



Presidential Determination with Respect to Foreign Governments' Efforts Regarding Trafficking in Persons

Released by the White House, Washington, DC
September 9, 2003

Presidential Determination No. 2003—35

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Presidential Determination with Respect to Foreign Governments' Efforts Regarding Trafficking in Persons

Consistent with section 110 of the Trafficking Victims Protection Act of 2000 (Division A of Public Law 106-386) (the "Act"), I hereby:

Make the determination provided in section 110(d) (1) (A) (ii) of the Act, with respect to Burma, Cuba, Liberia, North Korea, and Sudan, not to provide certain funding for those countries' governments for fiscal year 2004, until such a government complies with the minimum standards or makes significant efforts to bring itself into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;

Make the determination provided in section 110(d) (3) of the Act, concerning the determinations of the Secretary of State with respect to Belize, Bosnia and Herzegovina, the Dominican Republic, Georgia, Greece, Haiti, Kazakhstan, Suriname, Turkey, and Uzbekistan;

Determine, consistent with section 110(d) (4) of the Act, with respect to Liberia, that provision to Liberia of the multilateral assistance described in section 110(d) (1) (B) of the Act would promote the purposes of the Act or is other-wise in the national interest of the United States; and

Determine, consistent with section 110(d) (4) of the Act, with respect to Sudan for all programs, projects, or activities of assistance as may be necessary to implement a peace accord, that provision to Sudan of the multilateral assistance described in section 110(d) (1) (B) of the Act for such programs, projects, or activities would promote the purposes of the Act or is otherwise in the national interest of the United States.

The certification required by section 110(e) of the Act is provided herewith.

You are hereby authorized and directed to submit this determination to the Congress, and to publish it in the Federal Register.

George W. Bush

MEMORANDUM OF JUSTIFICATION CONSISTENT WITH THE TPAFFICKING VICTIMS PROTECTION ACT OF 2000,REGARDING DETERMINATIONS WITH RESPECT TO "TIER 3" COUNTRIES

The President has made determinations regarding the fifteen countries placed on Tier 3 of the State Department's 2003 annual report on Trafficking in Persons. His determinations impose sanctions on Burma, Cuba, Liberia, North Korea, and Sudan. The United States will not provide funding for participation by officials or employees of these governments in educational and cultural exchange programs until such government complies with the Act's minimum standard to combat trafficking or makes significant efforts to do so. The determinations also indicate the Secretary of State's subsequent compliance determinations regarding Belize, Bosnia and Herzegovina, the Dominican Republic, Georgia, Greece, Haiti, Kazakhstan, Suriname, Turkey, and Uzbekistan. Furthermore, the

President determined, consistent with the Act's waiver authority, that certain multilateral assistance to Sudan (as may be necessary to implement a peace accord) and to Liberia would promote the purposes of this Act or is otherwise in the national interest of the United States.

It is important that ten of the fifteen Tier 3 countries took actions that averted the need for the President to make sanction determinations. Information highlighted in the Trafficking in Persons report and the possibility of sanctions, in conjunction with our diplomatic efforts, encouraged these countries' governments to take important measures against trafficking.

Section 110(d) (1) (B) of the Act interferes with the President's authority to direct foreign affairs. We, therefore, interpret it as precatory. Nonetheless, it is the policy of the United States that, consistent with the provisions of the Act, with respect to Burma, Cuba, North Korea, and Sudan (except, in the case of Sudan, for such assistance as may be necessary to implement a peace accord), the U.S. Executive Director of each multilateral development bank, as defined in the Act, and of the International Monetary Fund will vote against, and use the Executive Director's best efforts to deny, any loan or other utilization of the funds of the respective institution to that country (other than for humanitarian assistance, for trade-related assistance, or for development assistance which directly addresses basic human needs, is not administered by the government of the country, and confers no benefit to that government) for Fiscal Year 2004 until such a government complies with the minimum standards or makes significant efforts to bring itself into compliance, as may be determined by the Secretary of State in a report to Congress pursuant to Section 110(b) of the Act.

Statement of Explanation: Belize

On the basis of positive actions undertaken by the Government of Belize since the end of the 2003 reporting period, the Secretary of State has determined that the Government of Belize does not yet fully comply with the Act's minimum standards for the elimination of trafficking, but is making significant efforts to bring itself into compliance. This is the standard for placement on Tier 2 of the State Department's Trafficking in Persons report.

