse and sentenced to a year of prison and that the case of a third Moroccan peacekeeper accused in 2016 of sexual exploitation was pending. The government did not report the status of the cases of three Saudi Arabian nationals arrested in the same case of child sex trafficking. The government did not report the status of the perpetrators involved in 112 trafficking and migrant smuggling networks dismantled in 2017 or the 29 masterminds, 66 smugglers, and 12 accomplices reported to be

involved in 33 trafficking-related criminal networks disbanded in 2016. External sources reported that the government continued to cooperate with Spain to extradite and prosecute international human traffickers, but it was not clear if any traffickers had been extradited by the Moroccan government. The MOJ organized regular training programs on human trafficking for judges and other judicial officials. The government reported training 80 labor inspectors and an unspecified number of security forces on how to identify and protect trafficking victims during the reporting period in addition to training 50 security forces from Guinea on combating trafficking of persons.

The Minister Delegate to the Ministry of Foreign Affairs and International Cooperation in Charge of Residents Abroad and Migration Affairs (MDMRAMA) led the implementation of the government's National Strategy for Immigration and Asylum, which included a project to combat trafficking in persons networks through the establishment of a specialized unit to combat trafficking during the reporting period. Through this project, MDMRAMA organized training sessions on the provisions of the anti-trafficking law and immigration, asylum, and trafficking for 185 government officials and security services personnel. The government did not report initiating any investigations, prosecutions, or convictions of government officials complicit in human trafficking; however, a Bulgarian NGO alleged that a Moroccan diplomat exploited a third-country national in domestic work while posted abroad.

PROTECTION

The government maintained minimal efforts to identify and protect trafficking victims. As in past years, the government remained without a formal process and did not report proactive efforts to identify trafficking victims, including within vulnerable populations such as irregular migrants. The government reported that 16 victims were referred to the MOJ's children and women protection units, and were subsequently provided medical care as needed and referred to NGOs for appropriate specialized assistance. It reported that 10 of the 16 were victims of sex trafficking, one of forced labor, four of forced begging, and one unknown. The government did not report efforts to refer or protect trafficking victims.

The government covered all costs including psychological and medical support, reintegration, and repatriation assistance, including transportation, food, and hospital care as needed, to 426 Moroccans repatriated from Libya, a population vulnerable to trafficking. In partnership with international organizations, the Ministry of Health (MOH) began implementation of a strategic plan to institutionalize care for victims of violence, including foreign migrant women and children, who are vulnerable to trafficking, at reception centers staffed by nurses and social workers at major hospitals, and children/women protection units in Moroccan courts. These hospital-based units provided integrated medical and psychological treatment and social support for an estimated 4,110 child victims of physical violence and 1,130 child victims of sexual violence in coordination with public partners and civil society in 2016, the most recent period for which data was available; however, the government did not report how many of these children were victims of trafficking. The government also increased the number of child protection centers that offer emergency response and reported that 4,300 children participated in child protection center programs.

While the government remained without a formal victim referral process, both the Ministry of Solidarity, Women, Family, and

Social Development and MOH coordinated with civil society to provide assistance to trafficking victims. Some local law enforcement officials had an ad hoc referral process—utilizing identified contacts at reception centers and a list of NGO service providers that they shared with local and regional authorities as a resource.

The government began an inter-ministerial working group to improve assistance for and protection of trafficking victims, but remained without protection services designed or funded specifically to assist trafficking victims. Civil society organizations continued to be the primary providers of protection services for trafficking victims. The government reportedly continued to encourage victims to cooperate in investigations against their traffickers, but did not report on the number of victims who provided testimony during the reporting period, whether victims received restitution from traffickers, or how witness confidentiality would be protected.

Although the government drastically decreased deportations of migrants over the last couple of years, it continued to conduct forced internal relocations of irregular migrants. As the government remained without a formal victim identification process and made minimal efforts to identify potential trafficking victims among the vulnerable irregular migrant population, victims likely remained unidentified in the law enforcement system and may have been penalized for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration and prostitution violations. The government provided legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution or hardship.