In June 2003, the Government of Belize was presented with a work plan by the State Department that outlined steps to combat trafficking. Since that time, it has accomplished each of the items in the Department's work plan, thus demonstrating "significant efforts." It should be noted that Belize appeared on the Trafficking Report for the first time this year in Tier 3. Once the government recognized the problem, it began making significant efforts to eliminate trafficking. These efforts include:

Prevention: Public officials recently took part in national radio discussions to raise awareness of the issue. The Ministry of Human Development is devising a broad public awareness campaign. A national hotline and national plan of action are now focused on how to prevent the trafficking of minors.

Prosecution: A new comprehensive anti-trafficking law was passed and 10 brothel owners have subsequently been arrested under this law. A Government of Belize inter-governmental agency task force is now coordinating national efforts, including a law enforcement strategy. A National Security Directive was recently issued to instruct police to focus on trafficking crimes.

Protection: The government's National Committee for Families and Children is now working closely with a major NGO on victim assistance and protection.

Statement of Explanation: Bosnia and Herzegovina

On the basis of positive actions undertaken by the Government of Bosnia and Herzegovina since the end of the 2003 reporting period, the Secretary of State has determined that the Government of Bosnia and Herzegovina does not yet fully comply with the Act's minimum standards for the elimination of trafficking, but is making significant efforts to bring itself into compliance. This is the standard for placement on Tier 2 of the State Department's Trafficking in Persons Report.

In June 2003, the Government of Bosnia and Herzegovina was presented with a work plan by the State Department that outlined steps to combat trafficking. Since that time, it has accomplished each of the items in the Department's work plan, thus demonstrating "significant efforts." These efforts include:

Prevention: On training and assistance, anti-trafficking training is now a part of the border service's coursework. Police have conducted 30 "train-the-trainers" courses on the new Criminal Procedure Code, and the judiciary has

also been trained on the trafficking aspects of the new Criminal Procedure Code.

Prosecution: The Bosnian police recently arrested a key organized crime and trafficking kingpin and his three associates. These suspects, as well as seven additional trafficking suspects in separate cases, are charged with trafficking according to the amended criminal code. All are in detention and cases are proceeding on to prosecution by the State Prosecutor in front of State judges, all of whom are newly-vetted. The Minister of Security, the senior-most law enforcement official in country, issued clear directives to law enforcement on trafficking in persons. The Strike Force, a state-level anti-trafficking in persons intelligence unit, chaired by the State Prosecutor, coordinates investigations of human trafficking cases. Anti-trafficking in persons officers placed in each local police station liaise directly with the State-level strike force.

On anti-corruption measures, professional Standards Units in each police station are currently conducting investigations in over 200 cases of police misconduct, including one specifically related to trafficking in persons. The Minister of Security recently sent letters to all police chiefs emphasizing a zero tolerance policy that forbids officers from frequenting brothels. This policy has also been published in police manuals and taught at police academies. A confidential tip line to report corruption is now running, and a personnel rotation system is in place to prevent abuse of position.

Protection: The State government is developing a comprehensive rulebook to address referral and victim assistance and the International Organization for Migration's referral directory is currently being used. The anti-trafficking in persons police unit is already conducting such referrals.

Statement of Explanation: Burma

The Government of Burma does not fully comply with the Act's minimum standards for the elimination of trafficking, and is not making significant efforts to bring itself into compliance. The President has determined to sanction Burma.

Justification: The Burmese military is directly involved in forced labor trafficking. International attempts to work with the government to address these abuses have had only limited success. This failure to make progress on forced labor more than offsets the government's improving, but still inadequate, record of combating trafficking for sexual exploitation.

Impact of Sanctions: The United States does not provide direct assistance to the Government of Burma. Aid to Burma is provided to non-governmental organizations and international organizations. Currently, USAID provides funds for several NGOs working in and around Burma. The activities currently planned by USAID are conducted through NGOs and do not involve the Government of Burma. The Department of State's Bureau for International Narcotics and Law Enforcement funds one NGO working in Burma. It also provides funds to the UN Office of Drugs and Crime (UNODC) for alternative development projects in Burma. None of this assistance is provided to, or directly benefits, the Government of Burma. Since aid is given to NGOs and do not involve the government, the Act's sanctions will not impact assistance.

Existing sanctions on Burma ban new investment, bilateral assistance, and arms sales, and purport to direct U.S. representatives to international financial institutions to vote against assistance to Burma. Signed on July 28, the Burmese Freedom and Democracy Act of 2003 and Executive Order 13310 imposed the most recent measures, including a ban on the importation of Burmese products, a ban on the exportation of financial services to Burma, and an asset freeze on senior Burmese officials.

The State Department's Bureau of Educational and Cultural Affairs maintains a small educational and cultural exchange program. The program supports approximately twelve visitors per year from Burma. The Act's sanctions will prevent government officials or employees from participating in the program. Non-government individuals are permitted to participate under the Act's sanctions.

Statement of Explanation: Cuba

The Government of Cuba does not fully comply with the Act's minimum standards for the elimination of trafficking, and is not making significant efforts to bring itself into compliance. The President has determined to sanction Cuba.

Justification: While government authorities turn a blind eye to gain hard currency for state run enterprises, state-controlled tourism establishments and independent operators facilitate and even encourage the sexual exploitation of minors by foreign tourists. The U.S. Mission in Havana met in July with Cuban Ministry of Foreign Affairs officials

to discuss the Trafficking in Persons report and to offer specific proposals that the Government of Cuba (GOC) could undertake to improve its performance in this area. These included such steps as publicizing statistics regarding GOC prosecution of persons involved in the prostitution of minors and inviting credible NGOs to investigate the problem. The GOC responded in no uncertain terms that the designation was an "injustice" to Cuba and was politically motivated, caused by a trafficking in persons report that completely distorted the situation in Cuba. Moreover, the GOC asserted that it was clear that no matter what it did, it would still be "unfairly" included in the 2004 report.

Impact of Sanctions: The Government of Cuba is already subject to an extensive economic embargo tied to Cuba's poor record on democracy, human rights, and economic reform. The United States Government does not offer economic assistance to the GOC and will not allow any new investment in Cuba by U.S. companies until democratic and economic reforms are instituted. USAID-financed activities with respect to Cuba support the programs of nongovernmental organizations and none of such programs benefit or involve the participation of the Government of Cuba. No Cuban government officials or employees participate in current or planned United States Government-funded educational or cultural exchange programs. While the embargo-related sanctions will remain in place until there are fundamental political and economic reforms in Cuba, sanctioning Cuba for activities related to trafficking in persons expresses clear U.S. disapproval of the Cuban Government's acceptance, if not endorsement, of such activities.

Statement of Explanation: Dominican Republic

On the basis of positive actions undertaken by the Government of the Dominican Republic since the end of the 2003 reporting period, the Secretary of State has determined that the Government of the Dominican Republic does not yet fully comply with the Act's minimum standards for the elimination of trafficking, but is making significant efforts to bring itself into compliance. This is the standard for placement on Tier 2 of the State Department's Trafficking in Persons report.

In June 2003, the Government of the Dominican Republic was presented with a work plan by the State Department that outlined steps to combat trafficking. Since that time, it has accomplished each of the items in the Department's work plan, thus demonstrating "significant efforts." The core of the plan required the government to address the lack of law enforcement and corruption. These efforts include:

Prevention: Efforts are underway in the Ministry of Foreign Affairs (MFA) to put in place more control procedures over the issuance of visas. The MFA has been working to develop and implement an electronic visa, which may eventually contain photos to reduce fraud. The authority to issue passports and visas from high fraud posts has also been restricted to a central office to improve accountability.

Prosecution: The government committed itself to carry out law enforcement actions against traffickers by creating anti-trafficking police and prosecution units. These units have the support of the government's highest authorities. This commitment was underscored by the enactment of a comprehensive anti-trafficking in persons law with tough new penalties. With regard to corruption, the government recently took a major step by indicting a member of Congress accused of trafficking-related corruption.

Protection: Special prosecutors are also now being installed in each of the country's nine administrative departments throughout the country to better protect and address child trafficking.

Statement of Explanation: Georgia

On the basis of positive actions undertaken by the Government of Georgia since the end of the 2003 reporting period, the Secretary of State has determined that the Government of Georgia does not yet fully comply with the Act's minimum standards for the elimination of trafficking, but is making significant efforts to bring itself into compliance. This is the standard for placement on Tier 2 of the State Department's Trafficking in Persons report.