PREVENTION

The government increased efforts to prevent human trafficking. In November 2017, the government finalized a decree to establish a national inter-ministerial anti-trafficking commission as required by the 2016 anti-trafficking law, which remained pending approval by the Councils of Government and Ministers at the end of the reporting period. The National Center for Listening and Reporting received 830 complaints on the exploitation and abuse of children, which may include trafficking crimes. MDMRAMA organized awareness campaigns on the anti-trafficking law for populations vulnerable to trafficking, such as women, children, and migrants, and provided assistance and employment-related trainings to 635 children at risk of human trafficking at professional and vocational training centers. The government implemented new laws during the reporting period prohibiting the employment of domestic workers under the age of 16 and strictly limited the employment of children between the ages of 16 and 18. The government allocated a budget of approximately \$213,860 to the Ministry of Labor and Vocational Integration (MOLVI) to provide support to associations specifically working to combat child labor. Although MOLVI targets sectors and companies more likely to be violating the labor code and exploiting vulnerable persons such as children, the size of the country, scarcity of inspectors, and lack of financial resources limited its ability to monitor and adequately enforce the labor code. There was no national focal point to submit complaints about child labor and no national reciprocal referral mechanism for referring children found during inspections to appropriate social services. While the government provided some financial support to civil society actors who have made progress in child labor issues, service providers were often dependent on expertise and financing from international organizations and foreign donors. Observers

have noted that while the government made efforts to protect vulnerable children, many government programs suffered from a lack of qualified personnel and adequate coordination.

The government continued its regularization campaigns to grant legal status and protections including social services, education, and vocational training to migrants and refugees. The government did not make efforts to identify potential trafficking victims among those whose stay was regularized through this program. The government made minimal efforts to reduce the demand for commercial sex acts, child sex tourism, and forced labor and reported arresting foreign pedophiles among its efforts. The government provided its diplomatic personnel with human rights training, including respect for labor and trafficking in persons laws, in their basic courses before being assigned abroad. Moroccan peacekeeping forces received anti-trafficking training and operated under a “no tolerance” standard for its troops involved in UN peacekeeping missions.

TRAFFICKING PROFILE

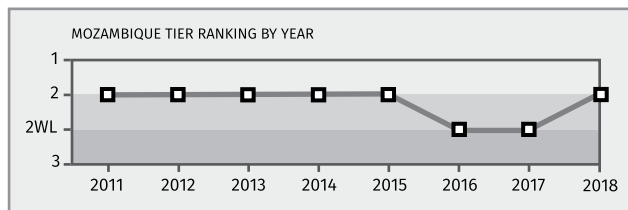
As reported over the past five years, Morocco is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. According to a November 2015 study conducted by the Moroccan government, with support by an international organization, children are exploited in Morocco for labor, domestic work, begging, and sex trafficking. Although the incidence of child domestic workers has reportedly decreased since 2005, girls are recruited from rural areas for work in domestic service in cities and become victims of forced labor. Some Moroccan boys endure forced labor while employed as apprentices in the artisanal and construction industries and in mechanic shops. The 2015 study also found that some Moroccan women are forced into prostitution in Morocco by members of their families or other intermediaries.

Some female undocumented migrants, primarily from Sub-Saharan Africa and a small but growing number from South Asia, are coerced into prostitution and forced labor. Criminal networks operating in Oujda on the Algerian border and in the northern coastal town of Nador force undocumented migrant women into prostitution and begging; networks in Oujda also reportedly force children of migrants to beg. Some female migrants, particularly Nigerians, who transit Oujda are forced into prostitution once they reach Europe. International organizations, local NGOs, and migrants report unaccompanied children and women from Cote d'Ivoire, Democratic Republic of the Congo, Nigeria, and Cameroon are highly vulnerable to sex trafficking and forced labor in Morocco. Some reports suggest Cameroonian and Nigerian networks force women into prostitution, while Nigerian networks also force women to beg in the streets by threatening the victims and their families; the victims are typically the same nationality as the traffickers. Some women from the Philippines and Indonesia are recruited for employment as domestic workers in Morocco; upon arrival, some are subjected to forced labor, experiencing non-payment of wages, withholding of passports, and physical abuse at the hands of their employers.