In June 2003, the Government of Georgia was presented with a work plan by the State Department that outlined steps to combat trafficking. Since that time, it has accomplished each of the items in the Department's work plan, thus demonstrating "significant efforts." These efforts include:

Prevention: The government drafted a national action plan with specific ministry taskings and a timeline for action, which has already begun in several areas. The government also promoted some prevention campaigns targeted at vulnerable groups, including: training sessions for children's home directors; a targeted review of visa applications for entertainers; production of a government-funded anti-trafficking documentary; and, an anti-trafficking in persons

seminar at Tbilisi State University.

Prosecution: The government amended its criminal code to specifically criminalize trafficking. It strengthened its anti-trafficking in persons police unit, providing needed office furniture and supplies. The unit is working closely with the prosecutor's office on new cases and training is underway at both the ministry and field levels. The government provided details of several trafficking in persons-related cases being pursued, including prosecutions under the new anti-trafficking in persons article involving Georgian women who had been trafficked to Turkey.

Protection: The government established a new anti-trafficking in persons hotline, and advertises the number on national television. Police and hotline operators are being jointly trained to provide assistance and referrals to police and victim assistance specialists.

Statement of Explanation: Greece

On the basis of positive actions undertaken by the Government of Greece since the end of the 2003 reporting period, the Secretary of State has determined that the Government of Greece does not yet fully comply with the Act's minimum standards for the elimination of trafficking, but is making significant efforts to bring itself into compliance. This is the standard for placement on Tier 2 of the State Department's Trafficking in Persons report.

In June 2003, the Government of Greece was presented with a work plan by the State Department that outlined steps to combat trafficking. Since that time, it has accomplished each of the items in the Department's work plan, thus demonstrating "significant efforts." These efforts include:

Prevention: The Deputy Foreign Minister gave a press conference announcing new initiatives to combat trafficking in persons which was carried widely in all media. Ten television stations (state and private) are currently running a public service announcement (PSA) on child trafficking which describes the story of an immigrant child being exploited by his captors. Major radio stations (state and private) are airing PSAs to inform the public of trafficked women. All major family-oriented magazines are carrying informational ads on trafficked women. The government has begun to hold discussions with source country governments, is instituting stronger screening mechanisms for visa applications, and providing preventive information to visa applicants through its consulates in source countries.

Prosecution: According to the records of the Office of District Attorneys of major Greek cities, including Athens and Pireaus, there were 297 criminal indictments for sexually-exploitative crimes and human trafficking in 2002, and 94 indictments so far in 2003. Some notable actions are: the May 10th arrest of four traffickers under the TIP law; the June 12th police arrest of 13 people in bar raid; the June 13 Supreme Court prosecutor appeal of the acquittal of police officer accused of raping a Ukrainian woman in 1998; and Greece's organization this summer of Operation Leda, a transnational police operation in four countries leading to 38 arrests.

Protection: The long-awaited presidential decree implementing the victim assistance measures of the Greek anti-trafficking law was finalized and published in the official gazette. Among other things, this decree authorizes security and shelter for victims, outlines duties of law enforcement to assist victims, and delays deportation of victims so they may stay in country and receive specialized services. Greek police cooperated with Albanian counterparts to facilitate the repatriation of a Greek trafficking victim in Albania; the Minister of Public Order ordered the release of 6 trafficking victims from detention in Greece; and Greek consulates are providing information to female visa applicants regarding what to do if they are trafficked in Greece. One NGO has been provided access to a detention center to assist potential victims. The Government is releasing 1.1 million Euros to NGOs in Albania and Greece to implement victim assistance programs.

Statement of Explanation: Haiti

On the basis of positive actions undertaken by the Government of Haiti since the end of the 2003 reporting period, the Secretary of State has determined that the Government of Haiti does not yet fully comply with the Act's minimum standards for the elimination of trafficking, but is making significant efforts to bring itself into compliance. This is the standard for placement on Tier 2 of the State Department's Trafficking in Persons report.

In June 2003, the Government of Haiti was presented with a work plan by the State Department that outlined steps to combat trafficking. Since that time, it has accomplished each of the items in the Department's work plan, thus demonstrating "significant efforts." These efforts include:

Prevention: The Ministry of Interior has announced a new policy in which border officials now check more carefully the documentation of children being moved by persons other than their parents. Border officials are also

undergoing training so that they can more easily identify trafficking victims. The number of immigration officials on the Haiti-Dominican border is being increased to help stop cross-border trafficking. The government co-hosted a conference with UNICEF and officials from the Dominican Republic. The conference was a good start on improving bilateral cooperation and finding new ways to help prevent trafficking.

Prosecution: The government has formed a new 20-person police unit to undertake law enforcement against traffickers and help rescue victims. Although still poorly equipped, the unit has identified some traffickers and seeks more cooperation with the Dominicans. The Haitian police have also begun working with Dominican consular officials to rescue and repatriate Dominican women and girls trafficked into Haiti. A number of girls were also rescued this summer during the assessment period.

Protection: The government has hired and is now training four new monitors in the Ministry of Labor and Social Welfare to assist child victims. The government to provide additional building facilities to help the ministry care for rescued children.

Statement of Explanation: Kazakhstan

On the basis of positive actions undertaken by the Government of Kazakhstan since the end of the 2003 reporting period, the Secretary of State has determined that the Government of Kazakhstan does not yet fully comply with the Act's minimum standards for the elimination of trafficking, but is making significant efforts to bring itself into compliance. This is the standard for placement on Tier 2 of the State Department's Trafficking in Persons report.

In June 2003, the Government of Kazakhstan was presented with a work plan by the State Department that outlined steps to combat trafficking. Since that time, it has accomplished each of the items in the Department's work plan, thus demonstrating "significant efforts." These efforts include:

Prevention: The government formally appointed the Justice Minister as the new trafficking government coordinator. Through the new coordinator, the government created a compilation of anti-trafficking in persons initiatives, including a 15 page anti-trafficking manual for law enforcement agencies. State-sponsored public service announcements began airing on a national TV network and a state-affiliated TV channel. Trafficking reports have increased in all media outlets. A nationally-televised statement by the Prosecutor General and Foreign Ministry on trafficking was widely carried by the media.

Prosecution: The President signed criminal code amendments increasing the penalties for acts connected with trafficking. The new amendments were reported in the official state newspaper. The Law Enforcement Council approved new trafficking guidelines and distributed them to law enforcement agencies.

Protection: A victim assistance referral system was made part of the new law enforcement guidance and instructions. An Almaty-based NGO was specifically named as the official NGO for referral. Nation-wide hotlines have been established and their numbers are now included in televised, nation-wide public service announcements. The Foreign Ministry distributed thousands of brochures to Kazakh embassies overseas and sent instructions to consuls on victim assistance.

Statement of Explanation: Liberia

The Government of Liberia does not fully comply with the Act's minimum standards for the elimination of trafficking, and is not making significant efforts to bring itself into compliance. The President has determined to sanction Liberia. The President has also determined that provision of certain multilateral assistance to Liberia would promote the purposes of this Act or is otherwise in the national interest of the United States.

Justification: The trafficking concerns in Liberia are largely the result of the on-going civil war between the Liberians United for Reconciliation and Democracy (LIJRD), the Movement for Democracy in Liberia (MODEL), and the Government of Liberia. Liberia's placement in Tier 3 resulted from the government of President Charles Taylor's recruitment of child soldiers and other citizens as sex slaves and forced laborers. Rebel forces carried out similar practices.

Taylor's August 11 departure offers a realistic opportunity to reach a comprehensive agreement among the parties to the 14-year conflict and presents an opportunity to demobilize child soldiers and reintegrate victims from all sides into society. In October, a new interim government will be sworn in based on the August 18 comprehensive peace agreement signed by the warring parties, including the current government. We now have, for the first time

in many years, the prospect of a responsible partner government in Liberia willing to work with us on human rights issues including trafficking in persons.

Impact of Sanctions: The Act's sanctions will prevent government officials or employees from participating in United States Government-funded educational and cultural exchange programs. However, the United States will continue to be able to support efforts to establish an effective government in Liberia as well as work effectively with a new Liberian government to address human rights, including trafficking in persons.

Statement of Explanation: North Korea

The Government of North Korea does not fully comply with the Act's minimum standards for the elimination of trafficking, and is not making significant efforts to bring itself into compliance. The President has determined to sanction North Korea.