Moroccan men, women, and children are exploited in forced labor and sex trafficking, primarily in Europe and the Middle East. Moroccan women forced into prostitution abroad experience restrictions on movement, threats, and emotional and physical abuse. Some foreigners, primarily from Europe and the Middle East, engage in child sex tourism in major Moroccan cities.

MOZAMBIQUE: TIER 2

The Government of Mozambique does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Mozambique was upgraded to Tier 2. The government prosecuted six defendants and convicted six labor traffickers under the 2008 anti-trafficking law, all of whom received prison terms. The government demonstrated increased efforts by identifying and referring to care significantly more trafficking victims and increasing training for front-line officials, including law enforcement and immigration officials, and trained labor inspectors for the first time. The government increased efforts to prevent trafficking by convening the National Reference Group (NRG) to coordinate anti-trafficking efforts, funding awareness campaigns to educate the public in urban and rural areas, and training front-line responders on victim-centered approaches. However, the government did not meet the minimum standards in several key areas. The government did not finalize its draft national action plan or draft implementing regulations on the 2008 anti-trafficking law's victim protection provisions. Some front-line responders conflated smuggling with trafficking. Mozambican officials remained without effective policies or laws regulating foreign recruiters and holding them civilly and criminally liable for fraudulent recruiting.



RECOMMENDATIONS FOR MOZAMBIQUE

Increase efforts to prosecute and convict traffickers; finalize and implement the national action plan, and issue regulations necessary to implement the protection and prevention provisions of the 2008 anti-trafficking law; expand the availability of protective services for victims via increased funding or in-kind support to relevant partners in the National Group to Protect Children and Combat Trafficking in Persons; build the capacity of the labor inspectorate and the Women and Children's Victim Assistance Units to investigate trafficking cases and provide short-term protection to victims; develop a formal system to proactively identify trafficking victims among vulnerable populations and finalize and implement the national referral mechanism; and train officials to investigate and prosecute those facilitating child sex trafficking or adult forced prostitution.

PROSECUTION

The government decreased its anti-trafficking law enforcement efforts. The Law on Preventing and Combating the Trafficking of People, enacted in 2008, criminalized sex and labor trafficking and prescribed penalties of 16 to 20 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

In 2017, the government investigated five trafficking cases, all of which were forced labor, compared with 20 the previous year. The government prosecuted six defendants in all five cases

compared with 17 defendants the previous year. The government convicted six labor traffickers under the 2008 anti-trafficking law, all of whom received prison terms, ranging from two to 16 years imprisonment, compared with 16 convictions in 2016. For the first time, the government disaggregated trafficking case data from other related crimes, thus providing a more accurate understanding of law enforcement efforts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

The government expanded training for law enforcement on victim identification and trained 100 immigration officials in the protection of vulnerable migrants with a specific focus on trafficking. The government provided in-kind support and paid travel costs of participants to the majority of trainings led by international organizations during the reporting period. The Attorney General's Office signed a Memorandum of Understanding (MOU) with the Republic of South Africa addressing cross-border cooperation on trafficking cases and drafted MOUs with Eswatini and Zambia. In December 2017, in partnership with an international organization, the Attorney General's Office trained 24 officials, including prosecutors, police officers, immigration officials, and social workers in a two-day workshop in Tete province. The officials were trained on victim identification, data collection, and data flow through the government's system. As a result of the training, the Tete-based officials determined four cases they had submitted to the Attorney General's Office were actually smuggling cases and removed them from the system. Expert reports alleged traffickers commonly bribed police and immigration officials to facilitate trafficking crimes both domestically and across international borders.