Justification: The Government of North Korea is making no effort to address trafficking in persons. The Government of North Korea carries out widespread forced labor abuses within the country. Conditions in North Korea drive large numbers of Koreans to seek a way out of the country, putting them at risk of victimization by traffickers. Women who enter Northern China from North Korea may be sold as brides and forced into prostitution. Although other U.S. measures against North Korea are in place, the President's determination indicates the strong U.S. disapproval of the North Korean Government's failure to address trafficking in persons.

Impact of Sanctions: The United States does not provide direct assistance to North Korea. The United States provides food aid for North Korea through the United Nations World Food Program. The World Food Program has received and distributed \$650 million in food aid from the United States. The United States has provided more than half of the World Food Program's food aid to North Korea since 1995. Food insecurity is an ongoing problem in North Korea and the population remains vulnerable to malnourishment, disease, and starvation. The food aid provided by the United States helps to alleviate the desperate situation in North Korea. This assistance to North Korea is purely humanitarian, and the sanctions against North Korea will not adversely impact food aid.

USAID provides a significant amount of humanitarian food aid under authority of Title II of P.L.480, the "Food for Peace" program. This assistance is not affected by the Act.

No North Korean government officials or employees participate in current or planned United States Government-funded educational or cultural exchange programs.

Statement of Explanation: Sudan

The Government of Sudan does not fully comply with the Act's minimum standards for the elimination of trafficking, and is not making significant efforts to bring itself into compliance. The President has determined to sanction Sudan. The President has also determined that provision of certain multilateral assistance to Sudan, as may be necessary to implement a peace accord, would promote the purposes of this Act or is otherwise in the national interest of the United States.

Justification: Current trafficking in persons concerns in Sudan are often linked to and exacerbated by the on-going civil war between the Government of Sudan and the Sudan People's Liberation Movement/Army. Both parties are now in the end-game of a peace agreement process. The President determined on April 21, 2003, pursuant to the Sudan Peace Act, that the "Government of Sudan and the Sudan People's Liberation Movement are negotiating in good faith and that the negotiations should continue."

Impact of Sanctions: The Act's sanctions will prevent Sudanese government officials from participating in United States Government-funded educational and cultural exchange programs. Comprehensive sanctions against Sudan are already in place, including those imposed under the International Emergency Economic Powers Act (IEEPA), those related to its designation as a state sponsor of terrorism, and several others. However, as the parties reach a peace settlement or further positive changes occur, we intend to implement a wide variety of programs to restore effective governance and allow economic growth. These would likely include, but not be limited to, programs aimed at restoring a functioning judicial system and other elements necessary for return to rule of law, respect for human rights and democracy, security, a functioning legislature, and elements of a market economy. These measures will be complemented by extensive humanitarian efforts. Specific programs are now being developed. The programs will be implemented bilaterally and in conjunction with other countries and international institutions. The President's action will allow these important efforts to take place if and when appropriate.

Statement of Explanation: Suriname

On the basis of positive actions recently undertaken by the Government of Suriname since the end of the 2003 reporting period, the Secretary of State has determined that the Government of Suriname does not yet fully comply with the Act's minimum standards for the elimination of trafficking, but is making significant efforts to bring itself into compliance. This is the standard for placement on Tier 2 of the State Department's Trafficking in Persons report.

In particular, the Government of Suriname has accomplished each of the items in the Department's work plan, created to outline steps needed to improve their efforts to combat trafficking, thus demonstrating "significant efforts." It should be noted that Suriname appeared on the Trafficking Report for the first time this year in Tier 3. Once the government recognized the problem, it began making significant efforts to eliminate trafficking. These efforts include:

Prevention: Government officials have spoken out on the trafficking problem to raise awareness, making speeches, giving interviews and reaching the national media to discuss the issue.

Prosecution: An interagency task force is coordinating government action to address trafficking, including law enforcement efforts. The government has launched a police and border control operation called "Safe Suriname" to increase rescues of victims and arrests of traffickers. A special prosecutor is heading the prosecution of corrupt government officials.

Protection: Brothel owners are being instructed on legal standards for the treatment of prostitutes. Trafficking victims now have access to a newly established shelter for victims of domestic abuse and violence. Twelve prosecutors and judges were trained by the Surinamese Women's Center on providing assistance to victims of abuse. The country's leading NGO has been asked to join the government's interagency task force to advise on protection policies.

Statement of Explanation: Turkey

On the basis of positive actions recently undertaken by the Government of Turkey since the end of the 2003 reporting period, the Secretary of State has determined that the Government of Turkey does not yet fully comply with the Act's minimum standards for elimination of trafficking, but is making significant efforts to bring itself into compliance. This is the standard for placement on Tier 2 of the State Department's Trafficking in Persons report.