PROTECTION

The government increased protection efforts. The government identified and referred to care 53 victims, including 35 forced labor victims, three sex trafficking victims; 15 were victims of both forced labor and sex trafficking compared with 11 trafficking victims identified and referred during the previous reporting period. In partnership with an international organization, the Ministry of Gender, Children, and Social Action (MGCAS) operated three dedicated trafficking shelters, which provided medical, psychological, legal assistance to all adult and child victims. The MGCAS provided family reunification and reintegration for at least 12 child victims. In partnership with an international organization, the government developed a draft national referral mechanism (NRM) during the reporting period, which remained awaiting finalization and implementation. However, implementing regulations for trafficking victim and witness protection were not drafted or finalized by the end of the reporting period.

Police stations throughout the country had specialists trained by the Office of Assistance to Women and Children Victims of Domestic Violence who were equipped and available to respond to suspected trafficking cases. The government 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 2017. The Attorney General's Office convened relevant government stakeholders to assess and coordinate their joint efforts to address victims' needs in several specific cases during the reporting period. The technical working group on victim protection, a sub-group of the NRG consisting of prosecutors

at the provincial level, child and social services and department of health personnel, police officers and two international NGOs, held a conference to discuss current trafficking cases, an outcome of which was improved coordination between the NRG and provincial and district-level front-line responders to ensure better oversight and monitoring of trafficking cases. The anti-trafficking law required police protection for victims who participated as witnesses in criminal proceedings against traffickers, and the government provided such assistance to one victim during the reporting period. In at least one case, the NRG proactively sought translation services for a non-Portuguese speaking victim. Although Mozambican law provided 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.

PREVENTION

The government increased efforts to prevent trafficking. The NRG met at least three times during the reporting period to coordinate anti-trafficking efforts at the national level. The NRG revised and approved updated terms of reference for the group and finalized and approved its 2017 work plan, which outlined training for labor inspectors and consular officers. A sub-group of 15 NRG members finalized the development of supporting documents to the NRM, which were adopted by the NRG. The NRG drafted standard operating procedures for the NRG and implementation of the NRM; however, these were not finalized or adopted during the reporting period. In October 2017, in partnership with an international organization, the government held public consultations on the draft national action plan in two provinces that were attended by the Deputy Prosecutor General, members of the national and provincial reference groups, local government officials, civil society and journalists; however, the national action plan was not passed during the reporting period. Provincial-level reference groups, consisting of local officials, police, border guards, social workers, NGOs, and faith-based organizations, carried out awareness campaigns to educate the public in urban and rural areas and coordinated regional efforts to address trafficking and other crimes. In August 2017, in partnership with an international organization, the Office of the Attorney General of the Republic (PGR) trained 26 members of the Niassa Reference Group on the international and national legal framework on trafficking. The government continued to participate in the Southern African Development Community (SADC) regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, UNODC and SADC launched the first annual draft analysis report for the region. In partnership with international organizations, for the first time the government trained 25 labor inspectors on trafficking victim identification and referral. Members of the NRG participated in TV and radio debates on World Day Against Human Trafficking. In September 2017, the PGR and the Ministry of Labor coordinated with an international organization to train 25 labor inspectors for the first time ever on the international legal framework on trafficking, trafficking indicators for labor exploitation, and the referral process to ensure victims receive protective services. In coordination with an international organization, the government liaised with two airlines identified as transporting labor migrants traveling on falsified visas to prevent further travel. Mozambican officials remained without effective policies or laws regulating foreign recruiters and holding them civilly and criminally liable for fraudulent recruiting. The government did not demonstrate

tangible efforts to reduce the demand for commercial sex acts or forced labor during the year.

TRAFFICKING PROFILE

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

NAMIBIA: TIER 2

The Government of Namibia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period, therefore Namibia remained on Tier 2. The government demonstrated increasing efforts by signing the Combating of Trafficking in Persons Bill; prosecuting more traffickers; identifying more trafficking victims the majority of whom were victims of forced labor; and referring some victims to care in a partially government-funded NGO shelter. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers for the second consecutive year; did not refer all identified victims to care; and continued to lack formal procedures for victim identification and referral.