In June 2003, the Government of Turkey was presented with a work plan by the State Department that outlined steps to combat trafficking. Since that time, it has accomplished each of the items in the Department's work plan, thus demonstrating "significant efforts." These efforts include:

Prevention: The Turkish government expanded its cooperation with source countries by opening official channels of communication specifically on trafficking in persons and enhanced cooperation. The President held talks on trafficking with the President of Ukraine, a notable source country, and through enhanced screening of visa applicants in Moldova, the Turkish consul alerted Moldovan officials of a suspected trafficking ring to Turkey. The government expanded outreach efforts to the general public through nationally televised statements on trafficking, and the distribution of brochures to tourism industry outlets on the prevention of sexual and other exploitation.

Prosecution: The government reported that 11 Turkish citizens were recently charged with trafficking, and the 14 cases reported in 2003 Trafficking in Persons Report are in proceedings. A recent raid, which was undertaken through a 4-month investigation between the Turkish police and the Russian consulate in Ankara, netted 16 charges of organized/forced prostitution. These cases are proceeding to trial and the government is providing quarterly updates.

Protection: The government's most recent raid resulted in recognition of over 200 potential victims, all of whom were screened according to the new law enforcement procedures, and trafficking victims were offered medical assistance and shelter. The government is developing a repatriation and prevention project with International Organization for Migration, which has already conducted individual repatriations. Police, judges, and prosecutors were trained on victim-centered questioning and a new police directive mandates that victims be screened and offered medical assistance. Humanitarian visas are given to victims and a social assistance fund is now available to trafficking in persons victims. The Prime Minister's office is printing posters explaining victims' rights for distribution.

Statement of Explanation: Uzbekistan

On the basis of positive actions recently undertaken by the Government of Uzbekistan since the end of the 2003 reporting period, the Secretary of State has determined that the Government of Uzbekistan does not yet fully comply with the Act's minimum standards to bring itself into compliance. This is the standard for placement on Tier 2 of the State Department's Trafficking in Persons report.

In June 2003, the Government of Uzbekistan was presented with a work plan by the State Department that outlined steps to combat trafficking in persons. Since that time, it has accomplished each of the items in the Department's work plan, thus demonstrating "significant efforts." These efforts include:

Prevention: The government appointed a government coordinator from the Ministry of Internal Affairs who heads the anti-trafficking steering group. The steering group finalized a National Action Plan. The government initiated public information and educational campaigns, including numerous television discussions, in-depth features and talk shows on trafficking. The Foreign Minister gave a national address on trafficking in persons and a popular radio soap opera aired an episode with a trafficking storyline. Forty-seven educational seminars were developed for students and school directors while 3,000 brochures were passed to students.

Prosecution: The government drafted an anti-trafficking article in the criminal code, which is currently receiving comments, including from the United States Government. The article is scheduled for introduction at the August 29 session of Parliament. Police initiated 116 criminal cases related to trafficking in persons, over 100 of which were brought to National Prosecutor General's Office.

Protection: The City of Tashkent signed a formal agreement with a local NGO to develop trafficking educational seminars and trainings. Tashkent district police and a prominent NGO trained 300 officials throughout Tashkent. Those officials then conducted seminars for *Mahallas* (communities) attended by 11,000 people. The government is informally waiving document processing fees for trafficking in persons victims overseas, and this policy will be formalized in a draft bill on victim protection, which will be considered next December. The Ministry of Foreign Affairs issued instructions to consular departments abroad on detecting and protecting trafficking in persons victims. The Ministry of Foreign Affairs, along with a specialized NGO, is conducting training for consular officers.

**THE SECRETARY OF STATE
WASHINGTON**

CERTIFICATION REGARDING PROVISION OF ASSISTANCE TO TRAFFICKERS

Pursuant to section 110(e) of the Victims of Trafficking and Violence Protection Act of 2000, Public Law 106-386 (the Act), I hereby certify that during fiscal year 2004, with respect to the assistance identified therein, no assistance is intended to be received or used by any agency or any official from any country identified in the determinations to be made under section 110(d) of the Act who has participated in, facilitated, or condoned a severe form of trafficking in persons.

Colin L. Powell